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ERRATUM: Pages 5758 in this volume to 5841 should read 5858 to 5941. All numbers in between should be advanced one hundred.

NATIVE ECONOMIC COMMISSION

PORT ELIZABETH 25th MARCH 1931 9.30 a.m.

SEVENTYNINTH PUBLIC SITTING

PRESENT:

Dr. J. E. Holloway, (Chairman)

Major W. H. Anderson,
Dr. H. G. M. Fourie,
Mr. F. A. W. Lucas,

Mr. A. M. Mostert,
Dr. A. W. Roberts,
Senator P.W. le Roux van Niekerk.

MR. CORNELIS KROG SCHEEPERS, Attorney, practising at Port Elizabeth,

called and examined.

CHAIRMAN: I understand that there are certain points which you are anxious to bring to the notice of the Commission? Yes. I find that, in dealing with Native cases according to Native custom and Native law, I have considerable difficulty in reconciling matters. I had a case here this morning which was brought to me at my office. It is a case of a summons which was issued on a youngster who has to appear before the Magistrate at Port Elizabeth on a charge of non-support of an illegitimate child. Now, that youngster is still under his stepfather, or his guardian and he is summoned now for support of the child. According to the statement which he has made to me, he only earns about 12/6d a week.

DR. ROBERTS: How old is he, is he under 16? - No, but he is under 21. Now, out of that money which he earns he has to pay 3/- for his bus fares and 7/- for his board and lodging. Now, his father or stepfather is agreeable, according to Native custom, to provide the necessary cattle as a fine for this reduction. That is in accordance with Native custom. I have often applied to the Magistrate here and he has often acceded to my request to allow the Natives to settle such matters according to their own customs, rather

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than invoke the aid of the Child Protection Act because, under the Child Protection Act, it is a very great hardship on them. You see, with us children are very often a burden but with the Natives they are regarded as an asset, and we have not to force the Natives to support their children.

There is never such a thing as a destitute child. An illegitimate child belongs to the father of the woman and it is that father of the woman who has to see that the child is maintained and he summonses the man who has the child in order to get possession of it. They are keen on it. So, if a change like that could be introduced, it would be very beneficial to the Native.

Do you mean that settlement of cases of this kind, according to Native law, should be made possible also in urban areas ?- Yes.

You know that in the rural Native areas that is the case ?- Yes, but we want to extend it to Port Elizabeth because, in Port Elizabeth at present, in cases of seduction or in cases of desertion, we go according to Native custom and we summons the kraal head. We do not summon the defaulter but we go straight for the kraal head. That, of course, is another injustice. The kraal head is responsible for the torts of all the inmates of his kraal, of all his family. He is responsible for all their misdemeanours without having the machinery to enforce his rights or his authority over them. Because, if you look at things, you will see that we have taken away his powers according to our law so that, as soon as a child is 21 years of age it is out of parental control, in spite of which his father or guardian or the kraal head is still responsible for that child's misdemeanours although he has no authority over the child.

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That is the position and it is not right. We burden that father with the civil liability although he has no authority to exercise any pressure on his family.

DR. ROBERTS: I thought that, even in urban areas, if the parties were willing, they could still claim the new law, the Native Administration Act? - Yes, they do claim the new law and they get it applied, but in this case which I have just quoted to the Commission, you find an instance such as we often come across. These young Native girls find that they can get out of parental control as soon as they are 21 years of age. They discard all parental control, they go to the cities and let their services to the people there. There may be attractive girls and boys, they meet, they get together and often get married, or simply live together, without referring to their kraal heads. They simply live together. Then the offspring arrives on the scene and the girl often has to go back to the kraal where she has come from.

She has never consulted her parents and no lobolo has passed. Then, when these Native youngsters, or shall I call them young adults, go back to the Native Territories, they go there for, perhaps, six months. They go and visit their parents or perhaps they go to assist in the crops. I am now referring to the boys. The family tell them, "There is a girl in that kraal over there whom we want you to marry according to our customs". Well, the boy disregards this hasty marriage of his in Port Elizabeth and he attaches himself to that girl at the kraal and, in the end, the State is burdened with the children of that other girl whom he has left behind him in Port Elizabeth. That is the unfortunate part of the whole affair which we have to contend with.

Then, in regard to the divorce law, the magistrates or

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Native commissioners have the right to dissolve the Native marriage, but this is rather an important point -- they cannot dissolve a Native marriage on the ground of adultery only. There must be other causes in addition, such as malicious desertion or cruelty. Then, if adultery is added, they can dissolve a marriage, whereas, according to Christian rites they can dissolve a marriage solely on the ground of adultery.

DR. ROBERTS: Under English law it is the same thing? - Yes, but it is different with us in this country, with the Europeans.

CHAIRMAN: I do not quite follow whether you consider that the absence of the right to grant the divorce for adultery under Native law is a thing which should be remedied? - Yes, certainly, I think so. I shall tell you about a great hardship which we have had here. There was a very wealthy Native woman here, a big heavy woman, who practised for years as a herbalist. She acquired property and became a Christian and got married to a Native by Christian rites -- no, she got married according to Native custom, I am sorry --. Now, her husband does not desert her, but he does what he likes with the properties and she has no control whatever over the property and is not able to get the marriage dissolved. She applied to the Court and the Court said, "You must prove, in addition to this adultery, that there is malicious desertion". Well, this man, in the meanwhile, was living with another woman. That man lets her property, takes the rent and this wife of his has to look after herself as best she can. She is a very big corpulent woman, extraordinarily oversized, and she finds it difficult even to move about and to do anything, but her husband simply sticks to the rents and gives her nothing.

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But the three heads under which you give this evidence do not seem to me to amalgamate under one consistent system, because the first point, the case of the minor whom you mention, who was brought up for seduction - in that instance you are in favour of applying the Native law? - In this respect. If the kraal head is held responsible for that boy's misdemeanours, then that kraal head must be allowed to exercise authority over him. That youngster should not be able to get married without proper lobolo and such things passing.

But, in the first case, you were in favour of the Native law being applied? - Yes.

In the second case, you pointed out the application of Native law to a headman who has no control, which manifestly brings about an injustice. In the third case, you want adultery which, according to Native ideas, is not a cause for divorce, to be made a cause for divorce? - Yes, that is so.

Is that not mixing up European and Native ideas in such a way that you do not know where you are? - The only change is about divorce and we are continually changing our laws as we go on. Now, these Native customs about lobolo, and the kraal head system and the non-emancipation of youngsters, so long as they are not married - now these things are ages old and so is this matter of divorce. You cannot get a divorce except for adultery and some other concurrent misdemeanour. That part, I think, they might improve, although it is strictly Native custom - they might improve it to bring it into line with the law of equity of civilisation. The great question is the question of the kraal head and the non-emancipation of the male members of the family for whom he is responsible.

We naturally amend our laws as time goes on, but not

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in such a way as to introduce principles totally in conflict with the whole of our social system. And, according to the Bantu principles, adultery is not regarded as a sufficiently serious thing to warrant a divorce ?- In the case of a man it is not, but a woman can never claim divorce on the ground of adultery.

According to some European thinkers, it might be an improvement to our own laws if adultery were not a cause of divorce. It seems to me that it is dangerous to introduce European ideas into the system if we do not want to keep that system.?- We have introduced various other systems, but the point which I am trying to make^{is} that the Courts are liable to misconstrue it. There is a paragraph which says that wherever there is a conflict between European and Native custom and it is more equitable to apply the European law, the European law shall be applied. If the Magistrate thinks it is an injustice to apply the Native law, he can apply the European law.

MR. LUCAS: Take the first case which you mentioned about the seduction, would it not be a great injustice to the girl today to apply Native custom - giving so many head of cattle to her father. That will not help her to keep a child here in Port Elizabeth ?- No, but under Native custom, the father would keep the child.

But the father cannot take a young baby from the woman? - He would have to look after the woman, too.

Yes, but she came out of the kraal because she found it impossible to live there ?- If that system is adhered to, he will have the right to keep control over her. If he finds that she goes out with men and leads a loose life and gets

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herself into trouble, he will keep her at home.

Do you think that that is practicable today ?- It is done to a large extent.

Are not the women kicking against it ?- Yes. We have this objection to control. Because of this emancipation at 21 years of age, which we have introduced silently, without their request, a lot of these troubles are occurring today.

Do you think that it would be possible to go back to the old condition - do you not think it is too late to go back to that ?- No, I do not think so.

We have thousands of women who have gone out ?- Yes, but future generations will stay at home and be content if the chiefs have power over them. The chiefs today have very little power indeed. They only have the power of ordinary headmen or policemen and they carry out these instructions of the local magistrate.

MR. MOSTERT: The father of the child cannot force the girl to go back ?- Under Native custom he could do so.

I refer to the father of the girl ?- Yes, under Native custom he could.

MR. LUCAS: By force majeure ?- Yes, perhaps, but he cannot do it now, with the 21 years emancipation. You must understand me. I am pleading for the rescue of future generations. We have this system today. We have a social system half under Native custom and half under European law. We give them emancipation and yet we hold the head of the kraal responsible for them. The result of that is that we are continually selling up these kraal heads for these lascivious acts of their offspring and yet they are not entitled to hold these offspring back in the kraals.

MR. MOSTERT:

And yet they are responsible ?- Yes.

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And you are allowed to sell them up ?- Yes, I certainly have to sell them up at the rate of two per week. There are a lot of Native Commissioner cases like that. We go straight to the kraal head, we do not worry about anyone else. And there is another thing on which there should be a definite ruling and that is the status of Native women. If they want to depart from the Native custom and emancipate these people, they must lay it down what their rights are. The position is so vague today as to the locus standi of a Native woman. There is no authority in regard to the position of a Native woman, there is no authority to lay down in what manner she is to be looked upon. Who is her guardian, there is no authority to say what her responsibilities are and what her rights; there is nothing laid down as to who is the responsible party for the misdemeanours of her children as the kraal head if the children are under age. I am now referring to the Native woman who lives in the kraal and has remained there all her life.

DR. ROBERTS: But the woman in that position can hold property, can she not ?- Yes, but only under certain conditions, if her eldest son is not of age, but if he is of age, she cannot.

MR. MOSTERT: A woman is always a minor ?- Yes, she always used to be, but our law today makes her a major at 21, and that is where the trouble comes in. We do not know where we are at present. If there is uniformity, even if it is against the Native, he will not mind, but there must be something definite about it, which does not exist today. You see, you must not forget this - the Native likes a ruler with a backbone, he likes a man who does not mind and is not afraid to say "No." Of course, he must sometimes say "Yes", but he

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must not say "No" today and "Yes" tomorrow. The Native wants a harsh ruler, but he wants a just ruler above all. He does not want favouritism. If he does wrong, you can put him in gaol for six months and he will not say anything, but you put him in gaol for a day for nothing and he will have a grudge against you all his life.

If you will allow me, I should like to say a few words on the question of lobolo. That is looked upon by a large portion of the community as the buying of a wife, but there is no such thing. If you look at the proper meaning of the word and at the proper cause of it, you will see it is a very desirable thing. It is a pact entered into between the bridegroom-to-be and the father of the bride, by which this man says, "If I give my consent to your marriage with my daughter, then you will give me so many head of cattle to shew that you are in earnest and that you will treat my daughter fairly, that you will provide her with maintenance and I shall see that she does not desert you". That is the pact which they enter into and, if the woman does anything wrong, her father loses his cattle and everything.

SENATOR VAN NIEKERK: Have you given any consideration to the question of having Native villages instead of locations - have you considered the question of Native villages some distance from the towns - do you think that that would be better than a system of locations such as we have at present? - If you mean by that, that such villages should be the same as our villages which are run by village management boards ----

CHAIRMAN: No; the question is whether they should have the right to buy property in a village of their own near the towns? - They are doing it at present. It has the effect of making them save and not squandering their money.

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Here they pay £30 or £35 for their ground; they pay £1 per month and, when they have finished paying, they build a room or two and gradually increase that, in that way they accumulate until they have about eight or nine rooms. They have a system of their own there which enables them to lay aside something for a rainy day when they can work no longer.

DR. ROBERTS: Has that been your experience? - Yes.

Has it been your experience that it is building up the character of the Native? - As far as this question of saving is concerned, there are, of course, certain classes of Natives whom you will never lift up and I am afraid that they are the most prominent in the life of the community. You have the illicit liquor dealers. You will never eliminate them from a community.

CHAIRMAN: Judging from certain remarks which you have heard here, the conditions at Korsten are such that one cannot be proud of that place? - No, not from a European point of view.

Comparing Korsten with the Native village of New Brighton as a location, the opinion of some witnesses is that New Brighton is far superior? - Yes, I must say that New Brighton is superior as far as its administration is concerned, because it is being specially catered for by the municipality as a location. The municipality has invested money in that, thousands of pounds, in getting it into the state in which it is now, whereas Korsten was built up by the Natives themselves, without any capital. New Brighton has had a lot of public capital invested in it. The Natives only pay interest and sinking fund charges. If the same amount were to be spent on Korsten, it would be an eye-opener.

You would support the idea of giving a Native title

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to his ground ?- I certainly would do so as part of a whole scheme.

SENATOR VAN NIEKERK: Yes, but would that not induce Natives to flock to the towns with the result that you would have an enormous population ?- No, I do not think that the supply of Natives will very much exceed the demand. We have everyone coming to the towns. People go to the country today to look for labour and for work. They come to the towns and, if they cannot find any work, they go back to where they come from to till the soil. But the younger generation are the ones who take my attention most. It is the younger generation that we have to tackle so as to prevent the thing from becoming perpetual.

CHAIRMAN: I understand that you have a list of the storekeepers at Korsten and New Brighton ?- Yes. At New Brighton we have three general dealers, M. Mqugo, S.S. Ngqonga, and W. Bazi; two butchers, W. Magwaxaza and W. Kuheane. At Korsten, one general dealer, John Yona, and one butcher, R. Pukwana; at Veeplaats, G. Magxaki, a general dealer. Then there are many eating houses for Natives at Port Elizabeth and at New Brighton.

MR. JAMES MAWELA DIPPA, Clerk in an Attorney's Office, ex
Provincial Secretary of the I.C.U.,

called and examined:

CHAIRMAN: In what capacity are you appearing before us ?- I represent the Native Workers' Society.

We have two statements from you. The one on the influx of Natives and general conditions of Natives, and the other statement in regard to the Native's desire to own land and how that desire is defeated. You will understand, of course,

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that the Commission cannot go into individual cases, but we wish to ask you some questions on the general principle involved, namely, whether the Natives are being prevented by Europeans from buying land in certain areas. On the question of how your firm of attorneys was treated in that matter--well, we have nothing to do with that; that is a matter for the Native Affairs Department or for the Law Courts, and as this is a Commission and not a Court of Law, we cannot go into it. Now with regard to your other statement, you give me a list of your articles of foodstuffs which you say a raw Native coming from outside would require. Can you tell the Commission how that list was made up? Perhaps you had better just read the list? - I say here, if we take a raw Native from Native reserves coming to work in Port Elizabeth, we find that his savings for a week, a 4/- per day, amount to something like 7/7d. He comes to work to pay his debts, fees, taxes, and to buy blankets. I give his income and expenditure for the week. I give his income at £1.4.- per week and then his expenditure, 3 bottles of paraffin at 4d each .. 1/-,

4 lbs. meat,	3d lb.	1/-,
7 loaves of bread,	@ 3d each	1/- (?)
5 lbs. mealie meal		1/-,
1 pkt. salt		3d,
5 lbs. sugar,		1/10d
1 pkt. candles		9d,
10 lbs. samp		1/6d,
3 pkts. beans		9d,
1 box matches		1d,
1 lb. tobacco		2/10d,
1 cake of soap,		3d
weekly fares		2/-,
rent for services in location etc.		1/3d,
Poll tax, reckoned per week,		5d

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Raw mealies			1/-,
making a total of	16/11d.

His savings for the week I reckon at 7/2d.

How do you get these details ?- I got the figures from the Co-Operative Stores, who do most of the business here and that is the place where the prices are regarded as being lowest.

I am not referring to the prices, I am referring to the quantities which the Native consumes. How do you find that he requires 5 lbs. of mealie meal ?- When we were negotiating with the employers of labour in 1929, I was instructed to find out the true position of the Native labourers and the amount of food which they required per week, and the figures which I have given here were the figures given to me by the different Natives, and then I had to find an average in between. Those figures were accepted by both sides.

Is this the average which the Natives gave you - the amounts that they generally use ?- Yes.

And is that the single Natives ?- Yes.

Without any family helping them to eat the food ?- There were two figures given to us, but I only took the single Natives here and the very lowest.

You have raw mealies there at 1/- . What do you mean by that ?- Uncooked mealies, ordinary mealies eaten by the Natives.

Is that the dry mealies ?- Yes, dry mealies.

And then you have samp ?- That is stamped mealies.

What is the difference between the stamped and the raw mealies ?- The raw Native likes the raw mealies better than the samp. Samp is crushed mealies.

Now, how much raw mealies will you get for a shilling, how many pounds ?- These Natives usually buy the mealier per bucket. One bucket per week and that, they reckon, at 1/-.

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Yes, but how much would they get for 1/- ?- Just about a small bucket.

You do not know how many pounds ?- They are not sold by the pound, they are sold by the bucket.

MR. MOSTERT: Would it be 10 or 12 lbs. ?- No, sir. It would be between 12 and 15 pounds.

SENATOR VAN NIEKERK: Let me get a bit nearer to that figure. A paraffin tin of mealies, weighs 25 lbs. ?- Yes, sir. Now, how many of these would go into a paraffin tin ?- About $1\frac{1}{2}$.

And what sort of a tin do they use ?- They do not use a tin, they use an ordinary bucket, a bucket with a handle. You know, the ordinary bucket which they use for milk - a little bigger than that.

CHAIRMAN: So it is not less than 12 lbs. ?- No, sir.

SENATOR VAN NIEKERK: Would you say about half of a paraffin tin ?- Yes, about that.

CHAIRMAN: You have one bag of beans, 9d. What would beans cost, what does a pound of beans cost ?- I did not take the actual weight. They are sold in small bags at 3d.

You say 9d each, not 3d each ?- No, there would be three of them which would carry a Native on to the end of the week.

You say one bag of beans ?- No, it should be three bags of beans.

Would a bag of beans weigh one pound or half a pound? - Half a pound.

Now, according to this statement of yours, this Native eats 44 lbs. of food a week, of which 25 27 lbs. are mealies and mealie meal, and then there are 17 lbs. of other food per week. Do you think that he could eat that? Do you think he can eat all that - get it all down his throat ?- Per week?

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Well, I am jolly sure that I cannot do it, and you may be able to produce a Native who can eat it for one week, but he will not be able to do it for two weeks in succession? - I think the only figure which might perhaps cause a little confusion is mealies and, unfortunately, I have not taken that in pounds.

That is the dry mealies? - Yes.

I am taking it at 12 lbs. You say it would be that. It would be quite interesting if you could find a Native who could eat this amount of food for two weeks running? - The amount of food I have put down there I reckon from what I obtained at New Brighton. Natives there are buying their mealies per bucket and they pay one shilling. That is the average amount of expenditure on that item. I did not reckon it according to the pound.

Still, it has to be turned into something. He probably succeeds in getting through this, because I notice that he smokes 1 lb. of tobacco per week? - (No answer):

MR. LUCAS: The total there should be 16/11d.

CHAIRMAN: Do you not think that you are giving him rather a big allowance of tobacco for one week. Do you think he would smoke a pound of tobacco in one week? - These are small packets of tobacco - they are called a pound of tobacco.

SENATOR VAN NIEKERK: Do they contain one pound and do they cost 2/10d.? - Well, I got these details from the shops.

Do you smoke? - No, I do not. This is "Commando", Magaliesburg tobacco.

CHAIRMAN: Now you consider that the trekking in of Natives from outside to work here acts detrimentally on the town Natives? - Yes, it is detrimental to the Native, especially when we consider the position of those Natives who are

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resident in the town. You have to consider the whole question from the point of view of the work that is available and then you find that the supply exceeds the demand. You see, there are more Natives coming into the town here from the rural locations.

In what way is it detrimental to the town Natives ?- In this way, that the Natives from the rural locations come here and take any kind of job at any price. Take, for instance in 1929 we came to an agreement in regard to the question of wages, but so many Europeans did not respect that simply because they said that they could get Native labour at any time. That is the real position and that is where the town Natives are affected. I am of opinion that even those Europeans who today pay these higher wages are satisfied to do so because they realise what the needs of the Natives are, even though there is no legal force to compel them to carry out that agreement. One has to bear in mind that these Natives have their homes at New Brighton and at Korsten and they have to keep their homes going.

Would a raw Native who comes in undercut a local Native ?- Yes, he would.

Have you any knowledge here of individual cases where that has happened ?- Yes, I have come across it several times. I have in mind the case of a number of Natives who were expelled from their work on account of some petty trouble with their master. They asked me to go and speak to the master on their behalf. I did so, and the master said to me, "It is no use, if these boys do not like to come and work on my conditions, I do not care, because there are hundreds of other Natives ready to take their jobs."

When was this ?- That was some two years ago, and that kind of thing does happen. And we have had the same

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kind of trouble here with the Railways and Harbours. These Natives refused to do certain work and it was found quite easy for the Administration to take Natives from outside to do that work for them. The result has been that some of these Natives have been unable to find work for some time.

What I want to get at is this, why is it that the raw Native is being taken in? If there are hundreds and hundreds of Natives, why does the employer take on the raw Native? Surely the other Native who lives here would have more experience. If that is so, then why does the employer go past that Native and take the raw man? - The employer usually quarrels with the Natives and only keeps on the boss boy.

What do you mean by saying that the employer usually quarrels with the Natives? - Whenever there is a quarrel between the boss and the Natives, the boss boy is on the side of the employer.

Do you mean that he knows on which side his bread is buttered? - He is there to teach the raw Natives to the detriment of the others.

Do you think that the boss boy prefers to take in the raw Native? - Yes, I think he is forced to do so.

Forced, by whom? - Forced by circumstances. His master does not want to give in to the Natives for reasons of his own, and the boss boy is there to keep his job.

Say there are 20 Natives working in a certain place and they are dismissed. Why should he take on 20 raw Natives instead of 20 town Natives? - Do you mean, why should he take on 20 Natives from outside?

Yes? - Well, when I submit this position, I do not lose sight of the fact that there are hundreds of Natives who live

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at New Brighton or at Korsten and they have been here for some time and they have been out of employment and there are some of them who do not even want to go to work.

Why do they not want to go to work? - Well, there is this reason. Some of them have gone in for gambling, for illicit liquor selling and other things. I do not speak about those whom you look upon as permanent residents. I mean the Natives who are here, but who have been out of employment for some time. There are others, of course, who are always working. But there are others who will not work and make their living by gambling and selling liquor. When the Natives complain about the lowness of their wages, the master will not do anything for them and they resort sometimes to what has been called "Down tools"; and then there are other Natives who are quite ready to take their places.

Do you mean, that the Native from outside is always ready to work at a lower rate than the boy whose home is here? - Yes.

Is it not possible that the master finds that the raw Native who has just come in is prepared to obey orders in a way which the Native who is accustomed to town life is not? - No, I do not think so.

You think it is only the wage? - Yes, that is what is at the back of it.

SENATOR VAN NIEKERR: What is the object of these Natives who take work at any price? - They have only come here for a short time to work until they can go home again and have made a little money and ^{the} sooner they can get employment the better, the sooner they get employment, the sooner they can go home again.

You said just now that some men live by gambling and illicit liquor selling. Is there much of that? - Yes, there

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is a good deal of it.

Is there any particular class of Natives who go in for that ?- Yes, there is a class who do not work at all.

Then where do they get the money from with which to gamble ?- They get that money from the illicit liquor traffic and they go so far as to rob other Natives. We have had that experience here in this town.

So in that way they get the money and then they gamble it away again ?- Yes.

SENATOR VAN NIEKERK: Do the raw Natives also indulge in gambling ?- Yes, when they come into town they do. If they do not readily get employment, they have to resort to any kind of thing to get money.

No, what I am driving at is this. You have your professional gamblers. Whom do they usually rook, other professionals, or raw Natives ?- The raw Natives.

CHAIRMAN: Since when has there been considerable unemployment among the Natives here in Port Elizabeth - since when have there been so many Natives who will not work ?- I think it is for some time, although I cannot say exactly the number of years. I have been here for seven years and I was engaged in helping the Natives in their work for some time, as the Provincial Secretary of the I.C.U. I found even in 1925 that there were Natives out of employment here, and I also found some Natives who would not work.

Take the Natives who were out of employment, was there any large number of them ?- Yes.

Those people who really wanted a job and could not find it ?- Yes. Some of these people really wanted a job. I have known people who were here for eight or nine months and really could not find employment.

Mr. Dippa

Any kind of employment ?- They could not find any kind of employment.

You are aware that that is not the impression of other people in regard to the situation ?- I do not know, but I am saying this from what I have experienced, when I had to go and speak for the Natives while I was Provincial Secretary for the I.C.U.

Now, you mention colour bar laws in your statement. Which colour bar laws are you referring to ?- You find, as a general rule, that there are certain things which the Natives are not allowed to do.

Certain things which they are not allowed to do by law ?- Yes.

For example ?- For example there is the civilised labour policy of the Government. The Government has got a lot of poor people from the country to come and take work here in the Railway Department in the place of Natives. You will see them sometimes here in the streets.

What laws are you referring to - that is not a law - that is simply an employer of labour preferring to take on White labourers instead of Black ones, and they can change that tomorrow if they like ?- Well, from the Native man's point of view, it appears quite as bad as a law.

You do not mean colour bar laws, you mean discrimination of employment against the Black man ?- Yes, I quoted the colour bar law here.

Do you know that what is called the Colour Bar Act is not in force ?- Yes.

Do you know what is the Colour Bar Act ?- Yes.

And do you know that it is not in force ?- I know it is not in force here, but I think it is in force in other parts of the country.

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Now you say that there are two separate liquor laws operating side by side. Do you mean one liquor law in regard to the Native and one in regard to the European ?- Yes, that is what I mean.

Now, do you think that is wise or not ?- Well, I am in favour of total prohibition and I would like the Natives to be prohibited from having liquor.

Every Native or every person ?- I am only concerned with the Natives, sir.

You say that there are two sets of liquor laws, one for the Europeans and one for the Natives ?- Yes, sir.

Do you think it is a good thing that there should be one law for the Europeans and one for the Natives ?- No, sir.

You want the same law for both ?- Yes, sir.

And you say that you are in favour of total prohibition ?- Yes, sir.

Now, supposing you cannot get prohibition for the Natives and the Europeans, would you then want the same liquor rights for the Native as for the European ?- As far as the Native is concerned, I would say that the Government should not allow the Natives to get any liquor at all.

And you do not want the Europeans to be allowed liquor either ?- Well, how can I say that, but I do say this, that if a European is found to carry on an illicit liquor traffic and if he is found to supply the Natives with liquor, he should be punished severely.

In another part of your paper, you object to class legislation ?- Yes.

Now, do you not think that the liquor laws are intended, whether that be wise or not, to protect the Natives ?- The intention might have been that, but the results are not the

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same, because the more the Natives are restricted from obtaining liquor, the more he will try to get liquor by illicit means.

And yet you say that you are in favour of prohibition? - Yes, sir.

And at the same time you say that the more you prohibit it, the more the Native drinks. You cannot have it both ways. You must either be in favour of prohibition and say it is good for the Natives, or otherwise you must not be in favour of prohibition. Now, say that you have the power to make liquor laws for the Natives, what would you do? - What I would do would be this, I would stop every Native from getting liquor.

Yes, but do you think it is possible to stop it? - It is quite easy to make a law, but do you think it is possible to carry it out? - Look at the Transkei - I was born there and I grew up there and I think the law works very well there.

Yes, but does the Transkei law try to prevent the Natives from getting liquor? - Yes, the Natives are stopped there.

You do not know what you are talking about. You cannot go about there one day without seeing beer parties taking place. They can get permits any day to have a beer party. Or do you not regard beer as liquor? - Kaffer beer. No, I was talking of brandy.

You were talking only of European liquor? - Yes, sir.

Now let us talk about beer, which is also liquor. What is your view with regard to the provision of Native beer to the Natives? - I seriously think that the Native should not be allowed to have it, because it leads them to crave for something stronger.

Do you think it is possible to stop them from having

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it? - Well, I do find that in those places in other locations where the Natives are not allowed to have it, it has been fairly under control.

That is to say that they hardly get any beer? - Yes, sir.

Where is that? - Take a location, for instance, like Uitenhage, where I lived for some time. Although the Natives get liquor by some illegal means, they are always afraid to do it.

But they get it just the same? - Yes, but the law is there to punish them.

MR. LUCAS: Do you mean that fear stops them from getting it, except in a few cases? - Yes, just as much as everyone is allowed to break the law, but when he does he must suffer the consequences.

CHAI HUAN: Now, how would an application by Natives to have the Wage Act applied to them, turn them out into the streets and make them lose their jobs, as you say in your statement? - In this way. I consider that, if the Wage Act were applied to the Natives as well as to Europeans, that would mean that a Native would get exactly the same amount as is received by Europeans in the same job, and there are very few, if any, European employers who would employ Natives. They would certainly prefer to take Europeans instead of Natives, and the Natives would suffer.

You consider, therefore, that the application of the Wage Act would have a bad effect? - Yes, sir, it would have a very bad effect, but I consider that the Government should have a minimum wage for the unskilled Natives. What we have here under that Agreement was £2 per week --- we did not have £2 per week, but that is what we think we should have.

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Now, you think that, if the Wage Act were applied, the same wage would be fixed for a Native as for an European ?- Yes, I think so. According to the skill, of course. I think the skill of a man should be considered. But if you do that, if you fix the same wage for a Native and a European, the Native will fare very badly.

Supposing the Wage Act be so applied that the minimum rate of wage were fixed for Natives and a higher rate were fixed for Europeans, would you be in favour of that ?- Yes, I would.

But I thought that you said just now that you were against class legislation ?- That is quite true, but since the Native has not the same facilities for education as the White man has, I think the Government should do something by way of a temporary measure to bring him up.

So, in the meantime, until the Native has reached the level of the European, class legislation within certain limitations, must be permitted ?- Yes, I think so, as far as wages are concerned.

And what about drink ?- The Natives should not be allowed to have drink.

And you would have class legislation in regard to that, too ?- I do not see that.

If the European could have drink and the Native not, then surely it is class legislation ?- Yes.

And, therefore, class legislation should also be allowed in regard to drink ?- Yes.

Now, let us come to the question of land. Would you allow a Native to sell his land to a European ?- Well, yes.

And you think it would be to the benefit of the Natives ?- I think a certain amount of protection should be given.

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And a certain amount of class legislation is warranted by circumstances ?- Yes, I think the Native is not yet up to the standard, he has not got enough money or education to meet the competition of the White man.

Would you favour European and Native children going to the same school ?- Yes, I favour that.

Why do you ?- Because it has been done with very good results.

It has been done at Lovedale ?- Yes.

But Lovedale has stopped it ?- (No answer):

DR. ROBERTS: We were compelled to ?- We sat in the same class at Lovedale and Dr. Roberts taught us - we sat in the same class with Europeans and we gained a lot by that.

CHAIRMAN: On the whole, you admit that there are certain expediencies where class legislation might be allowed in the interests of the Natives ?- Yes, because a Native has not the same facilities of education. If the Native has the same facilities of education, I should say that open competition should be allowed.

But recognising the conditions ?- Yes, I recognise the conditions and that is why I admit that, under certain circumstances, class legislation is warranted.

MR. LUCAS As far as the Wage Act is concerned, there are quite a lot of employers who prefer Natives at the same wage as Europeans and it has not meant the turning of Natives out of jobs - the fixing of the same rates for Natives as Europeans has not led to that. That is so in practice, but there are two distinct points in what you said. The one dealt with skilled employment and the other with unskilled. Now, as far as unskilled work is concerned, am I right in thinking that you want labourers in unskilled work to have

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their wages regulated ?- Yes, that is so.

And, as far as other work is concerned, you have the fear which you have mentioned ?- Yes.

Do you think it is necessary to regulate the wages for unskilled workers in Port Elizabeth ?- I think, in a place like Port Elizabeth, it is wise, especially when you have employers who shew that they were willing to meet the Natives.

And others were not ?- So far as we are concerned, judging from the letters which I have from the Chief Magistrate and others, we found that everyone was in agreement until, after a certain time, when there was a complaint that some organization did not want to respect the agreement.

The trouble was that there was no chance of enforcing the agreement ?- Yes, that was the whole fault.

And that is why you want the wages to be regulated under the Wage Act ?- That is the reason. An agreement is useless without force of law.

MAJOR ANDERSON: Have you any fear that if wages were regulated at a higher scale than at present, it would lead to unemployment among the Natives, that a number would be got rid of ?- I am afraid of that, because of these European workers organizations.

MR. LUCAS: Are you speaking of unskilled labourers ?- No, I am not speaking of unskilled labourers, I am talking of skilled labourers. They would get a lot of opposition from the European organization.

MAJOR ANDERSON: You have no fear that an employer who is now employing 20 boys at, say, 2/6d per day, would, if the wages were raised to 4/- per day, say "I must get rid of ten of them" ?- Yes, that would be the case. If you are paying your Native 2/6d per day today and if you were to take 20 boys

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at that rate and raise their wages to 5/- per day, it would mean exactly the same thing as having 10 boys at 5/- per day. Some of these Natives go back to their homes --- I am now referring to Natives who might be got rid of --- some of them would go back to their homes where they have come from and others would stay on and live with their friends at New Brighton.

MR. MOSTERT: Do you mean this, that whereas there are today 20 Natives employed by a master, owing to the higher wage he would get rid, probably, of so many of his labourers in order not to increase his wages bill and, therefore, there would be less employment? - Yes.

MAJOR ANDERSON: What you tried to say was that the same amount of money would be paid out to the Natives as a whole? - Yes, that is so. And they usually live under communal conditions.

MR. LUCAS: On page 6 of your statement you speak about the caste system. You say "Caste, not slavery, is what is found in this country. The present society has abandoned the system of slavery for that of caste". What do you mean by that, what do you mean us to infer from that? - Well, you will find that there are Europeans who will not "debase themselves" to the level of a kaffer. They will not do a certain class of work because that work is reckoned to be work that should be done by Natives, and, on the other hand, you will find there are Natives who have sufficient education, sufficient skill -- because unskilled employment leads to skilled employment, as we have seen. Those Natives, although they have acquired the necessary qualifications to be regarded as skilled men, are not allowed to go in to skilled employment on account of the colour of their skins. There is a sort of partition set up against them - you can go so far and no farther.

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Then on another page you say, "There is a growing weakness among Natives which is due to insufficient food". Have you come across cases of that kind? - Yes.

Are they fairly general? - Yes, especially in places like Korsten.

People do not get enough to eat? - No.

Is it that they do not get enough or is what they get of the wrong kind? - They do not earn enough money to be able to buy sufficient food.

Now, in your other statement, you refer to hostility in the Alexandrian district on the part of Europeans to Natives living on a certain farm. How does that hostility shew itself? - The Natives were driven away from that farm.

Now, when you say 'driven', were they driven by force? - Yes, and sometimes under arrest.

What were they arrested for? - Trespass or creating an unauthorised location.

Was there any physical violence used? - No.

There was some claim under the law? - Yes, they were forced off and their huts were burned.

CHAIRMAN: You mention unauthorised locations being created. Was that where Natives went to live on European farms without the necessary authority? - No, that is where Natives went to live on their own farms, but the man who had acted for them had not got the necessary permit from the Government.

Do I understand that this was the position, that they tried to buy the farm and that it could not be sold to Natives without permission? - No, there was nothing to prevent the Natives from buying because, in that particular instance, I got a letter from the Minister of Lands.

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Yes, but the terms on which the ground was put up for sale by the owner contained a clause that it could not be sold to Natives ?- There was a clause that the Natives may not be allowed to buy.

And the Natives bought in spite of that ?- They did.

And then they were turned off after they had gone to live on it ?- Yes.

SENATOR VAN NIEKERK: What do you think now would be a fair wage for Natives in Fort Elizabeth; say a wage on which they can exist ?- I think 7/6d per day.

Surely that is rather high - what are they earning today --- would they be earning from 3/6 up to 4/- and 5/- ?- Yes.

What would be the average ?- Well, there are some Natives who get as low as 12/6d, but I do not reckon those.

What would be the average wage here ?- Say 4/- a day. It was 3/6d before that agreement and then there were some European employers who increased the wages of their Natives up to 4/-.

MR. LUCAS: Are they carrying out the agreement ?- Yes, there are some big firms which are carrying out the agreement.

SENATOR VAN NIEKERK: And you think it should be 7/6d per day ?- Yes.

CHAIRMAN: You expressed the fear just now that, if the Wage Board fixed the same wages for Europeans and Natives, the Natives would not be able to get a job. Now, if the wages were fixed at a minimum of 7/6d per day, do you not think that the Europeans would push out the Natives ?- No, the Europeans are supposed to get a much higher figure.

Are you not aware of the fact that there are many Europeans now who do not get that ?- Those Europeans are really detrimental to the Natives themselves.

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If the wages were 7/6d per day, do you not think that the Europeans would get the jobs rather than the Natives? - If that is the case, if the Wage Act were applied to all Europeans and the Europeans should get a higher wage, the Natives would have no fear of losing their jobs.

You want to squeeze up all the wages - you want the Natives to get 7/6d and you want the Europeans to have a notch above that? - Yes.

Do you think that, if that took place, you would still get your food at the same price as you are getting it today? - Well, I do not know.

I can assure you that you will not? - I have found that, although we get such low wages, the Native pays more for his food than the White man in very many cases.

It will not make any difference if you were to raise the general standard of wages. You would be just as badly off as you were before? - It will be beneficial to the traders.

The Native would only be better off if he got more and if the European did not get more. If the Native gets more and the European gets proportionately more, no one would be better off, in fact, they would all be worse off later on because of the confusion? - (No answer):

DR. ROBERTS: I understood you to say, just now, -- or did I misunderstand you -- that the Native pays more at the stores than the European does for certain articles? - Yes.

What proof have you of that? - You will find it if you go to the store they specially put up the prices for the Natives. You will find that the prices for these articles sold to the Natives in those stores are much higher than the prices in town here.

Do you mean that a shop in the North End will charge you more than a shop in Main Street? - Yes, and the articles

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are inferior. They are not of the same quality.

MR. MOSTERT: Then why do you not buy these articles here ?- Well, it is very difficult to do that. The Native is a difficult individual. He is diffident. He does not like to go into a big shop. The ordinary Native, in a place like this, would not dare to put his foot into a big store.

DR. ROBERTS: ~~XXXX~~ Why not ?- Because the Natives are sometimes afraid.

Why are they afraid, are people rude to them ?- No.

Then why should they be afraid to go in ?- I do not know.

SENATOR VAN NIEKERK: Does the Native think he is out of place there ?- Those larger stores up here, although they are not cheap stores, charge lessey prices, but the Natives are afraid to go in.

DR. ROBERTS: With regard to New Brighton, how would it appeal to you if the Natives staying there should have a sort of leasehold on the land ?- We have been agitating for that for some time because we know that, under the Native Reserve Location Act we have the right to buy land at New Brighton.

What Act are you referring to ?- I am referring to the Act of 1902 as amended by the Act of 1905, but the authorities have not seen their way to allow us to get the land there. We made representations to the Minister of Native Affairs when he was here and he said it was a matter for the local authority, - it was a question of the policy of the local authority.

And the policy of the local authority is not to allow you to have leasehold ?- Yes.

What is the length of your lease - can you be turned out at any moment ?- There is no lease at all. The location belongs to the town. We wanted to buy the land because we thought we should get freehold at New Brighton. We pointed out

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that there was no law prohibiting us from buying land at New Brighton and we said that until such time as the location should be placed under the Urban Areas Act, we should be allowed to buy land there, but the local authorities have not allowed us to do so.

Is the Government quite willing, or have they put any obstacles in your way? - From what we have heard from the Government and especially from the Minister of Native Affairs, the Government would not interfere.

The Government would not interfere, provided the town were willing to give you leasehold? - Yes. If you will allow me, I should like to say something about Native customs as well.

CHAIRMAN:

We have been inundated with evidence on Native customs and we are not going into the question of Native customs as such, only in so far as they have an effect on the economic conditions of the Natives. If there is any point in connection with that which you wish to raise, we should be pleased to listen to you, but it seems to me that there is nothing that you can tell us that we cannot tell you more about? - In Port Elizabeth we are placed under the Administration Act just in the same way as the Natives in the rural location. We have a Native Commissioner here who holds court. There is a Native Magistrate - a Magistrate who deals with Native cases -
/ ^{and} the Native law is followed in that court.

DR. ROBERTS: Has he got assessors? - Not necessarily, but Mr. Hovatio Mbelle is usually there to say what the Native law is. Well, we find that this Native law is not suitable for the urban areas Native, for Natives living in the urban areas, on account of this. The difficulties which a father has had sometimes when he is living at New Brighton. He

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has no control at all over his children, over his young men. His young boys go out to live at Korsten, but, as he is the head of the kraal, all the crimes and illdeeds committed by these young fellows he has to answer for, and there is a general complaint which is advanced by the Natives to say that, unless they can be allowed to have control of their families in the a place like the location, just the same as they have in the rural locations, it is wrong for them to be held responsible for the torts of their children who are driven out from their homes on account of hunger. The father has not enough food or money to feed his children and to look after them and the children have to find a place elsewhere. So the child mixed up with all sorts of criminals, unattached women all over the place and then the father has to be called to account for that.

DR. ROBERTS: You do not think that the law would change that, or could change that. It is the fault of the father that he has lost control ?- (No answer):

SENATOR VAN NIEKERK: You are complaining that one should not, in an urban area, hold the father responsible for the faults of the children ?- Yes.

Now, if a son had to leave his father in a Native area, say in Tsolo, could the father have that son sent back to him ?- Yes, he could.

Through the police ?- Yes.

But here you could not do that ?- No; if you acted here in the same way as one does in a rural location, you would get into trouble.

MR. LUCAS: What sort of things could he not do here which he could do there ?- I would not thrash my lad here in the same way as I would at Tsolo. I would be in the hands of

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DETECTIVE BLOM.

OF THE POLICE VERY SOON.

MR. MOSTERT: Your son would report you?--^xes, certainly.

DR. ROBERTS: He could do the same at Tsolo?--Well....
he could perhaps, but I don't think.....

DETECTIVE SERGEANT BAREND JOHANNES BLOM, SOUTH AFRICAN POLICE,
CALLED AND EXAMINED.

CHAIRMAN: You are a Detective Sergeant in the South African Police stationed at Korsten?--Yes, Sir.

What are the points which you wish to bring to our notice?-- I was stationed at Umtata and in Pondoland East for 13 years and I was then transferred to Port Elizabeth, and then to Korsten, where I have now been for two years; the impression I have gained of the natives in these parts is this: it would appear that the younger native is leaving his father's kraal at a younger age nowadays, at an age when one would expect him to get the influence of his father and of his father's personality. Now he comes to a town like Port Elizabeth and he works here and the result is that he gets used to life and conditions in Port Elizabeth. I have had occasions where the father has tried to get that youngster back to the kraal but where he has been unable to get him back at any cost. The boy would not go back; The result is this that the chiefs complain that the fathers have lost all control over their youngsters. In the second place one gets to this position: that a large number of these native girls have also left the kraals to go to the bigger centres. They go there in search of work so as to earn some money. It would appear that the native customs of to-day in respect of native girls are no longer the same as what they used to be in years gone by. For instance to-day it would appear that the fathers allow their daughter to go away from

areas like Alexandria, Peddie and other places to go and work in Port Elizabeth. They have no one to take them there of to look after them, there is no one to whom they are responsible and there is no one who is responsible for them.

Under the native custom, these young girls are periodically examined by their mothers, but when they live in Port Elizabeth they have no one whom they are responsible to and they stop at nothing; The temptation is too much for them and in a little while they become unfit for domestic service.

At Korsten, where I am stationed, we have between 3,000 and 4,000 women, either reputed wives or loose women, and that is the outcome of this practise of kraal girls coming to work in these cities. Well, they cannot be disposed of, ~~and~~ and no one wants them.

If you go to Korsten you find a native woman or girl who to-day is living with one particular man; but to-morrow or the day after she finds another man who pleases her better and she changes and goes to live with the other man. We have also had cases where minor children, under the age of 16 have got into difficulty; it is just due to the fact that they have no one there to look after them. We have brought the men to Court on charges of non support and such things, but these boys are absolute wasters; they are running about Port Elizabeth and they get these girls into trouble and there is absolutely no claim on them.

DR. ROBERTS: Have you any homes for the children?--
No; of course we have the Child's Welfare Society who do what they can. Now that is what I wanted to say in general.

Of course there is a vast difference between the native I come into contact with here and the native in Eastern Pondoland and also round about Umtata. I am very sorry to say it, but it appears to me that the natives in the Native territories are of a much better class than the natives here. The natives

there are law abiding and obedient and have respect for the Europeans, but in these parts roundabout here, that seems to have completely disappeared.

MR. MOSTERT: Even the better class from the Territories, if they were to come here, would be contaminated?-- The position is this: I have lived with them about 13 years now and of course what is really at the bottom of the disrespect which the native has for the European is the work of the agitator in these parts; in the Native Territories these agitators are not allowed to carry on.

DR. ROBERTS: Yes, but that would not make the girls go wrong?-- No, but I am speaking now of the disrespect on the part of the natives towards the Europeans. As regards the girls going wrong, the town is overcrowded with domestic servants; hundreds of them are out of employment; they go wrong, many of them while they are out of work. Lots of them go wrong in that way and then eventually they become loose women. I think I can safely say from my experience that almost every town in the Union where there is a location is pestered with this loose woman problem. And that is our difficulty here-- we are pestered with this problem at Korsten; it is a very serious matter there as there are so many of these women.

SENATOR VAN NIEKERK: You have no means of expelling them?--Well, as regards Korsten, that is not a native location; natives own property there and so do the Europeans; it is a township and that makes the question more difficult.

So long as a man pays his rent you cannot do anything to get rid of him?--We have no claim on them and no control over them, except, of course, in so far as kaffer beer is concerned; we control that.

And if they do not work, can you repatriate them if they misbehave themselves; say a girl has no fixed employment and she does not behave, can you repatriate her?--Well,

these girls always have a man who is reputed to be their husband, who is supposed to be living with them. They may be working, or perhaps they are not working at all. You say to these women, "Where is your husband", and the reply is "He is working". The marriage may last only a couple of weeks and then perhaps she may get another husband.

SENATOR VAN NIEKERK: That is, of course, the difficulty in a location to say how you can deal with these women of loose character. You have a whole lot of them coming in and the question is whether you could repatriate them? - I would not like to say anything on that point.

Have you got the right to repatriate them? - Under the Native Urban Areas Act one may have the right, I do not know.

Do you fall under the Native Urban Areas Act? - Well, Korsten falls under it.

Then it must be a location? - That is the position, but I think it comes under the Act by Proclamation. All these Native cases are charged under the Native Urban Areas Act, some of them at anyrate. These beer cases are charged under the Act.

CHAIRMAN: You say that there is a tendency for the boys to come in and not to go back? - Yes.

Why do they stay here? - The Position is this. Home life does not appeal to them any more and they live in the location does not attract them. They have got used to the life in the town, there is more pleasure here and to go back to the location or to the kraal does not appeal to them, life is too monotonous, - there is nothing to entice them back. In a town like Port Elizabeth they get what they want and, as I have explained, they are sure to come into contact with some

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town girl and they live with her. If they go back to their kraal and if they want to marry they have to pay lobolo, or rather the father has to, and that is the rock bottom reason why they do not want to go back. Here they live with these women, they do as they please, they pay noone and they are responsible to noone, and there is nothing to bind them so far as we are concerned, except non-support, or if the girl is of minor years. That is the only hold which we have on them.

SENATOR VAN NIEKERK: Why do they come to town in the first instance? - Well, times have been so bad that the fathers have been compelled in many cases to send their children to go out to work, either on the mines or in the town and, after a youngster has been here for some time, he loses the last impression he has got of his father and then the father cannot get him back and, even if he does go back, he only stops for a little while and then returns again to the town.

At what age do they come here usually? - I should say at about twenty or so, and that, I submit, is just the age when the boy most needs the influence of his father for the forming of his future character.

Now, speaking about Korsten itself. Korsten is situated just outside here and I have made some enquiries in regard to various matters. There are about a thousand plots of ground owned by Natives there. One third has been paid for by Natives; two-thirds have not been paid for yet under the hire purchase system. On some of these plots, they have erected for themselves a number of small rooms. The rooms have been put up by unskilled men, they are very cheap, made of galvanised iron, or pieces of galvanised iron, or old tins and such

Det. Blom

things. Now, these rooms are let out to some of these loose women or to men working in town. The place is really overcrowded. The average number of people living there is from five to seven; in fact, I have found up to 12 people living in one room if I go there early in the morning.

DR. ROBERTS: Men and women? - Yes, they simply live there together anyhow. I am not an authority on these rooms, but, from appearance, I should say that they are certainly very unsatisfactory and in each of these yards the sanitation arrangements are very bad. There is one lavatory with one pail and that is emptied only once a week; there is absolutely no arrangement made in the whole of Korsten for latrines; the result is that these natives simply select a little corner spot where they do all their business and you can understand what happens; the smell is very bad there.

CHAIRMAN: Who is responsible for making these arrangements, or rather for this lack of sanitary arrangements? - No arrangement has ever been made.

There is some kind of local government? - The Village Management Board are there, and they have made certain arrangements for the removal of these pails - once a week the pails are removed, but there is absolutely no arrangement for latrines in the whole of Korsten.

Is the other sanitary arrangement satisfactory? - I would not like to say anything about that because I am no authority on that point, but you can imagine for yourself. There are large numbers of natives living in one yard and there is only one lavatory - there is only one pail which is emptied only once a week. Each yard, I may say, has from 8 to 10 rooms in it. It is really very unsatisfactory.

MR. LUCAS: We have been told that the native population

at Korsten is about 16,000?--No, I think that the native population at Korsten was estimated about a year ago at 20,000. That was at the end of June last year. Personally, I estimate that the population of Korsten at roughly 24,000; that is, about 16,000 Natives, including children, about 6,000 Coloureds and a couple of thousand Europeans.

CHAIRMAN: The Chairman of the Village Management Board thinks there are 4,000 Europeans and only 8,000 Natives?--No, I beg to differ from him, I think he is mistaken.

MR. LUCAS: He said he took five Natives to each sanitary pail. Now, you say there are six to eight rooms in every yard?-- I say that some of these places, that some of these yards have six to eight rooms and I say, further, that in each of these rooms there are from four to five, or six, people and, as a matter of fact, early in the morning sometimes I have found even 12 people in some of these rooms. I have to visit these places at all times.

If you take six rooms to a yard then it is more than five people?-- Yes, certainly. Of course, what I said does not refer to the whole of Korsten.

DR. ROBERTS: Would you not care to suggest a way out of a disgrace like that?-- If I were to make a suggestion, I would say this. In the first place, there are at least 6,000 Coloured people living in Korsten. Some of them are quite decent people, but generally they are a shifting crowd. My experience has taught me at various places that one gets the low Natives and the low Coloured people living together. I think that is very undesirable. It never serves a good purpose to let Natives and Coloured people live together and, therefore, if I might suggest it, I would say that you should have a location built on one side for the Natives who do not own plots, Natives who have to hire some of these rooms. You should put these people on one side.

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SENATOR VAN NIEKERK: How could you prevent the Native holding a plot from letting it? - We cannot prevent him, but Korsten is really very much overcrowded. If arrangements could be made to build the location apart, quite for Natives only and have them well looked after, I think it would be all right. In making enquiries further, I find that in New Brighton they get better value for their money and better houses for much less rents.

MR. MOSTERT: Has Korsten not got a building bye-law? - I do not know, there may be something, but it has never been put into operation. We had a case where a fellow got burned. He hired a little room which was knocked together with paraffin tins and the inside lining was made of sacking. One night, the inside lining caught alight and he was burned. If I may also say a few words about the water arrangements. You may be interested. The water arrangement at Korsten is this. It is very unsatisfactory in this respect, that these little shanties have all sorts of barrels put outside and tin casks and anything that will hold water and every kind of receptacle when it rains. Things, of course, are very bad. The water has to run into the receptacle and, when the water in the barrels and casks is finished, they have to buy water from the Municipal tap. This barrel system is most unsatisfactory. I am not an authority, but I have often looked into these receptacles and I can assure you that the water there does not look at all nice and sweet.

MR. MOSTERT: What is the size of the township. You say they have 1,000 plots held by Natives? - Yes. I think the Korsten area itself covers about 600 morgen.

So it is quite a big place? - I am speaking only from memory. I think the 35 plots and the area under occupation are

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about 200 morgen. The whole area covers Sidwell. That is occupied by Europeans principally and by Coloured people. Then we go further and we get No.1 Korsten. That is occupied by Native people, Coloured people and Europeans and so they go on to Hills Kraal, which is occupied by Natives.

Is the whole of it a separate municipality? - Yes, they have the Village Management Board at Korsten, but I understand there is a movement to take Korsten over and bring it under Port Elizabeth during this year.

MR. LUCAS: What do they charge for water there? - I think that the charge is 2/6d or 2/- for a barrel of water sold in the location. They have to buy their water. It is brought along by a donkey cart in a barrel. I understand that it is sold for 2/6d a barrel or 3d for a paraffin ~~for~~ tin.

How far has it to be carried? - Not too far. Korsten is not a long way off and, as a matter of fact, the water is on the boundary of Korsten.

SENATOR VAN NIEKERK: There are no water taps in Korsten? - No, there is no water supply there whatever. What water they have to get there they have to buy when the rainwater is finished. As I have explained, they catch their rainwater in large drums or barrels, but after that water is finished, they have to buy from this donkey cart.

MR. MOSTERT: That water which they keep in their barrels and their tins is gathered up from the roof of the houses, - from the dirty roofs? - Yes, that is so. I may say that I have often looked into those barrels and they are not at all nice, especially after a week or ten days. You will find that the drum itself is rusty even before it gets the water in, so that the water actually falls into the rust.

MAJOR ANDERSON: Have you got any information about

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the state of the health of the people there ?- No, I have not. I am sorry I cannot say anything about that, because we do not deal with it.

MR. LUCAS: If there a medical man who is supposed to attend ?- They have a sanitary inspector there.

MAJOR ANDERSON: Does he deal with the condition of the pails, etc. ?- More or less.

Rather less than more ?- Well, I cannot speak on that as it does not fall under me, but I think he would be the best man to give you the information.

MR. FAIRBRIDGE HANSEN MANG-INGER ZWIDE, Head Master of the Bethelsdorp School, Past President of the Cape African Teachers' Association, called and examined:

DR. ROBERTS: Your school is a mission school, Mr. Zwide ?- Yes, sir.

CHAIRMAN: We have not had an opportunity of going through the statements which you have put in, so we shall be pleased if you will read them to us ?- I shall first of all deal with the question of Native taxation. As the Commission has been through the best part of the country, collecting evidence from different men of my race, some of whom are abler than myself, I shall content myself by endorsing their statements so far as they agree with the observations made on the matters upon which I shall briefly touch. First of all, on the question of Native taxation, I want to say that taxation is a process of all civilized Governments imposed upon the citizens for the purpose of raising revenue required for the maintenance and conduct of government.

It is generally applied on a scientific basis calculated on the earning capacity of the individual, hence the income

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tax, the super-profit tax, etc. The usual mode of taxes levied on the Natives of the Union are:- (a) the hut tax, (b) quitrent, and (c) the poll tax.

In the financial year 1919/20, the following was the position:-

Tax	C.G.H.	NATAL	TRANSVL	O.F.S.	TOTAL
Hut Tax	123,176	212,131	-	-	335,307
Poll Tax	-	-	416,664	75,556	492,220
	<u>123,176</u>	<u>212,131</u>	<u>416,664</u>	<u>75,556</u>	<u>827,527</u>

In the Union Year Book No.11, 1929, page 771, the poll tax for that year was £1,007,334, exclusive of the quitrent and the hut tax, and allowing a further sum from these sources, say of £850,000 odd, the huge sum of nearly £2,000,000 is reached. There is also the Entertainment tax in the Cape Province, Natal and the Free State, for which the Natives are also liable. Other forms of indirect taxation bringing in useful sums of money, which are never ascribed to the Natives when taxation is thought and spoken of, are:- (a) The Native pass fees in the Transvaal pass into General Revenue. The Provincial Finances Commission of 1923, page 53, Sections 426 to 428, says "The revenue from Native pass fees in the Transvaal requires some explanation. It is open to the general objection that it is a special tax levied on a certain section of the community without the justification that the proceeds are devoted to the service of that section of the community". Recently, it has been stated that these fees provide the Transvaal for White education with £395,000.

Now, in regard to excise, which is another fruitful source of indirect revenue to the Government as it comes from commodities largely used by the Natives in these forms:- Patent medicines, sugar, matches, tobacco, etc., and, as the

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sum of two million pounds was collected in 1928 and a further ten millions in customs dues, it may safely be stated that one third of this huge amount came directly from the Natives.

DR. ROBERTS: Would you really say one third? - Yes, I should say one third.

CHAIRMAN: Why do you say one third? What makes you choose one third rather than one half, one quarter or one tenth? - I proved one third on the formula that is generally given that three Natives pay direct taxation to the Government equal to the amount paid by one European.

Then it is half, because the Natives are three times as many as the Europeans? - No. If a European paid £6 and three Natives pay £2 each, then it is not an equivalent ----

Why do you say that a European pays £6 and that three Natives pay £2 each? What ground have you for that? You do not know that from any calculations which you have made yourself? - From the calculations which we make ourselves, it would if we take the polltax and the direct taxation, I do not see how the statement can be made that he pays one third of what a European pays. It all depends on the state of civilisation which a man has reached.

Do you think the Native pays one third of what the Europeans pays, that is the question? - From actual observation, I say that he pays more.

Well, I do not understand you at all. Just now you said three Natives pay one third, and now you say one Native pays one third? - I am taking a family.

Now, you spoke of a formula - where did you get that formula? - From statements made by members of Parliament.

That does not lead us very much further? - I now come to the question of mining taxation. Our mines can bear taxation to the tune of ^{over} four million pounds sterling, owing

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to the ridiculously low wages paid in cash to the Natives, so that, by their labour, they contribute over two million of their wages as mines taxation.

CHAIRMAN: Well, the mines do not say that. The mines say that, because they pay those heavy taxes, they cannot pay bigger wages --- ?- We say that the mines are able to get all this wealth out of the mines through the work of the Natives and, without the work of the Natives, they would not be able to pay those heavy taxes.

The mines say exactly the same thing, but they say it the other way round ?- Yes, but we say it is through our labour that they are able to pay.

I now have some remarks on the effect on the and the mode of living of the Natives and the general welfare of the Natives -- the effects of the different forms of taxation to which I have just referred, have helped, (1) to impose a hardship on those who do not earn sufficient money to meet these demands, (2) the poll tax is iniquitous in this regard, that it does not concern itself with the earning ability of the individual. A man, because he is Black and is over 18 years of age, is required to pay £1 per annum regardless of the fact whether or not he has earned anything at all during the year. He is required to pay. (2) Family life has been broken up, as men are compelled to leave their homes for the labour centres in search of work to meet these obligations. That is to say, the Natives are often compelled to find cash in order to pay these obligations and, as they cannot do otherwise, they must leave their rural homes and they have to invade the urban areas for the solitary purpose of earning enough money to pay their taxes and, when they have done that, they go home.

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In the urban areas, life is not always smooth as the wages are, in most cases, very low, so low that, in some towns, the average is 12/- per week for a man with a family to support.

CHAIRMAN: In which town is that so? - I cite Grahamstown as one of the towns where the average wage is about 12/-. In Port Elizabeth the average wage is about 18/-.

Do you know any other towns where the average wage is about 12/- per week? - Cradock and Graaff Reinet, and at Queenstown, too. The labour markets are generally inundated. Before I come to that, I want to say that, generally speaking, the Natives are poorer today than 20 years ago and they have in consequence degenerated in physique and moral fibre through economic pressure. As I have said, the lack of cash for meeting the taxes that have to be paid, compels a great many men to leave their homes for varying periods at times to earn sufficient money to pay their Government taxes. The labour markets are generally inundated. That is the experience of a keen observer. There are many Natives knocking about today without work, too many for the labour market to take in.

In conclusion, may I be allowed to state that, in an expenditure of £28,726,816 for the financial year ending 31st March 1930, not even one third was expended on the Natives as, for the same period, the Native Affairs Department was credited with £381,527 for education, office salaries, meagre chief allowances, etc., etc., plus one fifth of the poll tax.

It would be unfair to omit the fact that, whereas a Native with hardly any definite annual income, is compelled by law, under penalty of imprisonment for default, to pay the general tax, a European with a handsome income of £400 a year, is considered a pauper and must not pay a personal tax. If he earns over that amount and has a family to support,

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comparison with the class of food which is given to the European.

CHAIRMAN: Your Native chief, who is quite a well-to-do man often, does not eat the same food as the European does, yet now you say that, in prison, you want them to have the same food as the European? - The difference is this, that a Native goes to prison and gets worse food there than he gets when he is outside.

Is that not quite right? - The excuse is this, that the White man is given a better diet because of the fact that he is accustomed to that better diet.

Do you not want to make the prison too attractive? Would it not be a bad thing for your own people if you made it too attractive? - Yes, but there is this discrimination which we object to.

SENATOR VAN NIEKERK: Noone denies that there is discrimination? - I am discussing this question from the point of the good feeling between Europeans and Natives.

There has always been this discrimination? - Yes, and that is one of the causes of the bad feeling.

Was that bad feeling always there in the olden days - was there always this feeling that the European was not playing fair by the Native? - That argument does not work, because the Native of today is a different man from what he was 50 years ago. Yet today you want to treat the Native in the same way as you did 50 years ago.

That is always my difficulty with the Native people. I agree that there is a difference, but the difference is in the minority. You find that the small section of your educated Natives take up various ways of advancement. They

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have gone ahead in their ways of living and in everything, but there are millions in reserves who are practically where they were 50 years ago and now you are asking us to treat all the Natives on the basis of those who are educated ?- Well, even allowing that you are dealing with large numbers of people who have not advanced very much, you are still doing a great injustice to the very many men who are advancing, and in that way you are doing an injustice to the whole race.

That is rather a different thing. If you said that the advanced Native is not getting the treatment which you think his advancement is entitled to, then you could argue that point ?- What I say is that you are putting a barrier on the advancement of the masses.

DR. FOURIE: You say that they are getting different food in the prisons ?- Yes.

Since when is that - have you been in prison yourself ?- Yes. In 1919 there was an upheaval in Johannesburg against the pass laws and hundreds of us were imprisoned and it was then that we got this class of food and it was then explained to us that it was because we were Natives and the regulations were also explained to us in this regard.

Was that at the time when you were awaiting trial ?- It was when we were awaiting trial as well as when we were convicted prisoners. Even the Coloured people get better consideration. For instance, I am accustomed to boots now, but when I am in prison I have to throw off my boots, although the White men and the Coloured men do get boots.

SENATOR VAN NIEKERK: What is at the bottom of your pleading? Do you want us to do away with all discrimination as between White and Black in South Africa ?- I shall tell you.

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To my mind, something should be done so as to give the Native people some pride, to make them feel they are citizens of the country in the true sense of the word. They must be made to feel that they are citizens of South Africa just as well as the White man and they must be proud to be able to say "We are South Africans ourselves".

SENATOR VAN NIEKERK: Do you want us to withdraw our liquor laws for the Natives ?- That is rather a difficult question, but I say a man must be a man and withstand the temptation of liquor. If a man wants to call himself a man at all, he must be able to withstand the temptations of the world and the Natives should be trained up to that. That is my view.

CHAIRMAN: Do you think it is a good thing for the Native population that you should preach that doctrine? If this Commission were to report in terms of what you have suggested, do you think it would be a good thing for the Natives ?- I certainly think it would be a good thing.

Then I do not think I want to ask you any other questions on that point?- I should just like to mention something about the old age pensions. The Native people, although as I have said they feel that they are members of the community of this country, feel that they have been excluded and they are very sore about this. They feel also that they want to share in the development of the country by their industry and so on and, therefore, it is unfair that they should be excluded from the benefits of such things as this. They find that old age pensions have been given to Europeans, many of whom are not in need of the money, many of whom possess farms and money.

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many of whom have quite enough to keep them out of want and yet, many of those people get these pensions, while our people who are really in need, are absolutely excluded from the benefits of such a scheme.

Another thing I want to mention is the very evil effect of the Riotous Assemblies Act. That Act has had a most disturbing effect on the Native mind. It seems as though it is aimed at the legitimate aspirations of the Native people in holding meetings and airing their grievances. Such people are termed 'agitators' and they are banned from holding meetings or from speaking to the people in certain areas. That has a very baneful effect on the Native mind and the Government would do well to take that into serious account. Because, whether we want to recognise it or not, it goes throughout the country that the European people are unfair, they do not want our people to lead us, they do not want us to hold meetings. And yet, the Europeans hold meetings and organize themselves, perhaps as workers or as political parties to advance their views.

SENATOR VAN MIEKERE: You have a perfect right to do that under the Act? - Yes, but we have seen with bitter experience that the Government have stopped certain Native leaders from addressing meetings. I would like to mention, also, the effects of the Native Administration Act. That Act was intended to relieve a great deal of feeling by allowing Native people to enjoy government through their own customs.

DR. ROBERTS: You are willing to acknowledge that? - Yes, it was a step in the right direction, but I would like to point out that the chiefs and headmen, although their responsibilities are acknowledged by the duties assigned to them

~~They~~ get a very low remuneration for what they have to do. The reward which is paid to them is by far inadequate to compensate them for all their trouble, for their position and for the influence which they have to carry. Here I find that a headman when he is first appointed gets £12 per annum-- that is only £1 per month. The headmen's duties are very onerous and very responsible. People come to him at all hours of the day and want his assistance and they want his advice; then he has to keep law and order and he has to take people to the Magistrate in connection with all sorts of things. He is the representative of the Magistrate in the location.

DR. ROBERTS: Do not you think it is a very good thing to regard a post like that as an honourable one; for example in Scotland we have plenty of Magistrates and the bailiffs who conduct the affairs do a lot of work, but they do not get a penny for all their trouble; their post is an honourable one?-- That may be, but I was referring to the position of the chiefs and headmen. In regard to the chiefs, I just want to say this: the chiefs have been deprived of the positions and of the powers which they had; they had the power at one time, to create revenue for themselves; they are not in that position any longer now. They have to depend on the stipends which they get from the Government, and the headmen are men who are subsidiary to them. To-day they have no means of obtaining revenue for their own needs. As a matter of fact they are all time men; I think they should be allowed somewhat better allowances. To-day after three years' service these people to whom I have referred get £18 per year, and after six years' good service they go up to £24 per year; after 11 years they get £30 and after 16 years they go up to £36, and at that it remains. To my mind a salary like that is very inadequate indeed. That man has to meet people and sometimes

he has to find food for them; and then he has to educate his own children; all that he has to do in the time that he is acting there in the capacity of headman.

You would not put that down as anything approaching a cause for the ill feeling between the natives and the Europeans?-- I can only mention it in this way to try and enlighten the members of the Commission. When native people talk among themselves they say "the European people are a curious lot of people; they have deprived us of our chieftainship; look at our chiefs now; they are loafing about the towns; we are better off ourselves than our headmen". Well, it cannot be said that that is not a point affecting the relationship of the races.

MR. MOSTERT: You must not lose sight of the fact that the chief is still receiving his little presents from his people, from the natives who go to the mines or anywhere else. You are still allowed to give your chief a present. The law is not against that?--I admit that, but it lowers his dignity a great deal to have to depend on that.

You mean that it lowers his dignity to accept presents?--No, it lowers his dignity if he has to look for such presents; that is the point.

He does not go and look for them?-- Yes, when he goes to Johannesburg, to the mines, he goes in the hope that he will get presents here and there. In former days he was at his kraal and any of his people who felt so disposed would drive in ten head of oxen to present to the chief; but things are different nowadays.

Have you heard of chiefs who go to the mines and their own men make collections for them at the compounds and present those to them?--⁺Yes, I know that that is so. There is another point which I want to mention which is

also very important; Dingaan's Day celebrations are also creating a good deal of ill-feeling among the natives. The European people in holding those celebrations are emphasising the point that they had broken down the power of the natives once and for all, crushed them down; they forget that there is a human feeling on the other side; that is the way in which these people look upon it. I think they should rather try and build up good feelings and good relations between themselves and the natives in this country--good feelings on both sides.

Are you now referring to Dingaan's Day?--Yes, Sir; I am referring to the 16th of December.

Surely you cannot take any exception to anyone celebrating Dingaan's Day, because that prevented the people from being murdered. All the whites would have been murdered but for the happenings on that day?--No.

SENATOR VAN NIEKERK: We Europeans have that among ourselves too. The English people have a Ladysmith and Mafeking Day; they have a jubilee on these days; they celebrate days on which they were relieved from siege or on which they won a battle or a war and so on?-- I am trying to illustrate all these points and the main thing is this -- you are trying to make this a white man's country; you want to crush the black man's power once and for all; you mean that to be so for ever and by your celebrations you show that; it has this reflection: it has a reflection which the black man feels that it is the white man's object to keep him under foot.

Dingans Day is more a festival of Thanksgiving on the part of the white man for not having been wiped out?--I should be very glad if I could remove the impression which has been created in the minds of our people. And finally there

there is this: the collection of the poll tax authorises the police to arm themselves and raid native dwellings and break up property, furniture and so on. There is no redress in the Courts; the Courts will not take any cognisance of it.

MR. LUCAS: Have you tried?--Well, we have tried it in this way by cutting up a defence and by bringing these facts to the notice of the Court; the Courts have simply gurned it down and have said "that is not the question which we are dealing with; the question is whether this man has paid his poll tax or not."

Could not you bring an action for damages against a policeman who broke into one's house and damaged one's property?-- There is of course the question of expense and the question of the authority of the police; I believe that the lawyers have said that the police are authorised to do this. The police have two excuses; they say that they are watching for liquor and that they have the time to enter one's premises at any time during the day or night and they are authorised to smash anything because they suspect that liquor has been hidden under or behind the article which they are smashing.

This is the first time that we have anything as complete a statement as to why the natives feel less kindly disposed towards the Europeans. How would you suggest that the natives should set about altering that state of affairs and restoring the good relationship which existed in the past?-- In the first place there are the missionaries; now the missionaries are doing very good work. If the missionary work were to be augmented and if the white people were to adopt the same spirit as the

missionaries, a lot of that ill feeling would disappear. And again, if the Joint Council movement were extended, it would do a lot of good. A lot of the ill-feeling would disappear. Through the influence of the Joint Council movement a lot of the ill-feeling has already disappeared and the Europeans who have undertaken that movement and have supported it have rendered good service to the natives and even to the Europeans.

SENATOR VAN NIEKERK: Do you think this Joint Council movement has improved that attitude of the natives towards the whites?-- Very much; I am talking about the conditions in and about Johannesburg.

Has the influence of the Joint Council on the natives had the effect of the natives being more moderate; when they discuss things in the Joint Council, is there a tendency for the white members to keep the natives in a more moderate tone?-- Yes, undoubtedly; there is a very calm atmosphere and an attempt to see each other's point of view.

DR. ROBERTS: Following that up-- do not you think that you have perhaps exaggerated the feeling there is at the present time between the natives and the Europeans?-- I don't think so. I think what I have said is correct.

Do not you think that the feeling may perhaps be better than possibly you think it is?-- I am afraid not.

Because some of us have the impression that the feeling is improving and has been improving for many years?-- What I can say is this that there is a distinct attempt on the part of the white people to better the conditions.

From the European side there is an improvement in the attitude adopted towards the natives?--Yes.

What I want to know is this-- what steps can be taken by the Europeans as a body to improve those conditions. Perhaps

you could give us some indication of that?--I want to say this-- I think that education will do a great deal in that direction. If the European people, as the governing people in this country would educate the natives, let them read English and Afrikaans literature they would learn to understand the European people better and I think the European people would also learn to understand the native people a great deal better and then better relations would follow.

You have been speaking about cooperation between the races. Let us come to Port Elizabeth; is there any cooperation between your Advisory Board and the Town Council?--No, there is not very much. There is not as much cooperation as we would like to see. I am a member of the Advisory Board. We are always trying to get into touch with the Native Affairs Committee of the Town Council; we feel that we are not sufficiently represented and that we are not sufficiently in touch with each other--we don't know enough about things to understand how the Council is governing us. For instance we have tried to get the Council to allow us to get land under that Act of 1902; The Act allows it, but for some reason or another, which to-day we do not know, we have not been given that right and our requests have been turned down. The native people want to know why this whole place has been put out as a reserve. The Act lays it down that certain areas shall be set aside where they can buy or hold land and where they can lease land....

Are there any special features in connection with your location which you want to draw attention to. Did you hear Mr. McNamee's evidence?--Yes, I did.

The relations between him and your Board are very good?--Yes.

You have heard what he said; do you agree with what he said about the position?--Yes.

And you accept the facts which he gave; you accept the statements as a whole which he made here to-day?--Yes.

Now in your other statement you refer to a number of matters connected with taxation. Do you think the native objects to taxation where the tax is not for a specific object; do you think he objects to general taxation?--No; the native to my mind is not opposed to taxation as taxation, because he knows that for the government of the country there must be taxation.

The point you make here I thought was that as he is not consulted about taxation. that as he does not know what it is going to be for, that causes suspicion and distrust?--Yes, that is so. There is this poll tax. There is a good deal of talk that this money goes to the benefit of the white people. We were told that this was going to provide education for us, but we do not see where we are getting it. Our teachers still remain poorly paid and our schools are not equipped and so on.

It is not a question of the fact that it is a general tax, it is the feeling that not enough is spent on the natives themselves?--We do not know where it is going.

DR. ROBERTS: Would you be satisfied if a declaration were made every year as to where every penny goes?--It would clear up a great deal of misunderstanding. Say every year a meeting were held in every location and it were said "this is the tax received and it was spent in this or in that manner".

What is published in the Gazette?--Yes.

MR. LUCAS: You draw a comparison as to the relative percentages paid by the Europeans and by the natives?--Yes, Sir.

CHIEF SABA NJOKWENI (Called and examined)

(evidence interpreted by Mr. Mbelle).

CHAIRMAN: Will you tell us where you come from?--

I come from Peddie and I am Chief of the Fingoes in Peddie. I have come here to speak to you on the question of kaffer beer. Kaffer beer is not harmful to our people, and it is a good beverage for the natives. Now, where you prohibit the use of kaffer beer, there you will get other harmful concoctions brought in such as skokiaan and other drinks. All the town locations prohibit the brewing of kaffer beer, excepting New Brighton and Ndabeni at Capetown. And it is also a fact that where there has been prohibition, there is more drunkenness than there is at other places; there is more drunkenness where you have prohibition than at New Brighton and at Ndabeni. I do not see any reason why our people should be kept away from the use of kaffer beer, because when they are so kept away from it, they break into evil habits. It is true there are certain people who will add other ingredients so as to abrogate kaffer beer from the original beer. But that does not mean that people must give up the good thing because there are some people who will adulterate it.

CHAIRMAN: I just want to ask you this: When people recommend giving the natives in urban areas the right to brew their own beer, the police say "if you give them that right, they will just use that right not to make kaffer beer, but to make stronger concoctions. ?--Their view is not correct. For instance, where beer is not allowed, as at Korsten for example, there you have adulteration and there you have more drunkenness.

Do you think the adulteration is the result of your not being allowed to get the wholesome article?-- Yes; I also

want to say something about European liquor. Out and out brandy is no good for the native people; and yet at the same time the principle is wrong of prohibiting it to the native people while the Europeans and coloured people can get it. Because it only opens the avenues for illicit dealing to Europeans and coloured people; it only leads to these people selling the natives a dangerous drink.

I want to say something about the coloured people. They are allowed to enter public houses; they are allowed to buy liquor and take it away with them from the premises. The native people have not that right. That causes a lot of trouble, because our native people, our children when they grow up are made to pretend that they are coloured so that they can obtain the liquor which the coloured people can get. Because they are under the impression that these people who are allowed to enter public houses are held in higher regard by the authorities. It would be much better if you were to prohibit the native people as well as the coloured people and the European people from obtaining liquor.

DR. ROBERTS: Have you ever known a native to pretend to be a coloured man in order to get brandy?--Yes, there are many such people here; some of them have their hair cropped short and go into the canteens and obtain liquor.

Not in Peddie?--Yes, even in Peddie.

CHAIRMAN: You are in favour of prohibition for the Europeans as well as for the natives?--Yes, I am.

DR. ROBERTS: And for the coloured people too?--Yes.

CHAIRMAN: You do not want the right to obtain liquor to be given to the natives simply because the Europeans have that right?-- What I mean is this: If the natives are

prohibited from getting liquor while the Europeans can get it and while the coloured people can get it, then it does not help at all and it will be very harmful; I say that if you prohibit the natives, you must prohibit the Europeans and the coloured people as well; if you prohibit one section, you should prohibit all the other sections too, because if you do not do that, it will not help and it will only be harmful to the section that is prohibited from getting it.

Now which do you prefer-- total prohibition for the whole of the population or the right for everyone to get European liquor?--I prefer total prohibition for all and I say that we should close the sources where the liquor came from; then nobody can get it.

MR. MOSTERT: If there is no total prohibition then, if the white man can get his liquor, so the native will also ~~like~~ want the same privilege and he will also want the right to get his liquor?--Yes, that is so.

And therefore you prefer that nobody should have the right to get liquor?--Yes, I think so.

CHAIRMAN: You are in favour of total prohibition?--Yes, it would be a good thing.

DR. ROBERTS:
Would it be possible?--I don't know; I think so.

You think total prohibition could be carried out for the native, the European and the coloured man?--I don't know; it is difficult.

But that is what you want?--Yes.

THE COMMISSION ADJOURNED AT 5 p.m. until 9 a.m.
on March 26th.