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I have brought the point forward just to shew how the difficulty would arise or has arisen at the present time.

CHAIRMAN: Is it not the case, if my grocer says I have not paid my bill, I must produce my receipt, for the grocer to shew I have paid it ?- Yes.

Is not that what you are driving at ?- Yes.

But in general practise, the onus does fall on the accused in a case like that ?- Yes, on the debtor.

DR. ROBERTS: In that case, it would be the grocer who would be complaining and the other would be the Crown? - Yes.

MAJOR ANDERSON: Knowing the conditions under which Natives live on farms and elsewhere, and the difficulty of keeping documents, do you not think a certain amount of hardship would be imposed on them if you adopted that principle ?- Yes.

It is very much easier for a Native to lose a document than for a European ?- Yes. We will go on to the question of passes now and will go into that question a little farther.

MR. LUCAS: Just before we go off this point, what is the origin in Natal of what is now the general tax; was it imposed for the purpose of forcing Natives out to work ?- No, it was imposed on the Native hut; the original tax was 7/- a hut and then increase in 1875 to 14/- and it remained at that figure until 1925, when this present Act came into force.

What was the object of the hut tax ?- Purely as a revenue maker. This Native was not subject to any form of indirect taxation and, in order that he might contribute towards the revenue, he was taxed direct.

CHAIRMAN: Do you not think the fact of forcing the Native to come and work has been at the base of practically all our taxation of the Native ?- I do not think the original

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taxation - the hut tax - had that in view; it may have been an aspect, but I am not just in a position to advise you.

Would the amount of the revenue that they collected in that way compared with the cost of collecting it, have been worth consideration ?- Yes; the cost of collection was not so great. In 1905, I think our total revenue from Native Hut Tax was about £120,000 and the cost of collection would not have amounted to more than £2,000.

MR. LUCAS: You speak about the detribalised Natives losing the art of government and becoming restless and degenerate and indifferent ?- Yes,

Do you contend that that is the necessary consequence of detribalisation ?- Yes,

Would you substitute something in its place ? Naturally I had in mind Bloemfontein town location ?- Yes.

There, the Natives, under European guidance, have evolved a very useful form of government and are very far from being restless. Is it just that nothing was done to guide the Natives who were detribalised or urbanised ?- Yes.

The point I wanted to get your opinion on was whether you really thought that those consequences you mention must inevitably follow from urbanisation ?- I base my opinion on conditions in urban areas, where you practically have no tribal jurisdiction today; where you have a general mix-up of Natives who have no controlling voice whatever. Of course, demoralising influences are at work as well.

Taking the form of government, is it not the case in the areas you are thinking of that no attempt has been made to allow them to set up or help them to set up any form of local government ?- No.

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But where such efforts are made, the fact of urbanisation does not mean that the Native has lost his art of government ?- No. If you give him an opportunity of government, you are, of course, then fulfilling what I suggest in the statement.

That
Think The form of Government/has been developed in Bloemfontein is not tribal government ?- No.

I just wanted to be clear in my mind as to what you meant there ?- Yes.

You speak about, in the course of time, lobolo will be reduced to reasonable proportions; what do you mean by that ?- I am afraid that is a catch phrase. What I meant, I think, was that it would be gradually reduced; the Natives would not claim the full amount that they claim today. The tendency of the Native is that where you fix a maximum, whether it be for lobolo or the imposition of a fine by a chief, he will always aim for the maximum; we have fixed lobolo in Natal at ten head plus the odd beast and you will find that very few Natives will agree to marriage on payment of a lesser amount than that.

I could not follow what you thought was going to reduce lobolo to what you call reasonable proportions ?- Perhaps that is a misleading phrase.

Do you consider the present number unreasonable in Natal ?- No, I do not; I think ten head is quite reasonable. Of course, the chief and headmen are entitled to claim more than that.

Yes, we understand that. At anyrate, you do not stand by that phrase ?- No, I think I have rather misled you.

MR. MOSTERT: Failing cattle, the lobolo, if it is paid in money, it is reckoned at a value of £5 a beast ?- Under the proclamation at the moment it is reckoned at £4,10.-. In the Code we recommend £5.

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Do you not think it is exorbitant ?- No, I do not think so.

Take the beasts that we see about the countryside; they are not worth more than £2 or £2.10.- at the outside ?- Unfortunately, a Native does not view it in that way. He considers that £5 is little enough as an equivalent for a beast; even if a beast is only worth £2 he does not associate the value of the beast in the way that we do.

MR. LUCAS: We have been told that that difference in disparity in the value of the beast and the amount to be refunded in place of it, has led to serious abuse in some areas ?- I am not aware of it here.

MR. MOSTERINE: After all is said and done, the ordinary value of a beast worth £2 to £2.10,- surely cannot be taken by the Government or laid down as £4.10.- ?- Of course, that Proclamation was passed in 1916, but if you ask any Native today what the equivalent would be, he would ask for £5.

Do you know why I am asking you that question ? Because it is putting a fictitious price on an animal that is not worth it and that may prevent his selling his stock, by his saying, "I want £4.10.-", when it is only worth £2. or £2.10.-. If we ask him to get rid of his stock on account of overstocking, he will say, "I cannot get the money that the Government has put on the value of it" ?- That is quite a good point. Of course, the Native is free to accept a lesser amount than £5, but he will always make for the maximum.

MR. LUCAS: Are there many instances of Native chiefs who have no land of their own to live on ?- Yes, quite a number.

You consider that is a bad system ?- I consider that will require remedying as soon as possible; I consider chiefs

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should be allowed to buy a small farm somewhere, even in your excluded areas. Otherwise, they cannot exercise jurisdiction while they are tenants of a European landlord.

DR. ROBERTS: Do you not think his own people would contribute towards obtaining a farm for him? - Yes, they would; that is possible. The only thing is, many of these chiefs are not in areas where they could acquire land, and it would require relaxation of the Land Act to enable them to do so.

MR. LUCAS: I want to put a question or two about Native law. Take the case frequently mentioned of a woman claiming damages for seduction in town. The decision reported in the 'Mercury' yesterday, as I read it, says, that is not legal. The only redress is, under Native law, for the Native to claim two head of cattle from the father of the man; but are there not many women today in the towns who have lost their interest in tribal areas, who want to live in the towns? - That is so.

Is the fact that the father can claim 2 head of cattle any redress to such a woman, to assist her in the maintenance of the child? - No; but the father is responsible under the code for the support of his daughter. That decision was given as a strict interpretation of Native law as existing in Natal - that is, that an ordinary woman has no vested rights whatever; the injury to her is really the injury to her father or to the kraal head, and he must seek the redress; if she has been seduced, he must sue.

I am not thinking so much of the case of the mother - her own personal interest - but of the maintenance of the child. Now, the effect of the law as I understand it, is that the mother is forced to go back to the kraal, however much she may dislike kraal life, or she is forced to give up

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the child. Now, is that, in your opinion, a sound thing today Max with the emancipation which is given even for the Native woman ?- The emancipation which we have provided in the Code will meet cases of that sort.

How will it meet it in the towns? Take this case, which is a possible case; A Native woman from the Transkei is seduced in Durban; is she to be compelled in such circumstances to rely for her support on her father in the Transkei? She may have quarrelled with her father ?- You have raised an intricate point there, because we have been dealing with Natal Natives; you are dealing with the Native from the Transkei who is subject to a different set of laws.

In general outline, the law, so far as we have heard it, seems to be about the same. Are we not going so far as to say to a women, "You shall not be emancipated in a town under this law" ?- Should we say that?

Is that not the effect ?- That is; but, if a woman wishes to improve her status, there will be an opportunity for her to do so under our new Code.

How could the woman I am talking about become a kraal head ?- She can obtain emancipation and, by emancipation, she would have the right to own her own property; she would be an individual just like a Native man.

All she would be entitled to would be two head of cattle and that would finish her claim. Would that be any use for the maintenance of a child in the town ?- Well, the Court is not limited to one or two head of cattle.

Are they not limited to enforcing Native custom ?- Yes, I should think it would be possible; having regard to the present value of cattle, one would be inclined to increase the damages.

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But even then it is a very poor substitute for a regular sum for maintenance ?- Yes, but I think that Code could be suitably amended from time to time by Proclamation and all those defects be remedied and brought up to present-day conditions.

I would just like to know whether you think that the law, as it appears today, does not really, in effect, put a very big obstacle in the way of a woman becoming emancipated in the town ?- As the Code stands at the moment, yes, but not as it will be in the course of a month or two, I hope,

Even with the amendment you suggested, does that give any chance to a woman ?- It will give a great deal of relief but not in the circumstances which you have just illustrated.

DR. ROBERTS: Following on what Mr. Lucas has said; I do not know if you are conversant with what case law would do in the Transkei with regard to that ?- I think the position in the Transkei is more or less the same as it is here, except, I believe in the Transkei, the woman is regarded as a major.^{fix}

She is not a minor ?- No; she would be a major. I think that she would have the right to sue in her own name.

MR. LUCAS: Now, you deal in two places with the effects on the family on the absence of the men in labour centres ?- Yes.

I think one of your suggestions to deal with that is the establishment of Native locations nearer the larger towns where the families could be accommodated ?- Yes.

Can you see any other way of tackling the question ?- No, I cannot.

So that, if we as a country want Native men working in the towns, we shall be driven to make provision for their

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wives in the same neighbourhood? - Yes. I had in mind the establishment of a closer settlement scheme in the Umlasi location which is about 10 or 12 miles from here, and on lands adjacent to the Inanda location, where we were on Monday. The railway runs through the Umlasi location and it seems to me, if a closer settlement scheme were adopted there, the railway could be used to bring these people in and out to and from their work, augmented by a system of barracks in the town for the single men.

MR. MOSTERT: Are not we treading on rather dangerous ground when we want to bring women from the reserves to the labour areas, because the men happen to be there temporarily; is it not going to bring forth detribalisation? - No, I had in mind there the large number of Natives who have abandoned their kraal life and are living more or less permanently in the town.

Oh, I see? - ----

MR. LUCAS: That is what I was thinking of. Take the case of the labourer who is away for nine months; is not that a long time to separate a man from his womenfolk? - Yes; but the facilities for travelling are now increasing. It might be possible to allow them to live temporarily in some section of the location - to locate their families there temporarily.

DR. ROBERTS:

Do you think the system of having men away from their families for nine or ten months at a time is one that we, as a people, can contemplate going on indefinitely? - It seems to me very undesirable.

Yes; you have made a very strong case about the effects? - Yes, it is undesirable; but I do not know how to meet it.

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MR. MOSTERT: On the contrary; there is his farm to be left, his sheep, cattle and goats to be left - to whom? Is that not going to hasten detribalisation and hasten Natives to come from the reserves and live in the towns? - No, I do not think so, because, if you carry out that argument to a final conclusion, would it not mean that your Natives would abandon the reserves altogether in the end?

MR. LUCAS: Then you speak about cattle speculators selling scrub cattle to Natives. Is there much of that? - There was. Ten years ago I had personal experience of it. When I was magistrate at Indwedwe, large numbers of these cattle were brought down from the Free State and sold in these locations; thousands of head.

Is that still continuing? - No, not so much now.

Are any steps being taken to diminish it? - No, I do not think so.

Why has it diminished? - Owing to the fact that local cattle can be bought as cheaply here as anywhere else.

CHAIRMAN: There was a demand here which has now disappeared? - That is so.

MR. LUCAS: Now, you speak of, through the cultivation of wattles and sugar cane, the European has deprived the Native of much of their grazing, and you say that has been followed in a large number of instances by disastrous consequences through the reduction in the number of his cattle; of what sort of consequences? - The Natives have been driven off private lands into the reserves; a large number have been driven into the urban areas and have had to reduce their stock. Many of them, of course, were at one time well-to-do Natives owing to the fact that they had as many cattle as they liked, but they are now poor men.

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You speak about miscegenation having practically ceased in the country, but the law about it is ~~in~~ a dead letter in the towns ?- Yes.

DR. ROBERTS: Why is that ?- Because, in the country, an act of that sort becomes notorious; in the town it is more or less obscured; it is not brought out at all and most of the cases that we have had have been from the country and not from the towns.

MR. LUCAS: You think that, despite the Act, miscegenation does occur frequently in the towns ?- I think it is going on just as much now as it ever did.

DR. ROBERTS: That is your real thoughtful opinion ?- That is so, sir. I think it is just as bad now in the towns as it ever was, and in some of the country places, sir, it is just as bad.

Do you think there are as many halfcaste little children moving about now as did, say, 20 or 30 years ago ?- No, nothing like the same number. We have reasons for that.

MR. LUCAS: What are the reasons ?- Contraceptives and so on.

I see you attribute some of the terrible condition in the peri-urban areas in Durban to the eviction of Natives from time to time ?- Yes, those in the cane fields.

Do you think, or find there is much opposition shewn now by the location Natives to the admission of outsiders ?- Yes.

Is it regarded as a serious matter now ?- Yes, owing to the congestion. It was not so a few years ago.

You also say that a large number of Natives from other provinces are settling in Natal. What other provinces are they coming from ?- Mostly from the Transkei and Basutoland, but not from the Transvaal or Swaziland to any extent.

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MAJOR ANDERSON: Do you think they are settling? How are they making a living ?- They are settling in our urban areas and on our cane farms and wattle farms mostly.

Are they settling permanently ?- Yes. They are an undesirable element. With regard to the employment of Natives on our sugar estates, I would just like to say that the Natives along the coast here do not take readily to working in the cane fields; they prefer to work in Durban - that is, as domestic servants and as storeboys; and so long as there is a ready demand for that class of labour in Durban, the cane farmers will have difficulty in securing adequate supplies of labour from the adjacent reserves.

MR. LUCAS: Would not the question of a rise in wages counteract that ?- The cane farmer today is getting most of his labour from the Transkei. I do not know why it is, but the Fondo seems to take more readily to that class of work than the Zulu boy.

Is it that these boys are taking readily to that class of work, or is it a question of objecting to the rate of wages ?- No, I do not think the question of rate of wages enters into it at all. The farmer pays the average Native the same wage as he would get in Durban, except in exceptional cases. They can earn from £2 to £3 a month in the cane fields on task work.

MR. MOSTERT: But, in proportion, they pay very much more than the cane farmer ?- Yes; but food is found for them here, too.

I was referring to the boy that finds his own food; that boy is much better off ?- Yes, but the task is harder; he does not like the cane fields, for some reason or other.

MR. LUCAS: Dealing with migration; you say that the object should be to create inducements to keep them in the

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country rather than obstacles that will drive them into the towns. What sort of inducements have you in mind? - I thought as the drift seemed to be towards the town of all these natives that in time you will have some difficulty in providing labour for the farmer, and that the native should be allowed to make whatever terms he could with the farmer.

It comes back to the Land Act? - Yes, I am coming back to the Land Act.

But you go on to say that natives have been forced into adjoining locations, or have become tenants of small holdings owned by Indians? - Yes.

And that the position is now so formidable that it cannot be tackled? - I had in mind the conditions around Durban. Adjacent to the Greenwood Park Health Board area we have a large number of natives living on little tenements owned by Indians; they are squatters there and we have been unable to turn them out because it was an impossible task.

Because of the large numbers? - Because of the numbers, yes, and the hardship that would be entailed. The matter was represented to the Government and we were told to simply let the matter slide.

So that, as you say, there is need for some amendment of the Land Act? - Undoubtedly, sir.

Now, I think you give us your reason why many natives are not using their land as well as they might is that they prefer to go to the towns, and be more profitable to themselves by going to the towns? - Yes.

Now, on the terms that you suggest for land tenure, do you think it would be possible to base some value on the value of land rather than quitrent? - Yes, I think that would be quite a good idea.

Would not you be able to get greater fairness

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than you can with the quitrent? - Yes, I think so.

Now, the size of the lots you suggest is three up to ten acres. Do you think a native could maintain himself on that without having to go out to work in an industrial area? - It would all depend on the quality of the land; I do not think he would in many cases.

Looking at the question of the undesirability of the present influx of natives into the towns, is it not essential, if we are to prevent that, that a certain number of natives must be made able to live on their land without having to go out to work elsewhere? - Yes.

In which case there would have to be larger holdings as a rule than you mention here? - Of course, it depends on the quality of the land, where it is situated, and so on, and the opportunities a native would have for disposing of his produce. All those things, I take it, would be considered.

Then you say, on the death of the owner of land, the land should pass to the heir in the absence of a will? - Yes; the law enables him to make a will now for land; but, unfortunately if you are charging him rent that land would have to be vested in the individual.

Quitrent is one of the matters specially mentioned in the Native Administration Act? - Yes.

You refer to quitrent, and you state, in the absence of a will - so I read it - you advocate allowing them to dispose of it by will? - Yes, I certainly think they ought to have that right.

DR. ROBERTS: Right over the whole of Natal? - Yes.

MR. LUCAS: Then, on page 11, you speak about establishing native locations or closer settlement schemes near the large towns? - Yes.

Is that different from the Native Villages I was asking you about? - No.

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It is the same proposal? - Yes. I do not know if you are aware of it, but somewhere about 1906 The Natal Government considered a Bill for the establishment of townships in Native Locations, but it never came to anything.

DR. ROBERTS: Was that by Moore? - I think so. It was closer townships in Native Locations.

MR. LUCAS: Would there be individual title in those townships? Yes. I forgot the actual provisions of the Bill now.

Now, you speak about natives getting into debt to their employers? - Yes.

Is that common? - Yes, with the landlord; where the employer is a landlord it is very common.

What do you mean by that? - I mean, where he is a tenant and is working for his landlord, they invariably get into a good deal of debt.

Does that prevent the native from moving? - Yes, it does.

It ties him down? - Yes, very considerably.

And would you say that there is a large number of cases? - Yes; a good many: and unfortunately circumstances arise sometimes which make it difficult for the farmer to avoid the consequences of the native getting into his debt. We have at times a bad season, and the native is probably indebted to his landlord in a small amount; he perhaps finds it necessary to borrow grain, and that sort of thing, and is unable to work it off, largely owing to the fact that he is not paid an adequate wage.

In the areas that you have been in would there be any difficulty in requiring contracts to be written - I am referring to farm tenants or squatters? - Written contracts are ~~mainly~~ certainly desirable; but I do not think that a written contract is a guarantee in itself that a native is fully protected, because, after all, native time sheets are kept by the master and he could falsify these time sheets if he wished. On the

other hand, where a written contract is not kept - in fact in all cases I would strongly advocate that every man who employs a native as a servant should be required to keep a Labour Book - a labour book of a special kind.

Showing what? - The man's name, and so on, and setting out shortly the nature of the work, and recording the number of days he worked in each month.

DR. ROBERTS: Could not he cheat there quite as well as in the other case? - Yes; if you could do away with the written contract and substitute the Labour Book, it would be just as efficacious, I think.

Why not give them a work card - or a daily card? -Yes; that would be part of the system.

MR. MOSTERT: Say the master carried a book and every evening the master filled it in? - Yes, that would be quite a good thing. Much has been made of these written contracts, but I think your suggestion would be superior, because I do not see that a written contract is a contract in itself.

MAJOR ANDERSON: Is there not a Labour Book in force at present? - Yes; it is under the old Identification Pass Act, but it is not sufficiently clear; it would require improving.

MR. LUCAS: Do you think there is much miscarriage of justice through faulty interpretation? - I do.

And do you find that Native interpreters are satisfactory? - Some of them are. One or two that I have have not been owing to their lack of English; but taking the Native Interpreter as a whole, I think he is a better man than the average European.

Has there been a policy of substituting Europeans for Natives as interpreters? - At one time, all the Interpreters in Natal were Europeans, but it has become necessary latterly to employ one or two natives; but I must say this that their interpreters are poorly qualified, taken as a whole, to interpret today in our Courts of Law in Natal.

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DR. ROBERTS: Is that due to the fact that the Native can interpret better from English to Zulu? - Yes, he interprets better from English into Zulu than he can from Zulu into English.

MR. LUCAS: You are in favour of one document for tax receipt and Pass? - Yes.

You think that is feasible? - Well, I have discussed it with several of my colleagues, have shown them the scheme, and have found it very acceptable.

Do you find that the Pass Law is regarded as a grievance in Natal? - Yes. This is a little pet scheme of mine about these passes. The one idea I had was, of course, that every man should have a Labour Book and that every employer of natives throughout the Union should be compelled to advise a home district of the fact that he had employed a native. He would do it by means of a little card - "O.H.M.S.", showing the name of the native, Tax identity number in one corner, and the full name and address of the employer; it would be sent to the magistrate of the home district; he would file that card as he files to-day Tax identity cards. If that native left that employer and went to the next, the same thing would go on, and the card would go on to the magistrate, and he would file that one. If the native was required for any purpose, all that would be necessary would be for the Police to communicate with the magistrate and they would be given, at a moment's notice, the particulars of that native.

MR. MOSTERT: If he absconds? - Yes, and goes to Capetown.

If he absconds and tears up his pass? - There you would have a break. If he remains in an urban area he cannot remain there indefinitely without going to work, and, as soon as he goes to work the advice is sent forward, and you would trace him. If he does not find work he will go back to his own home district and would be traced. It is not a perfect system but would reduce work.

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DR. ROBERTS: Would it not help your scheme if you had a central clearing house? - That did occur to me, but I think it would be cumbersome.

MR. LUCAS: Do you think scheme would be acceptable to employers, say, in the Durban magisterial district? - I certainly think it would.

If there was opposition in other areas, would it be feasible to apply it to one area like that - to test it? - No, I do not think it would be feasible to apply it to one area, because if the native left this area and went to, say, the Free State, you would have no trace of him.

MR. LUCAS: Would not you have the same means of tracing him as now? He has to produce some paper when he goes into the Free State; you could trace him from that? - Yes, if the system prevails, but it would have to be universal in the Union.

No; my point is, with your scheme you have one document; the native who has this document, I take it, has to give his finger-print? - I would like to see that, but I am afraid he does not do that.

DR. ROBERTS: On your last page - and to me one of the most important pages - you mention the good feeling between Europeans and Natives? - Yes.

You do not think you have minimised some of these; many of them I do not think would give five minutes worry to natives. At the top there, with regard to overcrowding, single pass, and natives giving beer, and many others; but do not you think there is a serious one - a want of understanding between Natives and Europeans? - Yes, there is; I admitted that.

You do not think that that is the major of which all these others are minors? - Well, I tried to give it in detail.

The details won't amount to very much. Do you think, sir, if I may press you - if you do not care to answer do not do so -

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that there is that want of understanding and of sympathy on the part of the European to the native, and want of understanding as far as the native is concerned with regard to the European? - Yes.

And that that, after all, might be the most important matter dividing Europeans and Natives? - There is a lack of appreciation of the others difficulties.

Of the other man's point of view? - Yes.

You say here - which one is glad to hear - that the native has no natural aversion for the European? - Yes.

Do you think an European has a natural aversion for the Native? - No.

Why? - The position is rather a peculiar one, though. I suppose I am only telling you what you already know when I say that I think the position is rather a peculiar one, I think: we require the native to work; we like him to work for us, and, up to a certain point, we enjoy his society - but we would not eat with him.

That is bad socially. We won't even worship in Church with him? -(No answer.)

MAJOR ANDERSON: On page 15 you say you are unable to make any suggestions for improvements in methods of agriculture. Do not you think the Demonstrators, and so on, who have been trained and stationed about the country are doing good work? - Yes. I have suggested that somewhere, that the employment of demonstrators would be a good help.

It seems to be rather in conflict with that statement; I do not remember seeing the other statement. We have had a good deal of evidence all over the country that they are doing a great deal of good? - Especially the Native Demonstrators.

It is they I am referring to? - Yes. With regard to land

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tenure; individual tenure as an alternative I have suggested there. If we cannot adopt this scheme of individual tenure, we might appoint a number of European supervisors to see that these lands are properly allocated to the natives - divided up, and so on; so that if in the future we could carry out any individual scheme of land tenure, the ground would be more or less prepared.

MR. MOSTERT: Not surveyed? - No, not surveyed.

Mpungose;

Acting Chief MAQIYANA (Tribal name - /Squash Mpumulo Dist.)

Mahlabatini

Acting Chief GEBEMEWENI (Tribal name - Qwabi; /xxKhaggenk Dist.)

Called and examined.

(Interpreted through Mr. Faye).

CHAIRMAN: We would like you, as representing those who are not educated, to tell us what they wish to represent to us? -

(MAQIYANA): We are here to-day, Sir, to appear before the Commission which has been sent by the Government to inquire into various matters affecting us natives. My friend who sits alongside of me belongs to one of the senior Houses of the Zulu people and comes from Natal. I come as a solitary witness from Zululand, from the old Garden Sites of the old Zulu kings, Cetewayo and his father Mpandu.

The place from which I come, sir, has a school which was established in the time of the Zulu King Mpandu, when the Zulus were independent. Some of my relatives were educated there; but, as to that education, it is not given for any particular advantage.

We are glad the Government has established another school near the home of Solomon, the Chief of the Zulus.

As to schools in general, we have a complaint, and that is that the people who graduate from schools have no particular work to take up which gives them a better income than the persons who have not had the same advantage of education. A few

become teachers and preachers; but as to the rest, they have to fend for themselves mostly like a native who has not been educated.

I speak as a chief who is in charge of the area where the Zulu King Mpanda died and where his son Hetewayo had one of his principal kraals.

To-day there are so many schools in the country which were totally unknown to the Zulu kings and are unknown to me, too. In regard to them I can say nothing.

We do not regard the Government as a scorching sun which burns up everything, including human beings but as a beneficent influence like the gentle rain which changes the land and helps it to bring forth its fruits in due season; and we look to the Government, therefore, to help the people who receive education and /to see that when they have finished their course they are given suitable work.

As a chief, sir, in such an important historical place I do my best to carry out what I regard as my proper functions and to help the Government in doing what is right and proper towards the people; but I find that natives living on farms to the West of my area and the South of it are flocking into it and crowding me out. I have no room left now for any more people. I would be very glad indeed if the Government would extend my areas so that they could accommodate more people.

We fought against the white people - or they fought against us. We do not think that the Government is a body which bears a grudge against its subjects whom it has conquered: and that is why I make this appeal, and I particularly ask the Commission to take into account the possibility, perhaps, of recommending that the wages of our people who go out to work for you white people be increased, so that they may live better on what they earn than they are able to do at present.

In regard to Mission work: our heads are completely

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confused; there are so many different kinds of teachings amongst the missionaries that we are hopelessly at a loss to understand which to follow; they teach contradictory doctrines. Some here are called "Nazarites"; others are called "Amaloyi" ("Zionists"); but what they preach I do not quite understand; all I see is that they go out with women/^{folk}at night time, and I suspect that things happen there which ought not to be allowed. I am firmly opposed to anything of that kind being done in the areas under my jurisdiction. They seem to me to be persons without sense - almost like madmen.

(Shik(Acting Chief GEBEMEWENI): The words which have just been spoken strike a sympathetic chord in me. I heartily agree that there are far too many schools now in the land. We no longer know where we shall discover the truth, nor do I think that our children who go to schools and churches will be able to distinguish it.

The school which appeals mostly to me, Sir, is the one which has been established by the Government in Zululand for the sons of chiefs. That I think is a good school because it has been established with a definite object. It would be very nice indeed Sir, if we could have a school of the same kind for ordinary natives established by the Government.

In all the multiplicity of schools, Sir, our children are everlastingly leaving our homes; some of them are scattered so far as never to return - and this is having a bad effect on the rising generation; they lose sense of parental control.

I like very much the Roman Catholic Schools. Their discipline is very firm; their children are not loose. I think that must be the first church that was started by God.

We also have our grievances, Sir. We find that our areas in the Reserves and Locations are becoming very crowded, and we who are chiefs are beginning to feel very much as the birds

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of the fields must feel, which have only twigs to sleep on at night time - no proper home.

The lands which belonged to my father - Musi - have mostly slipped away from us, and I see flourishing cane fields planted there now; they are no longer native areas. Our grazing lands accordingly have become restricted, and so have our lands for cultivation. That is our principal grievance, Sir.

We have other grievances - for example, in connection with the unceasing dipping of our cattle; they have no sooner been dipped than they have to be dipped again; and so it goes on.

Our cattle have become thin and boney on account of lack of grazing, and now they are being killed by having to be dipped repeatedly.

If you could only call back Queen Victoria from the dead and restore her to the throne perhaps we would be better off than we are now. Her Government was benevolent, but the Government to-day is not so. We feel keenly that Queen Victoria has passed away; we are very sorry for it. That is all, Sir. Let the Government look after us and give us more elbow room. We are very hard pressed nowadays. That is all I have to say, Sir.

CHAIRMAN: Do you want schools to which all your children can go? - If we could have a Government school in our midst as well as a Roman Catholic School we should be satisfied; but the multiplicity of schools which we now see in the land is very unsatisfying.

Do you mean the multiplicity of religious teachings? - No, Sir; I exclude the preachers; I am talking about schools. We know God created the Universe, and so on; we have always worshipped Him, and still worship him.

You do not want preachers at all? - No, Sir.

Do you want only one school in your reserve? - That is all. My place is very small.

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How many children have you who go to school? - Well, I know that we have children, Sir; but it is absolutely wrong, according to our ideas, to count your children, because they will die. You get proud when you have so many children, and they will die. Do not laugh at me.

I am very glad to hear you say that. Do you mean it is unlucky to count the children - or are the children all your people? - It is unlucky for everybody, Sir.

If there is a large number of children they cannot all go into one school? - Yes, Sir; one school would be enough, because I could pick out from amongst the children those who go to school and those who remain at home to help, and those who go to the Government School in Zululand, at Mahashini(?) .

How would you pick out children who ought to go to school? - As soon as they had got up to learning the Alphabet, as far as "M", I would reckon they had learnt enough at that school, and they could then graduate and go on to the Zululand school. Those who learned "A.B.C." could stay at home; that would be all right for those.

But you have not got room even for all the children who learnt "A.B.C.". How are you going to select those who are going to learn "A.B.C.? - I think there would be room, Sir, because we would because we would just send sufficient to learn that whilst keeping back the others at home, because those who learnt "A.B.C." would go home and the others would take their place; those who had learnt would go home to mind their fathers and mothers.

Do you think those who learnt "A.B.C." ought to get more money for learning that? - I say, Sir, that if those children could go so far as to finish the regular book I see they have and perhaps one or two other books, in Zululand, and then only provided the Government ensures them work when they have

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passed through those books, I would ensure their going so far; but if the Government is not going to provide openings for them it is useless.

Have you grazing enough for your cattle? - Where are they to come from, Sir? They are finished. Where are the new ones to come from?

You know, when the European has more cattle than he has grazing for he sells some of the cattle? - The whiteman, Sir, has many means of getting an income, but we have only the one - that is, our cattle; and, if you make us reduce the number of our cattle, you are impoverishing us. I have seven wives I have had to give cattle for; but if I am restricted in the number of cattle which I may own, it means I have to have fewer wives. I myself am still ready to take more wives. The Government should not object to that, because I should get children and those children will pay taxes, and so increase the revenue. With my seven wives, I pay a lot of revenue to the Government, Sir.

When the drought comes some of your cattle die, do they not? - They go off like this -(Indicating by rubbing his hands) - because the grazing is limited.

Now, if you had fewer animals on the same grazing, they would not die; you would be just as well off? - I say no, Sir. That idea is very distressing to me because it means that you want to restrict me to a very small area - which is just the position; I have only a small area; I want a wider area.

Why are you fond of so many cattle; why do you want so many cattle? - We want them because it is very nice to get married and have wives; we want to have wives; then we have children from our wives; they also support our children; we get milk from them and they support them in other ways; we get meat from them. You hit us in many ways; you want to restrict the number of our cattle and you increase the price of mealies. We get it on all

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sides. We have to pay a lot for mealies now.

When you give a number of cattle for another woman then you have not got that cattle; so you have more room for what is left, have you not ?- But I am a man, sir; I beget children and, amongst my children are daughters; my daughters marry and they bring cattle to me again. It is balanced by that.

So you are evidently very well off ?- No, sir. You can see that I am not well off because I am a thin man. Look at Dr. Roberts and Mr. Lucas; I am sure they are very well off. When I speak like that, I am making a plea to you; I want you to help us to live comfortably as we did in the old days - happily.

But, if you killed some of your cattle and ate them, you would get just as fat as other people ?- No, sir. According to custom - I am an acting chief and if I kill a beast I give it sway as a present; I only take a little bit. If I kill a beast, the whole countryside turns up and the meat is gone.

Must you always give away meat when you kill an animal ?- Of course, sir, they also drink beer, which I have brewed for them and which makes them happy and makes me happy.

When must you kill cattle for other people ?- Well, if I killed a beast this morning, sir, it would be finished by tomorrow at one o'clock.

On ceremonial occasions do you kill cattle ?- Yes, sir; we have our ceremonial occasions in the same way as you have your big dinner parties. The change of the seasons are ceremonial occasions, sir.

Are those the only ones ?- Well, sir, if you want me to retail to you all the customs and ceremonies of the Natives, we will have to sit for a long time. I will detail them to

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you, but I am afraid I have spoken too much. Your questions, sir, make it clear to me that the Government is in league with other powers which are trying to push down the Natives; at least, the Government allowed us £6 for a beast when cattle were scarce, as the equivalent of a beast for a lobolo contribution. Then it was reduced to £5 and now we are told it is only £4.10.-. We long for the days of Queen Victoria, sir. It was not so in the days of the Queen, sir.

We do not want all the ceremonial occasions, but what are the chief ceremonial occasions on which you have to kill cattle ?- Several times after a person has died, when the mourning period is becoming lighter and lighter there is killing of cattle; but the big killing of cattle in connection with that is when the spirit of the departed person is being brought back to his relatives. If it is an important person, as many as five head of cattle might be killed on the one day. That is what you people, in your own social life, would call a very big dinner party.

MR. MOSTERT: You seem to resent the missionaries and the churches. Have you got your own religion ?- Yes, sir. According to tradition "Mveli nquanzi" or "Nkulunkulu" created everyone and everything and he has to be worshipped as the Supreme Being.

That is your religion ?- Yes. In addition to that, now you have come along with a piece of paper and the moving of hands in this fashion (indicating), to form characters. That is also part of your religion.

The White man is trying to take that religion away from you ?- Judging by our children deserting us and running to your churches and schools, I should almost say that is so.

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Cannot you preach to your children your religion; surely your children also know your religion ?- (Chief Maqiyana): According to our usages, sir, as you have just been told, the Creator created everything and everybody and next to him here on Earth, we have to fear and honour the king. We did that up to the time you White people came but now you have brought many new new fangled ideas which are very confusing to us. Right up to the time of the Zulu King Mpamdu, it was, as I said; we worshipped the Omnipotent Power, the Almighty, and we honoured and served our King. If you can control our children so that we can teach them wholesome doctrine such as we and our fathers were taught from the beginning, it would be well and good; but our children have become like wildcats. You can no more catch a wild cat than a flash of lightning; it disappears and runs away from you, and so do our children nowadays.

Are there any White people who have tried to teach you your own religion ?- You may know of such a teacher; we do not.

No, I do not ?- We were very respectful and modest people; we only covered ourselves with a loinskin; there was no sham or secrecy about it; but nowadays, all sorts of things have come in addition to that; we have to cover all up;

Do you consider you have been spoilt on account of that ?- With all respect, sir, certainly; look at the shirt I am wearing; I should not be bothered to put on this thing you call a shirt, if it were not for you White people. Besides, you make me pay for it;

As far as your people are concerned, are there many

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who leave their reserves to go into towns and remain there ?- (Chief Gebemeweni); You have only got to walk about in Johannesburg to see them, or in others of your big towns. Some go with their womenfolk; some get womenfolk where they go and never come back. They leave us, their chiefs, and their parents behind.

Are they the ordinary uneducated Native, or the educated ?- It is those who have learned A, B, C, who run away.

And it is the man who has learned A, B, C, who never comes back ?- Yes, he comes back to us.

Is that the reason why you are against education, because you want to keep your people together ?- Yes, sir, because we want our children to come back to their parents.

CHAIRMAN: But in the old days, the heads of your people had control over their children. How is it that they have lost that control over their children now ?- You are the cause of that, sir. Our children have been taught this kind of thing (indicating handwriting) and it sets their head wrong.

When they have learned writing, are they dissatisfied with their homes ?- We cannot generalise about that, sir; some ~~dissatisfied~~ are and some are not.

Now, in the old days, if a son ran away, what would they have done to him ?- It was absolutely unknown, sir. The only time when our children went away was when they had to go to the king to do service.

So now they do not know what to do when a son runs away ?- Yes, sir. We are in dire distress about it. If you do by any chance happen to see your son, who has run away from home for good, you will find him walking about

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wearing a stiff collar right up to his ears, and so on. He forgets that he ever had a father or mother; he takes no notice whatever of his parents.

Your own system of government is by chiefs ?- Yes, sir.

We have seen that sometimes when a chief is quite a worthless man, the people still obey him. Why do they obey a worthless man ?- He is the centre of their social side and, not only that, when there is any important ceremony taking place, he is the most important figure - he is the most important man in everything that is important in the tribe, that binds the tribe together.

But why do you keep that worthless man;; why do you not depose him and take a worthy man to be your chief and bind the tribe together ?- Send him where, sir? Can you tell me what we should do with him?

MR. MOSTERT: Has each chief got a council of his own ?- Yes, sir; I have eight councillors.

Whether a chief be educated or not, you believe in the chief being chief of the tribe, whether he is a good or a bad man ?- It makes no difference to us, sir, so long as he behaves himself and stays at home. Even if he is educated, we will adhere to him to the very last.

But if he is not educated, the same thing would apply ?- Like two hands joined together, sir.

DR. ROBERTS: You say that you have not got enough land, and I think the Government is agreed about that ?- Yes.

Have you any thought in your own mind as to how more land would be got, - whether by purchase or by request ?- We are your people, sir, and it is not for us to think out ways and means of acquiring land; besides, it is foreign

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to our custom to buy such a thing as land; we look to the Government to give us land.

On the proportion of those requiring land ?- Yes sir; but in addition to that, I think that it should be taken into account what a man's status is. Today, we have got many people who have been appointed as chiefs who have really no hereditary claim to chieftainship.

You say the Government should decide as to giving you land. On what information should it do so ?- The Government has got responsible Civil Servants working for it, including the interpreter who is now interpreting; let them go out and see if the Government can make recommendations.

I acknowledge that you are younger than I am ?- At the same time, sir, I am a man; a man amongst men and I am loyal to the Government.

CHAIRMAN: Does the ancestral spirit bind the people together ?- The ancestral spirit is propitiated through the hereditary head of the family concerned - in our case, Mtyingwa, our Chief. His mere presence is sufficient, even if he takes no active steps; his being there is enough for us; it binds us together. You call it a big dinner.

DR. FOURIE: Has your tribe an Inkata ?- You will find it with the King of England, sir. It was taken away from us when we were conquered during the time of Queen Victoria.

Why has the tribe the Inkata ?- No tribe can have an Inkata unless it has the supreme power - in this particular area, the King of England is. (Mr. Faye): This is simply a Union; it is a physical thing. It is a matter of arrangement in the form of a ring about that size (indicating), with charms and all kinds of things worked into it.

CHAIRMAN: The chief is the medium between the

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people now living and their ancestors. That is the reason why you attach so much importance to the chief ?- Yes; that comes back to the very fountain, to the very beginning of our tribe; to our first forebears.

Therefore, even if the chief is a worthless man, he has still got that power ?- Yes, sir, because it binds us together.

Cannot you give that power to any other man of the tribe ?- That would be high treason; it would be impossible.

Cannot his eldest son have it while he is still alive ?- If the son is given any powers which have been delegated to him, he is merely acting as his father's agent; the authority resides with his father as long as he lives.

But while his father lives, that can be delegated in the son as agent; he is not acting on his own behalf, but on behalf of his father ?- (No answer):

THE COMMISSION ADJOURNED AT 5 p.m. UNTIL 9.30 A.M.
THURSDAY, 2nd APRIL.
