go on the mines. Natives also as a rule do not like to send their
daughters and young children to work in the larger towns, on the
ground of moral perversion.

3.

In my knowledge, but I cannot now give the exact details, there
have been cases where natives have lost the ground purchased,
after payment of a portion of the purchase price by reason of
their not being able to pay the balance of the instalments. But
I have known many cases of this kind happen to Europeans where they
have not been able to pay the balance of the purchase price.
The system of law applicable to such transactions is known as
"ROUWKOOP" and is well known. In my experience, especially in
the Piestriver District natives would seem prepared to enter into
almost any purchase agreement with very little money, and to trust
to the future. I have had to advise them that the Government will
not sanction a purchase of land unless a fixed portion of the
purchase price has been first paid. In the Piestriver District
there are detached collections of Natives who wish land to live
on and multiply not far from township, but who have no money.

At the present time some natives are living on the town lands of
Piestriver who had notice to quit but are not able to get away,
unless they move into Swaziland and be swallowed up there in one
or other of the huge native settlements. This would be a great pity
as I feel they would slide back from partial civilization into
untamabled primitive life. Where there are isolated natives
like these on Piestriver town lands they ought to be apportioned
some land with other partly civilised natives and the whole be put
under the supervision of some Church body, or allowed to go out
into a larger community on the principles of coloured natives in
the Cape Province. I can site the case of the coloured settlement
at Nama in Malmesbury district, which is doing well and I feel
will make good. Particulars of this Nama settlement which is one
of the best I have seen so far will no doubt be found in the office
of the Native Affairs Department there are no irksome chiefs and Na
headmen and petty officials to worry the people. They have a "Board
of Management elected by themselves under the Chairmanship of the
Magistrate.......
It seems that the text is partially visible or unclear. However, I can try to provide a readable version of the visible portions:

"I do not remember any case where natives have sold their land to Europeans. I do not think they should be allowed to do that for a very long time. Where natives are satisfied they will not cause trouble but live with quiet enjoyment. I can only now give a general opinion on the question raised in this section. In the Transkei much land would appear to be held by individual natives. I also knew of instances of this kind in the Eastern Province of the Cape, in the neighbourhood of Kingwilliamstown, where I grew up. So far as I can remember, natives generally do make very good use of their land held under individual tenure and there are a good many cases where natives have made such good use that their farms are cultivated and worked better than farms owned by Europeans. Natives make much use of machinery and agricultural implements in many cases. Where the ground is too much for one man it has been sublet in many instances with good results. There are failures among the natives just as there are with the Europeans. On the whole they can see and grasp the opportunity to advance. In regard to overstocking I can say that I knew of instances where that has taken place. In the Pietretief area there are farms held by natives very heavily overstocked but here I must say that that would appear to the fault of the chiefs, who gradually turn out the small man and in the end become the owner of most of the stock. The system of "Lebola" is at the bottom of most of this. A native will be required to pay from 5 to 10 head of cattle for his wife. The chief demands 50 head of cattle for one of his daughters and much more than that if she is a recognised beauty, and is sought after by a young chief from another tribe. A 100 head of cattle for such a girl is not considered too high a price. The chief has mostly......"
mostly from 10 to 20 wives, ordinarily. The native is satisfied with only two wives. Hence it is clear it will not take long before the chief will have more cattle than individuals. It is made so unpleasant for the individual native who complains that, often, to save his family and himself, he has to pack up and go. I am relating this to show how the influence of the chief increases and that of the individuals decreases. This is also one of the reasons why so many natives nowadays abandon the reserves, where the chiefs are supreme and settle elsewhere where they have — so to say — elbow room.

Squatters generally have only a limited piece of land to work and they must work that land or go under. They are more often helped by the farmers who give them oxen, ploughs, and gear, and very often the seed too.

Under both systems, that of squatting and of private ownership, natives work hard. But in my opinion, under the present rate of civilization, the native squatter is better off. He has the experience and knowledge to help his along with the European. As a private owner he goes along positively. He will, in the long run, get much better with his European master than in his native location, by reason of his greater requirements, greater knowledge, and the acquisition of greater ability. But he is going to have it all the same as time goes on.

(6)

The squatter native is generally mentally superior to the location native, because much more is required of him and his ideal is higher. With the facts at my disposal I am unable to give the details required.

(7)

So to my mind and from conversations I have had with natives on the point I am distinctly under the impression that natives will welcome a Government Labour Bureau. Natives have on many occasions told me they would feel much safer if the recruiting could be done by the Government. They would not be compelled to travel under espionage, as it were, and they could be prepared to leave it to the Government Officers, as to which mines and places they were to work in. They would feel, as they say, that they were not being treated like cattle and goats, once the recruiting agent has registered their names. There are many labour agents in whom the natives have very...
very great confidence, but there agencies where they are not treated fairly. Natives have also told me they would like to work on farms as in the High Veld Area, Bethal etc., but they do not like being locked up at night, have practically freedom and are so to say & compellle to buy their simple requirements, such as clothing and a few luxuries, from the farm store, in the compound, at outrageous prices. They say they have no means of checking their accounts and protests are often met with cruality. If the government would do their recruiting and see that their wages, or a portion of it, are kept in trust for them, to be handed to them when they go home, they would feel much more satisfied and have more confidence.

Natives complained to me on many occasions that they were deceived when recruiting, as to the treatment they might expect from the farmers, only to find, upon entering their work, that the only way out, was to work out the contract, however unwilling they might be. If the government had the matter in hand, they argued, they would receive better and fairer treatment.

(b) From what I was told, by many natives, in the High veld, that if the recruiting conditions were better and safer, under strict government control, many more natives would go forward, than now. Natives accustomed to farm life, squatters and their sons, would prefer to work on other farms, under recruiting contracts, if they had some freedom and treatment they have on the mines. On the other hand, natives working on farms, would like to work on mines, if conditions there were favourable and they were protected from robbing and gambling prowling natives, and political agitators, all of which go towards unhappiness.

In regard to the ordinary domestic servants, they would seem to a class by themselves. They return to their old employers, where they have been treated well. If government could recruit for domestic service, I have no doubt, many natives now going to the mines, for want of knowledge, would prefer to work out their time, not only in towns, but also on farms, natives only prefer to work in the mines on account of the higher rate of pay they get there. But they are all somewhat afraid of the silicousis and the early death following on it.

(c)..............
At the present moment I cannot give particular instances. In this the Malmesbury district, there are very few natives. The labourers here are Cape Coloured. The cases in the Magistrate's Court in which these Cape Coloured men were the accused, number, 86. There does not appear to have been any case against a Master or Employee.

Much has been said in recent years, by able critics, both for and against the Master and Servant's Act. In my view the Act remains a necessity. In my view the different Acts in the Union should be codified and consolidated into one Act so that the Law should be the same throughout the Union. The present Acts seem to work well where they are in force. All that is needed is that they should be brought up to date and amended where necessary.

In the Malmesbury district there is a good deal of drinking of wine and other spirits indulged in by the coloured people. There is a good deal of drunkenness and assaults —— ordinary and sexual arising out of the drinking vigils. Wine is very cheap in these parts and liquor easily obtainable. A general tightening up of the liquor Acts may be beneficial. In the Northern provinces natives partake largely of kaffir beer, or allied drinks. In the South wine takes the place of Kaffir Beer. Kaffir Beer being a national drink or beverage, the sale and supply thereof should be recognised and placed on a proper legal footing. There should be no discrimination and where the coloured person is allowed his wine, the native should be allowed his Kaffir Beer, or wine, provided that what is supplied is good and wholesome.

My private and personal view is total prohibition, but I am afraid that might be going too far.

In this as in other districts where I have been stationed poor X relief has always been granted to natives in deserving cases. This should not be left entirely to the tender mercy of Municipalities and Divisional Councils, Magistrates should, in consultation with the Police and Social bodies be authorised to grant relief in all cases where it is proved to their satisfaction that it is necessary. At the present time it is a source of much wrangling between the Municipalities and Divisional Councils as to who is responsible. This causes delay, at times, and gives rise to unnecessary suffering.
In this district sanitary accommodation is provided for the coloured persons, and that is made use of, whenever natives are brought to court by them. So far as I can see there is room for improvement even here, but I am unable to give details at the present moment.

In this district there is no waiting shelter for natives, coloured persons or others, attending court. Such shelter is in my opinion an urgent requirement and should be supplied at once. In summer the heat here is terrific, whilst in winter it rains nearly all the time, awaiting trial prisoners, be they natives, coloured persons, or Europeans, are generally, crowded into the back portion of the Court room, where, at the same time, witnesses, native and coloured, stand and wait until called up. The crowded court room, on a hot day in very unpleasant, and certainly not conducive to good health. At this station a lean to, should be erected to accommodate at least 50 persons, at any time. It should have to hold more persons than that at the time of the Session of the Circuit Court, when many witnesses have to stand outside, whatever the weather conditions may be.

General.

I have endeavoured to give some explanation, in my observations, which I take may be of some reope to the commission.

If there is any matter raised by me which the commission should desire more information, I shall be willing to give it, to the best of my knowledge.

[Signature]  

Magistrates,  
Malmesbury,  
Cape Province.
Magistrate,

Murraysburg.

4th. February 1931

The Secretary,

Native Economic Commission,
Box 334,

VICTORIA.

Questionnaire for Magistrates and Native Commissioners.

At the request of the Secretary for Native Affairs, I give here my replies to your questionnaire N.o. 57/2.

I may add however that my replies will be little or no benefit to the commission, as the Native element is practically negligible as far as this district is concerned. I doubt if there are more than 200 Natives in the whole of my area, and these are almost without exception, manual labourers on the roads earning 2/6 per day and farm labourers whose wages range from 10/- to 21 per month plus food and quarters.

1. (a) District of Murraysburg

(b) Magistrate

(c) Since 1st. April 1930

Land Transactions affecting Natives.

2. (a) : Nil

(b) : Nil

(c) : Nil

3. (a) : No

(b) : No

4. (a) / ................
3 (a) No
(b) No
4 (a) No
(b) Nil: There are no native land-owners, tenants or squatters in this district.

Use of Land Held by Natives:
5 (a) Nil
(b) Nil
(c) No
(d) See 4(b) above.

Recruited Native Labourers:
6 (a) There is no recruiting of natives for this district. A few natives usually enter the district in search of work and are engaged immediately on road work at 2/6 per day or as farm labourers at 10/- to £1 per month with food and quarters.
(b) Expectation or promise of increase in wages and reasonable expectation of being able to earn and get together a few head of livestock.
(c) About 10/- per month.
7 (a) They would undoubtedly favour such an Institution. It would encourage them to go out and work. The native leaders and others are constantly agitating for an increase in native wages. Here is a method of assisting them to a great extent in their ambition. They should "grab" at it.
(b) I have no doubt it would increase the number going forward voluntarily to farms and labour centres.
(c) No.

Master and Servants Act:
8 (a) Nil
(b) One
9 (a) I have no views to express on the working of the Act as far as this district is concerned. My experience however as Public Prosecutor for a number of years in the Johannesburg Courts has convinced me that a certain class of employer on the Rand engages a native with the full knowledge that he would not be able to pay him his wages. As soon as the native complains the employer soon enough finds some fault with his work and chases him away. The native goes to the Pass Office and complains that the employer is with-holding his wages. An affidavit is taken from the native and the employer is approached. The latter denies he owes the native any wages and in nine cases out of ten, lays a charge of desertion or some other contravention of the M & S Act against the native. The next step is the appearance of the employer before the Court on a charge of with-holding wages. The usual result is the acquittal of the employer, the only evidence tendered being that of the native against the employer. The native is never able to state with any degree of certainty how long he has been employed or what proportion of his wages he has drawn. The Court is left in the unenviable position of having to decide who is telling the truth. This the Court is unable to do with one man's word against that of another. Result: the accused employer gets the benefit of the doubt and is discharged. The native is left with his Civil remedy only but has no means to institute same and so loses his often hard-earned wages.

9 (b) .................
9 (b) I consider the Act should make provision for the payment of wages by employers to some responsible Government Office where the native can draw his wages every month, and where a record is kept of wages actually paid etc.

Crime Committed by Natives:

10 (a) No - a few stock theft cases occasionally.
(b) Most of the cases I have tried, attribute their downfall to real or imaginary pangs of hunger.

Poor Relief for Natives:

11 (a) No. They share in the ordinary poor relief for coloured people and Europeans. The total amount usually allocated to this district is £3 per quarter.
(b)(c) & (d) There are never more than two or three natives on the Roll. They are supplied with food-stuffs - mealie meal, salt, sugar and fat - never with cash.

Sanitation:

12 (a) No sanitary accommodation exists either for natives or coloured people.
(b) Decidedly No.

Shelter for Natives at Courts:

13 No shelter exists either for natives or coloured people.

General:

14 I understand this questionnaire will be forwarded in due course.
15 Nil
16 Nil
1. (a) Sutherland C.P. (b) in capacity as Magistrate (c) three months.
2. (a) No ; (b) and (c) fall away.
3. As far as can be ascertained, no natives have ever purchased land in this district.
4. Falls away (see 3).
5. See 3 and 4, no land held by natives.
6. Not applicable as no natives are recruited in this district.
7. (a) There are no natives available to be recruited in this area, in fact there is a shortage in farm labour.
   (b)(i) The demand here is only for shepherds, as it is a purely pastoral district and the wages offered are so low, that any advance for shepherds to cover cost of transport, will, if a contract is for 12 months, practically absorb all wages earned during that period and have the effect of the labourer merely earning his food.
   (ii) Not applicable.
   (c) No.
8. (a) Nil and (b) one.
9. In respect of this division I have no remarks to offer under this head. The fact that a Masters and Servants Law is operative undoubtedly has a deterrent effect.
10. No, at a very liberal estimate there are not more than 50 natives all told in this district and they are spread over a very large area. Those who have in a strict sense become detribalised show a strong tendency to indulge in intoxicants. (b) No remarks.
11. Yes ordinary relief from Provincial funds. Natives supplied are adequate and according to scale.
12. None, nor is there accommodation for Europeans or Coloured.
13. As in number 12.
14. I have no remarks to offer under this head.
15. Noted.
16. No.
The Secretary,
To The Native Economic Commission.
P.O. Box 334, Pretoria-Transvaal.

Native Economic Commission: Questionaire: District of Laingsburg C.F.

In compliance with the request contained in Minute No. 64/276(4) received from the Secretary for Native Affairs at Pretoria dated the 21st Instant, in connection with the abovementioned subject, I beg to append the following information as required by your Minute No. N.E.O. 57/2.

1. I am only dealing with the District of Laingsburg C.F. in this statement. I have been stationed here for 18 months. This is my first Magistracy and consequently I am not in a position to deal with any other Districts. This statement is dealt with by me in my capacity as Magistrate.

Land Transactions Affecting Natives:— (2) No Natives have ever proposed to purchase land in this district.

(3) There have been no Native Purchasers of land in this district.

(4) There is no land held in fee simple by Natives in this district.

Use of Land Held by Natives: (5) No land in this district is held by Natives. This district is essentially a sheep farming district except for a very small portion in which grain is produced.

Recruited Native Labourers.— (6) There are no recruited Native Labourers in this district.

(7) The Community in this district is averse to employing Natives as they have been accustomed to coloured labour all their lives and do not understand the Native or his ways.

Masters and Servants Act:— (8) No employers of Natives were charged under this Act during 1930. During the year 1930 only one Native was charged in this Court under this Act.

(9) Owing to the scarcity of Natives in this district I have no remarks to offer on the working of the Masters and Servants Act.

Crime committed by Natives:— (10) There is not much Crime committed by Natives in this district. During 1930, 7 Natives were charged under the Liquor Act of 1928 for Drunkenness and for being in possession of Liquor. These Natives were employed on various "Spare Ganges" on the S.A. Railways operating along the Railway Line in this district temporarily. The Ganges consisted of mostly coloured persons with a sprinkling of Natives. The coloureds are allowed to purchase and be in possession of Liquor and this no doubt proved too great a temptation to the Natives in the Ganges who are not allowed to be supplied with or be in possession of Liquor.

Poor Relief for Natives:— (11) Rations on Scale prescribed by the Provincial Secretary at Cape Town are issued by me to bonafide Rammers. During 1930 only two Native Males drew Ramper 1ations and five Native Males were supplied with Road Rations on Passing through here looking for work.

Sanitation:— (12) There is a Closet and Urinal for use of Natives attending my Court. The Sanitary accommodation is adequate.

Shelter for Natives at Court:— (13) There is a suitable waiting shelter for use of Natives attending my Court and Offices.
General. 14, 15, and 16. The Non-European community in this District consists entirely of Coloured Persons excepting just for a very few Natives. I have only 13 Natives on charge on my Native Tax Register. Those Natives who are occasionally employed on the Railway Spare Gangs are migratory and do not reside permanently in this District. As already stated the European Community are averse to employing Natives as they do not understand the Native neither his ways nor his language in this district. There are a few old Natives employed as Shepherds on a few farms in this district. Consequently I am not in a position to give the Commission helpful information on others matters as suggested in the Paragraphs 14, 15 and 16 of the Questionnaire under reply.

With the exception of a small portion, this district is essentially a sheep farming district and the supply of coloured labour is adequate for the demand. Seven Additional copies of this Statement are Annexed hereto.

[Signature]

Magistrate at Langsburg C.P.
1. (a) Calvinia  
(b) Magistrate.  
(c) 1½ years.

2. No.

3. No Native Landowners.

4. No Native Landowners.

5. No land held by Natives.

6. The Divisional Council recruited 30 Natives to work for six months on their roads. The pay was 3/- per diem.

7. There are no Natives permanently residing in this District. The numbers employed vary and are very few. Those employed by the Divisional Council have mostly left. Some before their six months expired.

8. (a) Nil  
(b) Nil

9. As I have had no prosecutions, I am not able to express any view.

10. (a) No.  
(b) Only convictions are 4 Stock Theft; 1 Housebreaking; 2 Assault; 2 Attempted Fraud, 3 Drunkenness; 1 found in possession of Liquor; 2 Assault and 1 Theft.

11. (a) No, not necessary.

12. None necessary.

13. None Necessary.

**GENERAL.**

No Natives are permanently resident in this District. Native Shearers and Harvesters come during the season here in search of work, but remain only so long as work offers.
1. The Hopetown District is not situated in a Native Area. There is thus not a resident Native Community here, only a nomadic one in search of work, totalling at the most a 1000 persons.

2. I have been here 3 years and 4 months, being the Magistrate.

3. No Occupation of Land: not applicable to Hopetown Dist.

4. Recruiting: not applicable to Hopetown Dist.

5. (a) No of Employers of Natives charged in 1930: nil
   (b) No of Native Servants charged in 1930: approx. 4

6. (a) I have no comments to offer on the working of the Masters' and Servants' Act.
   (b) No amendment considered imperative.

7. (a) No particular crime worthy of comment is committed by Natives.
   (b) The main factor to which crime is attributable, is the lack of control over the bad instincts of primitive mankind.

8. (a) Yes poor relief facilities exist (b) in the form of rations, (c) needed by a few old and sickly and (d) rations are supplied.

9. (a) No sanitary accommodation exists at this Court for natives and (b) and no necessity therefor exists.

10. The verandah is the only shelter obtaining at this Court.

To The Secretary
Native Economic Commission
P. O. Box 334
PRETORIA.
MONTAGU,
19th. March, 1931

THE SECRETARY,
NATIVE ECONOMIC COMMISSION,
P. O. BOX 384,
PRETORIA.

NATIVE ECONOMIC COMMISSION
GENERAL QUESTIONNAIRE.

With further reference to Native Affairs Identical Minute No. 64/278(4) of the 21st. ultimo, and in connection with my Minute No. 2/1/2 of the 5th ultimo, I have to inform you that this statement applies to the district of Montagu where I have been stationed as Magistrate for the past four years and eight months.

The district of Montagu is not a Native district, and consequently, none of the questions is applicable to this district.

WTR/S.

MAGISTRATE.
MAGISTRATE'S OFFICE,
STELENBOSCH,
18th. March, 1931.

The Secretary,
Native Economic Commission,
P.O. Box 384,
 Pretoria.

Answers to N.E.C. 57/2 : Questionnaire for Magistrates etc.

1 to 7. Under the headings "Land Transactions Affecting Natives",
"Use of Land held by Natives" and "Recruiting Native Labour"
the reply is negative.

8. (a) none  (b) two.

9. In view of existing circumstances I have had no opportunity
   of judging.


   (a) Not much crime, chiefly assault and a few cases of
       illicit selling of dagga and liquor.

   (b) Assaults due to drink, the other offences referred to
       in (a) were committed generally by natives who
       were temporarily residing for that set purpose.

   POOR RELIEF.

   11. (a) & (b)  no.
       (c) & (d)  not needed.

   SANITARY.

   12. (a) none
       (b) not needed

   SHELTER FOR NATIVES AT COURT.

   1½  No and not required at present.

   GENERAL.

   I estimate there are some 300 natives in this district. They
are engaged here and there as farm labourers and at Brickfields and
Divisional Council work and are chiefly migratory.
1. (i) This statement applies to the District of Wellington.

(ii) My remarks refer to a few distribalised natives. I have only been a year in this District and my experience here is confined to the collection of native tax, the infrequent appearances of natives in Court and a general knowledge of the District which is small in area.

In my opinion there are not more than fifty adult male natives in the district. My replies to queries are based on my own observation and information supplied by residents of long standing.

(iii) My knowledge of the employment or control of natives is limited to what I have learned in criminal Courts on the Witwatersrand and Pretoria and the occasional employment of a native as a domestic servant. I have no experience of the administration of Native Affairs.

2 & 3. My acquaintance with the tribal system and native customs is insufficient to enable me to reply to these questions.

4. So far as I can ascertain no stock is owned by natives in this district.

5. As a result of enquiries among local farmers I am of opinion that there has been no change in the soil or vegetation in recent years.

6, 7, 8, 9. I am not in a position to reply to these questions.

As previously stated the few natives in this District are quite distribalised and live in the same manner as the coloured community.

10. No natives occupy farms in this District. There have consequently been no evictions as I understand the term to be used in this question.

11. In this District natives as well as coloured farm labourers are usually given quarters for themselves and their family and also receive wages in cash for the days on which they work. When they leave the service of the farmer they are naturally required to vacate the house as it is required for the...
their successor. Casual labourers are paid in cash, no special provision being made for their accommodation. This system seems to work very well. In my opinion it is better suited to this District than any of the other systems mentioned by you.

12. If the labour tenant system means that by which a native is permitted to squat on and use a portion of a farm in return for his labour it is unknown in this District.

13. (25). There has been no tendency to replace one race of farm workers by another. In the great majority of cases only colour-red people are employed.

(26) (27)A. In view of the reply given to query 12 these questions fall away.

(27)B. Wages are paid in cash to the person who does the work. In a few cases children's wages are paid to their parents.

(27)C. Native male adult daily paid labourers receive from 2/- to 3/- per day. I do not know of any cases of native females being employed.

(27) D. Adult male wage labourers are paid in cash. They usually provide their own food. If they undertake to work for any length of time for an employer they are provided with quarters for themselves and their families. As stated above native females are not employed.

(28), (29), (30). As there are no labour tenants these questions do not call for a reply.

(31). No farms in this District are occupied by natives.

14. No natives are engaged in farming on their own account in this District.

15. No native produce is marketed in this area.

16. I know of no instances of natives leasing land to non-Europeans.

17. I am not aware of any instances where natives employ Europeans.

18. There are no recruiters of native labour in this district nor do any recruited natives come here.

19. No provision is made by employers for games or other forms of recreation.

20. Natives in this District reside close to their work. There
There is therefore no necessity for prolonged absence from their homes.

21. Natives are practically unknown as domestic servants.

22. Natives in this District are so few and so scattered that there is no attempt at organisation for their protection nor is there any necessity for such a proceeding.

23. (44). Trading with natives is conducted on the same lines as with Europeans or coloured people.

(45). There are no native storekeepers trading on their own account in this district.

24. I am not in a position to reply to this question.

25. I do not think there are any openings for educated natives in this district. Positions requiring education which are not occupied by Europeans are filled by coloured persons many of whom are well educated. The supply far exceeds the demand.

26. I can offer no opinion on this subject.

27. In this District the laws mentioned do not appear to affect natives differently to other sections of the community. The wages and conditions of employment are good and there have been no industrial disputes.

28. There are too few natives in the district to enable me to offer any opinion as to the social and economic effects upon natives of the laws mentioned, with the exception of the Native Taxation Act which to a slight extent handicaps the native in the mode of life he has adopted and in competition with coloured people.

29. In this District the coloured people are so overwhelmingly superior in number to the natives that the latter have very little effect on them. The converse is more generally the case as the natives adopt the manners and customs of the coloured people. It is however noticeable that native males cohabit with low class coloured females, mainly, I believe, because the latter are able to obtain the liquor. If the proposed amendment to the Kimberley Liquor Act becomes law and coloured females are no longer permitted to be in possession of liquor it will in all probability put a stop to this custom to a great extent.
30. There has been no marked change in the attitude of natives towards Europeans recently. There is however a considerable amount of animosity in the European community towards native agitators who, having no knowledge of or interest in the district, by inflammatory speeches endeavour to sow discontent and stir up strife. Fortunately their utterances are usually treated with contempt by their audience. In my opinion there is no necessity for taking any special steps to maintain the good feeling which natives have at present for Europeans. It is only necessary to let them alone.

Clarendon

MAGISTRATE
WELLINGTON
Your printed questionnaire N.F.C. 51/17 received on the 9th instant return.

I would like the Commission to understand at the outset, that I have no experience of natives or native administration. My duties in the service have never brought me into contact with the class of aboriginal in the mass as is concerned in the questionnaire. It becomes necessary therefore to confine my report to only those items having a local application.

The questions omitted fall out in view of the disabilities detailed above.

Question 1. Kuyena District C.F.

2(a). Nomadic.

3(a)(b)(c). See second paragraph above. There would not be more than a hundred males in this district.

13. No. It is a heavy rainfall area. Ground contains very little lime and, generally speaking, the district is not an agricultural projection.

15. Dress, yes, completely. Housing, partially. Other points, no.

17(a)(ii)(v). Yes, but only when adverse circumstances, e.g. failure of crops, drought, stock losses obtain in native territories.

22(a). None known or reported.

25(a) & (b). No class differentiation, other qualifications being equal.

26. The Private Native Location Act No. 32 of 1909 is in force in this district.

26(iy). 12 months.

27(a) & (b). The head of the family almost entirely.

(c)(a). Males 2/6 per diem without food or 1/6 per diem with food.

(b). Females 6d to 1/- p.d. and food.

(d). An farm labourers: (1) Males 10/- per messman, accommodation and food (2) females, domestic services from 5/- to 10/- per messman, food and housing.

26(1). Cash at 2/6 p.d. without food or 1/6 p.d. and food (b) and (e) both no.

29(a) & (b). Either but generally (b).

30(a). Privileges - (a) and (b) only. (b) No specific limitations nor is a general rule adopted. Varies accordingly to extent of owner's farm and the adaptation of soil for agriculture or grazing.

31(a) & (b). No.

32. Falls out.

33. An ordinary and labour tenants only. On very small scale for home consumption only, such as cereals and vegetables.

34(a). Not in the accepted sense. Vegetables are on occasion hawked for sale or exchange to nearest European.

35 to 41. No.

42. No. The Cape Coloured predominates. Not a single instance in this district of native house-boy employment. Native female domestic servants mostly engaged in rural area.

43. No local organization.
46. Traders in the "Territories" sense — Nil.
Storekeepers sell for each, where produce buying is combined, native produce is either bought or exchanged but quantities offered are very small. No credit system specially applicable.

47. Nil.

48. Wages Act not applicable.

50(v) 7 (vii). Already dealt with. See my report to you of 26th ultimo on Native Affairs Circular Minute of 21st January, 1931.

52. No. — not in this area. The small native population widely scattered, presents a difficulty in probing the attitude of the community as a whole, but I have no information, nor have I observed any change of attitude. The local native is undoubtedly law abiding, except possibly in relation to dagga and prohibited beer.
THE SECRETARY,
NATIVE ECONOMIC COMMISSION,
PRETORIA,

Statement

Postal Address

CARNARVON
THE SECRETARY,
NATIVE ECONOMIC COMMISSION
P.O. BOX 284,
PRETORIA,

STATEMENT IN REGARD TO GENERAL QUESTIONNAIRE
BY NATIVE ECONOMIC COMMISSION.

In reply to your Circular N.E.C. 51/7 of the 3rd
February, 1931, I wish to report as follows:

1. SCOPE OF STATEMENT.

(1) This statement applies to the Carnarvon, Lydenburg and
   Dundee Districts.

(2) This statement applies to the Xosas, residing in
   Carnarvon district, the Mokeni, Bapede and Klangan
   Natives in Lydenburg district, and the Zulus in Dundee
   District. In Carnarvon district I have had two, in
   Lydenburg 5, and Dundee 4 years experience of Native
   Administration.

(3) During the eleven years abovementioned, I have had a
   great deal of experience in Administrative Capacities
   of Native Affairs. From 1913 to 1917 I was stationed
   at Lydenburg Transvaal, and during these years the native
   administration was carried out by me, under supervision
   of the Magistrate, and Native Commissioner, the late
   Colonel F.H. Bamant. Under his guidance I have gained
   considerable experience in the Administration of Native
   Affairs, and I was able to make a thorough study of
   Native Customs and Social conditions. This experience
   stood me in good stead, when in 1925 I was appointed
   as Assistant Magistrate at Dundee, where I administered
   the law, and made a further study of the Zulu Customs
   and...
and social conditions. It was a great pleasure to me to be able to administer justice under the European laws, and under the Native Code, which had in that Province, force of law, so different to the Transvaal, where Native Commissioners were only regarded as arbitrators in Native disputes and appeals from their Chiefs. The experience gained by me is useless to me at present at Carnarvon, where I hold the position as Magistrate.

I find that in Carnarvon district there are few Natives, viz. Kosaas, these Natives are descendants of about 110 Native families settled in an area of approximately 100,000 morgen of land in Carnarvon district, during the early part of the nineteenth century. At present I estimate the number at about 1500. The present Native population is completely detribalised, Chiefs and Indunas are unknown to them, they are no longer land owners, and the majority are shepherds, shearsers and reapers to the European farmers. They have adopted the European mode of living, and cannot any longer be considered as a tribe, they have lost all the characteristics of the Native people, in fact few of them can be called Natives, as they have freely mixed with the original inhabitants of the district, viz. Bushman and Hottentots.

2. TRIBAL SYSTEM.

(4) The Native population is far more contented in their natural state. During the years I administered Native Affairs, it always struck me that one deals with a contented people, who live their simple lives under the rule of their Chiefs and Indunas, morally they are far superior to their brothers who have come into contact with the European mode of living, these natives till the soil to satisfy their requirements and possess a few goats and....
and cattle, they brew Native Beer and drink in moderation, except on occasions, especially at weddings, when they drink to excess. It is only then that they become quarrelsome and are keen to show their fighting spirit.

The Native in his own kraal under the control of the Chief is law abiding and respects the authorities, he is a great hunter, and lives a clean, healthy, open air life. What a contrast between the raw kraal Native, with his open face and manly attitude to the drink drunken native of a location, who recognises no authority, drinks for the sake of drinking, and leads an immoral life. The latter is easily influenced by an agitator, even a man, who is not a member of his tribe, and he becomes a menace to the state.

I can see no advantage of breaking down the tribal system. On the other hand it would in my opinion be advisable to encourage the Natives to continue living under the same conditions as their forefathers did, under proper supervision by the Europeans.

(5) The tendency today is to break down the system, caused through the native influx to the towns and industrial centres. After a Native has lived for a few years in a town or Mine Location, he has no further use for the tribal system, and is ever keen on adopting the European mode of living, he imitates the European, and adopts the bad habits and a few of the good ones. The break down should be retarded, by all possible means, the Native is pastoral, and not meant to be a town dweller.

(6) In the Transvaal the Chiefs have lost a great deal of power, owing to the fact that there is no machinery by which a judgment can be carried out, and should a disappointed litigant appeal to his Native Commissioner against a judgment...
judgment delivered by his Chief, such Native Commissioner can only act as arbitrator, and is powerless to enforce his judgment.

During the four years I spent in Dundee as Assistant Magistrate, I have heard many appeals from Native Chiefs' Courts, and owing to the fact that Native Custom there was recognised, and codified, an administrative officer was in the position of having his judgments carried out, this gives the native greater confidence in his Commissioner and consequently such officer is more highly respected by the Chiefs and their followers. The Natal Native Code is far from perfect, but a revised Code for the whole Union would greatly improve the position of Chiefs, and would lead to more contentment, it would further improve the relations between the Native Commissioner and the Natives. Chiefs should be given authority to hold Court, assisted by a number of Indunas in all Native disputes, regarding the non-payment of Lobola, trespassing on land, awards for seduction, Chiefs should be appointed as Marriage Officers. Native Custom marriages should be registered at the Native Commissioner's office by the official witnesses, and the number of cattle to be paid for lobola recorded. This system is in force throughout Natal and Zululand and should be made universal.

4. NATIVE CUSTOM

(7) The Native has as great a respect for the native marriage as the European has for his legal marriage, and considers it equally binding. Husbands and wives are seldom unfaithful to each other, as a rule the wives till the soil, herd the stock, brew the beer, and generally look after their husbands comfort, whilst such husbands lead the idle life.
A man who has a large number of wives is considered a wealthy man, and looked upon as a person of high status. His wives are regarded as his personal property, to be chastised when the husband considers it necessary, a beating by a husband, when the wife is in the wrong, is not resented and I have had few cases where a wife was beaten to excess. The object of polygamy is to reproduce a large number of children; daughters are greatly desired by husbands owing to the fact that each daughter is likely to procure him a certain number of cattle as a dowry (lobola) when she reaches the age of puberty, and enters into the matrimonial market.

(6) The Natives who become a Christian, is guided by his missionary and is prepared to abandon his Native Custom, this in my opinion is only on the surface, for in many instances in the Transvaal I have had complaints from such professing Christians that the bridegroom had not furnished the necessary lobola. In Natal whenever a Christian marriage is performed the number of cattle handed over as lobola is recorded on the certificate supplied to the Clergyman who performs the marriage. It is clear that the Native, with an eye to business, is not over anxious to abandon the Native Custom. In the Carnarvon district Native Custom is unknown, and Natives are satisfied to give their daughters in marriage without receiving a dowry. As I have mentioned before, the Native is his natural state is a moral man, and is just as anxious to keep his daughters pure, as the European. There is very little promiscuous intercourse amongst natives, except in towns and industrial centres. During the period I was stationed at Lydenburg and also at Dundee, I received many complaints from fathers that their daughters had been enticed away from their Kraals by detribalised natives and taken to town and mine locations, where they were seduced, left by their seducers
and were now notorious prostitutes, these parents were greatly perturbed and asked me to assist them in getting their daughters back. In some cases the girls were returned to their paternal homes, but the harm was done, and they preferred the lure of the Locations, where they had bouts of drinking and could carry on their immoral habits.

(9) The Natives have a great love for cattle, and their riches consists of stock, they have no idea of quality, and so long as they receive the requisite number, immaterial whether are cows or calves, and of any breed, they are satisfied.

(10) It is an undisputable fact that lobola lends itself to overstocking, also the fact that cattle are paid for the seduction of a virgin. In the Lydenburg district lobola was generally given in kind and money, sheep and goats were the stock mostly sought after, and from 20 to 30 goats was regarded as sufficient for lobola. The system is sound, for the native will not easily forfeit his stock for the sake of taking his daughter back, if the custom of lobola were to be abolished, the fathers would not interest themselves a great deal in the welfare of their daughters, the custom should be regulated, and by law the number should be fixed.

(11) In some areas where the stock has died off through East Coast Fever, Blue tongue or drought, stock has been substituted for money. The scale being £1. for a goat or sheep and £10 for a beast. The result has been that instead of accumulating stock, the pater familias has acquired money, which he generally hoards or buries.

(12) So far as I am aware no serious attempt has been made to prevent...
prevent the continuance of overstocking. Natives are
lethargic to part with their stock, and European farmers
are not over anxious to purchase the inferior stock
from Natives, very little bartering or selling of stock
takes place among Natives.

5. **CHANGE IN QUALITY OF SOIL.**

(13) Owing to overstocking I have observed that great areas
which were previously good grazing land are now full
of dongas, this question I have discussed with practi-
cal farmers, and the opinion appears to be general, that
grass fires and overstocking are the causes of the
erosion right through the country. The cattle and sheep
make bridle paths which are gradually worn away by the
force of water, at first such paths become narrows, later
dongas, which if not prevented from spreading will cause
large tracts of land to be useless. Pastures which were
once valuable and productive have now become bare patches
or deep sluits. In Carnarvon district, where sheep
farming is carried on entirely by European farmers, the
same conditions exist, the farmer realises that he is
fast losing his assets by this continuous erosion, and
is alive to the danger. Steps are now being taken to
fill up the sluits, by packing stone walls across, and
the planting of creeping salt bush, or aloeas.

6. **SOCIAL AND ECONOMIC CONDITIONS OF NATIVES.**

(14) Twenty five years ago the Natives were in the habit
of wearing scanty clothing, today one notices that men
and women are dressed in European clothes and have adop-
ted themselves to the changed conditions.

(15) In this district the Natives are living in proper houses
after the style of backveld farm houses, they sleep on
beds....
beds, and have their houses comfortably furnished, they take their part in sport, like football, cricket and tennis, and attend bioscopes. The young natives read books, and newspapers and are generally far in advance of their parents. The children attend school and receive a fair education, they get married under Christian rites, the well-to-do employ servants, in every respect they have adopted the mode of living of the white man.

(16) The existing law of Native succession and inheritance appear to satisfy the natives, the method is simpler, and less expensive. Owing to the fact that I have very few Native Estates, I am not in a position to be more explanatory.

7. Native Migration.

(17) I have not noticed any increased tendency in the past (18) 5, 10, 20 years of natives migrating to other parts.
(19) It is difficult to persuade natives to leave the district, even when the most advantageous offers are being held out for employment in other districts, I have unsuccessfully tried on several occasions to induce natives to leave the district and to accept better wages.

8. Land Tenure by Natives.

(20) I favour the communal system of land tenure for natives for the reason that natives are fond of society and prefer living in groups, a farm situated any long distance from his neighbour does not tend to make a native happy, he must have company.


(21) The Native population for which no land is reserved, will find employment on farms, mines and industries,
10. **FARM EVICTIONS.**

(22) There have been no evictions of Natives from European farms in the district or neighbourhood, except 22 families who were unlawfully squatting on a portion of Schietfontein of the Carnarvon Outer Commencement, these Natives were in most cases idle and disorderly persons.

11. **NATIVES ON FARMS.**

(23) I would recommend employment of Natives as farm labourers at cash wages and in kind. Natives are generally employed here on monthly contracts, principally as shepherds, the wages range from between 10/- to 15/-, 3 slaughter sheep, 3 buckets of beer meal, 1 lb of coffee, 1 roll tobacco, and seals for boots, also sufficient clothing. This is the usual kind of contract for this and surrounding districts, and seems to satisfy the European farmers as well as the Native employees.

12. **NATIVE LABOUR TENANTS ON FARMS.**

(24) There are no Native tenants in this district, the Natives are all in employment as herds, shearsers and reapers.

13. **REPLACEMENT OF FARM WORKERS.**

(25) There has been no tendency to replace one race of farm workers to another. The population is mixed, if a native leaves a farmer, a Hottentot, Bushman or one of mixed race usually takes his place.

(26) No labour tenancy exists in this district.
27 (A) The head of a family is usually the employer, no other members are obliged to give their labour free.
If the farmer needs the wife or children, he hires them at a fixed wage. The contracts are mostly monthly.

(B) The wages are paid in cash and kind to the head of the family, also to the wife or children, if they are employees.

(C) No Native are employed at daily wage.

(D) Vide § 11 (23)

(23) The working member of the family is supplied with cash and kind.

(29.) Does not apply to this District.

(30)(A) Does not apply

(B) Does not apply.

(31)(a) There are no farms in this District owned by European companies or by Europeans, but not occupied by Europeans which are occupied by Natives.

(32) Does not apply.

(14) **Farming by Natives.**

(33) Only 6 Native families are farming on their own account in this District, these Natives farm with sheep and goats on a small scale.

(15) **Marketing of Native Produce.**

(34) Does not apply.
16. **Natives Leased Land to Non-Natives.**

(35) I know of no instances of Natives leasing land to Non-natives.

17. **Employment of Europeans by Natives.**

(36) I know of no instances of individual Natives employing Europeans.

18. **Recruited Native Workers.**

(37) No recruiters of Native workers in this area.

(38) A small number of Natives from Transkei and Basutoland have come to this area. Their railway fares are paid by the employers and range from £3 to £5.

(39) No steps are taken to see that recruited Natives are returned to their homes. These Natives marry local girls, and settle down, mostly for the reason that no lobola is demanded here.

19. **Recreation of Native Employers.**

(40) No provision is made in this district for games or other forms of recreation.

20. **Effects of Absence of Natives from Home.**

(41) Native males when absent from their homes are inclined to disregard their fidelity to their wives, and form new ties, which are broken as easily as they are made, the same applies to the females. It is more noticeable with Natives working on mines, although a farm labourer is not too true to his wife or wives when an opportunity offers itself with young girls. Their families are very often neglected through such infidelity. The tilling of the soil is generally done by the women, whether the Kraal head is at home or not.
the agriculture development remains unchanged.

21. NATIVE DOMESTIC SERVANTS

(42) The domestic servants in this district are generally coloured people, both in urban and rural areas, females are favoured, males consider it below their dignity to perform domestic duties. Very few Native males or females are employed as domestic servants.

22. ORGANIZATION OF NATIVE EMPLOYEES.

(43) Natives are unorganised in this district for protection of employes.

23. TRADE WITH NATIVES.

(44) Traders trade with Natives almost exclusively on cash purchase and sale, there is no bartering. There is much competition among traders. Natives are by competition fairly well protected against unduly high prices of goods they purchase. There is no system of credit or tokens at the stores.

(45) There are no Native storekeepers in this district.

24. EFFECT OF EDUCATION ON NATIVES.

(46) Education is of very little use for the Natives in this district. Natives who are educated are compelled to move to other parts in order to obtain suitable employment.

25. OPENINGS FOR EDUCATED NATIVES.

(47) There are no openings in this area for educated Natives. The only industry in this district is sheep farming, and wheat growing on a small scale.

26. NATIVE INDUSTRIES IN NATIVE AREAS.

(48) does not apply.

27. LAWS AFFECTING NATIVE WORKERS IN TOWNS.

(49) does not apply.