28. EFFECT UPON NATIVES OF CERTAIN LEGISLATION


V. The introduction of the Native Taxation and Development Act has caused considerable hardship on Natives in this district, in many cases a Native has to part with 2 month's wages in order to pay his tax. What causes further dissatisfaction is the fact that Coloured persons in this district are living on the same social scale and social conditions, have adopted the European mode of living, and are exempt from payment.

VII. The Masters and Servants Act is very effective and both Natives and Europeans realise that they are under a binding contract which has force of law.

29. NATIVES AND COLOURED PERSONS IN TOWNS.

(51) The Native and Coloured people are so intermixed by marriage, cohabitation, and freely associating with each other, that one may regard them as one community.

30. GOOD FEELINGS BETWEEN EUROPEANS AND NATIVES.

(52) There has been no change in the attitude of Natives towards Europeans in this area.
The Secretary,
Native Economic Commission,
P.O. Box 364,
PRETORIA.

STATEMENT BY MAGISTRATE
--- PRINCE ALBERT ---

With reference to your General Questionnaire I beg to
advise you that there are hardly any natives in this District,
and I have consequently nothing to reply to questionnaire
except perhaps to questions 29 and 30.

29. The Natives and Coloured persons in town or on the 6
farms in this District appear to be on very friendly terms
with one another.

30. As far as I am aware there has been no change in the
attitude of Natives towards Europeans in this District
during the past 25 years.

[Signature]

Magistrate.
14. FARMING BY NATIVES. No Natives are farming on their own account in this district.

15. MARKETING OF NATIVE PRODUCE. There is no Native produce in this area.

16. NATIVES LEASING LAND TO NON-NATIVES. Nil.

17. EUROPEANS EMPLOYED BY NATIVES. Nil.

18. RECRUITED NATIVE WORKERS. Nil.

19. PROVISION FOR RECRUITMENT OF NATIVE EMPLOYERS. Nil.

20. EFFECTS OF ABSENCE OF NATIVES FROM HOME. I have nothing to report under this head, as will be gauged from the preceding replies.

21. NATIVE DOMESTIC SERVANTS. Females are preferred in urban and rural areas, but a negligible number of these are Natives.

22. ORGANIZATION OF NATIVE EMPLOYERS. They are not organized here.

23. TRADE WITH NATIVES. The little trade that is done with Natives is almost entirely for cash. They enjoy no special protection. There are no Europeans engaged in so-called "Native trading" nor are there any Native storekeepers trading on their own account.

24. EFFECT OF EDUCATION ON NATIVES. There are two "educated" Natives in this district. The one is a Native linesman in the employ of the Postal Department. The other is a teacher in the school for half-caste coloured children here. Both seem to have a difficulty in maintaining their standard of living, which is considerably higher than that of the average Native in the district.

25. OPENINGS FOR EDUCATED NATIVES. Nil. With such a small Native population it cannot be otherwise.

26. NATIVE INDUSTRIES IN NATIVE AREAS. This is a non-Native area.

27. LAWS AFFECTING NATIVE WORKERS IN TOWNS. There is no occasion at present for the application to Natives in Fraserburg of existing laws relating to wages, hours, employment, and industrial disputes.

28. EFFECT UPON NATIVES OF CERTAIN LEGISLATION. Nil, excepting that the Native Taxation and Development Act is regarded as unjust, particularly as they receive such low wages and derive no apparent benefit from that Act. The Masters and Servants Act operates smoothly and there have been very few contraventions of this Act by Natives in this district.

29. NATIVES AND COLOURED PERSONS IN TOWNS. Natives are very much in the minority amongst the other coloured people in this town and district, and their presence has practically no effect on the latter.

30. GOOD FEELING BETWEEN EUROPEANS AND NATIVES. (a) In the past twenty-five years there has been no noteworthy change in the attitude of Natives towards the Europeans in this area. Generally speaking they have been faithful employees and law-abiding. No steps have been taken to promote and maintain good feeling.
The Secretary,

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

With reference to your "General Questionnaire" N.E.C. 51/7, I beg to report as follows:-

1. Scope of Statement.

   (1). To Georgia District except as to any general comments I make on Native questions in general.

   (2) (a). Principally to natives of Eastern Cape Districts who are resident or are working here.

   (b). (1) Four months.

   (ii) Personally very little.

   (3) (a) & (c) 25 years clerical and Magisterial Service in C.F.S. and was born in Ficksburg on Basutoland border for 18 years, & I speak sesuti.

2. Tribal System.

   (4) (a) Advantages: retaining tribal identities and traditions and pride of caste.

   (b) Disadvantages: Generally chiefs today are degenerate and strong-drink addicts, and very arbitrary rulers.

Since natives are very largely adopting the white man's religion and ways of living, it is probably better that they should be governed with local temporary modifications according to European codes and laws, and in time be allowed a voice in native affairs to the extent they show...
extent they show ability and sufficient dependability to do so.

(5) (a) I think tribal system are breaking down and giving way to European customs.
(b) Owing to influence of civilization, which they find more just and reasonable than native customs.
(c) I think the breaking down should be allowed to continue unimpeded, except where such customs are a social evil to the natives themselves and where restrictions would not re-act too drastically on established habits of life and possibly bring about concerted revolts.

(6) There are no chiefs in this District. This question could best be answered by Magistrates in native areas.

(3) Native customs.

(7) (1) Polygamy is an evil amongst natives, in that the individual ties between the man and his wives are weakened thereby – favouritism being shown towards one or more wives displeases the rest of them causing much discord in their home life. It also leads to laxity in the morals of the women with other men; and too many children are born to one man under this system, which facts make for poverty amongst natives.
(11) Lobolo is an evil, in that women are there by regarded as mere chattels, and are usually treated as such by their husbands e.g. the women are expected to do all or much more manual work than their men do.

(8) (a) Many natives by reason of christian influence and not having live stock with which to purchase wives, are adopting the christian customs of marriage - more generally is this the case in urban areas throughout the Country.
3. (b) Cohabitation without marriage is becoming increasingly common in native locations in urban areas because of their low morals, and I think drink and poverty are also contributing causes.

(9) Generally speaking, natives do not individually have much stock, chiefly because of limited land available for grazing. I do not think lobolo affects the position much. Over population and the numbers of children per man to be fed, resulting from polygamy, probably accounts for natives generally not having much stock.

(10) I do not think the custom of lobolo should be regulated in any way by legislation. The poor financial positions of natives automatically regulate this matter. I am of opinion that it would, as yet, be premature to abolish lobolo, and the custom would best be left as above to die out naturally, as European customs replace those of the natives.

4. Overstocking: Not applicable to this district, as very few natives live on farms here.

5. Change in quality of soil: From what I can gather, there have been no appreciable changes in the soil here during the past 25 years.

6. Social and Economic Condition of natives:

(14) It seems immorality & venereal diseases are on the increase.

(15) Yes - they are more educated and wear European clothes more.

(16) I have no definite knowledge of native laws of inheritance and succession.

7. Native Migration:

(17) (a) Yes, there is a growing tendency of natives migrating more and more from the farms to live in urban areas - I cannot say since when.

(b) They prefer the social life in the town locations and prefer to work in towns. Also intoxicants are more easily obtained in towns.

(18) The result.
(18) The result is that farmers are often short of native labour.

The natives become more demoralized in the towns in every way.

(19) Offences against the liquor laws by natives should be more rigorously prosecuted; Health laws should be more stringently enforced - especially in regard to venereal diseases, and taxation of natives in urban areas should be heavier than on farm natives.

8. Land Tenure by Natives.

(20) (a) Yes, communal for natives in Native territories only, for such as desire that sort of life, and (b) individual tenure for specially approved natives of good character and standing in urban locations, with reservations as to inheritance in case of unworthy heirs.


(21) Such natives will remain labourers on European farms and in towns. I think the majority of natives would in any case do this, even if they could go to areas where land tenure is allowed for natives.

10. Farm Evictions.

(22) According to records here, there have been no evictions of natives from farms in this District.

11. Natives on farms.

(23) (a). Sharefarming - very undesirable.

(b). Labour tenancy - This should be reserved for the poor whites of South Africa.

(c). Cash rent tenancy - Not desirable.

(d). Cash wages - Both these systems are in vogue now and are the only satisfactory ways of having natives on European farms.

(e). Wages in kind of having natives on European farms.

12. Native Labour Tenants on Farms.

(24) There are no native tenants in this District.

13. Replacement of Farm Workers.

(25) No replacement changes appear to be taking place.

(26) Practically all labour contracts here are monthly.

(27) (a) None worth mentioning - practically all natives are wages earners.
wages earners only.

(b) Some cash and food, and other cash, food and accommodation, paid to the wage earner if an adult. Children's wages are usually paid to their parents.

(c) On farms males 10/- and food and females 8/- and food with accommodation. In town, males and females' wages here are range from 15/- to 25/- per month with food and sometimes with accommodation.

(d) There are practically no native labour tenants in this District.

(28) See under "D" above.

(29) See answer to "D" above.

(30) (a) See answer to "D" above.

(b) Only isolated cases not worth mentioning.

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

(32) See answer to (31) above.

14. Farming by Natives.

(33) Nil.

15. Marketing of Native Produce.

(34) See answer to (30) above.


(35) No land owned by natives in this District.

17. Employment of Europeans by natives.

(36) None in this District.

18. Recruited Native workers.

(37) None in this District.

(38) None.

(39) None in this District.

19. Recreation of Native Employers.

(40) No provision made for natives except at schools for natives and coloured children.

20. Effects of absence of Natives from Home.

(41) (a) & (b). In most cases absences tend to increase immorality in the separated.
the separated men and women, and not infrequently absent men neglect their wives and families by not properly providing for them during their absences from their homes.

Marriage ties are sometimes broken as the result of absent males becoming attached to other women at the places of their employment.

I do not think the standard of agriculture and its development is affected much by such absences, as provision is generally made for the ploughing etc of lands during such periods of absence.


(42) Mostly coloured in both rural and urban areas here.

22. Organization of Native Employees.

(43) There is the "Independent African Native Congress" in urban areas in these parts, the leaders of which agitate against service of natives or coloured people to whites.

23. Trade with Natives

(44) (a) Practically cash only.
(b) Not much competition.
(c) No, same as for Europeans.
(d) (1) Very little credit to natives.
   (11) No tokens used here,
(f) No effects worth mentioning, except that limited credit allowed tends to foster thrift amongst natives.

(45) There are no native storekeepers here.


(46)(a) Apparently detrimental, tending to slothfulness in service.
(b) Improved adaptability.
(c) Capacity improved.

I am strongly of opinion however that education according to European standards, is quite unsuitable for natives, and altogether in advance of their ability to beneficially assimilate it. They are centuries behind the white man in development of facial angle and in specific gravity of brain, and are therefore unfit to benefit as is generally expected from standards of ............
standards of education as applied to the white man. Education of natives should, along lines of character building, morals and religion, rather than so much book learning. In short, make a man of him first and then educate him.

Education as now given to the natives seems to tend rather to make a rogue of him and/or to make him slothful in manual labour.


(a) None, except in isolated cases of posts such as Hotel waiters, Postboys etc.
(b) None that I know of.
(c) Too many poor whites have first to be accommodated. A further obstacle is the want of integrity and dependability generally in natives and the harm being done by their agitators.
(d) More stringent curtailment of the liberty of speech of native agitators and more suitable education of native children as indicated above.


Anything in the way of simple hand work such as mat making with grasses or wools and pottery etc.

27. Laws affecting Native workers in Towns.

(a) Wages are not regulated here.
(b) Only in factories: Hardly any natives are however, employed in factories, as coloured and poor whites are preferred.
(c) See (b) above.


As there are very few natives in this Town and District, none of the laws given under this question have any material effect here.


(a) The effects are that coloured people and natives intermarry.
(b) There is practically no migration of natives to this area.
Good feeling between Europeans and Natives.

(a) Yes, there has been a marked change.

(b) They have grown assertive and antagonistic against the white man and demand higher wages, although economically their independent and imperfect services are not worth more than they are generally paid. One must take into account that the food they get is often worth more than the wages they are paid; and in that way, many a white man labourer gets less in wages than the native.

(c) Very largely to the present system of education provided for natives and the evils created amongst them in their attitude to the white man by their irresponsible agitator.

(d) The Government is trying to curtail the activities of these agitators.

(e) The system of education for natives should be revised on the lines already indicated in this report.

Magistrate.
Office of the Magistrate,
Willoxmore,
18th April, 1931.

The Secretary,
Native Economic Commission,
P.O. Box, 334,
Pretoria.

NATIVE ECONOMIC COMMISSION : GENERAL QUESTIONNAIRE.

SIR,

in connection with the above matter I should like to
note that there is only a small number of Natives in this district,
and, as previously stated in my reply to your minute No.54/276/4
of 21st January last under item (14),

"...these people are living now in the same manner as coloureds.
Their forefathers have long ago severed connection with the Native
Territories, and the present generation, with the exception of a
small number, cannot speak the native language.

No land is owned or occupied by Natives in this dist-

(6) I am unable to inform you re social and economic con-
ditions of the Natives, beyond the fact that they are nearly all
uneducated and very poor.

(7) There are no surplus natives in Urban Areas.

(8) No Natives own or occupy land in this district.

(9) No comments.

(10) Nil.

(11) No comments.

(12) No comments.

(13) As far as I am aware there is no tendency to replace
one race of farm workers by another. It is admitted that the Native
farm labourer is a better and more reliable worker than the bastard
hottentot of this district, but the only fly in the ointment is
that the farmer has to pay the Native's tax in order to retain his
services. All non-European farm labourers usually receive the
same wage viz: from 10/- to 21 p.m. plus food, tobacco and articles
of clothing amounting to about £2, (in all £2-10/-0 to £3 p.m.)
in addition to the above he is in some cases allowed to graze a
small number of stock free. If he has a large family to support,
his wife and perhaps one or more daughters are employed as domestics
at a minimum wage of about 6/- p.m. plus food.
The other male members of the family are also expected to work for
the farmer, but generally without remuneration.

(14) to (20) No comments.

(21) see (13) above.

(22) to (27) No comments.

(28) Native Administration Act : Upon representations of the Town
Council during March last I had occasion to wire to "Justice", Cape
Town, for the removal of two Native agitators, Faku and Imputle,
members of the African National Congress, for distorting the truth
and creating illfeeling between Europeans and non-Europeans.
The District Commandant of Graaff-Reinet was sent to investigate. Before active steps could be taken these agitators had left the district thereby avoiding a great deal of unpleasantness.

Native Taxation Act: I am still of the opinion that the imposition of the Native Tax upon Native residents of this district is unfair. These people are now living in the same manner as coloureds, vide first paragraph of this report—how to overcome this difficulty is a problem which no one can solve, because an anomalous position would at once be created if the provisions of this act are suspended in the South Western Districts. This will inevitably result in a large influx of Natives from the tax districts for the main purpose of avoiding payment of tax.

Master and Servants Act: Under this Act during the year ending 31st December, 1930, only one aboriginal Native was tried by this Court. There were no cases against employers of Natives, nor have I heard of any complaints either by the employer or by the Native.

(29) No comments.

(30) As far as I have ascertained, there appears to be no ill-feeling between Europeans and non-Europeans of this district except on the occasion of the visit of these two agitators previously referred to. The seeds of discontentment they had sown have fortunately not taken root. The better class non-European, capable of earnest thought and good reasoning, was not affected, and he is bound to have a restraining or good influence over those unfortunate creatures who allowed themselves to be misled by these sophistical rhetoricians.

[Signature]
MAGISTRATE.
I. Scope of Statement.

(1) Touching local conditions, the Magisterial District of Swellendam, generally the Magisterial District of Pearston and Peddie.

(2) (a) In Swellendam District farm-labour class only, drawn from various groups or classes.
In Pearston District, various groups or classes, with the Basuto in the preponderance—farm labour mostly.
In Peddie District, the Bantu, most exclusively
(b) At Swellendam (i) 3½ years as Magistrate (ii) general administration and judicial.
At Pearston, (i) 2½ years as Magistrate, (ii) general administration and judicial.
At Peddie, approximately 6 years, as Clerk and by and on as Acting Magistrate, general administration and judicial.

(3) (a) and (c) vide 2 (a) and (b) above.

2. Tribal System.

(4) (a) Socially and physically so. of considerable value
(b) Impracticable and retarding of the native is to develop unrestrictedly along the lines of European civilization.

(5) Apparently yes.

(6) Intimate contact with European civilization methods so.
(c) Without substantial segregation efforts at retarding would be difficult and well nigh futile; indeed it is problematic whether the breakdown process can now, even with segregation, be thoroughly arrested.

(6) (a) Unable say.
(b) (c) and (e) without more practical experience, unable offer an opinion.
(d) Don't know precisely.
Native Customs.

(7) (a) (b) and (c) Judged by one's somewhat limited experience both polygamy and lobolo exert unwholesome influence upon the natives moral character, his industry and his general progress.

(8) (a) and (b) Difficult to say now, but, from what one can remember of conditions in Peddie and Pearson, both factors (a) and (b) operate against native marriage customs.

(9) (a) and (b) Lobolo and the Natives inherent dislike at parting with cattle - when he has them - help to accentuate overstocking.

(10) (a) Cannot say.

(b) (i) and (ii) The natives lingering hold upon this (lobolo) custom is readily understood. If native development and progress continues as at present, this hard-dying custom is bound to go with others of its kind and, beyond an endeavour to limit the purchase price of a bride and so ease the overstocking tendency, little apparently can be gained by administrative interference.

(II) (a) In my experience cattle only.

(b) (c) and (d) Unable say.

4. Overstocking. (12) (a) (b) and (c) Unable say.

(d) Ignorance, an intense desire to possess and an equally intense dislike at parting with stock.

(e) Agricultural and General Education. Careful selection of native Headman and the establishment, perhaps, of a small advisory committee in each Native Location.

5. Change in quality of Soil.

(13) (a) Extensive Agricultural Operations in the Swellendam district is a thing of, comparatively speaking, recent years and soil deteriation due to want of humus &c. is not yet very manifest. Soil erosion - due largely to veld burning in the mountain areas, which should be made a criminal offence - is a growing menacing evil, responsible for much damage and loss.
social and economic condition of Natives.

(14) Having so long been out of close touch with the native, as a people, one is hardly competent to hazard an opinion. Judged at a distance, the social and economic status and condition of Native men and women has improved considerably as compared with that of 25 years ago.

(15) As stated elsewhere, the very few natives in this (Swellendam) district are all of the farm-labourer class and, so far as their very limited means allow, they adopt European dress &c.

(16) Unable say.

7. Migration.

(17) A. (a) (b) (c) ! (i) to (x) So far as this (Swellendam) district is concerned its very small native (farm -labourer) population is more or less stationary.

B. (15) and (19) Vide above.

8. Land Tenure by Natives.

(20) The commonal system of all classes, if that can be maintained in the face of the existing inimical tendencies because the native appears to do better when working together than individually.


(21) Difficult to say. Might be encouraged to live in Native Villages and / or locations exercising professions and / or occupations among his own people, if above the ordinary labourer-class, for whom employment might be found in mines &c. as today.

10. Farm Evictions.

(22) (a) In this (Swellendam) district No.

11. Natives on Farm.

(23) (d) and (e) In this (Swellendam) district, native farm labourers are employed for wages only - paid partly in cash and partly in kind (rations).

(a)(b)(e) From experience gathered elsewhere one is inclined to advocate a "cash rent tenancy " in preference to share farming or "labour tenancy".

12.
12. Native Labour Tenants on Farms.

13. Replacement of Farm Workers.

15. Farming by Natives.


17. Native Leasing Land to Non-Natives.

18. Employment of Europeans by Natives.


(24) A and B. Not in operation in this (Swellendam) district.

(25) Only a few farmers in this (Swellendam) district employ natives as labourers, the number so employed remaining more or less, stationary.

(26) Vide 12 above.

(27) A and B do

C. Native male and female adults are employed by the month chiefly. The very few native males who work as day labourers earn from 2½ to 3/- per diem, without getting any food and/or accommodation, in addition.

D. Native male farm labourers are paid from 10/- to 31.10.0 per month, with varying food rations and housing accommodation in addition. Native females earn from 6/- to 12/- per month and get food — generally off their mistress's table — in addition.

(28) Not employed in this (Swellendam) district.

(29) Vide 28 above.

(30) Vide do

(31) (a) No.

(32) Vide 31 (a) above.

(33) Nil

(34) Vide (33) above.

(35) Not in this (Swellendam) district.

(36) Not in this (Swellendam) district.

(37) (a) No.

(38) (a) and (b) The few natives in this (Swellendam) district generally have been among farmers for many years; difficult to say where they came (or come) from.
Recreation of Native Employees.

(a) and (b) No.

Affairs of Abode of Natives from Home.

(a) (b) (i) to (y) In this (Swellendam) district the native families generally live together.—no separation.

Native Domestic Servants.

(a) and (b) No. The coloured (mixed) female in generally employed.

Organization of Native Employees.

Some months ago Native Agitators of the Tonjeni type attempted to organize the coloured and native employees in this district; beyond creating unrest and bad feeling nothing useful was achieved.

Trade with Natives.

(a) (b) (c). The few natives in this (Swellendam) district afford very little native trading. Conditions in this regard are normal and on a par with the ordinary colour trading.

(a) No.

(b) and (c) vide (a) above.

Effect of Education on Natives.

The great majority of the natives in this district are entirely uneducated. It is doubtful whether any of them are able to read and / or write.

Opinions for Educated Natives.

(a) Nil

(b) Nil

(c) No scope. No demand.

(d) No.

Laws Affecting Native Workers in Town.

(a) (b) (c). The wisdom of applying the laws in question to Natives in urban areas seems doubtful.

Effect upon Natives of Certain Legislation.

(a) (b) (c). The few Natives in this district are Taxation affected only by the Native and Development Act and by the Masters and Servants Acts. Earning but meagre
wages the majority encounter considerable difficulty in finding the wherewithal to pay their tax. In no way are they seriously harassed or affected by the Master and Servants Acts.


(52) (a) and (b) up to the present no noticeably ill effects have followed upon the presence of the few natives in this district. Those that happen to be here permanently seems to get on reasonably well with the preponderant coloured folk.

30. Good feeling between Europeans and Natives.

(52) (a) (b) (c) (d) (e) Some months ago Native Agitators like Tonjani were responsible for a good deal of unrest among the coloured people in this district, resulting in bad feeling with occasional open breaches between European and such coloured people. A minister's prohibition order, under Section 1 (12) of Act No. 27 of 1914 (as amended) has had a salutary effect; all is now quiet.

(Sgd.) Ben Metaks
MAGISTRATE.

SWELLENDAM.

20th June 1931.
UNION OF SOUTH AFRICA.

Office of the Magistrate,
Hopefield, C.P.

11th March, 1931.

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

Native Economic Commission:
Questionnaire:

With reference to your General Questionnaire (Form N.E.C.51/7) I beg to refer you to my report dated 12th ultimo.

As therein mentioned, the Native Population of my sub-district is so small as to be entirely negligible. There are hardly any Natives domiciled in the District and the Natives actually to be found therein consist of a floating population of native males temporarily employed on such work as may be offering.

I have carefully perused the Questionnaire, but for the reasons above set forth I find that the questions asked are quite inapplicable to my District, and it would serve no useful purpose whatever for me to attempt to answer any of them.

Magistrate.

WHH/vdM.
With reference to the General Questionnaire (Form H.E.C.51/7) forwarded to me for report, I beg to inform you that the only natives resident in this District are:

1. Approximately 1000 employed by the Cape Explosives works Ltd., who are drawn from practically every tribe and District in the Union and who are housed in the Works Compound. They are engaged for any period just as an ordinary labourer would be and no contracts are entered into.

2. A handful of Natives employed as farm or general labourers. These are engaged by the week or month and are employed in the same way and generally work with Coloured labourers.

There are very few Native women resident here. Many of the Natives cohabit with coloured women of a fairly low type to have someone to cook for them etc. and to obtain liquor for them.

There has been practically no trouble between Natives and coloured people during the period I have been stationed here (about 18 months).

My experience with Natives has been practically "Nil" and I consequently do not think that any opinions I may hold will be of any real use to the Commission.
DISTRICT: Bellville.
CAPACITY: Magistrate.
PERIOD STATIONED AT BELLVILLE: Six weeks.

- LAND TRANSACTIONS AFFECTING NATIVES. -

So far as I can ascertain no Natives hold land in this District.

- USE OF LAND HELD BY NATIVES. -

Falls away.

- RECRUITED NATIVE LABOURERS. -

There are no Recruited Native Labourers in the District.

- MASTERS AND SERVANTS ACT. -

Two employers and ten Native Servants were tried under the Act during 1930.

My experience has been that the Act works well, provided that the Bench is patient enough to listen to the accused's person's point of view, and to encourage him to tender it.

- CRIMES COMMITTED BY NATIVES. -

There is little Native crime in this District. The majority of cases against Natives are assault and drunkenness. Illicit liquor selling is mainly responsible for this.

- POOR RELIEF TO NATIVES. -

Very few Natives apply for poor relief, for which there is provision.

- SANITATION. -

There is sanitary accommodation, but not sufficient, as the sexes are not divided.

- SHELTER FOR NATIVES AT COURT. -

There is a suitable shelter.

- GENERAL. -

I have not yet received the general questionnaire. I have had very many years experience of Native districts, and shall be pleased to reply to it upon receipt.

BELLVILLE
10th March 1931
Office of the Magistrate,
Richmond, Cape, 27th February, 1931.

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

Questionnaire for Magistrates and Native Commissioners.

With reference to Identical Minute
No. 64/276(4) of the 21st ultimo, received from the Secretary
for Native Affairs, I beg to report as follows:

Land Transactions affecting Natives: Richmond, C.P.

2. As far as I have been able to ascertain natives have never
endeavoured to purchase land in this district. I am of
opinion that any such effort would be strongly resented,
and that no effort would be spared by neighbouring farmers
to prevent any such transaction going through.
Natives have acquired properties in the town of Richmond,
but such cases are few, and the properties are of a very
inferior type.

3. I am not aware of any cases in which natives have lost
land purchased or their money through inability to complete
payment.

4. No.

Use of Land held by Natives.

5. No land held by natives.

Recruited Native Labourers.

6. No recruiting

7. I have no experience of recruited labour.

Masters and Servants Act.

8. (a) Nil.  (b) Two

9. In my experience (Cathcart, clerk 2½ years, Stutterheim,
clerk 2½ years - during this period I frequently acted
as Magistrate and Assistant Magistrate) little use was made
of these Acts, as once a servant was brought to Court, the
employer realized that there was little hope of getting any
further useful service out of the servant. A bad servant
has usually learned sufficient to keep within the law.
A servant is usually prosecuted, not because it will benefit
his employer, but in order that it may possibly prevent him
from behaving in a similar manner towards his next employer. Imprisonment deprives the employer of the services of his servant, and trouble between servant and employer usually occurs when the servant feels that his employer cannot afford to be independent.

A fine frequently means that the employer has to pay it, and once the native gets into debt, his main object is to get away from his employer, leaving him saddled with as much of the debt as possible.

I always regard cases under the Masters & Servants Acts as somewhat difficult. There is usually much to be said on both sides.

The main difficulty is that the native seldom comes out with the truth, either to his master or to the Court.

He apparently cannot understand that any definite agreement is for the benefit of both parties. When it suits him to leave his master he fakes excuses, and once he wants to leave, his services become of little value.

On the other hand there are masters who are very difficult for anyone to get on with, and who drive as hard a bargain as possible.

There is another aspect of this problem, and that is the question of food for the native's children. Where the children can work, they are usually rationed; but where they cannot there is frequently a shortage in the household of the servant. To supply this shortage the native draws against his wages, and then after a month or two finds that he is not making anything out of his employment. He may even be getting into debt.

Usually the native works on the farm, and the wife works in the house, the children being employed at such work as they may be suited to. Here is another source of trouble. The husband may be a good worker, and the wife useless, or vice versa. Now trouble with the husband, wife or child and the whole family wants to pack up and trek, leaving the farmer servantless at a critical stage of his operations in all probability.

Crimes committed by Natives.

10. (a) No.

Poor Relief for Natives.

11 (a) Pauper rations are issued by the Magistrate, value about 10/- per month.

The Municipality has a dwelling in which paupers are allowed to reside free of charge. There are three natives on pauper list at present.

Arrangements are made by local authorities, where necessary, for removal of paupers to hospital.

Sanitation.

12 (a) Nil. No complaints have ever been made. Natives are seldom detained in Court here for lengthy periods. The town is small and the commonage is large. The Municipality is making arrangements I understand for conveniences on the outskirts of the town.

Shelter for Natives at Courts.

13. The Court Room is large enough to accommodate the crowd which usually congregates. There is further a sufficient verandah in front of it.

Ownership and Purchase of Land by Natives.

1. (a), (b), (c) Nil.

2. Farms purchased and held by Natives.
(3).

(a), (b), (c) Nil.

Land held under Lease by Natives.

(a), (b), (c) Nil.

Natives engaged in Trade or Business: Nil.

Registrar
Native Economic Commission

questionnaire.

1. (a) District of Swellendam (Case)
   (b) Magistrate
   (c) 3 years and 5 months.

Land Transactions Affecting Natives.

2. (a) (b) and (c) No proposals for purchase of land by natives.
3. (a) and (c) No purchases by Natives.
4. (a) and (b) No land held by Natives.

Use of Land held by Natives.

5. (a) (b) (c) and (d) No land held by Natives.

Recruited Natives labourers.

6. (a) (b) and (c) No native labour recruited.
7. (a) and (b) Not sufficient Natives to warrant Government Labour Bureau.

Masters and Servants Act.

8. (a) Nil
   (b) Nil
9. (a) and (b) Only a very limited number of Natives is employed in this district - approximately about 50. The class of Native thus employed has long been removed from tribal customs and its dignities &c. &c. suffers no ill effects from the application of the provisions contained in the Masters and Servants Act.

Crime Committed by Natives.

10. (a) and (b) Practically nil.

Poor Relief for Natives.

11. (a) Yes
   (b) rouper rations.
   (c) Two cases during 1930
   (d) Rouper rations granted for a limited period in each case.

Sanitation.

12. (a) Urinal for coloured persons including Natives.
   (b) Yes.

Shelter for Natives at Court.

13. Not provided; not needed.
GENERAL.

14 and 15. General questionnaire not received.

16. No.

Swellendam,

2nd March 1931.

The Secretary,

Native Economic Commission,

Box 284,

PRETORIA.
The Secretary,
Native Economic Commission,
Box 394,
PRETORIA.

Particulars concerning matters by
Magistrate for District of Van Rhynsdorp.

With reference to your Commission's
Questionnaire of the January last I beg to reply to the
questions seriatim as follows:

1. I am only giving particulars for Van Rhynsdorp district,
where I have been stationed as Magistrate for 6 years.

2. European individuals or Associations have not been con-
sulted about the proposed purchase by natives of land. Van Rhynsdorp is not a Native district and
no Native owns land here or has ever applied for the
purchase of land.

The Native population of Van Rhynsdorp
is about 200 men, women and children. The men are
absorbed by a Ceyx Fish Factory, by the Irrigation
Department on the Olifants River Irrigation Scheme
and by the S.A. Railways.

With very few exceptions no Natives
have hired themselves in this district as farm labour-
ers.

3 - 4 - 5 - 6 - 7.
Inapplicable - see reply No. 2 above.

Masters & Servants Act.
8 & 9. Inapplicable as generally speaking no Natives are employed on farms at the present time. I may however say I do not expect this position to continue for very long as Coloured farm labourers are getting very scarce. The Coloured population appears to be gradually drifting to the large urban areas whither they are attracted by higher wages and other social attractions.

Crime Committed by Natives.

10. Although there is not much crime by Natives here I should think the percentage of crime according to population is the same as anywhere else in rural areas.

The social factors contributing to Native crime is the smoking of dagga, drinking intoxicating patent medicines obtainable in any country shop such as bushu essence, Maag bitters, etc. etc.

Poor Relief for Natives.

11. There is no provision for poor relief for Natives in this district. So far only 3 old men are in receipt of panper rations paid out of funds of the Administrator.

Sanitation & Shelter for Natives at Courts.


14. I am of opinion that the Native who works side by side with the Coloured man outside real Native areas and who socially mixes daily with the Coloured man should not be prohibited from drinking under limitations pure and unadulterated wine of a small strength. It is very easy for the alarmists to preach a terrible state of affairs in the event total prohibition is removed. But the alarmists have never really sat down and carefully scheduled the list of serious evils which exist at the present/....
present day and which are the direct consequence of total prohibition. Who would be bold enough to say that this total prohibition would prevail for all time in the Union, or that the time is not at hand for a change in order to improve matters?


17. My reply to all the questions in Idential Minute N.A.64/276(4) of the 12th instant is "NIL."

Sgd. A G. Beagl.
Magistrate,
Van Raynaloy.
Reply to Questionnaire for Magistrates and Native Commissioners.

1. (a) District of Wynberg.
   (b) Magistrate and Native Commissioner.
   (c) 1½ years

2. (a) Generally the price of land in this district is high and very little is available for purchase by natives. I am advised that one European (W. M. Thompson) who resides on Welcome Estate, Cape Flats sells building plots to Natives at £35 per 1/2 morgen plot payable by monthly instalments.
   (b) ---
   (c) ---

3. I am informed that Natives are keen on acquiring land (a) and (b) Some of them are unable to continue to pay instalments with the result that both property and money are forfeited. In one instance at Welcome Estate a Native purchaser after paying in £46 on a plot sold at £250 is in danger of losing his interest owing to his inability to bring up his instalments.

4. (a) There does not appear to be any tendency.

5. (a) and (b) I am not aware of land held by Natives as syndicated. Land is held for Residential purposes exclusively and available space is used for vegetable gardening.
   (c) and (d) Not applicable to this District.

6. I am not aware that Natives are recruited for work in this District. Labour, generally, is voluntary.

7. See 6 above.

8. (a) 2 cases.
   (b) 16 cases.
9. (a) Very few cases under the Master and Servants Act (whether against European, Coloured, or Native) are brought to Court. I do not think that the working of the Act has any social or economic effects upon the Natives and their employers.
(b) I cannot suggest any amendment.

10. (a) By comparison with other Districts, Native crime in this district is not excessive, and generally speaking this is not of a very serious nature.
(b) The vast majority of crimes by Natives I should attribute to Liquor and Dagga. There are numerous prosecutions under the Liquor Act and a large number of these come from the Langa Native Township. During the last six months large quantities of Dagga have been seized and in two instances Natal Natives were found in possession of grain bags containing made up parcels of the drug ready for sale.

II (a) Yes. Poor Relief from this Office and relief from the Board of Aid.
(b)(c)(d) All senile and indigent cases are sympathetically dealt with. From information supplied, I am of opinion that there is sufficient labour available for Natives.

12. (a) Public Lavatories are available.
(b) Yes.

13. There is no actual shelter provided at this Court. Generally there is sufficient accommodation in the Courts themselves.

14. ---
15. ---
16. No.
Magistrate's Office,
Hanover. Cape.
15th March 1931.

NATIVE ECONOMIC COMMISSION.

GENERAL QUESTIONNAIRE.

STATEMENT BY. A. W. ROBERTS, MAGISTRATE, HANOVER, CAPE.

SCOPE OF STATEMENT: HANOVER DISTRICT.

In addition to my statement of the 29th January 1931 there is only one other subject I should like to touch upon viz: -

1. Native Customs.

b. Native marriage customs are not being broken to any extent by resort to (a) Christian Rites, but very largely so by (b) cohabitation without marriage.

It would be greatly to the interest of the Natives in these parts if the marriage tie was made more secure. Today a male and female live together for only such time as it suits one or other of them. There is usually a parting shortly after the arrival of a child, with the result that the parties seek a new mate and this process continues, with the resulting neglect of children and the lust for roving is increased. To my mind, it would be most beneficial if a system of registration of marriages, such as exists in Natal could be brought about. The parties would feel more bound to each other and would in consequence would have a greater desire to establish more or less permanent homes. Immorality would be lessened. A simple system of divorce, cognizable in a Magistrate's Court would also be necessary. Whether such a scheme is practicable amongst detribalised Natives such as there are in this area, who simply roost about from place to place is a problem which it is difficult to definitely answer, but should not be impossible.

[Signature]
Magistrate, Hanover.