

B.3  
Fort Hare,  
Alice, C.P.  
22-12-42.

The Secretary for Native Affairs,  
P.O.Box 384,  
PRETORIA.

Dear Sir.

You will remember that on Thursday 10th inst. I had the honour of an interview with you in Pretoria regarding certain matters including the position of certain persons in occupation of one of the Trust Farms in the district of Victoria East. Unfortunately we were not able to pursue the matter further before the end of the session of the Council. My purpose in writing to you is to make further representations on the subject, especially in view of certain developments which have taken place since our interview.

The facts of the case are, briefly stated, as follows:  
Several months ago arising out of an administrative inquiry held by the Native Commissioner, Victoria East, in terms of the regulations published under the Natives Trust and Land Act, certain persons were ordered to remove from the Trust Farms in the district within a period specified in their notices of removal. The persons concerned were not unwilling to remove, especially as it was established and explained to them that they were in illegal occupation of the land concerned. They thereafter made efforts to find other places to go to and some were apparently successful. A certain number were, however, unable to find accommodation and before the expiration of the time allowed them, they approached the Native Commissioner and asked him for an extension of time. I believe Senator Malcolmess ~~mx~~ at their request made representations on their behalf to the Chief Native Commissioner, Ciskei, and in reply to a letter I addressed to him about these people, Senator Malcolmess expressed the hope that the Government might in the not too distant future find room for some of them in a farm which it appeared the Trust might acquire in the district. I personally impressed upon these people the necessity for them to make every endeavour to find accommodation elsewhere, and they assured me that they were making every effort to do so, and that if only they could be offered some place to which they might go, they would be prepared to go there with their families and their belongings.

On my return from Pretoria I found that seven of these persons have been summoned to appear in court on January 6, 1943 to answer the charge of having contravened section 133, subsection 3 read together with 6 and 7 and Regulation 134, published in G.N.1553, Government Gazette 2960 dated 7th November, 1941 in that they have failed to comply with the order of removal.

I am fully aware that looked at from the purely point of view, these persons have contravened the regulations indicated, but in the circumstances I beg to submit, Sir, that the criminal punishment of these landless people in the absence of an offer of alternative accommodation would be a severe hardship. Accordingly I wish to appeal to you, Sir, on behalf of these people to have the charges against them withdrawn until such time as the Trust is able to find them some other land either in the District or elsewhere.

As this matter is one of great urgency I should be much obliged if it would receive attention and consideration at your earliest convenience.

I have the honour to be, Sir,

Yours respectfully,

M.R.C. representing Cape Rural Areas.