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Book and nowhere else, it is not applied, but there is a social bar in the attitude of the Europeans towards the Natives -- it is against them coming into certain things and they are kept out of trades just as much as they are kept out of the sittingrooms of the Europeans ?- Is not that altering a little of late?

It has always not been absolute. There have always been certain Natives who have come into the sittingrooms of the Europeans and there have always been certain Natives who have been coming into the Trades ?- Yes, but is not the attitude of the trades unions altering? I was astonished the other day when I found there were a certain number of Indian printers who were receiving full European wages.

I am really thinking of the Natives ?- Well, it will come slowly, but if the trades unions could grasp the fact that they would be in a stronger position if they tried to raise the Natives and so put off his undesirable competition, rather than bolting their doors tight and thereby making the Natives anxious to find a way in, if that were done, I think the attitude of the trades unions would change. But I know that their attitude at the present moment is to keep this colour bar alive.

One further point about the Native taxation. At does what stage do you think ~~xxxxx~~ a personal tax on a primitive people become regressive ?-

MR. LUCAS: What do you mean by 'regressive' ?

CHAIRMAN: A regressive tax is a tax which bears relatively more heavily the poorer the people become ?- I do not think that the hut tax on a tribal people is a very heavy burden, because they get their subsistence from their own

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reserves and that is not affected by the tax. It is desirable to induce them to go out to work and a hut tax on a primitive people is, I think, a sensible measure. As you yourself suggested, it is a tax on leisure. They have a large amount of leisure and it is not an unfair tax, but it is a very heavy tax indeed when the Native ceases to depend on the conditions in the reserves and when he becomes to depend on wages. Then a personal tax, a poll tax of £1 per year on every adult male from the age of 18 upwards is a tax which I do not think any other country in the world would impose on unskilled labour.

And you consider that it then becomes a heavy regressive tax ?- Yes, I do.

You have wandered from one system of economy to the other, carrying into the one all the complications of the other one ?- Yes, and I may say it goes against most of Adam Smith's famous canons. It is imposed on a Native in a most inconvenient way and I want to make that clear. The European can pay in instalment, but when the Native comes in, he cannot, and I may say that the tax takes more out of the Native's pocket than it puts into the Government's pocket, especially in so far as ^{al}soci/values are concerned.

DR. ROBERTS: Is it not much later than Adam Smith, have you not got Gladstone's famous canons on taxation ?- Yes.

Do you think that, if the personal tax were withdrawn, a good deal of the trouble which there is now among the Natives having to go out to work would be relieved ?- Well, I think a great deal of irritation and illfeeling would be relieved. I think the amount of annoyance and distrust which that tax causes among the Natives is out of all proportion to the

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wealth collected. I am now referring to the detribalised Native particularly.

They all have to pay it, tribalised and detribalised Natives alike ?- Quite, but that is another point. Why should an exempted Native pay poll tax?

Why do you say that ?- He has to pay all the European taxes, he has to pay all the indirect taxes, and they fall on him comparatively heavily. If he attains the income tax level, then he has to pay income tax; then why should he be subject to what is a perfectly proper tax for a tribal Native?

CHAIRMAN: If he falls under the income tax level the one year, but not the next year, then the one year he comes under the income tax and the next year he comes under the Native Taxation Act ?- Yes, that is so.

MR. LUCAS: I want to ask you why you regard the hut tax as being a desirable tax and, in that connection, I would like you to deal with it in relation to the influx of Natives to the towns ?- I say that it is desirable from the standpoint of a relatively backward country which needs Native labour. From the standpoint of only 50 years ago, or from what the position is in Kenya now. When European capital and intelligence comes into a country of that description, it must have labour. I am a good deal of a socialist, Mr. Lucas, but I think a case can be made out that, on the whole, the country benefits, taxed like that.

From the European point of view, you may say it is profitable for the European, but I have a good deal of difficulty in seeing the same from the Native point of view? Well, I think the Native gains by the introduction of better cultivation and by the introduction of money and also by

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the introduction of new commodities which he can buy. I do not honestly think that it ~~cannot~~ be denied that the Native who is raised from primitive tribalism to a share in civilisation gains.

Do you think compelling him to go out to work is a gain ?- Yes, I do. I think it is a good thing when there is provided some form of labour for him. In practise, you cannot import sufficient Whites to take the place of the labour forces and, if you did, Mr. Lucas, if you did import sufficient Whites, you would have another problem, - the relation of the low-paid White and the Natives, and that would be a very big problem. The great problem now is how can you induce these people who are in a state of subsistence economy to learn to adjust themselves to European methods.

Are you convinced that, in view of European ways, it is desirable to do that ?- Well, I do not like many of the European ways, but I think it is. The alternative is to import cheap docile indentured labour from a country where they are accustomed to a system of wage-earning, but the people in this country are now determined that nothing of the kind must ever happen again. I think we all know that.

I put those few questions to you on Saturday with regard to the refusal of Johannesburg employers to consider the paying of full family wages ?- Yes, Mr. Ballinger told me about that; I could not find the reference.

You say in this address of yours to the South African Association that, if recruiting ^{continues} ~~conditions~~ in areas where individual tenure has been introduced as in the Transkei, many advantages of the laws would be lost. Is that because of taking them away from the necessary attention to their land? -

Yes, and also because they do not use the land as a means of getting money. They will only use the land as a means of getting something out of it. It is only when you get a man permanently dependent on the land that he will use it to the best advantage.

I asked you whether this (Mr. Lucas was inadmissible to the reporter at this stage) ---- could be applied to South Africa ?- It could be compared with the Bunga system. Each community taxes itself through its chief and then the chief uses the money for the provision of roads, hospitals and so on. The accounts are very carefully audited by a European officer to make sure that the money is used for the benefit of the community.

What I had in mind, the difficulty which I foresaw, was the substitution of this for the present poll tax ?- In addition to the poll tax ---?

Well, I look upon this as a substitution ?- It is only applicable properly to settled communities. You could not use it for the community in the towns who are so incorporated with the European communities that you could not deal with them separately.

No, I understood it was to be for Native youths. Could that sort of thing be used for the hut tax ?- Yes, I suppose it could. It is one thing to introduce it at the beginning of the development, as in Nygeria, but it is another thing when development has gone much farther, but surely we could introduce it with advantage in some of the Natal tribal reserves. The system here has been to leave the chiefs to their primitive methods and do nothing to advance them.

Today the teacher gets a certain sum of money from Native taxation, and you have urged that the method by which that taxation

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is raised is unjust and also there is no reason for the Natives being specially taxed in the way the Europeans are. Is there any answer you could suggest to the argument which was put up "We cannot surrender this revenue" ?- The answer I would make is this. I am taking your Native, who is part of the European structure, and the answer is that no other community in the world dreams of putting an extra tax, in addition to the ordinary burden of taxation, on its poorest workers and then there is also the other argument that no other country in the world would dream of expecting its poorest level to provide for its own services. You ask whether the Natives could be taxed in a more equitable manner than by the poll tax. Well, I say this. I do not think there should be any special tax on the non-European unskilled labour, any more than there is on the Indians. They do not pay any special taxation.

The next point I wanted to ask you something about was the question of the Native industries. There are some industries which in the European countries are purely manual. Now, is there any reason why that sort of industry should not be developed among the Natives ?- No, I am very keen on the development of these old crafts. They should be crafts with which the machine does not compete. To teach the Native crafts with which the machine competes, is to subject him to disappointment and I am afraid also to considerable suffering, and I say, therefore, that that should be avoided, but there are many old crafts which could be developed in his own interests.

Can you suggest any other industries ?- The making

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of those wooden pots and toys which they do so beautifully. The German peasants add considerably to their incomes by that. The Natives wooden lions and giraffes are gems and, if they were properly developed, they would certainly find a very ready market for them, but, as you know, Mr. Lucas, the marketing is a great difficulty. I tried to induce the Manager of the Palm Beach Emporium to come and give evidence here. She told me she could sell many more of these things than she does. She is continually having requests. She shewed me a number of very fine articles, but she cannot get the Natives to supply more and, furthermore, she finds the Native extremely unreliable and ignorant of the conditions of sale. She said it would be an immense help to her trade if there could be some officer, not so much to instruct them in the work, but in the need of properly marketing their goods. And then basket work, of course. Some of these articles of East African Coloured basket work are very fine and, if that class of work could be taken up here, you would have a considerable sale for it.

There are two other little matters which I should like to mention. You had a long discussion the other day on the position of women in the tribe. One witness told you of fundamental changes which were taking place. I felt all the time that I wanted to put in my ~~xxx~~ car. The field of women in the Native tribe must alter when the women come to understand about money and when they have some desire to have control of money. Another thing that is happening, so the Native women tell me, is the appearance of the Bantu old maid. The spread of monogamy among the Christianised Natives means that, for the first time, some of the Bantu women, who do not achieve matrimony are today having their own difficulties to face. That is only just beginning.

<u>MR. DONALD RAMSAY OTTO THOMAS</u>) Representing the Workers'
<u>MR. ALBERT PAUL SIBANKULU</u>) Educational Association,
<u>ALFRED ASSEGAI KUMALO</u>)

called and examined:

CHAIRMAN: What are the points that you wish to bring before us ?- (Mr. Thomas): I am the organizer of the Workers' Educational Association and I am also working in connection with the Bantu Educational Association.

You have given us a list of the points on which you wish to give evidence ?- You will see that the points on which we wish to speak are divided under the names of three people. Our evidence is the result of discussions by the members of this group and we were elected to present these views and it was decided that the views should be given by three separate individuals. First of all, I should like to speak on good feeling between Natives and Europeans. In my work in Durban, in association with Europeans of many kinds and particularly in association with artisans who are members of trades unions, I have come to the conclusion that there is a growing interest among the European workers as a whole in what we might call the Native problem, and, what is more, a growing sympathy and tolerance.

That will not be found to be universal. There are still many people who express a definite opposition to the Natives as a whole. Many of those people hold these views because of their early upbringing in the country districts as children, but I want to make this point clear, that I have found among many European artisans and trade unionists, as individuals, that they do not oppose the Native as a Native. They are only opposed to the Natives when the Natives are in

impression is created. The Native people misunderstand the position, or the position is misinterpreted to the Native people, but if things are made clear to them, then they realise the true position quickly.

I would give you another instance. It is in relation to the Native village proposed to be constructed by the Municipality. There will be considerable difficulty, I believe, unless certain steps are taken to get the Natives to adopt that village for their own.

DR. ROBERTS: But they have been consulted in regard to that village ?- Yes; but only certain individuals have been consulted and the vast population do not always get that information passed on to them. It seems evident that this Native village will have to have a very large sum of money spent on it. It will be on a very large scale and it will take some years before it will be complete. It will have to be very large if it is to meet the reasonable needs of the Native population only and I do not think that much will come of it for some time to come, - certainly not for the next year or two. Well, the majority of the Native population will not understand the position unless it is fully explained to them. The Native mind is a peculiar mind. It is like the mind of a child, it works more in pictures and I think it would be a very good thing if the Municipality could undertake the scheme of preparing pictures of that village with the trees and houses and so on, and have those pictures displayed in the location and in places where Natives work. It would be a very good thing if they could put on "This will be done on such and such a date" and so on, and you would then find that many of the Natives would display a greater readiness

to adopt whatever is put forward, with the result that very much better feeling would be created, and the change-over would be more easy.

MR. MOSTERT: Why do you not suggest that to the Municipality? - I have suggested it to one of the Councillors; but I simply give that as an example of the good which might be done in regard to a Number of things. In the third place, I should like to put forward another point. Steps might be taken, either through the much burdened schools, or through other channels such as the Native Affairs Department, to explain where legislation, either for Europeans or for Natives, or for the two sections together, is intended to be introduced. The Native would then realise that he is not quite the individually oppressed person that he imagines himself to be. You might take, for instance, the question of the poll tax and the question of individual registration. If it were made clear to the Native that the European pays his tax, his poll tax, once a year, if it were made clear to the Native people that we are registered through a different channel as voters and if we do not register that it means that we shall be fined £10, ---- if those things were made clear it would be of great assistance towards the Native people feeling that they are more one with the Europeans than they realise at present. It is necessary that they should have a complete comprehension of the legislation.

I want to take another example. This is in regard to legislation brought in by Europeans especially for Natives. Such legislation should be made clear to the Native. Then, there is this question of the curfew. It is understood that

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it is proposed to reinstate the curfew and it is being considered, as you possibly may know, by the Town Council, principally because of the moving into town of a lot of Natives and because of the increase of petty theft and housebreaking during the evenings. We are supposed to act in loco parentis for a number of these umfaans. We have been definitely told that we must look after these umfaans who, in the towns, cause a great deal of inconvenience and do a lot of things that are evil. Well, now, I would suggest first of all that, if a regulation of hours is necessary for the protection of people, that such regulation should apply to the population as a whole and not only to the Native population. Because, then it will be made clear that such a regulation is for the benefit of the people as a whole. Secondly, such a regulation, of course, could be done away with as soon as the Native village is complete, because it would be perfectly feasible that no Europeans should be allowed in the Native village after hours and no Native should be allowed in the European areas, after hours.

But, sir, what would be the effect of the reintroduction of the curfew law which is at present being considered? There are certain exemptions being considered for ministers, teachers and others --- they will not fall under the curfew. Well, I would submit that this will have a very bad effect in increasing division among the Native people themselves. We know that already there is, in the Native people, as there is among the European population, distinct jealousy and suspicion on the part of the uneducated man towards the educated man. Whereas the Europeans expect that the ~~uneducated~~ Native shall help his brothers to rise, by bringing in legislation which

favours the educated Native, that will only bring about, in the minds of the uneducated people, the idea that once again the educated man is using his influence to bring about better conditions for himself and that again will tend to increase the division among the various sections of Natives. The Natives will feel this, and that was the reason why those interested in the matter did not want any particular Native to be exempted.

Then there is the problem of the adolescent. I do not think that the regulations would really protect the adolescents from the evil influences under which they fall when coming to the town. It seems to me that such a regulation could easily be interpreted as simply setting up an easy way out of a difficult situation, whereby, when a Native is brought up for being out of doors during prohibited times, the responsibility can be put on him as a breaker of the Law. It does not go to the root of the problem - why is he out at the time, why is there always petty theft and so on? That is the real question.

Then I want to say something in regard to the terms used by European people in relation to the Natives. This may be regarded by some people as a small thing, but I think really it is a very big thing. The common term of "kaffer", "boy", "Jim Fish", simply indicates in the minds of so many people an outlook of denying to the Native people manhood and responsibility. You can take the first two names - take these words 'kaffer' and 'boy'. One hears those terms used daily by European youngsters and I think that, if in the schools and in the homes, the children were taught not to use

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such expressions towards the Natives, it would help a great deal. It would help the Europeans to realise the manhood of the Native people and it also would help once more to shew the Native people that we are ready to respect them as men and to give them in time those things which manhood demands.

DR. ROBERTS: What is your explanation of 'Jim Fish' ?- I do not know; I am sorry.

CHAIRMAN: I take it that the Natives are aware of the fact that, among the Europeans, too, there are various terms of obliquay for various classes, such as 'gomtor' and 'bloated aristocrat' and so on ?- Yes, they realise that. But these expressions used towards Natives cause a lot of illfeeling. I am not against some people having nicknames given to them, but what I say is a bad thing is to apply these terms of derrogation as 'boy'. It really is a bad thing.

There is no derrogation in 'boy' ?- Yes, in the Native language there is. For a Native to be called a boy is considerable dishonour. This question of manhood to a Native is a very important thing. If you take the general state of mind of the people; the terms themselves might not amount to much, but they feel that there is something slighting in them. And then you will also see the children attacking Natives in the street, calling them names and even hitting them. Then, I want to make a point on the subject of force being used by the Police in dealing with Natives. We must recognise that force is necessary on certain occasions. One can bring one's mind to understand that here in Durban there have been occasions when a certain amount of force had to be used. Let us look at the position on Dingaan's Day, when a meeting had

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to be broken up. It was a legal meeting and the police were put into a very difficult position through having to break it up. I would suggest that such meetings might be broken up effectively but with less disastrous consequences. One knows, for instance, that the death of that young leader, who was actually rather a fine type of Native boy, has simply planted into the mind of his mother and brother and others the idea that he was a martyr and so on. Well, I think that some other steps could be taken which would effectively disperse the crowds, you might do something to appeal to the sense of humour of the Native and, thereby, you might retain pleasant relationships. I would far sooner see that done than send out your Native constables who, when let loose among a crowd of Natives, are beyond any control.

CHAIRMAN: You mean that one might just use a fire hose or stink bombs ?- Yes; one knows, from experience, that among European students, for instance, a fire hose is a most effective weapon of dispersing unnecessary crowds. Let me tell you, sir, that one cannot stand up against a fire hose. One is simply bowled over and one cuts such a ridiculous figure that everyone laughs. But, psychologically the situation is completely changed. That would be a further step towards improving the relations between the European people and the Native people, but I am afraid that the present method of doing things is rather looked upon as a cause of offense and creates a lot of illfeeling among the Native people. You have to do something to improve the standard -----

That is it. Is it because you have got a relatively low standard among them -----

?- My contention is that we

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should do something towards improving the standard of the Native police, who are rather a cause of offence to the Native people.

Yes, exactly. Is it because you have got a relatively low standard among them, or is it that the Natives look upon them as traitors to themselves ?- So far as I have been able to understand the position, it is that the Native police are regarded very unfavourably. They are recruited from among the uneducated and, on every occasion, they use their authority and they use force without any discrimination, and, whenever they can, they take advantage of the fact that they are police and they use their authority against the welldressed and educated Natives.

Is that your experience with regard to them here ?- I, myself, have not observed that.

So that is what you hear from the Natives here ?- Yes, that is what the Natives and the Europeans tell me.

I am referring more particularly now to the statement that they use their authority against the educated and the well-dressed Natives. Now, is that the general opinion of the people you get into touch with ?- Yes, that is the general feeling of the Natives in the town. Durban has a tremendous Number of Natives and I should like to say something under that heading, - Natives in the town. I think if a Native village could be established it would tend very greatly to improve the general conditions of the Natives and it would bring into greater relief the Native problem. There is, for example, the problem of the detribalised Native living in the town. Now, that Native is without the tribal sanctions and, as we know, he tends to become, in many cases,

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a lawless person. He loses all respect for law and order. I think that the establishment of a Native village, fully thought out in every detail, would do a lot towards combating this evil. First of all, you would have in a definite area the whole of the Native population by itself. They would then be able to look after themselves a great deal better and attend to their own welfare much better. There would be differentiated in the European mind the great difference between the educated Native and the uneducated Native - yet the lawabiding Native and the restless and turbulent Native, because they would tend to get into their various areas just in the same way as that happens in any European town. The Natives themselves, if given the means of a measure of self-government and control, would be able to size themselves up and thereby a sense of responsibility would be created and these villages would develop on sound lines. The Natives would help the authorities more completely and also to some extent would have the burden put upon them of maintaining decency among their own people. I want to make myself clear. You have these umfaans at present in the towns and, if they continue to be a considerable factor in town life, some provision will have to be made for them. I think that the Natives themselves, by the formation of committee and by other provisions that could be made, would willingly undertake a great deal more care of these children by welfare work and so on. I think that, by putting on the Natives more responsibility, by allowing them to assume greater responsibility within the community, you will be able to achieve a considerable amount of progress. I do feel, and it is not only my own thought, but I am expressing the thoughts of the Native

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people as well that, in such a village, the opportunity of possessing a house and a plot of land would be a very big factor, but if that opportunity is not given, you will not get the Native population to adopt the idea of the village at all with enthusiasm. I would suggest that that would be an important stabilising factor among the Native population, just as it is among the Europeans. Secondly, it would help to establish, in the minds of these people, the feeling that the European is not merely using the Native people as a chattel to be moved on when no longer required.

I am not stating that as the outlook of the majority, but it is the outlook of a very great number of the Native people, and to counteract that, you must give them something that they can see, you must allow them to have something.

Then, following upon that, of course, would come the need of an amendment, as I understand it, to the 1913 Land Act, which would enable the purchase of land by Natives within those allotted areas outside the present Native areas, but that is a matter which is very greatly desired by the Natives. Then there is the question of women in the town. There is a considerable influx of women into the urban areas and I expect that you have had a good deal of evidence on that. I understand that many of those Native women come in, not because their husbands are here in town, but they come in on their own, independently. It is stated, but I cannot say anything further on that, that it is partly a matter of the attraction of the urban conditions which makes them come in and then also the rural conditions which

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force them to go out to make a living. When they come here, there is the question of how they are to live. A certain number of them get employment in domestic service, but, in relation to the number as a whole, that is a small number because, at the present moment, domestic service is regarded as the work of a man. I would suggest that proper steps should be taken in the direction of altering this state of affairs and that that monopoly is taken away from the men and that men shall no longer do domestic service work as they do now, because, as the Natives themselves say, it is not a man's work and even we in European communities feel that. It is a woman's work.

DR. ROBERTS: How do you suggest that that work should be taken away from the men ?- I shall try to shew that as I go on. By so doing, we would open up a recognised sphere of employment for the, at present, rather lost Native women and that would also help to educate them and enable them to look after their own houses very much better when they are married.

Legislation, local or otherwise, could be brought in whereby, after a certain date, new or renewed employment of men as domestic servants could become illegal. Women should be taken on, but, together with that, steps must be taken to ensure that female labour shall be efficient and able to replace the men who are at present recognised by the European employers as being better than the women. That would mean that, under that act, provision would have to be made for training, for domestic training of Native women. There is a certain amount in town at present being done in that direction, though it is not widely known by the Europeans as a whole.

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How would the Natal people take to that - how would they like a law to be passed under which they would no longer be ~~employed~~ allowed to employ a boy ?- Well, I have no doubt that many would realise, if the reason were made clear to them, that it was an essential thing to do. Many people, of course, would not like it, but just as you find with the introduction of any new regulation, a lot of people would kick for a start but agree later on.

Surely, you do not urge that the good sense of the Natal people is not sufficient to rise to the need for women servants in their bedrooms ?- No, I do not suggest that. I say that, if the point were made clear, the majority would accept it quite willingly.

But why do they ~~nt~~ do so today ?- Because, I suggest that, in relation to the conditions of the Native people, there is a great deal of ignorance, but once that ignorance is dispelled, there is a great deal of sympathy and understanding, but, what is lacking at the present moment is what I might call a definite drive towards bringing the people to understand the conditions which are at stake.

And next, in relation to such a definite course of training, there should be a definite bureau of employment, so that the Europeans shall be able to get their servants from that bureau and shall know what they are getting. That would probably mean the payment of a higher wage than is at present paid by many Europeans who, at the moment, are getting umfaans solely to help in domestic service. But such employment, I think, is bad for the Native child and bad for the European employer, because, as one understands, it introduces carelessness and a lack of realisation of the value of

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labour and responsibility on the part of the employer. In relation to that, may I give this one~~x~~ instance where this is happening, where the increase in efficiency of service due to regulation of service and the raising of wages of such service, would combat the position which at present exists. We know that European children are often in great numbers put by European parents into the care of Native nurses in the different public parts of the town. An instance came to my notice the other day where European children were being illtreated by their nurses - nurses who had been put in charge of these children. One particular nurse, with whom I remonstrated, gave me a great deal of impertinence. There was a lady there too who, at the risk of considerable abuse, took up the matter and put it in the hands of the police and two Native women concerned were arrested by the police. I would suggest that, although it might be the right thing to punish the Native nurses responsible for such illtreatment of the child, the European mother should be equally punished for being careless enough to leave her children in the charge of such persons who are poorly paid and of whom they may have very little knowledge indeed. And then it also comes to the question of the employment of children and that, to my mind, is a very serious question. I would suggest that a certain population of children is inevitable in town, because of the increased number of Natives definitely living in the town, but it might well be that children from the country districts should be prohibited from taking up work within the urban areas if they are under the age of, say, 16 years. I do not know whether that would be the right age, - perhaps it should be 17 -

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but something should be done so that they should not undercut their own people, for instance, in domestic service, where they are principally used. In the second place, they should not, at that early age, be brought into contact with the evil influences which we know of, and which they are brought into contact with today.

For wage regulation to be brought into force, there would have to be a parallel regulation for educational facilities in the rural areas, with practically free compulsory education up to any given age, which would have to be laid down.

Then, to come to my past point, I want to say something on wages. In relation to that, I want to take up one point in connection with this proposed Native village, to demonstrate that the present wage of the Native people, to use the usual term, is uneconomic. I say so for this reason. If such a village is constructed, as we understand it is to be constructed, it will have to be constructed up to a definitely recognised standard - good houses have to be put up, roads will have to be constructed and lighting will have to be provided for and so on, because the general conception of what is right in the matter of housing is fairly high now and we have the example, I understand, of such a standard set by Cape Town. I have not seen their village there, but the reports which I have seen say that the houses there are of a very high standard indeed. Therefore, we feel that, when a village like that is established, the putting up of the houses will cost a considerable amount. If that village were constructed for European people, the rents charged would be what is generally called economic rents.

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which would, over a given term of years, pay for the cost of the housing. Between that economic rent and the rent payable by the Natives at present, there is considerable difference. On the present standard of wages among the Native people, one cannot rightly ask for a higher rental per month than fifteen or sixteen shillings. That is on the basis of one sixth of the wage.

CHAIRMAN:

Why do you take one sixth ?- I think that is the general rough proportion, for example, of the Town Council wages. That is the general standard taken for the housing.

Well, let me tell you that very few people get their houses on that economic standard ?- Do you mean that they have to pay higher than that?

Yes, undoubtedly ?- Well, then it is an evil.

Anywhere less than one sixth is very low. One quarter is nearer it. Take other communities outside South Africa. In South Africa, we frequently have to pay one quarter ?- Does that leave sufficient really to enable people to meet their expenses? I have here prepared for me an estimate of what an economic rent would be for such houses in the village and, on those calculations, such a rent would be £1.15.- a month if the houses were constructed by European labour entirely, or it would be £1 per month if unskilled labour, Native labour were employed. I think it is clear that there will be a difference between the economic rents and the rents that can be asked from the Native people and I think that about 15/- is the rent which the Native people should be reasonably asked to pay.

The question is, whether the Native is to be made to

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pay the difference between the economic rents and the rent which it will be necessary to ask him. Is that difference to be met by the European ratepayers, or is it to be met by a direct subsidy from the Government, or is it to be met by the Natives themselves being called to pay this and then being paid an increased wage. I would suggest that, under present conditions where the necessity is stressed of every section of the community standing on his own feet, that the right thing is for the Native to be put into the position of being able to pay the full rental.

(Mr. Sibankulu): As regards the Native Administration Act, I may point out that, since this Act came into force, Natives who have had the privilege of buying land in urban areas, have been restricted from buying such land.

DR. ROBERTS: Did I understand you to say in urban areas ?- Yes. Furthermore, this Act seems to make no distinction as between an exempted Native and a non-exempted Native and the object of the Act, I suppose, is segregation, because, so far it seems to throw all the Natives under tribal control. Then again, the Act does not give due consideration to Natives, in that, for instance, Natives who enter into any sort of transaction in town, coming from different centres, cannot, when it comes to a law suit, sue in the local courts to recover anything that is due to them.

You mean, he has to go to Maritzburg to sue ?- No, he must go to the place where the defendant resides.

CHAIRMAN: That applies to the Europeans as well ?- No, sir. If it comes to an action here in Durban, for instance, the plaintiff has the right to sue in Durban. It does not matter if he has gone to Kimberley, he still has to

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go to Durban to sue.

DR. ROBERTS: You mean that, if he wants to sue an European whose home happens to be in Durban ?- No, sir. It does not matter whether the defendant has gone to Kimberley, the plaintiff has the right to issue summons in the town where the cause of action arose.

I do not follow you. You could not say that Durban would be the place of residence of the Native. His kaia would be in Eshowe or somewhere else. That would be his home? No, sir. We consider that this is his home. We have Natives coming from Delagoa Bay, for instance, from East Africa, and they are here. Now, the debt is contracted here, but if a person wants to sue, he is referred to the man's residence.

CHAIRMAN: Your point is that the rules which used to be applied to Natives long ago are no longer satisfactory to be applied to the Natives of today ?- That is so.

MR. LUCAS: What did you want to say about the riots in Durban ?- I wanted to point to the feelings are between Europeans and Natives. I say that the riots in Durban were the outcome of the Natives voicing their grievances in a legitimate way, but the trouble was that the Native was understood in a different way, and eventually that led to the riots.

CHAIRMAN: And then you mentioned the Joint Council advantages and present limitations ?- I want to say that I am in favour of the Joint Council, but, on the other hand, I want to say that the Joint Council is not fully representative.

DR. ROBERTS: Not fully representative of what ?- Not fully representative of the Natives, in that it does not express the views of the Native population. It is only open to

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its members and not to the ordinary Native who wants to go in and express his views.

Will you tell us what is the representation of the Natives on this Joint Council. How do you send people to the Joint Council ?- Well, as a matter of fact, I think Natives should be able to go to the Joint Council, but I am not conversant with it. (Mr. Kumalo): There is no direct representation, except that originally each Native member was nominated by friends, they might not have been enlightened Natives, ---- you got enlightened Natives on the Joint Council who were able to follow the discussions that took place.

CHAIRMAN: The Joint Council is a purely voluntary body. It is not a Government body at all. Various people become members of it just the same as you can become a member of any other private organisation. It is not a Government thing and, therefore, people are not elected to it?-(Mr. Sibankulu): I just want to say this. The Joint Council is trying to create good feelings between the various sections and that is why I am in favour of it.

DR. ROBERTS: But what is your objection, then? You say that the Natives' views are not represented ?- For the simple reason that people who go there go there on their own, and they do not represent the Native population. My objection is that the Joint Council is not open to private individuals. Then, I also want to say, in regard to the restriction of land purchase; that comes under the Land Act, and the Native Administration Act of 1927.

(Mr. Kumali): I am going to speak about the influx of Natives into the towns, more especially into Durban. First of all, there is the effect of the Land Act, which causes an

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influx of Natives into the town. Then there are also the Natives who were recruited for labour for the Railways, for Railway constructions, for work in the cane plantations and the sugar estates. At the expiration of their contracts, they do not go back to their kraals, but they elect to remain in Durban. Then there is another section of Natives, men who were sent down to the local gaol, long term prisoners. At the expiration of their terms, they are not forced to go away to their homes, although privileges are provided for them to go back to their places of origin. They simply remain in Durban and I put all these things down as causes of the influx of Natives into the town. Then also, sir, there are the individuals who come in because they are tired of country life. But that is only a very small factor, the majority are those whom I have already mentioned. Then especially there are the Natives who have been evicted from the farms. Those are the Natives who bear all the hardship, because they trek into town with their families and without any provision being made for them at all. If the husband is unable to obtain employment of any kind, his earnings are insufficient to support the whole of his family; and then there is the competition caused by the Natives who have been ~~trained~~ drawn into the local area by the inducement of better pay. Since 1914, better pay has been prevailing in Durban than in most other towns, but the conditions of the Natives at the present time in Durban are deplorable. It is a great pity that this village which has been proposed was not started on some years earlier, because all these people, through conditions that obtain today,

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have been brought into contact with influence which are not to the good of the Natives. We hear a lot about the Natives not being as respectable as they used to be, -- not as respectful to the European --. That is also the cause of a lot of illfeeling, and that is due to the fact that the Native has lost control of his children through the children having come into town. The bad influence with which they come into contact in town are responsible for that. They live under conditions which are different from the conditions which prevail in their own homes, and those influences are the causes of all these things of which we hear nowadays.

They are responsible for the fact that the Native is disrespectful. There is one point I should like to touch on with reference to Native domestic servants. There is one point there which Mr. Thomas overlooked, it is about the employment of Native females more especially in Natal. In olden days, it was only the males who were allowed to go out and Native females were restricted from going into employment, with the result that the Native females today lack that proper training which, in the meantime, has been acquired by the males. That, sir, is one of the causes for more Native males than females being employed in domestic service today.

DR. ROBERTS: Were these Native females restricted, or were they hindered by the Natives themselves, or by the law ?- No, sir; they were restricted by the Natives themselves from going to the towns.

Is it not a fact that the Natives did not care for their womenfolk coming in ?- Yes, sir, that is so.

And would you say that that is passing away now ?-

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Yes, that is passing away now, owing to the changed conditions under which they live.

How would the male Natives look upon their women taking up posts as nurses, cooks, domestic servants and so on, now ?- Well, the Natives themselves look upon that as avenues of employment for their womenfolk. That is how they look upon it today.

You mean, that they do not object to it now ?- No, they do not object to it now any more, but they did in the past.

And what about the women who are taught at places like Inanda and elsewhere, could they not be employed as cooks or nurses ?- The trouble is that there are no openings for them today.

What makes you say that, why not ?- Because all these avenues, all these openings, have been taken up by men.

Are they able to do that kind of work ?- Who, the men ?

No, I mean the women, are they able to do it ?- Yes. But all these openings have been taken up by men, because there was nothing to shew that the women were capable of doing such duties.

Are the men still being employed everywhere ?- Not everywhere, but mainly.

And are there no signs of any change coming about in those conditions ?- There are no signs at present.

You are referring to Durban ?- Yes, sir.

And are there no women in domestic service in Durban, - none at all ?- Not very many. Generally, it is only the men who get the work.

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MR. ERNEST BEACHER SCOTT, Town Treasurer of Durban,
MR. THOMAS JOHN CHESTER, Acting Manager of the Municipal Native Administration Department,
MR. JOHN KNOCH MURRAY, Acting Chairman of the Native Administration Committee,
MR. OSWALD LYALL SHEarer, Medical Office, Municipal Native Administration Department,

called and examined:

CHAIRMAN: We have received a number of statements from you gentlemen, on behalf of the Town Council, and we have had an opportunity of studying those, so there is no need for us to have them ready over again, but we shall be pleased to put some questions to you. Now, you make a statement here that, when a license is given to a Native to trade, there is a condition attached to the effect that he is the sole partner of the business. I take it that, by that, you mean the sole owner ?- (Mr. Murray): That is the form which is generally used. The meaning is that there are no partners in it.

Could you tell us why that is introduced? Why do you prevent a Native from having a partner in a business like that ?- (Mr. Chester): That arrangement was made to prevent a Native being subsidised or financed by an outsider. We prefer that the man should conduct his own business solely for his own interest. The declaration is similar to that which is made under the 1906 Registration of Firms Act of Natal. I may just say that, since that statement was prepared, we have received new regulations which have been promulgated and I have pleasure in putting them in now. (Regulations handed to Chairman and other members of the Commission.) These are new regulations for the government of eatinghouses.

Now, if the man who is financing a business like

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that is also a Native, then would there be any objection to it ?- No, there would be no objection. The idea of putting that in was that perhaps someone who was not a Native might come in and finance the Native and that was regarded as being undesirable.

MR. MOSTERT: You mean some European ?- Yes.

CHAIRMAN: Now, you mention about Native hospitals, and you say that they are rated according to the general rating provisions. By whom are those rates paid ?- They are paid by the Native Revenue Fund.

And to whom is that money transferred ?- It is transferred to the Borough Fund.

And then it simply passes on to be spent in the ordinary Borough Fund, like rates on European properties? Does that not seem to be entirely wrong in principle? The rates in the European areas are paid for the benefit which the Europeans get from the improvements. Should not the rates in the Native area be similarly spent on the improvements in the Native area? I am inclined to think that this is a question of policy which should be answered by the acting Chairman of the Committee ?- (Mr. Murray): I do not know exactly what the position is of the land. The land is only leased to the Native Affairs Department.

Is that land part of the land belonging to the Durban Municipality ?- Yes, I take it that that is so. (Mr. Scott): It is part of the Borough Estate.

It seems to me that underlying the principle by which that ~~has~~ money is paid to the Borough Account is the assumption that the Borough Estate belongs only to the White people living in the Borough ?- No, that is not so.

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Why do you make the Natives pay this in a different way from the White people ?- (Mr. Murray) I do not know that we make them pay in a different way from the White people. (Mr. Scott): As you know, Natal is perhaps different from what the other provinces are in that they were granted blocks of land to commence their towns upon originally and they were given certain areas to commence making a burgh. Now, since then, we have also purchased different plots of land inside that area and outside that area. For instance, if you take the Native location which you have seen on the Flats, a portion of that is situated on the land that was originally granted to the Borough and a portion of it is on land which we purchased from the War Department after the Boer War. You see, there is a variation in the principles even there. Now Natal definitely is differently situated from the other provinces. We have certain property within the Borough; rates are levied on those properties on certain principles. Government properties within that area pay rates under certain circumstances and are exempted under other circumstances, but there are no exemptions granted in regard to any land used for Native purposes.

I am not suggesting exemptions. Does the law determine whether that money should be transferred from the Native Fund to the General Fund, or is the Council free to determine itself whether that money should be spent in the Native funds ?- If you will allow me, I shall come to that in a minute. I may say, we are compelled by law. The estates management of the Municipality is compelled to declare on land to have its certain value for rating purposes. They come under our valuation really accordingly,

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and are levied as ordinary Borough properties. Every Department of the Corporation, electric light, telephone, Native administration, everyone of them occupies certain lands belonging to the Municipality. That land is valued according to the area which they occupy, and that land is rated accordingly. Now, the rate levied on any land, the money derived from such rent, comes into the general Borough Fund for the benefit of the town and also, with a population such as we have, probably 50% of the Native population undoubtedly have a great proportion of these rates spent for their benefit. When they are in the town, a great proportion of the rates are spent for their benefit. I think that must be clear.

In what way, for example, is the money spent for their benefit ?- Well, policing alone is a very big item. The cost of policing alone is more than what we get from the location in rates.

Is that a further debit to the Native Revenue Account ?- Only the actual portion employed in the location itself.

MR. LUCAS: Have you got a copy of your accounts there ?- Yes. (Accounts handed to Members of the Commission.)

DR. ROBERTS: Do you credit your Town Account with the full amount obtained from the beer halls, do you credit the whole of that money directly to the Native Fund, or does a certain amount go out for policing ?- No, the whole of that amount is credited to the Native fund.

I am asking you that, because it is a common rumour that not the whole of it is credited to the Native Fund ?- The Native Department Account, the Native Administration Account, I may say, is an entirely separate entity, just like

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the Electric Light Department, and any revenue received even from the sale of a bucket of waste grain at the brewery, goes into the Native Affairs funds. Every penny goes through its correct account and the total takings of all these hostels of any description whatever go to the credit of the Native account.

Perhaps you have heard that rumour yourself ?- Well, I have heard such a lot of rumours.

Did you hear this particular rumour ?- Yes, sir, and I had to go through the mill in the Town House in connection with these riots.

CHAIRMAN: Now, you debit the Native accounts, the Native Revenue Account, with the police actually used in the Native area ?- Yes.

But your further contention is that the policing in the whole area of Durban must, to some extent, be paid for by the Natives ?- It becomes a charge on the total administration of the Borough.

And for that reason you credit the income from the Borough Estate to the Borough Account ?- Yes.

Apart from policing, will you mention other things from which the Native derives any advantage ?- Well, for instance, we have also the sanitary service in the Borough and things of that kind all round the Borough. Different services of all kinds.

To what extent are the Natives and the population chargeable with that outside their own immediate area ?- Only the use they have of these things as public facilities. We have special conveniences set aside for the Natives.

You are not referring now to these facilities which

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employers place at the disposal of their own Natives ?- No, I am not.

You are thinking of different latrines in the Native area for the Natives ?- Yes. And also, there is a feature in regard to what we compel owners of property to provide for the Natives. We compel people to institute certain services on behalf of the Natives. For instance, we compel people to erect special rooms for the Natives in their employ and we make it compulsory for the Natives to be provided with lavatories.

That is part of the perquisites paid to the Native who is living on the employer's premises ?- It would not be necessary to go so far as that.

DR. ROBERTS: Would not the Public Health Act, the Public Areas Act compel you to do that ?- No, it would not compel us to go as far as we do. We want the Natives to be well looked after. We want to lift him up and to see that he is properly provided for.

MR. MOSTERT: Is he provided with light ?- In my house they get electric light.

CHAIRMAN: Yes, but that is a direct debit to that account ?- That is a debit to the account of the householder.

MR. MOSTERT: That applies to the compound ?- Yes.

MAJOR ANDERSON: Do the Coloured people get the use of any of these facilities for which these charges are made ?- Yes.

CHAIRMAN: Do you mark portion of the Native income to the Native Revenue Account ?- Yes, we do. I may say that that matter is in dispute just at the present moment, with the Minister, under the rulings that have been put forward by the Natal Municipal Association. We, of course, used to

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charge actual cost as far as it could be worked out and we thought that that was the fairest way. The Provincial Audit^{or} came along and proposed that certain changes should be made. The small local authorities wanted a different way to be laid down for the charging of lump sums. The Provincial Auditor said "No", and would not agree to the proposals that were made to him. We set up a tariff for this purpose, but the Provincial Auditor set up a tariff of 5% on the first thousand pounds and so on. The Municipal Association set up another tariff and said, "That is not good enough. I am trying to explain this, more or less, so that you may have some idea of the position. The Municipal Association said, "We should have 10% on the first £1,000, to bring in a better balance for the larger towns". I have seen the Minister over there and I have seen the Officials of the Department, and we have discussed the matter, but they say "No, we have accepted the Auditor's definition and we have made that position general throughout South Africa". Well, my opinion is that that is where the mistake arises, and I shall tell you why.

There is no Native development outside Natal to compare with what is being done in Natal. We have this Native beer, which takes much more to administer than the running of the Port Elizabeth location or the Cape Town location.

May I just point out that the actual charges of administering the Native beer funds are debited directly against the Native Account. So, if it is a bigger thing, then it is not borne by the General Revenue Account ?- Yes. In the original returns of the Provincial Auditor of the