

Borough Municipal Council

Now, your statement on page 9, - your statistical statement, there I may be reading wrongly, but it seems to me that it has this meaning that, in 1923, out of 15 cases of pulmonary tuberculosis, 35 died; are those figures to be read in a different way? - These figures, sir, I got from the Medical Officer of Health. On the face of it, it does look very much as if that is the case, but I really do not know how one can explain that. I should imagine it to be a clerical error.

In 1922 it is the same. You might have that looked into and have the correct figures supplied? - Yes, very well, sir.

Now, on page 11 - your table for venereal diseases; you draw the conclusion from that table that venereal diseases are on the increase; but may not the alternative explanation simply be that you are giving better medical aid now and that, therefore, a larger number of cases come in? - I do not think so. I think the tendency with regard to venereal disease is rather to hide than to reveal it.

But that tendency was there four years ago also. Education may have reduced it. Do you think that the Natives are coming to know better of the facilities that the Borough provides in that way? - That is a factor, but, I think, apart from that venereal disease is definitely on the increase.

Take your figure for 1924/25 - 48; you would not suggest 48 as a representative figure for that year? - As a matter of fact, that is the date the Government Special Department --- well, actually, in that year, it was not generally known there were facilities for treatment in that

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respect; but when this became known, gradually I take it a fair number did come and seek treatment.

There may be simply an increase owing to a larger number of people coming for treatment than before ?- Yes. Before I actually made up this report, I spoke to the Government Specialist in that respect and it is his opinion that, notwithstanding this, venereal disease is on the increase.

Now, with regard to your annexure; you shew in the third column, a birthrate of 1.17; what does that mean ?- That is ~~xxx~~ 1.17 per thousand.

Of the population ?- Yes.

Your population being mainly men would naturally account for the very low figures ?- Yes.

Do the figures in the column here actually shew the number of births registered in Durban ?- Yes.

And the fifth column, the annual number of deaths of infants registered ?- Yes.

So that the conclusions drawn in the last two columns are based on a very small number indeed of births or registrations ?- Yes; actually, as a matter of fact, these figures are likely to be a little misleading - that is, the ratio between the birthrate and the deathrate, - for this reason, that you see a number of cases of women come in with debilitated children, or children with acute illness, - they come into the Borough and die. So actually the ratio between the two I do not think is real, that is, the birth and deathrate ratio.

MR. LUCAS: It is so small that you could not draw any conclusions ?- No.

Compulsory medical examination does not apply to

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permanent residents in Durban ?- No, not unless they are residents.

The Native African Union this morning complained about the buildings at the hospital in which Natives are treated; have you anything to say about that; they complained they were wood and iron without any lining on the ceiling ?- I am afraid I cannot say anything about that; that comes under the jurisdiction of the Government. I do not have access to the hospital.

Now, you say on page 8 that a number of conditions were noted, and then you go on to say the condition of scurvy for an additional cause for rejection; rejection from what is that ?- Probably in that case it is a temporary rejection from domestic employment. The position is this, as soon as we get a case of scurvy on the North Coast, it is sent to Addington.

Is this a common condition in Durban - scurvy ?- No.

Do you find among the Natives that you have to examine coming into the town, that there is much evidence of malnutrition ?- Generally speaking, they are a pretty fair type physically, and that is explained by a reference in the previous part of my report, that they realise there is a medical examination when they enter the Borough, and actually individuals that are not physically strong or have any illness or sores of any kind, - it rather restrains them from coming into the Borough. So, actually, the individuals are, as I say, a fair type physically.

Among those you examine, do you find many cases of malnutrition ?- A very slight number.

Coming back to the question of compulsory examination; on page 8, you say before a contract of service can be entered

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into, the registering officer may cause such Native to be medically examined by the medical officer; is that before any contract of service is entered into by a resident ?- Yes.

Is that availed of much ?- Well, I would like Mr. Chester to answer that question. (Mr. Chester): Actually, Mr. Chairman, unless the examination has been carried out within three months of the date of engagement, the registering officer may call on the Native to submit to examination.

Even a resident ?- Yes.

Does the registering officer insist on many such examinations being made ?- Generally the employer does the insisting; he says he wants his Native to be examined.

Is there much objection from the Native to that ?- No. If I may be permitted, just while I am on the point of "registering", I have prepared another annexure shewing the use of the indexing system, which is part of the registration system. (Mr. Murray): I would like to stress a point under Dr. Shearer's evidence on the memorandum before you; as a member of the Public Health Committee of the Town Council, I would like to call the Commission's particular attention to Dr. Shearer's evidence on page 11. Personally, I feel and the members feel, that the registration of Natives - the question of the registration of Natives with tuberculosis, is not receiving that attention which should be given. Provision should be made in some way or other by sanatoria or some other means, whereby, instead of their being discharged from hospital, they should be sent to sanatoria where they can get better facilities than being repatriated to their kraals and living under conditions that are detrimental to those living round about.

DR. ROBERTS: Have you represented that to the

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Government ?- No, sir; but the Town Council has urged the necessity of the establishment of a tuberculosis sanatorium in the Northern part of Natal for our own Province, which would entirely cover both Europeans and Natives.

Messrs. JOHN ALEXANDER THOMPSON)
Harry JAMES BUTCHER)
CHARLES JAMES BA and)
MATTHEW HUGH BROWNE)

Representing Durban
Chamber of Commerce,

Messrs. JOSEPH EDWARD BORAIN)
ROBERT MITCHEL)
ALBERT BAUMANN)

Representing the Natal
Chamber of Industries,

called and examined:

CHAIRMAN: The last three gentlemen are representing the Natal Chamber of Industries ?- (Mr. Bauman): Yes.

Mr. James, what have you to say ?- (Mr. James): I think I have mentioned to you before that I think the evidence which will be of most value to you will be evidence given by men who have known the Natives and lived among them for quite a long time. For that reason, I have asked Mr. Butcher, who knows the Native and who is a big employer of Native labour, and Mr. Thompson, who also represents big Native labour interests at the Point, and Mr. Hugh Browne - I brought them along to give evidence on some of the points which you raised the other day. One was the question as to whether we favoured a wage determination for Natives in commerce. I would like to ask Mr. Butcher to reply to any questions you have to ask, or to give his own statement on the matter.

I think, if you start by expressing your Chamber's views on that matter --- ?- (Mr. James): We have not really had time to give you the collective view of the Chamber, we could send it on to you later, as I suggested yesterday, with information on the question of customs which cannot be

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collected at very short notice. At the same time, all of us are members of the Chamber of Commerce and are all employers and, I take it, you would like to have individual expressions of opinion. ~~xxxxxxxxxxxxxxxxxxxx~~

Yes, undoubtedly ?- (Mr. Butcher): I have not really given this matter very much consideration; I have only just been asked this morning to come and give evidence, but my opinion is that we should be opposed to any regulation of wages in the towns, unless it applied to the whole country. Personally, I think it is rather mischievous to pick out two or three of the larger towns and fix the wages in those towns and not to enforce any regulation of wages in any other part of the country.

You mean, in the rural areas ?- Yes.

But supposing the law should apply to all occupations, irrespective of where they are carried out, what attitude would you take up towards that ?- If there were a set regulation of wages, I would not have any objection.

Now, Mr. Borain, from the point of view of the Chamber of Industries ?- (Mr. Borain): I think the Chamber of Industries would be totally opposed to wages determination in connection with Natives. I think the experience we have had in Durban in the past has not been too happy with regard to wages determinations, and we certainly would not favour a wage determination as far as Natives are concerned.

In what way do you consider it has not been too happy ?- Well, take the wage determination in connection with shop assistants; that has certainly been modified very materially, but that determination, when it was brought into force, had the effect of creating quite a good deal of unemployment. Certain employees were quite willing to work

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at probably the rate of pay they were getting, but, when rates of pay are pushed up because employees remain in service for a period of years, especially under present conditions, employers are not able to pay those wages and, therefore, the employee has to go. He was quite willing to remain at what he was getting, but, when wages are determined for employer and employee, it simply means that a number of employees have got to go. That is one reason why we are strongly opposed to a wage determination in connection with Natives.

MR. LUCAS: Are you aware of the fact, taking the European employees in those 872 shops for March 1928 and September 1930, whereas there were 13,009 in 1928, there were 13,484 at a later date. So, actually, during a period of depression as compared with one of prosperity, the same firms were actually employing 465 more Europeans at a much higher average of wages than the minimum laid down by the determination? - Our experience, Mr. Lucas, has been that a number of young fellows who have been with firms for a number of years, when the wage determination was brought into force, were looking for jobs.

I am putting to you the figures that the investigation reveals? - It is probably due to more firms opening up; I do not know.

No. We expected that argument, and so we took the same 872 firms? - That may be so. I am not here to refute your figures; but the figures I have - I am not a commercial man - but the number I have had of applications from young fellows who were employed in businesses prior to that wage determination coming into force, proves to me that it had a very undesirable effect and, on that account, I am strongly opposed to a wage determination as far as Natives are concerned.

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Are you opposed to it generally, or only as far as Natives are concerned ?- I am opposed to it generally.

That I can understand. Now, take the case of the Natives today; it is estimated almost generally that they are underpaid for their needs; are you going to allow that to continue ?- No; I quite agree under present conditions the Natives are underpaid.

What is your remedy ?- I would much prefer to see an Industrial Council, by which the employer has a chance of putting his views forward. It is a case of collective bargaining, I may say, but there the employer has an opportunity; with the wage determination he has not that same freedom^{as} when he is simply meeting his employees and discussing matters.

MR. MOSTERT: Are your views that it is simply a matter of supply and demand and a matter of trade ?- Yes; I think those things rectify themselves.

At certain times you may be able to afford to pay your employees more; when bad times come you cannot pay them more. Is that the case ?- Yes, that is so.

Therefore, it is a matter of supply of demand, - a matter of trade; that is your objection; that is what you base your argument on ?- Yes.

CHAIRMAN: I would like to know whether any other members of the Chambers would like to put their views forward on this question ?- (Mr. Mitchell): There is just one thing that occurs to me. I was only just recently told that there was a likelihood of a wage determination for Natives and I right when I say there is only one industry so far that has a wage determination for Natives, and that is the baking and biscuit industry?

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No; there are two or three others in which the Native wages are regulated; but in Bloemfontein, the unskilled workers as a whole, in almost all the instances are regulated; but ~~not~~ ⁱⁿ all the industries, except shops and firms that have been dealt with by the Wage Board in Durban, the Natives are covered as well? - Well, now, take the baking industry; I am in the milling industry and I meet all the bakers. I have had a lot of talks with them about the wage determination as affecting Natives. I will tell you what I have gathered from this; of course, they think that the underlying principle of this determination was to find jobs for White men - to displace the Native in the bakehouse by White men; but they tell me definitely that, if that is the idea, no youngster will succeed at all; they will not get a level run of White men to do the jobs; they will be there for a fortnight, will then quit the jobs and go and look for something else.

MR. MOSTERT: I would like to know whether there was an increase in trade in March 1930? - (Mr. Brown): There was a big decrease. (Mr. Butcher): A large number of firms went out of existence.

MR. LUCAS: The same firms for those two periods went up by 465 on 13,009? - (Mr. Borain): The suggestion put forward by my friend on the right, a quite a number of firms went out of existence, a but the firms who were in existence and were able to weather the storm, employed more hands because there was more business. (Mr. James): I do not know whether we are unduly stressing the question of the Wage Board determination. Opposition to the Native determination has been raised on account of the unworkability of the White determination. Mr. Lucas, to my mind, is drawing

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quite a red herring across the trail; I think he has tried to prove that the wage determination had not failed, because the wages paid in a stated number of firms were larger than they were before the determination came in, but I think he is altogether ignoring the evidence we led in this Chamber, from representative houses in Durban, shewing actually the number of people who had been discharged on account of wage determinations. I think it is only fair if Mr. Lucas mentions the one point, that he should mention the other. There is no doubt about it that the wage determination that was laid down for Durban - the first wage determination - was not a success. There is no doubt about it, to my mind, - and I have had a lot to do with the giving and collecting of evidence - that the Wage Board themselves were very relieved to find that there was assistance forthcoming to try and turn that first wage determination into a better and more workable determination; I am quite sure on that point; but I would say that one of the greatest objections to a wage determination is, it is difficult to carry out and, I think, the Labour Department will confirm what I have to say in that respect - that it is very, very difficult for them. They would require an army of inspectors to see the wage was carried out. If you have a wage determination for Europeans or Natives, you will find the more responsible firms will see it is carried out, but the smaller firms will not carry it out; and it is beyond the power of the Labour Department to see that it is carried out. That, to my mind, is the great objection to any wage determination.

CHAIRMAN: Do you consider there was considerable

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evasion ?- Yes. (Mr. Mitchell): I will come back to the baking firms in Johannesburg, where they had a wage determination. The more responsible firms did carry out and pay these increased wages, but the irresponsible firms did not pay the wages and were three times in court and won. The firms who were honourable concerns and who paid the increased wages, lost all that extra as against the little fellows who did not pay a brass farthing more.

How do you reconcile the figures Mr. Lucas has given of the increase in the total number with the definite cases of unemployment known to you; how do you reconcile your knowledge of the individuals who were displaced with Mr. Lucas' figures shewing a larger average employment ?- (Mr. James): We cannot reconcile them.

Mr. Lucas suggests displacement of individuals ?- I think there might have been a certain amount of displacement. We are giving employers' evidence, very largely, and I think you will find that is confirmed by the representatives of the employees themselves. I am quite prepared to abide by what they thought.

MR. MOSTERT: When did the depression begin ?- About a year last November, and reached its most acute point, I think, last November.

November 1930 ?- Yes.

This determination is from March 28 to September 30, &- there was no depression then ?- I really think about the end of last year was the low drop of the depression.

When did it begin ?- About November a year ago; that is, November 1929.

Well, this is March 28th. We will call it November

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1929; that was over a year and a half of prosperity ?- A year and a half before when? (Mr. Mitchell): A year and a half.

CHAIRMAN: Would you suggest, Mr. James, that employers forced with the necessity to employ the wage determination got rid of their less efficient people and substituted them by more efficient people ?- (Mr. James): It is very difficult to tell what happened. The only thing we know about the wage determination was that it ^{re}acted very harshly on a very large body of people. If the idea behind the Wage Board was, if a man is not efficient after five years, then he ought to go out of commerce, I have no quarrel with that; that is the effect of it; a lot of people were not efficient, but got the minimum wage and they went out. We brought evidence to shew that they went out. We are giving this evidence to shew the Commission that we are very, very suspicious about the Wage Board determination and we think it is just as bad in commerce where it is impossible to standardise certain jobs for the Natives, as it is for the Europeans.

MR. LUCAS: I think what is behind the term of reference we are dealing with, is the wage of unskilled workers, for which there would be no grades at all; there would be just the one wage. Do any of the objections you raise apply in a case like that ?- Yes, because I think you cannot standardise even unskilled labour.

Take Bloemfontein; it was found a number of Natives there were being employed at as low a wage as 1/6d a day, and found themselves in everything. The building trade were paying 2/6d a day and the building industry 3/6d a day for

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unskilled labour. That is now the minimum wage for unskilled workers, in the occupations to which the determination applies. That is working without any difficulty in Bloemfontein. Why should not some form of regulation work just as well in Durban and give Natives the protection which Mr. Borain admits they need? What objections can you have to the application of the Wage Act for such purpose; that is the point we want to get at.

(Mr. James): I would like Mr. Thompson to give his opinion on those points. (Mr. Thompson): Carrying on what you said, it is practically impossible to standardise even absolutely unskilled Natives. Some of the unskilled Natives are worth quite a decent wage; others are hardly worth anything at all. I should say 90% of the Natives who are employed in Durban are tribal Natives and, when they come here, they often know almost nothing; you cannot even trust them to move something without their smashing it. I think most of the Natives who work in Durban, who have reached any stage of development, are getting pretty good wages today.

MR. MOSTERT: What are the wages? - Well, I heard just now the Corporation Officials saying that 2/- was the minimum fixed by law, but that, in the shipping area the daily paid Natives, who are 90% tribal Natives, are getting about 4/-.

In the stores, generally, I am now talking about? - I do not know really, but I think the efficient storeboys are pretty well paid too.

MR. LUCAS: Have the figures changed in the last four years? I will tell you why I ask, because we made an

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investigation then into the wages of storeboys in Durban. The great majority were getting £2 to £2.10.-, plus mealie meal and quarters 4/- Well, in shipping at the Point, the greatest employer of labour there is the South African Railways Administration, and we employ a large number, too. I daresay we keep about a thousand, and they about three or four thousand, and their Natives are paid and housed and looked after on exactly the same scale as ours.

MR. LUCAS: What is that ?- Well, they get from £2.5.- to £2.15.- or £3 a month, according to their time of service and ability, and they are also properly fed and housed and they get medical attention, which is worth another 30/- a month. It costs us 30/- per month per man to feed and house and look after our Natives. Now, they are reasonably^{bly} satisfied, because they come back - they work about six months in the year, or perhaps a little longer, go back to their homes, and then come back to us again; for the last six months we have always had about ten to twelve - that is, doing nothing - simply waiting until somebody drops out and they come into the job again.

MR. MOSTERT: You do not recruit labour ?- We have not done so for some years; we used to, through the Recruiting Corporation. Our Natives cost us about 3/-. Of course, we have many days, - this shipping business is not like a factory - we have many days in which these Natives have little or nothing to do and they have to be paid all the same.

You are a lucky man to be able to afford that ?- You cannot do that. The Government has to do the very same, - the South African Railways.

CHAIRMAN: With regard to the question of the right of Natives to trade in urban locations; what have you to say ?-

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?- (Mr. James): I would say that the Native should be allowed to trade there. The Indian is allowed to trade in the country and I see no reason at all why a Native should not be allowed to trade in a Native location. As a matter of fact, my experience is that a Native as a rule is not really a born trader, but I see no reason why a Native should be prohibited from trading in a Native area.

Mr. Borsain, does your Chamber hold any views on that point ?- I am afraid we have not given that any consideration, but I certainly agree with Mr. James that there should be no objection to a Native having trading rights there. I would like to say a word about the rate of pay for this unskilled work. The degrees of unskilled work probably vary as much as the skilled trades do; for instance, in the business with which I have something to do, we have probably four or five grades. The ordinary boy comes in and acts purely as a labourer, does the lifting and that sort of thing; he does not require the same degree of skill as, perhaps, a boy working in the blacksmiths shop. These boys become very useful strikers. The same thing applies in a boiler-maker's shop. Some boys you have for years become very skilled at holding up the rivet; others are hitting rivets and so on. There are various degrees which one scale of pay would not cover. That is the point I would like the Commission to understand. If you are going to bring in a wage determination for Natives, there will have to be varying degrees in accordance with the absolutely unskilled and the various phases as they rise to the semi-skilled work.

MR. LUCAS: Are you aware that your Borough Council,

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at the beginning of last year, asked the Government to make a determination for unskilled Natives ?- (Mr. Borain): I am not aware of what our Council did; they do a lot of very silly things at times.

CHAIRMAN: There was a third point, you will remember, that I indicated we would welcome your views on; it is a point that has been specially referred to us for report; the question whether it is desirable to create near European areas, areas in which the Natives shall be allowed to buy the stands. Have you any views to express on that point ?- (Mr. James): I am afraid I could not give you an opinion on that. I think my personal view on that point is, that a Native in a Native area, - I cannot see any reason why a Native in a Native area should not buy land; I do feel that the Native should get the same facilities to buy that an Indian has to buy all over the country, provided that the land was in the Native area. But it would be very largely a question on which you would get very much better evidence from the Estates Manager of the Corporation, which deals very much more with Natives settling on the land than does the Chamber of Commerce.

Do any of the other gentlemen wish to express a view on that point ?- (Mr. Brown): There is one question which, I think, ought not to be lost sight of - that is, if too high a minimum wage were set, it would mean a large number of these Natives coming into this town would never be able to obtain employment at all. I do not know what the supply is in Bloemfontein that Mr. Lucas speaks about, but I should not imagine there is the very big supply that

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there is in Durban. It might have the effect of these Natives who come into town being unable to obtain employment, owing to the fact that the employers would decide that they were not of sufficient value to warrant their paying that wage.

But now, if those Natives came in here and found no employment, what do you think would happen? - Well, that is the point. At the present time, they will come in and be taken on a low wage, gradually make themselves of more use and become more efficient, but I am certain that a very large proportion of the Natives coming here straight from the reserves or from the locations know nothing, and are of very little value and will never get the opportunity of making themselves of sufficient value. I am sure we all feel the economic position of the Native ought to be improved, but if the determination is made too high, it will react on a large proportion of these Natives to whom I have referred.

Why should you assume that the determination would be too high? - I am only issuing a warning on that, not with the idea of trying to keep the wages down too low, but with the idea of making it possible for the raw Native to get employment. I am sure, in all our businesses, if raw Natives came round, we would never employ them.

(Mr. Baumann): When we had a wage determination, we naturally looked round and got rid of this fellow and the other fellow and so on. With regard to the Wage Board determination, no provision can be made in regard to an employer of labour - an employer can evade the Wage Act, provided he does the work himself. An employee cannot be employed after hours; he takes advantage of it himself.

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Can the total effect of that be very great? - Most ^{off us} decidedly; it makes a big difference, taking bread/~~after~~
~~hours~~ would say "I am very sorry, you will have to cut down our requirements, for the reason that we can get a better service with hotter bread after hours". I, as Chairman of the Bakers' Association, have had frequent calls recently, and they say, "I am not going to ~~make~~ bake today, I am going out to deliver". Unless we can get some very rigid supervision dealing with these matters, these fellows will evade the Act.

MR. LUCAS: That is not a point that will apply to unskilled labourers, is it? - No; it is a point that applies to the Wage Board.

And it is a matter that can be regulated by the Provincial Council and the Shop Hours Ordinance, is it not? - Yes.

CHAIRMAN: Are there any other points on which you wish to lead evidence? - (Mr. James): As regards the other points mentioned, - as regards the proportion of Native trade that is done, on thinking this matter over, I am quite convinced that it would be impossible to give you accurate figures without a tremendous amount of work, which I do not feel prepared to do. The only way in which you can get accurate figures, would be through the Customs Department. You asked the other day about the proportion of trade done with wholesale houses; I can go much farther than that and tell you, if you cut out the large centres like Durban and Maritzburg - the local trade - and then take all the rest of the town and country stores and Native stores in the Native areas, which are included in the hinterland_x of Durban, I think, I am quite sure in stating that at least half of that business is Native trade, directly or indirectly. Mr.

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Brown thinks more, but I think I am quite safe in saying it is half, due to the Native trade alone. So that will shew you that a very big percentage of the total imports coming into this country of soft goods, which are very highly rated for duty, find their ways into Native stores for Native consumption.

But they are particular line ?- Yes; we can give you information about the lines.

We want information ~~about~~ which lines, so that we can trace them back through the Customs Department ?- If you would like a list of Native lines, - there are somewhere between thirty and fifty, - we will give you that with pleasure.

Yes; if you could send us that at your convenience. Are there any other points, Mr. Borain, on which members of your Chamber wish to give evidence ?- (Mr. Borain): Evidence was given just now about certain individuals evading the wage determination. In the engineering industry, we have an Industrial Council. In order to carry out the agreement, we ourselves have to pay an agent. The ^UGovernment does make the laws, but we have to find the wherewithal to see those laws are carried out. In spite of that, there are certain individuals who will evade the Act, so if you are going to bring in a wage determination, ^{where the} ~~we consider~~ the onus is entirely on the Government Officials to see the Act is carried out thoroughly, I am afraid they are going to be very much worse off than we are with our Industrial Council.

MR. LUCAS: On that point, Mr. Borain, there is a big difference, as far as the Natives are concerned, because every ^{contract} ~~Native~~ has to be registered and that has been found in other towns to facilitate enforcement as far as the Natives

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are concerned ?- That means more expense to the employer. It seems to me that whatever you bring in force means another load for the employer to carry.

How can it be any more for the employer than it is today do the registration? You said it would cost you more; how can it cost you more to register a contract under a determination than it costs you today ?- It ^{may not} ~~would~~ cost more in actual money, but it means somebody's time has to be taken up to see those contracts are registered.

You have to do that today ?- Certainly; and we know it takes up a lot of time.

Why should it take up more time under a determination? I take it it is going to be another contract.

Each contract has to be renewed and registered; how can it cost you a penny more than today ?- I naturally assumed it was an additional one.

I would like to put to you a point that was put to me here, not by the Native himself but by a gentleman who assured me that the Native was a very clear-headed man and that was that one reason why the Natives preferred to trade with the Arabs - Asiatics - was because the Asiatic will shew them anything they want to see and not treat them as if they were turning a dangerous person away who might turn away other customers. If he goes to a shop in West Street or any other shop in a shopping area, the assistant makes him feel as though he might be driving away other customers and that it was not worth while shewing him the goods. Is not that a manner that your Chamber of Commerce should study ?- (Mr. James): I do not think I complained about Asiatic competition.

No, not you; but Durban generally ?- (Mr. Browne):

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That would not apply to the wholesalers. ~~XXXXXXXXXXXX~~ I think it is correct, especially in the country districts. Of course, I think, in justice to the European, you must realise the way in which a Native goes about a purchase and the length of time that he will take. The ordinary European has not got the patience that the Asiatic has; that, I think, has a lot to do with it; and, although the Asiatic is an expert at bargaining, he will ask a price and then be prepared to take 25% less. Is it their nature, and I think an European may think it is infra dig. So, if he has quoted one price, he is going to stick to it.

(Mr. James): I think that point really only refers to a place in the town where there is mixed trading. If you deal with the Basuto trader in Basutoland in the Native area, you will find he is just as effective a salesman as any Indian is.

But I put it as peculiarly a Durban problem, the problem I mentioned? - We cannot quite catch the bearing.

It is with the idea of the European getting a large share of the Native trade? - The Europeans have a lot of the Native trade.

I am talking about inside Durban? - You have to remember, too, that these wage determinations are not carried out.

That statement is a very big exaggeration; for one case of evasion, we get statements that it is hundreds? - If you ask your inspectors, you will find they are very suspicious

Marianhill Mission and Catholic African Union
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FATHER JOHN BAPTISTE SAUTER, Marianhill Mission,

MR. BARTHOLOMEW BURKETT GELE, Secretary, Catholic African Union,

called and examined:

CHAIRMAN: We had evidence from Father Kerautret about the Catholic African Union, but your statement contains some information which I would like to have amplified, particularly on the Marianhill People's bank. Now, your deposits of £2,300, is that deposit derived purely from Natives ?-

(Father Sauter): Yes.

Is that made up of a large number of small deposits ?- Yes, chiefly small deposits.

Have you any idea of what your biggest deposit is from any individual Native ?- It is something over £70.

And going down to probably a couple of pounds ?- There are many as low as a pound.

How is this money used by the Bank ?- It is deposited in the Building Society.

What proportion would be lent out ?- About £400.

For what purposes do the Natives borrow the money ?- For buying farms and other purposes - such as buying plows and other farming implements.

But £400 will not go very far towards buying farms, will it ?- There are just two of them; they get assistance in buying small pieces of land.

Is that small pieces of land adjoining the Umlazi ?- No; one of them is at Highflats.

But do you insist that the money borrowed by Natives from you shall be used for productive purposes ?- Yes.

Why is such a small proportion borrowed by the Natives ?- We found it was rather risky at the beginning to lend out too much money to Natives; so we gave them small loans.

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It is your policy to give loans only to people whom you know can use them ?- Yes.

You say, "The most flourishing branches of farming associations", etc.; how many farmers associations have you ?- About seventeen.

Are they all in Natal ?- Yes.

And Co-operative purchase societies, how many ?- In Natal we have only one; the others are outside Natal.

One co-operative society ?- Yes.

Where is its headquarters ?- Marianhill.

And savings banks ?- Twenty altogether; of course, they are very small ones.

The Marianhill people's bank is the biggest ?- Yes.

Now, with regard to this mission for Izibazu; do you find that is a common thing in spite of the Code ?- Yes, it is very common in Natal.

But is it in conflict with the Code ?- It is; but if there is nobody to sue ---

But what about the person who has to pay ?- They are afraid.

Why ?- It is their custom.

But if it is their custom, surely it cannot be very wrong ?- Well, it is the general custom, everywhere in Natal.

If it is the custom and the Natives put up with it, naturally and will not complain, do you think it is necessary to do anything about it; are not we trying to force them to do things which they do not want to do ?- In the same way as the number of lobolo cattle has been determined by the Government, so it is suggested that the Izibazu should also be determined.

You do not suggest that it is necessary to discontinue the custom altogether ?- You mean, the Izibazu ?

Yes ?- If it could be done, it would be so much the better.

Do you feel that with regard to lobolo, too ?- Of course; but it would be impossible at present.

Do you think lobolo should be something which should be discountenanced ?- I should say so, personally.

MR. MOSTERT: What interest do the depositors get ?- Four percent.

At what rate do you lend it out ?- $7\frac{1}{2}\%$.

And you have a little over £2,000 ?- Yes.

Our of which £400 has been loaned out ?- Yes.

That cannot be a very paying proposition to you ?- No, it is not much; it is just to help the people to help each other.

MR. LUCAS: You get £30 interest and pay out £90; 4% on £2,300 is £90, and $7\frac{1}{2}\%$ on £400 is £30 ?- Yes.

You get more than 4% on the rest ?- 5% .

MR. MOSTERT: Oh, I see; it is reinvested in a building society ?- Yes.

CHAIRMAN: So you are building up a reserve fund from profits ?- Yes.

MR. LUCAS: What is your idea of what should be done on this question of power of self-government in small communities ?- Of course, our immediate aim is to help our communities; to raise them to a higher standard of living, but ultimately I think they should get some kind of self-government as communities.

You mean, your own community ?- Especially our own community; on our main farms, for instance, but I think also in locations.

You want it generally ?- Yes, because at present the

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chief has no council; his council are not the representatives of the people, and we want to train people to get some interest.

Is your experience the chiefs are autocrats? - Yes, partly; I should say, if they had a council representing the community, it would work better than it does now.

What I meant was, do you mean us to understand that in the areas you are acquainted with, the councils have no influence over the chiefs? - They may have some influence, but they are not really representing the people themselves.

MR. JAMES MHLKULI NGCOBO and

MR. DANIEL LINGA DAMPUSA DOPEIA, called and examined:

MR. LUCAS: In this statement of yours, you say that Natives do not want to be fed by the employers. Do you want us to gather that that is the general view of the Native? -

(Mr. Ngcobo): I wish to speak in Zulu, sir; I have a reason for it. (The Rev. Dube acted as interpreter):

The first question I asked was, in this statement of yours, you say that the Natives do not want to be fed by the employers; are we to understand that that is the general feeling of Natives in Durban? - It is, sir.

How many members has your Union in Durban? - On our register we have 6,040 members.

Are those permanent members who subscribe, or are they just people who pay once and then cease to pay? - They pay, but not satisfactorily, because some of them go away and do not pay while away; when they do come back they do pay.

Now, one of the points that is made to us is that the tribal Native who comes into Durban requires only a small wage

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because his family can live to a considerable extent on what they can get from the land in the location. What is your view about that ?- We do not hold the same opinion.

What is your view ?- The Natives in the locations have the same expenses as those in the towns. It has been made clear by what the Town Council representatives said, that whatever a man gets here he pays for himself - such as for lodging, electric light and water, he pays for himself.

Is the Native who comes to the town from the locations in the position that he has to support his family for a large portion of the year ?- A good deal of the wages earned by these Natives have to go back to the reserves; they use it for food, education of their children and ordinary expenses, and for paying dipping fees and taxation, while they are in Durban working.

It is suggested that, if the wage were raised in Durban, that would attract a larger number of the Natives from the locations to the town than is the case at present; what is your view ?- I do not agree with that statement, because all the people who need work at present are in Durban, in spite of the fact that the wages are low, because they want money.

You mean, if wages were raised, the same number would have to come forward, but no more ?- Yes.

It is also said that if the wages were raised, the Natives who come from the locations would remain a shorter time in town, because they could earn the amount they get now in the shorter time and they would be satisfied with that and go back home more quickly; what do you think of that ?- That opinion must have been held by people thirty years ago.

Native Witnesses:

At present, with the high cost of living even in the location and the requirements of the people, there are no Natives who can remain any length of time in the locations without coming to work in towns.

No; but the point is, supposing that he has to earn £10 now; if, instead of taking him six months to earn £10, he could earn £10 in four months, he will only stay four months in town instead of staying six ?- The present Native mind is to acquire wealth, if they can get hold of it; if he earns £10, he would stay even two months longer in order to save the largest amount he is capable of.

Do you not find Natives coming to Durban to work until they can save a particular sum; as soon as they have got that, they go back home ?- The short period that some of these people spend in urban areas is not so much because they have earned so much money, but rather, there are certain interests which they have to go and look after in their own kraals with regard to their families. I want to compare ourselves and the Indians in that question; some Indians, if they are employed in a bar or hotel, remain there in the same job until they become old men, because they have members of their families in Durban; and our Native employers forget that the Natives must have family conditions at home. It is not so much that a person goes home because he has got so much money; an unmarried young man has to go home and court some young lady with a view to marrying.

So you do not think that any increase in wages would make any difference in the number who would come and the number who would stay - and the length of time they would stay ?-

Native Witnesses:

?- No, I do not think so.

Well, then, on page 3 of your statement, you speak about young Native girls cohabiting with White men; do you think that happens to any extent in Durban ?- There is a great deal of it.....

.....There is an organized gang now of Natives who are out at nights in the streets just to fight that thing; a lot of motorcars with White young men and Native women are stoned and some of the White young men are badly handled by that gang of Natives.

The Natives object to that, do they ?- Yes, they object strongly to it.

CHAIRMAN: How many cases of that do you know of ?- They do not usually make any complaints, the White young men, but I know of certain cases.

Well, how many ?- To my personal knowledge, I know of five cases. The cases do get as far as the police stations, and that is the end of them, and those who were stoning the motorcars containing the young men and the Native women are released and their cases do not go to court.

Do you think there is much in this point that you make about the Natives speaking more freely in court when the interpreter is a Native than when he is an European ?- I am quite sure of that.

MAJOR ANDERSON: Have you ever reported any of these cases yourself to the Police ?- No; I know of these cases, but have not reported the matter to the higher authorities.

CHAIRMAN: I see you want a wage of £8 a month for a single man; do you mean that a married man should get more than that ?- Yes.

How much more ?- I had not particularly analysed the

Native Witnesses

costs to a married person; just how much more he should get.

But you think he should get more ?- Yes, that is my opinion.

If that married couple have children, should they get more for the children ?- He ought to get more than £8.-

Should he get more according to the number of children he has ?- I cannot count on the children that a person has, but I submit the matter to the Commission to see from the £8 paid to a single man, how much more the married man should get.

I am not asking you how much; but a single man has to get £8 and a man and his wife more than £8; do you want more if there are children ?- A married man ought to have more than £8.

But if that married person has 10 children, ought he to get more than the man who has just taken a wife ?- I cannot distinguish between them.

If the law made £8 a minimum wage for a Native in Durban tomorrow, how many Natives do you think would get employment at that wage ?- I realise that there would be a good deal of Native unemployment; but I am putting forward a statement of what a Native ought to receive as wages.

And it does not matter whether the result is unemployment ?- Yes. I realise that, at the first introduction, there might be a good deal of Native unemployment, but I also assert that, after a while, the need of Native muscles in the various industries, would help to bring the Natives more into work. I do not think there is any town in the Union of South Africa where Native labour is not wanted.

Mr. Matibela

MR. ALFRED FREDERICK MATIBEIA, called and examined:

CHAIRMAN: In your statement, you state that the rent is from £2 to £2.10.- in the Borough? - Yes.

What sort of dwellings are those? - In most cases, the dwellings within the Borough are those put up by the Municipal Architect or the Durban Corporation; therefore, all the rooms must be in first class order.

Where are these rooms let at these rentals? - Some of these are along May Street and others are about Mattress Road.

Is that the highest rental charged or are all the rooms that rental? - That may be regarded as the lowest rental for what may be called decent rooms within the Borough.

Are there many rooms like that occupied by Natives? - There are not very many, but there are several of them.

Are these Natives who are earning more than the ordinary wages - more than the wages for unskilled labour? - Well, sir, it is only those Natives who deny themselves.

What sort of earning power have these Natives; do they get their ordinary 3/-, 3/6 or 4/- a day? - Regarding that sum of £2 and £2.10.-, by putting that in, I wanted to point out this difficulty for a Native who comes into the town to get a room in the Borough, that forces him into the outskirts of Durban, where he can get a room for 10/- or 5/-, or £1, or £1.5.-. That is the reason why I had to put that in my statement.

Do Natives rent the rooms at £2 and £2.10.-? - Not many; some of them do. I know of a Native clerk some time back who rented a room in May Street, who used to pay that, and there is also another Native, a doctor near Sydenham, on Sydenham Road.

Mr. Matibela

Are those the only two cases you know of ?- Yes.

Why do you consider the premises of the Native Commissioner are not suitable ?- Because, in the first place, they are not sufficient to accommodate the large numbers that are sent there and the Natives, when coming to pay their tax or when they come in connection with civil or other matters, they have to overcrowd the premises and eventually stand on the road, and when the sun is very hot, as well as when it is raining, they suffer. Therefore, taking all these things into account, I say the premises there are not suitable.

Now, with regard to Native domestic servants, you give reasons why the men are preferred to the women and then you end up by saying, "They are not easily overcome by feminine influence"; just exactly what does that mean ?- I mean this; female Natives know they were sent here by God to get married to men, and that is their object in life. When they are led ~~ask~~ off by any young man, they do not care how much they are getting from an employer, they will submit to what the young man says and go away; but a male knows he must work for his family and that he may get married; he will not leave his employer and go away, he will stick to his employer and work and, at the same time, keep his sweetheart under his influence.

I do not understand your statement that the men are not easily overcome by feminine influence ?- What I mean, sir, is this; supposing you engage a female to work for you and some man makes love to her and says, "^{Will} ~~if~~ you come with me to Maritzburg tomorrow and marry me?", she will go with him and marry that man, because she knows she must at last get married to a certain man; but a male will not be called away by his female friend.

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Mr. Matábelá

MR. LUCAS: You say no Native is allowed to enter an European house wearing boots; is that a rule in Durban? - Sometime it used to be the case, but it is not now; things have changed, which makes me say that good feeling between Europeans and Natives is rapidly gaining ground, and that thing cannot be spoken of now as it used to be in the years that have gone - say 20 or 30 years ago.

Do you think there is a better feeling now than there used to be? - Yes.

MR. SIEGFRIED AUGUST FRIEDRICH OELLERMAN,

called and examined:

CHAIRMAN: You say in the last paragraph of your statement that you wish to express your views on questions affecting the administration of laws and especially on polygamy. Will you state, please, what you wish to bring before the Commission in that respect? - In regard to polygamy, I would say that that is a barbarian custom. It is still in vogue among the Natives. I consider it is a bad custom and should be abolished.

And about the administration of laws? - I consider that Native chiefs are not competent to try cases.

But now, what about cases under Natal law? - Even there I do not think they are competent. They are people who lead very careless lives in regard to liquor and such things and there is a good deal of complaint among Natives in the locations about injustice and corruption; I would definitely suggest bribery. There is a great deal of dissatisfaction about Native chiefs with regard to that. In regard to polygamy, I would like to add that the reason why

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I think it is a bad custom is because it tends to increase an already large population in the country, which is causing tremendous difficulties.

How can it do that ?- On account of the number of wives a man has, and so on.

Surely it does not matter a little bit how many wives one man has; those women are all there; all the Bantu women get married, polygamy or no polygamy ?- I would like to see whether that has not the tendency of creating or encouraging a bigger female number in comparison to the males. Nearly all Natives marry, and surely there must be a preponderance of females.

It does not follow ?- Well, I think it proves it. If all Natives marry and a large proportion of them have more wives than one, surely it proves there must be more females than males.

Do you think a large proportion have more than one wife ?- Yes, that is definite. Polygamy is practised to a great extent in the country; among unchristianised Natives even, there is quite a large proportion of Christian Natives who have more wives than one.

Your information is not very accurate on that point; there is a comparatively small number of polygamists in the country ?- I do not desire to contradict you, but the facts are there nevertheless. There is also the point of lobolo, which I have omitted from my statement.

Yes; as a matter of fact, on the question of lobolo, we have been bombarded with information for so many months, that I think we have heard all there is to be said as far as it affects our terms of reference ?- There is only one point I would specially like to stress in connection with

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lobolo. Among the Native tenant population in Natal, it is causing a serious state of affairs; the Native tenant people through association with the White people, are usually in very strained financial circumstances and they are unable to pay the lobolo fee; This leading to the condition that at least 50% of the girls have two or three children before they actually marry.

Yes; I think that has been represented to us. We thank you very much ?- -----

MR. DOUGLAS NTOMBELA,

called and examined:

CHAIRMAN: How long has this Domestic Servants Association of yours been in existence ?- Seven months,

How many members have you ?- Between 50 and 60.

You make a number of points here and say that the quarters for domestic servants in houses are unhealthy ?- Yes. I would be pleased if the Municipal Authorities would take up the question of improvement of Native domestic servants' quarters in private houses; at present they are very bad.

You suggest that women ought to be brought into domestic service ?- Quite so.

Do you think there is any chance of doing that in the town ?- Not at present. If men were discouraged from private houses, I think they would get a chance.

You want the employment of women to be encouraged ?- Yes, in private houses.

Then, as far as rations are concerned, you say there is no variety of diet ?- No.

We were told today that there is an increasing

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number of places where domestic servants are now getting European food ?- I will explain that. So far as I have got information from my members, it is not correct to say that, because a servant has to wait to get the remains of the food that remains on the table and, when it is finished, he has to cook his own porridge, which he is told to cook.

Do many get meat and bread and other things that the European employers have ?- It is only when it remains that he gets it.

THE COMMISSION ADJOURNED AT 6.20 P.M. UNTIL 9.30 A.M.
WEDNESDAY 8th APRIL TO HEAR EVIDENCE AT PIETERMARITZBURG.
