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to come into town for domestic service, but there are a few who have been trained and they make excellent servants.

And do most of them or only a few of them live in the Woman's Hostel ?- No, only a few of them.

And where are the rest of them housed - do they live on the employer's premises ?- Yes, or otherwise they live with their parents.

Are any of the Maritzburg people making provision for better housing of girls and are they giving proper protection at night for these girls ?- No, not many. The Health Department sees to it that all Native quarters are provided with sanitary conveniences and that they are healthy.

But that does not remove the difficulty in the case of girls living in outside rooms ?- No, that is so.

Is the necessity for such protection likely to prevent any substantial increase in the number of Native women employed in domestic service ?- Well, possibly if there were more protection given to Native girls, more would be employed in town.

And, as a matter of fact, there is a very strongly entrenched custom to employ Native males ?- Yes.

So far as these licenses are concerned for training, which you refer to on page 6 of your statement, do they pay full licenses ?- Yes.

And do they trade under the same conditions as Europeans do ?- Yes.

Do you think this explanation which was given to you for the number of pedlers, namely that they had to take this up because of unemployment is correct ?- Yes, I think it is correct.

Are there many women who come into town every ~~weekend~~ Monday ---- who come in from Monday to Friday for laundry and

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and charring ?- Yes, there are many.

And that is the type which patronises largely your Women's Hostel ?- Yes, they get the cheaper type of accommodation.

Where do they come from ?- They come from the surrounding districts.

Do they come in over large distances ?- They come in from six miles, or so, from Sutherland and Edendale.

And do they come in genuinely for work ?- Yes.

That is a further instance of the economic pressure in their home surroundings ?- Yes.

Are there many Natives among the ones you mention in your statement who have to get food and quarters for themselves because they have families here ?- You are referring to the men who could get rations if they stayed with their employers ?

Yes ?- I do not know whether there are very many, but there are some. Some employers will allow their Natives, instead of taking the rations, that is a single Native or the unattached Native, they will allow them to remove the rations and take them to their homes.

Is that common ?- No, it is not common.

You started an advisory board here. How is that appointed ?- The Advisory Board is constituted under the regulations of the Urban Areas Act for the government of the village. Four Natives are elected by the Native residents in the village. Two are appointed by the Council and the Chairman of the Advisory Board is ex officio, or rather the Chairman of the Native Committee of the Town Council is ex officio the Chairman of the Advisory Board, so that there is a direct link between the Natives of the village and the Town Council.

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But in addition to that link, which is you, Mr. Harwin, does the Board at any time meet the Council as such ?- They have not done so so far.

Have there been any questions which would have made it advisable to have had a procedure such as that ?- I cannot remember any particular question. The majority of the requests from the village have been met sympathetically by the Council.

Now, you speak of the effect of the Urban Areas Act being to raise the position of the Natives. You say that one portion of the city, which consisted of brothels and shabeens run by Native women has been completely cleared out. Does that mean that these people have left the town, or does it mean that they have just moved to another area ?- Some of them, I think, have left the town, and others may have gone to other areas.

So you still have the cleaning up to do, only it is in a different part ?- It may not be in our town. They may have gone to other parts, or they may have returned to their own homes. At anyrate, they are not there any longer.

Now you mention the Industrial Conciliation Act, the Wages Act and the Apprenticeship Act, and you say that the general effect of these laws is that they have operated to the financial disadvantage of the Natives. Could you give us some detailed information about that ?- (Mr. Harwin): Do you mean that you want specific cases?

We should like to know why you have given that as your opinion ?- Specific cases have come to our knowledge, where, owing to the operation of these Acts, Natives have lost the employment they have had and have not been able to secure other employment. There have been specific cases of that,

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and, as the Natives become educated, they will be more Natives who, because of their qualifications, will not be able to get employment.

Which cases are you referring to specifically? Have you got specific instances under the Industrial Conciliation Act ?- I am not prepared to give you the specific instances at the moment, but they have been brought to our attention. (Mr, Stevenson): I know of one case where a Native was employed by certain cabinet works in town, and I understand from him, -- he is here -- that he was discharged as a result of the introduction of the Conciliation Act; the wages determination, ----, that is what he gave me to understand.

It was originally an industrial council, but it is now a wage determination. But have you no other instances ?- Well, there is the general case of artisans, Native builders and carpenters.

That is the Industrial Conciliation Act ?- Yes.

I should be very glad to get instances ?- I have had numbers of these men coming to me and saying that they could not work because the Europeans would not pay them the standard wages.

Yes, I can understand that. The building trade has been particularly hard on anyone excepting the skilled European. Have you any other trades ?- I cannot say, I do not know of any other instances which I can give specifically now, but there are Native witnesses who will give you that evidence.

It is a pity to have that down as a statement unless you have something definite to go on, because the statement speaks of three different classifications and all the statements mentioned are under the Industrial Conciliation Act ?- (Mr. Harwin): May we mention the case of men like painters?

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That is under the building trade ?- You may have had this brought to your notice before, but there are numerous painting jobs in town. You see, numbers of roofs which would be painted if the work could be carried out by being done at less than the standard rate. There are many Natives who could do it, but because of the standard rate of wages, they cannot be employed.

I do not think that many people are aware of the fact that the Act does not interfere with the owner who requires the work to be done for himself at his own premises. The Act only applies to people who undertake the work on behalf of others ?- No, quite so; I do not think many people know that.

Well, there is perhaps a hardship there. Do you think it has had the effect of preventing necessary work from being done in addition to keeping people out of employment? - Undoubtedly. Fear of being prosecuted for employing men and not paying the standard wage.

Are there any other sections which you would like to refer to, any other occupations with similar difficulties ?- No, it is a general complaint and I cannot go into detail.

Now you give as an explanation for what you say the somewhat illmannered and rather uncouth attitude of some Natives, which may be due to the somewhat overbearing attitude of some minor officials. Has that been common in Maritzburg or any other part of ~~Natal~~ Natal ?- I do not want the Commission to think that there are a great many things which have accumulative effect to bring about this feeling of hostility between the Europeans and the Natives. With regard to this one particular point, I do think it is responsible in a great measure for the reaction on the part of the Natives

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and their behaviour towards Europeans. One does not want to criticise the police, but I think more tact should be used by the police and by court officials and by less responsible officials generally in their behaviour towards Natives. These people cause a lot of trouble. Even Europeans, and particularly elderly Europeans, feel this and it is particularly so with regard to the Natives in the town and country and cases have been brought to my notice where Natives have come long distances to a Magistrate's Court to obtain some document or some license, they have probably travelled many miles. Three o'clock come, they are at the office but the shutter comes down. The clerk goes to play tennis and the Native has to wait, or he has to come again. The fact of the matter is that these Natives are treated somewhat roughly and that is responsible, to some extent, for this attitude of the Natives.

The younger Natives do not realise that there is a responsible body of Europeans who do their best for them, but there are many causes which operate. Then I consider that the influence of bioscope posters lessens the respect of the Natives for the Europeans. Addresses given on Sunday afternoons on the Market Square also tend in this direction. Then there is another thing, -- the fines, the heavy fines which are inflicted for comparatively trivial offences. It all helps. Perhaps it is unfortunate that this should be put down in this manner, but to some extent that is one of the causes.

Have you any opinion to offer on this, Mr. Stevenson?—
(Mr. Stevenson): I am in agreement with what Mr. Harwin said. I think a lot more sympathy and more kindly treatment towards

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the Natives in official offices would be beneficial.

Would you say that in the last five years there has been no improvement in that direction ?- I would not like to say that there has.

MAJOR ANDERSON: Do you agree that the present rents charged for Native houses in the village, although they are sub-economic, are still rather beyond the resources of the Native ?- (Mr. Harwin): I believe they are. I do not think that the resources of the Native are equal to the burden of paying those rents.

How do you think that position has to be met -- it is an unsatisfactory position ?- Yes. I take it that you are asking me that personally, really. I really consider that there should be an increase in the rates of pay of Natives generally.

And do you think that that should be done by a wage determination for unskilled labour ?- No.

Then how can it be done ?- One realises that it is difficult to bring about these things without Government action, but the difficulties which have resulted from the wage determinations for Europeans would be accentuated very much for Natives. It would be a system, after all, which a Native does not understand. I think it can be brought about when one considers that the wage which is paid for togt labourers would, in all probability, influence the wages all round. With the present wage fixed by the Council for togt labourers, at 2/6d per day, one finds certain conditions arising. As a matter of fact, in practise these men are paid 3/- per day, - that is so, almost universally, in practise. But if a boy proves unsatisfactory, the employer will be quite within his rights to pay 2/6d, although, actually, in practise, the

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wage is 3/-; -- I think that the general increase in the wages of Natives could be brought about if the wage for togt labourers were to be increased. That increase would then gradually spread over the Natives in other employ.

Can that be enforced - what happens if the employer pays less than that ?- Yes, It can be enforced.

Are there any cases of under-payment ?- I do not know of any. (Mr. Stevenson): That is the togt rate which is fixed and the togt Native can demand that before giving his service.

CHAIRMAN: By whom is it fixed ?- It is fixed by the regulations under the Native (Urban Areas) Act. (Mr. Harwin): I think the Native in domestic employ is not so badly off.

MR. ANDERSON: I just want to clear up what the machinery laid down is ?- We have the regulations under the Native (Urban Areas) Act.

And is there provision for fining an employer for underpayment ?- No. Before a European can demand the services of a togt Native, he must pay the standard rate, but if a Native agrees --- he may be an old man, for instance, or a youth --- to work for less, then he can do so. But the regulations provide for the recovery by criminal process of the back pay at togt rates, when the agreement entered into was that togt rates should be paid. When a Native carries a togt pass, or a togt badge, he must give his services to any employer who demands them. The idea of that is to prevent vagrants coming into town, but when a man's services are demanded, then the fixed rate must be paid, and, if that rate is not paid, then the Native can complain.

But if there were a big surplus of togt labourers

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and the employers only took them on at reduced wages, then it would not be effective ?- No.

It would not be so effective as the wage determination ?- (Mr. Harwin): No, that is so. Personally, I think that the wage determination would act adversely on the Natives.

Do you think it has done so in Bloemfontein ?- I do not know.

There is a great deal of difference between the wage determination for unskilled and for skilled labourers ?- Yes, that is so.

CHAIRMAN: The one is a pure minimum wage for an unskilled labourer without anything else, whereas the other involves all the questions of grades ?- Yes. May I just correct a statement which was made before the Commission yesterday, to the effect that a togt boy had to pay 2/6d.

That was corrected ?- I am glad to hear it.

MR. LUCAS: I want to put a few questions on this point. What objection can there be to fixing a minimum wage for unskilled work, either in one industry or in all classes of industries in town where there are none of the difficulties of grazing and where it is admitted that the class of employees today are getting a wage which is too low ?- Just a minimum wage for Native workers in employment?

Yes ?- I cannot see any objection, if it were simplified to that extent. One could not raise any objection, seeing that the principle is adopted here, of fixing a minimum rate for togt labourers. ---- Does that include domestics?

No, they are kept out of the Wage Act at present ?- I do not think that the Natives in domestic service are badly off, but the pressure is on Natives who are living apart from

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employers, but the ordinary Native in domestic employ is not badly off.

CHAIRMAN: Do you think that the other class living apart from their employment, - do you think that for them their wages are inadequate ?- Yes, I certainly do.

Dr. Wood, could you give the Commission an indication of the general health condition of the Natives in this Borough ?- (Dr. Wood): I suppose that if I gave you the statistics of the deathrate and so on, that that might answer your question?

In regard to mortality for particular diseases, --- all we are interested in are the predominant causes of death? - The best way, I suppose, to indicate the position as to whether the Native is more unhealthy than he should be, is to compare his deathrate from certain diseases with that of the European and the Asiatic. As regards tuberculosis, the number of deaths occurring here in the year ending 1929, --- I have taken that year, not for any particular reason, but I simply took that in a hurry when coming along, ---- the number of Europeans who died from tuberculosis were three in that year. The number of Natives was 24. Now, the Native population is rather more than half of the European population. There is a Native population of 12,000 and an European population of 20,000; so that is a relation of 3 to 45. With regard to Asiatics, who have a similar population, the number of deaths was 11, as compared with 24 for the Natives. I just want to say in regard to these statistics, that they are in no sense reliable. The registration is so defective that you really cannot form any definite conclusion from them as to what is happening with regard to

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the health of the Natives.

Are you referring to registration of deaths ?- Yes, to start with. This is the point. The Natives are not seen by doctors before they die, unless they go into hospital, or if they are seen, they are only seen at long intervals and noone knows anything about them, and their death is registered, provided it is due to ordinary causes, it is registered as lung complaint or something of the kind, or as regards tuberculosis, it is very difficult to give any precise statement, and you have to take these figures just for what they are worth.

Do you mean, the causation of death cannot be relied upon ?- In the register of deaths ----

Because you are aware that, even with the Europeans, there is a considerable margin of error ?- There is some. Every European death must be attested to by a doctor.

Not must be, but 90% are ?- In the Municipality they must be.

All your deaths will be registered ?- Yes.

But it is the statistics as to the cause of death which are not reliable ?- All the deaths which occur are supposed to be registered. I suppose that, to all intents and purposes they are registered, but even that is not certain. But there is another source of error and that is that a large number of Natives come into the town for treatment and they come to stay often with friends or in the neighbourhood of friends and, if they die, they are registered as having died in the town and they are registered as citizens. So you cannot look upon a figure of this kind as anything like a correct representation of tuberculosis.

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Is it possible for a person to be buried here without a burial order ?- No, a person cannot be buried in the cemeteries without a burial order.

Well, where are they buried then ?- We have 40 square miles here, a lot of which is very sparsely occupied.

Do you think that they take the bodies out of the rural areas ?- The Natives may be living in the rural area, or they may be living in the country just outside.

The town lands are included in your urban area ?- Yes.

Do you know of specific cases where bodies have been buried in that way ?- I do.

So your registration is not complete ?- Yes. We do not do the registration, it is the Magistrate who does that.

There is the problem of the disposal of the body ?- Yes, and then, of course, there is the question of the diagnosis, which, in tuberculosis, is very difficult; and then there is also the question of domicile. It may be quite a temporary domicile, but the Registrar has to take what is given to him.

There is no facility for transferring out ?- We have not sufficient information to go on. Even though you may have the Native in hospital, it is sometimes very difficult indeed to find out what his address is. Therefore, I just put it to the Commission that although the relation of the number of tubercular cases between the Europeans and the Natives seems tremendous, it is not probably anything as great as it seems and when you come to the question of the Asiatics, the population if Asiatics is about 7,000, and they have a deathrate of 11, and if you double that to make a proper comparison, then it is 22 to 24. So the Native does not apparently suffer from tuberculosis more than the Asiatic does, who is living on the hill under better conditions than

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the Natives. Most of them are at anyrate.

Do you think the Asiatics are living under better conditions ?- They earn more money than the Natives and they live better on that account and, in addition to their wages, a number of them go in for market gardening. Now, that is in regard to tuberculosis, and then there is the question in regard to ordinary fevers. It is pretty difficult to make a comparison, because the only other disease would be enteric fever and there the number of deaths among the Natives is not larger than among the Europeans here as far as we can ascertain from the cases that are notified.

We have been told by a medical man that you can have enteric in a Native who will run about with it --- that the enteric will run its course in a few days and the Native will be about again in the course of a week without it even having been detected? - It would be a very mild form of enteric. The severity of enteric with the Native is just about the same as it is with the European and the death incidence is about the same. And the incidence of the disease generally is not high, not noticeably so more than among the Europeans. But, in regard to other infectious diseases, the Native is immune from things like diphtheria and scarlet fever. We get very few such cases among the Natives. Take the general death rate among the Native population, it is 16.9, compared with the European population death rate of about 8.5, which means that the Native death rate is about double that of the Europeans. But it is not any higher than the Asiatic death rate and it is lower than the death rate among the South African Coloured race. There is one point in the

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vital statistics which I should just like to refer to, and that is this vexed question of infantile mortality. It shews in the register as a very large figure indeed, but when one comes to look into it, one finds that it is not so large, it is probably not much higher than, say, the Asiatic mortality. The number of Asiatic births was 83, and the number of deaths in the year was 72. It would look as if 72 children out of 83 born had died, but when I went through these figures, when I took all these 72 children I went through the births' registers and I found that only ten of them were registered as having been born here in the past year.

Of the 72, you could only trace ten in the births' register ?- Yes.

MR. LUCAS: And were those ten among the 83 born ?- Yes. There were only ten who had died of the 83.

It might happen that they would still fall in the 83 who were locally born children, but born in the preceding year ?- No, I took it for the 12 months, a 12 months' baby. I took it from the date of birth of the children born.

Did you look back at the births within 12 months of the date of death ?- Yes. We went right back to the last child.

CHAIRMAN: Say a child is registered as having died on the 23rd February ?- Yes, and I started back to the 20th February of the year before.

That is much more accurate than the way which is applied even in European birth statistics ?- Yes. The figure of 72 is out of all proportion. The point is that a great many young children are brought in from surrounding area for treatment and their death is registered here, but they

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are not born here. And, further, a great many of the births occurring in Maritzburg, are not registered at all. There is no medical man attending and no nurse, and the Native does not know that registration is necessary.

CHAIRMAN: That is exceedingly interesting information because we have been on the track of this all along and I have not been able to get any figures that I am satisfied with. But now, could you take it the other way round, and perhaps, with the help of the Native Welfare Society, take these 83 children, or any number of children who have been born more than a year ago, and trace them and find out how many survived the whole year? - I shall go into it again and take this result first and then I shall take the year following this and go through it and then I shall try and find what data we can get to arrive at some figure as to the mortality here. We have a Native nurse moving about among the people, and one hopes to be kept in closer touch than has been the case in the past. In that way we shall be able to judge much more definitely. The death rate for infantile mortality is reckoned on a different basis than the other rates are reckoned on. The main difficulty comes in because we do not get all the births registered.

(DR. WOOD GAVE THE NUMBER OF 72 CHILDREN DYING OUT OF 83 BORN AS APPLYING TO ASIATICS. THE CONTEXT DOES NOT SHEW WHETHER HE MEANT THIS TO BE FOR NATIVES → POSSIBLY THE WORD "ASIATIC" SHOULD READ "NATIVE".)

There is one other point which I should like your opinion on, namely, the incidence of venereal disease among Natives. I know a good deal about that, because I ran a venereal diseases clinic here for nine years, but it is

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difficult to say just what the position is. I only know the incidence in this town and I do not know think that that incidence is heavy. The number of attendances at our clinic average about 60 to 70 a month; it was about 900 in a year, 900 to 1,000 attendances.

How many individuals? - I have not got the figures for this year, but I can give them for other years. There is only one point about that which I should like to mention and that is, during the last nine years that we have had a venereal disease clinic, the number of cases attending and the number of attendances have not decreased. It was hoped when we started treating venereal disease in this way that the arsenical treatment which seemed to cure the disease would have the effect of our not getting such large numbers in future and it was hoped that we would get a substantial decrease in the incidence of venereal disease within a comparatively short period. But one's experience has shewn that that is not so. There is always the question whether we are getting more Natives who have the disease, whether we are getting a larger proportion coming in for treatment. Well, I do not think that that is so. I think the disease is still not controlled.

Is there not another factor? In every town, you have a shifting population of Natives and whenever you get new Natives who have not been in a place before, where there have been these facilities, they may get confidence in this clinic and come in for treatment? - Do you think the confidence of being able to get rid of the disease more easily would increase the incidence of it?

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No, I do not mean that. I mean cases which would never have come for treatment, would come in for treatment if they had confidence in that treatment ?- Yes; although we are getting as large a number as before, it is possible that a larger proportion of those who are infected are coming in for treatment.

The fact is that you are always getting new people coming in from outside ?- Yes, that is so; but it is still very disappointing to find that there is still no substantial reduction in the number of attendances, in fact there is an increasing number this year.

MR. LUCAS: Do you come across any cases of miners phthisis ?- Very seldom.

Or do you have cases of silicosis ?- Very rarely, but occasionally we do get such cases. I think the Superintendent of Hospitals would be able to give you more information about that than I would.

CHAIRMAN: I do not know whether you can differentiate in the clinic between Zulus and Basutos and others ?- No, we do not. I used to do the treatment myself, but things are very different now. You have these cases coming in and they are treated free and receive free drugs from the Municipality. At one time, I did all that, but now the Hospital does it. They treat the cases which come from outside the Borough and inside the Borough as well. It is very difficult to differentiate. (Mr. Hawtin): On this question of the treatment of venereal disease. That does not come from the Native Revenue Account. It has to be paid for, but it does not come out of the Native Revenue Account. May I just call attention to a statement which was

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made a couple of days ago to the effect that Natives are inclined to spend from 25 to 50% pf their earnings on beer, and also a statement that the revenue from beer is not always used for the benefit of the Natives. I think the statement that the revenue derived from the beer halls is not used for the benefit of the Natives, should be contradicted. I want to make it clear that no expenditure from the Native Revenue Account can be used without the approval of the Minister, and the Minister would see to it that the money was used solely for the benefit of Natives. On the other statement, I want to put in some particulars in regard to the Native population and the returns from the beer halls. I have had this statement drawn up and I should like to put it in just as it stands.

With reference to the statement made by a witness before this Commission, that Natives were encouraged to spend 25 to 50% of their salary on beer, I wish to point out that the census taken within the urban area of the City of Maritzburg on the 16th March 1930, shews 8,027 male adults over the age of 20 residing in the City. The cash takings for beer sales during March was £701.15.3. This I would point out works out at 1/9d approximately per head.

In addition to the resident Natives of the town, a large number of visiting Natives make use of the facilities at the Native beer and eating houses, with the result that quite a nonsiderable proportion of the £701.15.3 represents money spent by Natives not residing in Maritzburg.

Of course, the number of Natives visiting Maritzburg and coming to the Native beer houses, cannot be estimated.

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There are a large number of Natives always coming here for one occasion or another and so it may be safely said, I think, that the consumption per head would really be less than 1/9d, although it must borne in mind that in every Native case, ----- The fact of every Native not going to the Native beer house would be quite balanced by the number of Natives visiting the town and we maintain that 1/9d per head would just about represent the figure. And, of course, 1/9d per head per month is less than 1d per day. That puts an altogether different complexion on the matter.

MR. LUCAS: I take it that there are a considerable number of Natives who do not drink beer at all ?- Yes.

It may be that in individual instances, the same as in other countries, the drunkards have been spending 25% to 50% ?- Yes, there may be individual cases.

That is how I took that statement, that certain Natives did spend as much as that. ?- It may not have been reported correctly, but a statement like that going out creates a wrong impression among the public. May I just emphasize that we do not encourage the sale of beer or liquor. We do not ask the Natives to come and take it. It is there if they require it, but there is no encouragement and it is the policy of the Council not to push the sale.

In Durban, we were told by one body that the respectable Native, the educated Native, would not go near a beer house ?- (Mr. Stevenson): Not many of the educated Native frequent the beer house, but then again quite a large number of the educated Natives do not drink beer at all. I think there is more drinking of Native beer among the raw type of Natives.

Have you any idea of the percentage of Natives in Maritzburg that can be called educated ?- No, I could not say.

Native Mtenbu

MR. MVELASE MTEMBU, (Subject of Chief Njenga Abantu),

(interpreted by Mr. Faye),

called and examined:

CHAIRMAN: Whom do you work for ?- I work for Lady Steele and I am paid a wage of £4.10.- per month. Lady Steele provides me with food, clothing and a room in which I sleep, and she also gives me a bed. Sometimes she gives me a beast as a present and often, when I want to get leave to go home~~x~~ to visit my kraal, I get leave. I have not worked for anyone else before Lady Steele's husband died. I was in his employ before and I was with her husband and I have remained in her service. I started work as a youth.

How long have you been with Lady Steele and her late husband ?- The best information I can give you is that I started working as a lad. My payment then was 5/- a month, but at that time Lady Steele was not married to her late husband. He was then married to another wife who died.

You have worked successively for the same employer ?- I have worked for the same family the whole time, and I was left £25 by Lady Steele's husband in his will.

Is your family in Njenga Abantu's location ?- My family lives in Njenga Abantu's area, but occasionally one of my wives will visit me where I am living and spend some days there.

And can you send a good deal of your money home to your family ?- No matter how well off a man is, he always imagines he wants more and he might do better.

How much money can you send out of your salary every month ?- I depend on my pay for the living of my family.

Native Mtenbu

Sometimes, in bad times, in times of scarcity, I borrow money from Lady Steele, which she readily gives me, and then, out of my pay at the end of the month, I refund what I have borrowed.

How many wives have you got ?- I had two, but one has left me now.

CHIEF MGUQUQU MKIZA (Camperdown)

CHIEF LANGALAKE (Ngcobo) Maritzburg and other districts,

MR. STEPHAN MINI, Maritzburg District (Chief)

MR. JOSIAH GUMEDE, Exempted Native, Maritzburg,

CHIEF SIOKA, (In charge of Natives living in the area of Maritzburg, Maritzburg Municipality),
(interpreted by Mr. Faye) called and examined:

CHAIRMAN: The Commission will be pleased to hear what you wish to tell us ?- (Chief Mini): We thank you, gentlemen, for the opportunity which you have given us of appearing before you. I will speak to you as a Native who is speaking to his rulers and expressing to them what he has in his heart, what he feels should be put before the authorities. I shall speak first about the Native chiefs. The chieftainship system among us Natives is a heritage from the time of distant past. Accordingly, the people look to their chiefs for guidance and information on all important matters. This very privilege to put before their chief whatever grievance or other matters they feel, to bring to the notice of the chief whatever they need, has grown up with us. For that reason, we should like to see the authorities improve the official status of Native chiefs, so that they may be able better to govern their people than they do now.

Speaking superficially, I think I may say that chiefs

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today have been shorn of practically all their power. The Native people as a body look to the chiefs and, of course, to the Government as a ruling power to adjust matters for them. It is the duty of the chiefs to see to the conservation of the tribal system in their areas. I think I may go further, and say I can describe that as part of the individuality or the national feeling of the people which calls for conservation.

We Black people were created by the Creator in the same way as other people were created. We have our usages which we have inherited from our forebears. We would very much like to see that what is good in our hearts should be kept alive. It may seem to some that it is not desirable that, with present-day conditions, such things should be. I am thinking now especially of the tribal system which includes the chieftainship system. It is in our blood, the blood of the Natives, who regard their tribal system as bound up inseparably with the same tribal headship, that is the chieftainship system.

The lobolo custom, for example, is also one of the inheritances of the past and we do not like to see that disturbed. I would now wish to pass on to the matter of conditions of the farms and to say, in that respect, that the 1913 Act, that is, the Native Land Act, has caused a good deal of mischief.

In the past, a tenant was at liberty to make whatever agreement he wished with his landlord. Where tenants were living on companies farms, they could do so against the payment of rent. Farm tenants felt fairly free in the past under that system, because they could make whatever agreement

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they wished with their landlords, provided, of course, that they reached an agreement. But the 1913 Act has changed all that, both as affecting the landlord and the Natives. When I am speaking of landlords now, I am speaking of European landlords.

Now we are also told that farmers may not have more than a certain stipulated number of tenants on their farm. That compels landlords to remove from their farms tenants in excess of that number. Such tenants find that things are very hard for them when they are removed from the farm and they do not know where else to go. They find themselves at a loss. Some fly to the Native areas and, when they get there, they very often find that there is no room for them. That is why I say that the law causes mischief.

Another difficulty is that when a man is obliged to leave a farm, if he has stock he very often experiences considerable difficulty in removing his stock. Sometimes he is unable to remove it on account of East Coast fever restrictions. In such cases, the farmer eventually becomes the owner of such cattle, because they have to be grazed and dipped, and when there is no payment forthcoming for such services, the farmer takes the cattle as payment. That causes heartaches with the Natives and they find that they are being treated unjustly and unsympathetically.

I would say then that the 1913 Act has imposed upon the Natives hateful conditions, conditions which make it difficult for them to live on farm lands.

I come now to conditions in the Native areas and it will be apparent from what I have said that chiefs there are finding it increasingly difficult to accommodate the Natives

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who flock to such areas in order to find shelter there. I am talking now of Natives who are obliged to leave other places where they have been living, such as farms. It would then only be reasonable to suggest, to represent that in order to ease the position in the Native areas, it would be helpful to the chiefs if their wards were extended.

I would now touch on the matter of urban Native locations and I would say in that regard that, in my opinion, there is very much improvement needed. I would very much like to see the Bloemfontein system extended to apply to all Native urban locations as regards the building of houses, so as to make it of Union wide application, because it appeals to me as an excellent system.

Now, why do I say that? I say that because, as I understand the position of the Native in Bloemfontein, he is allowed to build his own house right from the foundation to the top, and, on payment of certain dues to the Municipality, he eventually becomes the owner of the house. Those dues are paid monthly until all the instalments have been paid off and then, as I said, the house becomes the property of the person who has built it.

When I say that that was the case in Bloemfontein, I was very pleased, and it struck me that it would be an excellent thing were the same system to be followed throughout the Union.

In Bloemfontein, there is no selling of beer by the Municipality. In Bloemfontein, so far as I am aware, the system of the Municipality taking charge of the selling and brewing of beer does not apply. It seems to me that it is harmful and shameful that such a system should exist here

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and that the beverage of the people should be taken away from them and that it should be controlled by the Municipality. So far as I know, my remarks as regards Bloemfontein, apply also to the rest of the Free State, Transvaal and Cape Province. Natal is the only exception.

As I say, I think it is shameful that Natal should be an exception, and we should like to see that exception done away with, so that Natal should be brought into line with the other Provinces.

The White people sell their own intoxicating liquors but I do not think that they should go so far as to take away from the Natives their old natural beverage "utywala" and deal with it in the same way as European liquor.

Talking about drink, I would like just to mention that we here are very much opposed to the application of the tog system to Natal. That a White employer should be allowed to give European liquor to his Native servants would be a disgraceful thing.

As regards our doctors, our medicine men, we have inherited them also from our past, and wherever they have got their knowledge, whether it be from the Almighty or from other means, they at anyrate have knowledge, they know the plants and the herbs and the roots and they are able to do a lot of good, and we would urge that they should not be interfered with by the Authorities. They, like other people, have inherited certain things from their past, things which appeal to them as useful, and we do not think it would be wise to disturb such useful things.

I would now come to the matter of the heaps and heaps

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of passes which our people are obliged to take out, and I would enquire of what use these many passes are to those who have to take them out. Why must a man who is a Native, who has been living on the land there, whose people have been living there from time immemorial, who himself has been born there and grown up there, why should he be obliged to take out all these passes ? If it is necessary to have any passes at all, I think one would be sufficient.

When I say that, I refer to the identification pass, so that wherever a Native may be, he shall hold his identification pass, whether it be here in Natal, in Johannesburg or elsewhere, and he could always use that as a document shewing whence he comes.

I now want to refer to paragraphs 28 and 30 of the Commission's Questionnaire. I think the reply to No.30 is contained in No.28. The reason why the Natives are no longer regarding the Europeans in the same kindly way today as they did in the past, is mainly because of the legislation enumerated in your No.28 of your Questionnaire. That is largely responsible for the change in the feeling which is referred to in your Questionnaire. The word we dislike very much "illfeeling between the White and Black people in this country ----", these are words which we do not like.

We want to live in the same country with our rulers, without the hurtful distinctions which exist today. The children of the Natives grow up today and often look at the Europeans as their natural enemies, and vice versa, the European children that are growing up, look upon the Native as their natural enemies. Well, sir, we do not like that.

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Another matter to which I want to refer is the matter of the employment of Natives. Today there are many Natives walking about the countryside who are quite unable to find work, although they wish to work. Some are being deprived of their work by their White employers and some by the Government. That makes us wonder where these unemployed Natives will get money to pay the Government taxes and other Government dues. Moreover, if a Native, who cannot find employment, is found wandering about the country like that, he runs the risk of being arrested for roaming around the countryside and being up to no good.

The burden of my remarks is to try and make it clear that there are Natives like that who are suffering great hardships and for whom something should be done. There was a promise which was held out to us by our Mother, the Late Queen Victoria, in the year 1843, which has still to be redeemed, a promise which was made by her representative, Governor Cloete, to the Zulu King Mpande.

Although we feel downtrodden today, we have not forgotten that promise. Another promise was made by Queen Victoria in 1881 to the Zulus. I say that the Zulus feel aggrieved because they have been deprived of their king. Queen Victoria declared and proclaimed that she now has become their Sovereign. Queen Victoria proclaimed to the Zulus these words. She said, "Know you, Zulus, that so long as the sun rises in the East and sets in the West, so long shall we hold in trust for you the land of Zululand"; but today that land of Zululand is being sold as farms; it was cut up years ago, and that promise has been broken.

That is all I have to say.

(Mr. Gumedze): There is no doubt that there are

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these indications of ill-feeling between the White people and the Black people in the country. We have only to point to the well known occurrences in Durban in that regard. The White people know very little about the Black people, they know very little about our religions. How many know about the legend of the coming of Death into the world, when the Creator sent a swift-running small creature to tell mankind that mankind would die and then, shortly afterwards, regretted that and sent a chameleon to go and countermand this information, but, of course, the chameleon being slow, was not able to get up in time and the swift-footed creature came first, and so people died. We are a people chained down by the lethargy of legends of that kind.

The points which are put in your general questionnaire, make it difficult for us to reply to them, because, what is uppermost in our minds is the question, "Why all this?" When I say that, I am thinking what our people think generally. They remember the agreements which were made by the Queen of the White people, agreements which have since been broken and, which, in our opinion, are responsible for a great deal of the unhappy state of affairs in the country now, as between Europeans and Natives, and I suppose also responsible for your appointment as a Commission.

We do earnestly hope that the result of your coming here as a Commission will be the betterment of these conditions. When the country was taken from us, we were told that the customs of the Natives must not be interfered with, except only in regard to such matters where those customs were repugnant to the usages of civilised men, particularly in regard to the killing of people without what

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you regard as a proper and fair trial in court. You also said that the work of our doctors to small out and undercut the evildoers would have to cease. We would say this, that the Government of the White man has destroyed our traditions, our customs, and our usages as a people and now you come to us to ask us questions about the relations between the White people and the Black.

We are like people floating in air, as if some magic power has brought about and created some leviathan among the White people -- they are all at sea in an environment entirely foreign to them, they are lost. We had become accustomed to our old usages, we had become so accustomed to them as to feel happy living under our old customs and conditions. We had our own land and country, our own cattle and plenty of grazing ground and we had our own stock. And when a man is happy and when he had plenty, he would not call in anybody from outside to help him. If you ask us then why it is that the country today is overstocked, our obvious reply is because you have taken the land away from us and put up wire fences. You ask us about the nature of the soil, whether it is becoming impoverished and our obvious reply is, "Naturally, since you have restricted us to small areas, where our cattle trample down the ground and make it much more difficult to derive from the ground what we would otherwise have been able to get."

Our old usages are being completely undermined, and that process of undermining is entering even into the closest family relationship, into our family life; our womenfolk are getting out of hand and they are leaving us.

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We are like a people which is just scattered.

All these conditions under which we live today, are conditions which make our life unhappy. We have often made representations to the Government about our grievances. The good that you have done for us we appreciate highly. We also like to progress. Generally speaking, the conditions under which we live and the system of the Government of the White man, are responsible for the scattering of the Natives, as they are being scattered today, they are responsible for the moving about of the people from one part of the country to another. They are responsible for the people driving to the towns, because the people are at a loss to know where to live permanently and happily.

The burdon under which we live, sir, is a heavy one and we are labouring under it. If it were put to us, "If you are dissatisfied you can leave", very well, we do not know where to go. We are bound up and tied up by all sorts of restrictions. A man may not move about, for instance, without having passes, and the treatment under which we are put, the disabilities under which we are labouring, it seems to us are such that they are meant that we shall be driven away from our country.

We would thank you White people very much indeed for the good things which you have brought to us, because we know that you have brought us much that is good. You have brought us education, for instance, and we would appeal to the better side of your nature to extend that good which you have done to us, and to extend it to many other sides of Native life in this country. And perhaps I may say this

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in that connection. When the White man came to this land, the land was occupied by the Natives communally. And when the White man began to cut up the land into farms, and when he began to sell it as farms, we were allowed to buy, that is to say, those of us who could buy, and many of us did buy.

In some instances, we were allowed to form companies and to buy land as communities. Ededale and several other places, Kleinfontein and such places, were bought in that way by groups of Natives.

(Chief Mini): We Natives living in the neighbourhood of Maritzburg, are building a kind of hostel for Natives where we think they will be able to find shelter and be under a wholesome influence. That hostel is in Church Street here and we should be very glad if the Commission could spare a few moments to come and see what we are doing ourselves, by our own efforts, for the betterment of our people here in Maritzburg and in the areas round about Maritzburg.

CHAIRMAN: The Commission, of course, is very fully occupied today, but if it is at all possible, we shall be very pleased to come and visit your hostel and see what you are doing? - The Native community will certainly be most grateful to you if you can see your way to visit us there.

THE COMMISSION ADJOURNED FOR LUNCH AT 1.10 P.M.
UNTIL 2.30 P.M.
