IN ORDER TO AVOID OVERLAPPING WITH THE VOLUME OF EVIDENCE COVERING 94th sitting (April 29th), which was erroneously numbered as starting on p. 7172, all pages in this volume from p.7171 onwards have been numbered 7171 (1) etc.
NATIVE ECONOMIC COMMISSION

CAPE TOWN 28th APRIL 1930 A.M.

PRESENT:
Dr. J. R. Holloway, (Chairman)
Major H. W. Anderson, 
Dr. H. C. W. Fourie, 
Mr. F. A. W. Lucas, E.O. 
Mr. G. Faye, (Secretary)

Messes. WILFRED BRITTON, Chairman of the Native Affairs Committee of the Corporation of the City of Cape Town,

GEORGE FANTON COOK, Superintendent of Natives, and

DR. TOM SHADICK HIGGINS, Medical Officer of Health,
called and examined:

CHAIRMAN: Will you please put your statement before us ?- (Mr. Britton), I shall read the historical statement first. N'daben location was erected by the Cape Government in 1902, as a prevention against the spread of plague. Natives who were living under insanitary conditions in the slums of Cape Town, were offered accommodation at a low rental in N'dabeni. The Government and not the Municipality assumed responsibility for the housing of Natives and for the control of the location, which was administered under Act No.40 of 1902 (amended by Act No.8 of 1905). In 1919, the influenza epidemic directed attention to the inadequate housing facilities for urban Natives at the location and resulted in negotiations taking place between the Council and the Government for the taking over of N'dabeni on a site to be agreed upon.

In the course of these negotiations, the Government foreshadowed legislation, placing responsibility for the housing of Natives working within the municipal area upon the local authority. Eventually, in 1922, the Government agreed to give the Council an area approximately 400 morgen in extent,
on the site known as Vijge Krael, subject to certain conditions which are enumerated under the portion of this memorandum dealing with Langa.

N'dabeni continued as a Government Reserve, and it was agreed that, upon transfer of the population to the new location, the site would be handed over to the Council (less a certain area required by the Railway Administration), on condition that the ground would be used for industrial development other than noxious trades, any profit arising from the sale of lots, after deducting all expenses, to be shared equally between the Government and the Council.

The next development regarding N'dabeni, took place in 1923, when the Council assisted the Government by providing, at an expenditure of over £8,000, additional accommodation at the location for 2,000 single Natives.

On the 1st January 1924, the Natives (Urban Areas) Act No.21 of 1923 came into operation and, under it, local authorities are required to make adequate provision for the needs of Natives ordinarily employed within the urban area for normal requirements.

In 1925, the Council took over the control of N'dabeni location from the Government and, pending the necessary legal formalities, the Superintendent of Natives was seconded from Municipal service, in order to act as Superintendent of N'dabeni from 1st December 1923 to 30th April 1925.

A proclamation transferring N'dabeni was published in the Union Gazette of the 1st May 1925, and vested in the Council the control, administration and maintenance of the location, with all buildings, stores and equipment on the site, which were handed over free of charge, except certain office furniture.
Cape Town Municipality

which was taken over at an agreed valuation. The M'dabeni site would not be transferred to the Council, until the terms of agreement arrived at with the Government in 1932 are fulfilled.

M'dabeni is approximately 69 morgen in extent and the following table indicates the numbers and sizes of the various types of huts as at 25th April 1931:

<table>
<thead>
<tr>
<th>Type of Hut</th>
<th>No.</th>
<th>Married quarters</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>166</td>
<td>17½' x 11½' x 9½'</td>
</tr>
<tr>
<td>B</td>
<td>168</td>
<td>21' x 13' x 10'</td>
</tr>
<tr>
<td>C</td>
<td>16</td>
<td>(4-roomed huts 10x10x10', dining room and kitchen included)</td>
</tr>
<tr>
<td>D.O.</td>
<td>42</td>
<td>20' x 12' x 10'</td>
</tr>
<tr>
<td>E.</td>
<td>42</td>
<td>19' x 12' x 10'</td>
</tr>
<tr>
<td>Flats</td>
<td>13</td>
<td>25' x 12' x 10'</td>
</tr>
<tr>
<td>Dormy.</td>
<td>24</td>
<td>30' x 12' x 10' &amp; 24' x 12' x 10'</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Single quarters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dormy</td>
</tr>
<tr>
<td>B dormy</td>
</tr>
<tr>
<td>Nissen huts</td>
</tr>
<tr>
<td>Dormy. 5</td>
</tr>
<tr>
<td>Flats</td>
</tr>
<tr>
<td>do.</td>
</tr>
<tr>
<td>do.</td>
</tr>
<tr>
<td>Single dormy</td>
</tr>
<tr>
<td>amongst married</td>
</tr>
</tbody>
</table>

There are 18 huts for spinsters as follow:-

<table>
<thead>
<tr>
<th>Type of Hut</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A huts</td>
<td>16</td>
</tr>
<tr>
<td>B</td>
<td>1</td>
</tr>
<tr>
<td>B</td>
<td>1</td>
</tr>
</tbody>
</table>

The above are included in the A, B and C huts in the married quarters.

Since the location was taken over by the Council in
Cape Town Municipality

which was taken over at an agreed valuation. The N'daben site would not be transferred to the Council, until the terms of agreement arrived at with the Government in 1932 are fulfilled.

N'daben is approximately 69 morgen in extent and the following table indicates the numbers and sizes of the various types of huts as at 25th April 1931:

<table>
<thead>
<tr>
<th>Type of hut</th>
<th>No.</th>
<th>Married quarters</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>166</td>
<td>17½' x 11½' x 9½'</td>
</tr>
<tr>
<td>B</td>
<td>166</td>
<td>21' x 15' x 10'</td>
</tr>
<tr>
<td>C</td>
<td>16</td>
<td>(4-roomed huts 10x10x10', dining room and kitchen included)</td>
</tr>
<tr>
<td>D.C.</td>
<td>42</td>
<td>20 x 12' x 10'</td>
</tr>
<tr>
<td>E.</td>
<td>42</td>
<td>19' x 12' x 10'</td>
</tr>
<tr>
<td>Flats</td>
<td>13</td>
<td>25' x 12' x 10'</td>
</tr>
<tr>
<td>Dormy.</td>
<td>24</td>
<td>30' x 18' x 10' &amp; 24' x 12' x 10'</td>
</tr>
</tbody>
</table>

**Single quarters**

Dormy          55  18½' x 25' x 10'  
Dormy          2   32' x 28' x 10'  

Hissen huts    150

Dormy 5        17  12' x 24' x 10'  
Flats do.      1   25' x 12' x 10'  
Flats do.      4   12' x 12' x 10'  
Flats do.      6   11½' x 12' x 10'  

Single dormy 1  15' x 12' x 9'  
almost married 2  10' x 12' x 9'  
quaters       

There are 18 huts for spinsteras as follow:-

<table>
<thead>
<tr>
<th>Type of hut</th>
<th>No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A huts</td>
<td>16</td>
</tr>
<tr>
<td>E &quot;</td>
<td>1</td>
</tr>
<tr>
<td>B &quot;</td>
<td>1</td>
</tr>
</tbody>
</table>

The above are included in the A, B and C huts in the married quarters.

Since the location was taken over by the Council in
Cape Town Municipality

1925, thirty-four A type huts for married Natives and forty-nine Nissen huts for single Natives have been demolished.

The present population is as follows:

<table>
<thead>
<tr>
<th></th>
<th>Men</th>
<th>Women</th>
<th>Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dormitories</td>
<td>739</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nissen huts</td>
<td>501</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Married quarters</td>
<td>459</td>
<td>478</td>
<td>1155</td>
</tr>
<tr>
<td></td>
<td>1679</td>
<td>478</td>
<td>1155</td>
</tr>
<tr>
<td>TOTAL</td>
<td>3310</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Note: The foregoing figures are supplied by the Superintendent of Natives.)

The following are the charges for accommodation:

**Single men:**
- Four shillings (4/-) per month
- Three shillings (3/-) for three weeks,
- Two shillings (2/-) for two weeks,
- One shilling (1/-) for one week,

or any portion of a week being not less than three days.

**Married men:**
- A. Type: Ten shillings (10/-) for each family p.m.
- B. ": do.
- C. ": One pound (£1) for each family per month
- D/C ": Ten shillings (10/-) do.
- E. ": Twelve shillings & sixpence (12/6) for each family per month.

Dormitories: Ten shillings (10/-) for each family p.m.

Kitchen: do.

Single men or single women living in married quarters:
- Five shillings (5/-) per month.

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**The Development of Langa:** In accordance with the agreement arrived at in 1922 with the Government, and pursuant to the
provisions of the Natives (Urban Areas) Act No. 21 of 1923, the Council proceeded, in 1923, with the development of the new location on the Vlgo Krael Estate, now known as Langa Township.

As previously stated, the ground was granted by the Government and the transfer was made subject to the exchange of land referred to in Act No. 30 of 1922, for the construction of a branch railway line off the Cape Flats line, near Rasenberg Station, viz:—

1. The land required for the right of way for the Rasenberg Station to the new Native location, together with such additional land as may be required for embankment and drainage and the terminal station.

2. Certain Municipal land within the Table Bay Dock area, in front of the New Somerset Hospital, at present in occupation by the Railways and Harbours Administration.

3. A strip of land, 10 feet in width, adjoining the Cape Flats Railway, where such railway abuts on the land occupied by the Ndabezi Native location.

On the 2nd February 1923, a poll of enrolled voters was held for the purpose of securing authority to the raising of a loan of £250,000 for the provision and equipment of the township. The proposal was adopted by a majority of 3,198 and, on the 27th July 1923, following a tour of up-country locations by the then Mayor, (Councillor H.J. Verster) and the Chairman of the Native Township Committee (Councillor W. Goldsclott Gardner), the authority of the Administrator was received to the loan.

As a result of the tour, the representatives of the Council recommended the barrack system, on the lines of the compound at the City Deep Mine, Johannesburg, for single men, and the Bloemfontein system for married Natives.
Cape Town Municipality

In due course, the layout of the township was proceeded with and Mr. A. J. Thomson was engaged as consulting architect. A commencement was made with the construction of roads, laying of water main, drainage, etc., and on the 20th December 1923, the Council approved of the plans submitted for erection of the main buildings.

The tender of Messrs. C. A. Abbot & Son was accepted by the Council on the 26th February 1925, for the erection of the following buildings at a cost of approximately £57,155. Main barracks; single and double rooms; market; administration quarters; superintendent's residence, etc.; post office; kitchen and compound.

The contract was entered into on the 31st March 1925.

On the 4th April 1927, the Council accepted the tender of Messrs. Bricc Bros. for the second development scheme, at an approximate cost of £30,000, as follows:

- Hospital, including drainage,
- Three hundred two-roomed houses,
- Fifty double rooms for married women,
- Seven blocks of five rooms for 340 single men,
- Police station, storey and stables,
- Six general dealer shops,
- Four butcher shops,
- Four baker shops and
- Ten cafes.

The police station is leased to the Government for a period of five years, as from the 8th October 1928, with the option of renewal for a further period of five years, at a monthly rental of £30, which includes charges for water consumed for domestic purposes, and sanitary fees, but excludes...
Cape Town Municipality

charges
/for electric light.

The eating house attached to the main barracks is let to Natives at a monthly rental of £2.10.-. The hospital has been designed to accommodate 18 beds, together with outpatients department and isolation ward. Nurses quarters are also provided.

Langs was opened in September 1927 and is intended for a population of 5,000 Natives, including women and children. The present population, according to figures supplied by the Superintendent of Natives, is 1,938 (Men, 1,238; women 339; children 363).

Regarding rentals: Section 9 of the Natives (Urban Areas) Act provides that the approval of the Minister of Native Affairs must be obtained to the rental to be charged in any location or Native village established thereunder, and the Council obtained approval of the principle that the township should be administered on economic lines and not subsidized from rates. The Government accordingly approved of a scale of rentals based upon an economic charge of 12½, representing 5½% interest and sinking fund and 6½% for services rendered. The proposed scale was as follows:-

<table>
<thead>
<tr>
<th>Accommodation</th>
<th>For wk.</th>
<th>(Monthly Equivalent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,856 Single Natives in barracks</td>
<td>3/-</td>
<td>13/-</td>
</tr>
<tr>
<td>&quot;          quarters</td>
<td>4/-</td>
<td>17/4d</td>
</tr>
<tr>
<td>300 Married Natives' House of two rooms</td>
<td>7/-</td>
<td>30/4d</td>
</tr>
<tr>
<td>50 Double rooms for married women</td>
<td>7/-</td>
<td>30/4d</td>
</tr>
</tbody>
</table>

To meet the agitation for a reduction in rentals, the Council, towards the end of 1928, resolved to afford relief by granting concessions as shown in the following amended scale:-

Cape Town Municipality

<table>
<thead>
<tr>
<th>Accommodation</th>
<th>Per wk.</th>
<th>(Monthly Equivalent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Natives in barracks</td>
<td>2/3d</td>
<td>11/7d</td>
</tr>
<tr>
<td>&quot; quarters</td>
<td>3/3d</td>
<td>15/11d</td>
</tr>
<tr>
<td>Married Natives' house of two rooms</td>
<td>3/-</td>
<td>23/-</td>
</tr>
<tr>
<td>Double rooms for married women</td>
<td>6/-</td>
<td>26/-</td>
</tr>
</tbody>
</table>

In December 1929, the Council resolved to relieve the township of the interest and sinking fund charges on the capital expended on roads, drains and sewers, and the following revised scale of rentals, payable monthly, was promulgated on the 21st March 1930.

<table>
<thead>
<tr>
<th>Accommodation</th>
<th>Per wk.</th>
<th>(Monthly Equivalent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Natives in barracks</td>
<td>10/-</td>
<td>&quot;</td>
</tr>
<tr>
<td>&quot; quarters</td>
<td>15/-</td>
<td>&quot;</td>
</tr>
<tr>
<td>Married Natives' house of two rooms</td>
<td>24/-</td>
<td>&quot;</td>
</tr>
<tr>
<td>Double rooms for women,</td>
<td>24/-</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

On the 21st November 1930, a further reduced scale of rentals was promulgated, viz:--

<table>
<thead>
<tr>
<th>Accommodation</th>
<th>Per month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barracks for single Natives,</td>
<td>7/-</td>
</tr>
<tr>
<td>Quarters for single Natives,</td>
<td>10/-</td>
</tr>
<tr>
<td>Two-roomed house for married Natives</td>
<td>15/-</td>
</tr>
<tr>
<td>Double rooms,</td>
<td>15/-</td>
</tr>
</tbody>
</table>

The approximate nett capital expenditure upon the township to the 24th April 1931, is £230,528.

This is our historical statement, and I now have a further statement dealing with the financial position, which I should also like to place before the Commission. In this financial statement, I deal with a number of aspects of the position of Langa and Ndabeni and, at the end, we give the revenue and expenditure accounts for both Ndabeni and Langa.

Then there are a number of further points in the statement, showing the difficulties of the Council in the administration of the Natives (Urban Areas) Act, which I also think will be of interest to the Commission.
At the end of the statement, I give certain reasons for the migration of Natives to the urban areas, the first of which is the glamour of city life and the desire for travel. There are certain points in the financial statement to which I should like to refer later on, and perhaps the Commission would care to ask me some questions on that.

In regard to the cost of living, which is dealt with there, I thought that about 35/- per month was a fair average for bed rock cost of living. £2.10.- for a married man and a family is more or less right. I am just making these remarks to elucidate my statement.

I wish to deny most emphatically that the City Council are unsympathetic in their treatment of the Natives in the Municipal locations. As evidence thereof, I would point to the fact that the original expenditure upon Langa totalled the sum of £238,329, of which the sum of £95,891 representing expenditure on roads, drains and sewers, was written off, thus reducing the capital expenditure to £142,437, on which the annual redemption charges amounted to £3,469, in place of the previous charge of £14,151. Considerable divergence of opinion exists in regard to the actual cost of living in respect of the Natives in this area.

In the case of Rex vs. Bali in the Magistrate's Court Wynberg, towards the end of 1930, one witness claimed that, for food, it costs a single man £3.7.6 a month and a married man £6.12.6. Another witness, submitted that it costs a single man 11/9d per week, or approximately £2.10.- per month, and a married man £4.9.- per month. The Magistrate, after hearing the evidence, came to the conclusion that these statements, to use his own words, were ridiculous, and that a Native with his wife can live on £2 per month for food.
Cape Town Municipality

As an instance of the absurdity of the figures produced, it may be mentioned that some of the calculations were made on the following basis:—Single man 3d per day each for coffee, tea, sugar and matches; and that, in the case of a married man, the cost of these commodities was doubled, and 3d per day for candles and 3d for soap was added.

I do not claim to have any expert knowledge of what a correct budget for a Native would be, but I think that, for the ordinary Native workman, i.e. the type resident in the Native barracks, 7/6d per week would be a fair estimate, and in the case of married men, £2 to £2.10s.—per month.

Allowing for an average wage of 4/- per diem, a Native’s monthly income would be from £4.10s.—to £5.8s.—per month. It will be seen that a charge of 1/7d per for rental, or less than 3d per diem, cannot be regarded as an excessive charge especially when it is taken into consideration the other privileges which he receives in the nature of water, light medical services and hospital accommodation in the event of sickness, all of which are provided free.

In regard to the married men, approximately 3/5d per week, or 6d per diem cannot be regarded as unreasonable for rental, more especially as the free services referred to would apply to his wife and children as well.

It has been suggested that no charge should be made for redemption of the cost of buildings at Langa, on the ground that the Native is there for the benefit of Cape Town. The fact, however, is overlooked that the Council is responsible to the ratepayers for all expenditure, and to suggest that an amount of £42,496 should be written off in order that the Native may receive special treatment in distinction to the
Coloured workman, with whom he largely competes for employment and whose home is and always has been in the Cape Peninsula hardly bears any reason at all.

In face of the foregoing facts, it seems to me out of place and deliberately untrue to charge the City Council with being unsympathetic in its treatment of the urban Native community.

At the end of 1930, the Council had accumulated a loss of £42,496 on the Native Revenue Account and, at the present rate of income from rentals, it is likely that this deficit will be enlarged by about £11,600 during the present year. Moreover, approximately £4,200, representing arrear rentals due by Langa Natives up to 30th September 1930 has been written off.

To all intents and purposes there is little likelihood of the Council being able, for many years to come, to acquire an income by way of rent, sufficient to meet any portion of the redemption charges on the cost of buildings at Langa, even if the accumulated loss is spread over a long period of years. It will be seen from these figures that any suggestion of a decrease in the existing tariff of rentals so far as Langa is concerned is out of the question, and it is submitted that the Council has gone to the utmost limit in this connection.

I further draw attention to the tariff obtaining in regard to municipal buildings in other locations, particulars of which I hand in in the form of a report and tabulated statement, drawn up as the result of a personal visit to the five locations mentioned therein. Information relative to Cape Town is submitted for comparison.

The question arises as to the reasons of Natives in
Cape Town Municipality

Cape Town locations not paying or being unable to pay their rental. I consider Cape Town is in an entirely different position to any other municipality in the Union in regard to the housing of Natives, for the following reasons:

1. There is the isolation which, to my mind, largely contributes to this distinction. Once here, a Native is practically cut off from all communication with his home. It probably takes at least a week for any communication to reach his relatives in the Territories.

2. In other locations nearer the Native Territories, he is in constant touch with his home through friends visiting the location in which he resides and also by the receipt of foodstuffs from home which assist him very materially in avoiding cash expenditure in living costs.

3. There is the glamour of city life and the temptation of expenditure in this direction must be tremendous.

4. The enormous temptation to take part in drink traffic instanced by the fines paid for illicit liquor dealing in 1930, in respect of M'dabeni location, viz: £1539.10. Similar fines for Langa location, from 1st October 1930 to 31st March 1931, totalled approximately £300.

5. The agitator: here I would point the organized opposition which the Council has had to meet year after year. It is known that a large body of the respectable law-abiding Natives are influenced and even bullied into withholding payment of rental to the Council, by a minority of agitators, who are mainly concerned with illicit liquor traffic. This organized opposition is financed by collections amongst the Natives, usually made on Sundays, with which litigation is invoked in almost every action taken by the Council against Natives.
Cape Town Municipality

6. The difficulty with which the Council is faced in the continued administration of N'dabeni, while Langalame to a great extent unoccupied, although administrative expenses must continue practically on the same basis as if the accommodation were completely taken up. So long as this state of affairs exists, there is no possibility of the Council being able to reduce expenditure to be in any way commensurate with the revenue obtainable by way of rental, nor will there be any progress in Native policy while this anomaly exists. I attach a brief statement showing the financial position for the present years:-

The following figures of revenue and expenditure in connection with the Native Affairs of the City Council for 1931 are illustrative of the financial position:

**REVENUE**

**N'DABENI**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue as per estimates</td>
<td>£7,490</td>
</tr>
<tr>
<td>Now anticipated</td>
<td></td>
</tr>
<tr>
<td>Difference</td>
<td>£1,500</td>
</tr>
</tbody>
</table>

**LANGA**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue as per estimate</td>
<td>£15,805</td>
</tr>
<tr>
<td>Now anticipated</td>
<td>£8,805</td>
</tr>
<tr>
<td>Difference</td>
<td>£7,000</td>
</tr>
</tbody>
</table>

The total revenue now anticipated for 1931 in respect of both N'dabeni and Langal is, therefore, £12,705

Plus fines for any contravention of local regulations, say, 205

Additional revenue from registration fees, etc. 955

Anticipated revenue 13,955

Expenditure
Cape Town Municipality

**EXPENDITURE**

**N’DABENI**
- Working expenses as per estimates: £5,476
  - LANGA do, do: £2,246
  - Additional expenditure (registration of Natives, etc.): £1,950
- Interest and Sinking Fund Charges: £4,469

**Expenditure**
- £25,143

**Anticipated Revenue**
- £13,955

**Anticipated deficit**
- £11,188

**Contribution towards liquidation deficit**
- on Native Revenue Suspense A/c: £6,694
  - Establishment charges: £618
  - Total deficit now anticipated: £10,500

**Deficit as per estimates**
- £10,000

**Total not provided for**
- £10,000

The following is a comparative table showing the "working deficit" as now anticipated and as originally anticipated:

<table>
<thead>
<tr>
<th>Anticipated</th>
<th>Estimated</th>
</tr>
</thead>
<tbody>
<tr>
<td>£20,750</td>
<td>£10,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Deduct</th>
<th>8,694</th>
<th>8,694</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working deficit</td>
<td>£11,056</td>
<td>1,306</td>
</tr>
<tr>
<td>Anticipated increase in deficit</td>
<td>£10,500</td>
<td></td>
</tr>
</tbody>
</table>

| Estimated revenue Langa, (assuming a fully occupied location) | £15,905 |
| Revenue now anticipated | £6,805 |
| Shortfall | £9,000 | £2,000 |
| Estimated revenue Langa | 7,900 |
| Revenue now anticipated | 5,990 |
| Total shortfall anticipated in revenue | £1,500 | 1,500 |
Cape Town Municipality

Total shortfall anticipated in revenue £10,500

This anticipated shortfall in the revenue from both locations, accounts for the sum of £10,500 in addition to the £10,000 allowed for in the estimated.

The following further points are submitted, which show the difficulties of the Council in administering the Natives (Urban Areas) Act:-

(1) Rent Defaulters: Under Section 23 (3), of Act 21 of 1923, as amended, the Council may make regulations whereby a Native, failing to pay rent, may summarily be ejected from a location. No power, however, is given to repatriate such Native, with the result that any regulations framed under this sub-section will create a difficulty. If a rent-defaulting Native is ejected from a location, he will require to be given a month's notice under Section 5 (3) of the Act, as amended, calling upon him to take up residence in a location, so that such Native would simply be moving in a circle, unless it could be shown that he could be apprehended under Sub-Section (a), (b) or (c) of Section 17 (1) of the Act, as amended. Action under this section would certainly not follow as a natural result of failure to pay rent.

(2) Residence of Natives within a Location: Section 5 (3) of the Act as amended, quoted above, requires a notice to be served upon every Native residing outside a location, to take up residence in a location within one month of service of notice. This procedure presents many practical difficulties. Strange Natives arriving in a huge area like Cape Town and receiving service of a Notice in the manner prescribed, will easily be able to disguise their identity and the Council would experience the greatest difficulty in compelling such Natives to take up residence in a location by this means.
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It would be of far more practical effect if the Section required the Local Authority to public a notice in certain newspapers and other forms of publication, calling upon all Natives in the area who are subject to the provisions of Section 5 (3) of the Act, to take up residence in a location by a certain date, failing which they would be liable to be arrested and charged with an offence. After such date, the onus would then be on the Native residing outside a location, to show that he is not subject to the provisions of this section.

(3) **Restriction of entry of female Natives into Proclaimed Areas:** The Council are desirous of securing a proclamation under the provisions of Section 12 (1) (d) of Act 21 of 1923, as amended, to restrict the entry of female Natives into the proclaimed area of Cape Town.

(4) **Difficulty with regard to Native registered voters:** It would appear that the Council is compelled to provide accommodation for them, although they are not subject to the Native Registration Regulations.

(5) **Difficulty of construing Section 5 (4) of the Act:** Does specified number of Natives exclude or include registered voters.

(6) **Difficulty of construing Section 17 (1) of the Act:** This Section provides that a Native habitually unemployed may be brought before a Magistrate or a Native Commissioner. In sub-section 3 of the Section referred to, reference is made to a Native sub-Commission, in regard to the investigation of any question arising under sub-section (1), but in Sub-section (1) Native sub-Commission has apparently been omitted in error.
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Reasons for migration of Natives to the Urban Areas:

(1) The glamour of city life and the desire for travel.
(2) Need for obtaining cash to pay debts in the Territories and to earn money to pay lobolo.
(3) The attraction of wages higher than obtainable in other parts of the Union.

CHAIRMAN: In your statement, you say that approximately £4,200, representing arrears of rentals due by Langa Natives up to the 30th September 1930 has been written off? - Yes, it was written off as it could not be collected.

That is not the point really that I want to get at. You say here, "It has been suggested that no charge should be made for redemption of the cost of buildings at Langa on the ground that a Native is there for the benefit of Cape Town. The fact, however, is overlooked that the Council is responsible to the ratepayers for all expenditure and to suggest that an amount of £42,496 should be written off----" You will see that reference. Now, that will be very much the same figure when you have extended the location considerably, will it not? A lot of the expenditure already incurred will apply to the whole area? - Undoubtedly, if building will cost less. If development takes place, the expenditure will certainly be reduced by the fact that this amount has been spent on roads and sewage, although it is written off. I think that is the point you are referring to.

I want to refer you now again to the centre of page four, where I deal with this accumulated deficit. What they have done is this. We have an accumulated deficit of £42,000 but, instead of writing it off, they have divided that into five instalments spread over five years and then they have added one fifth to the sixth year estimate, which makes the
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figure of £9,694, plus £618 for establishment charges, making a total additional amount -- a total deficit of £20,500 if you include these figures. So that the total deficit now anticipated is £20,500.

DR. ROBERTS: Is not the time too brief? Would not they gain over a number of years? -- It means this. It works out to be too brief. There is the accumulated deficit of £20,500 for this year, if we include that amount. The Council have to decide what they will do with that. The question is whether they will spread this accumulated deficit over a long period of years, or what they will do with it.

CHAIRMAN: That accumulated deficit has already been paid for out of your general revenue? -- No, it has been paid for somehow, but it has not been written off.

Where did the cash come from? -- Out of the rates, out of the general rates.

That is to say that it comes out of general revenue? -- Yes.

So that the Native Account owes the Borough Account £42,000? -- That is so.

Now, what you are doing now is to spread that amount in a contribution from Borough Revenue to Native Revenue, over a period of five years? -- Yes.

And, in the meantime, the Native Revenue is accumulating a further deficit? -- Yes.

Although, at the end of five years, you would have given them credit for the £42,000, there would be a further amount to credit them with? -- Yes.

MR. LUCAS: Does not the law require you to make good any deficit out of your General Revenue -- have you the right to settle the future inhabitants of Longs with this deficit? --
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Yes, certainly.

Unfortunately I do not know the section of the law, but I was under the impression that you had to regard that as past ?- No, I do not think so, because these charges are passed by the Native Affairs Department.

The point I had in mind was this, supposing that, in five years time, you had in Langa a flourishing concern, supposing you had a more or less new Native generation there, would you be entitled to settle them with a loss due to conditions ever which they had no control ?- I think we are entitled to, but there is not the least doubt that we shall never be able to recover what we are losing now.

That being so, is it not the most honest thing now to wipe it off ?- Well, it is a matter of future policy. So far, they regard it as a charge against the Native account.

CHAIRMAN: Actually, it is only a matter of bookkeeping, the cash has gone ?- Yes, we have spent the money and we have not got it back.

MR. LUCAS: Apart from it being just a book debt, it has a bad effect of making the public in any year think that there is a bigger loss than there has been ?- No, I am making it quite clear what the loss for the year is estimated to be. I am making it clear that the estimates for the year, the estimated deficit is £11,188. We have allowed for £10,000 deficit for this year and it is going to be £20,500, so we have not provided for £10,500. But we allowed for a loss of £1,500, and it is going to be £11,188. We have not provided for this year's estimated for £10,500.

On the basis on which you are proceeding now, along the course which you are following now, you will want to put that £10,000 also against the future residents of the location.
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? - Yes, that is the practise which the Council has so far followed.

CHAIRMAN: That charge would not be an unfair charge against future residents of the location? - Well, sir, it is money which has been expended.

It is a charge for amenities which they are enjoying?

- Yes.

MR. LUCAS: My point is that it is an expenditure for a population which does not yet exist and, until that population does exist, surely it is an unfair thing to charge posterity for something which they will not have? - Well, it has been caused by the continued opposition of the Natives to remove from Ndabeni to Langa. It is due to that in part, if not entirely.

Have you got enough accommodation at Langa? - For all the single men, and they constitute the greatest portion of the population at Ndabeni.

Supposing that all the Natives at Ndabeni moved to Langa today and that they paid you your 7/- a month, how far would that go to meet your deficit? - It is quite impossible to say, because we do not know what the reduction in administration charges will be. Naturally, running that location will mean that the administration expenses will be considerable.

You will have to run Ndabeni for the married people?

Yes, but at much less expense.

MR. MOSTERT: What is your accommodation for single men at Langa? We notice they are all vacant there? - I have given the figures, but the place is not yet occupied. There is accommodation for every single Native.

MAJOR ANDERSON: In regard to this reduction of rent which you refer to in your statement, when you reduced the
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rents, what did you do with your arrears?—We wrote them all off.

SENATOR VAN MIERINK: But even if your Natives came into the location, you would still have a deficit?—Yes.

Even if the location were full?—Yes, we allowed for £10,000, but instead of the deficit being about £1,300, it is actually £11,806. There is a difference of £10,500. We allowed for £10,000, but that £10,000 which we allowed for only included £1,300 shortfall in revenue and £8,000 accumulated deficit. I expect it will work out at £11,806 instead of £1306, so it will be an additional £10,500, and that will make, in all, £20,500. But that £20,500 includes the £8,600 instalment accumulated deficit, and the £8,000 odd for sinking fund.

Now, if you were to wipe of your accumulated deficit and if you were to get Langa full and if you were to get your rates paid in full, would there still be a deficit?—Yes, there would be.

How much would that be, then?—I anticipated, when the rates were reduced, approximately between £6,000 and £7,000 per year.

CHAIRMAN: That is on the basis of the past?—Yes. That is on the basis if Ndabeni closed down, and Langa were full without further building. One could only anticipate. We could only work on what was there. The administration expenses saved on Ndabeni and so on, would give a loss of £6,000 or £7,000 -- that would be per annum. But it was on that basis, in the fact of those figures, that the rentals were reduced, that the Council accepted the reduction in
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rental knowing that there would be an anticipated loss of between £6,000 and £7,000 per year and the only way in which we can possibly make up that loss would be by the erection of new buildings at a very much reduced rental and allowing the same tariffs as at present to continue. By that means we may be able to make up and possibly also by further cuts in administration expense, bring about a better position.

But at the same time, it is very difficult to make these cuts when you have two locations running at the same time and when you also bear in mind that you have no knowledge as to when the position will change. That is the great difficulty.

The change of position depends entirely on whether the Natives will leave there or not. The attitude of the Council is that it is not a practical policy to ask them to spend another £200,000 on Langa in order to accommodate the married people, when you have half of the quarters for the single men still standing vacant. And that is perfectly reasonable. That is the good of spending another £100,000 which would accommodate all the married people, what is the good of going on spending that money, when you do not know yet whether you will get the Native to leave Mdabeni.

At present, there is a test case before the Supreme Court on that very point. It is coming on at the end of this month. May I explain the position. The Act allows us, on a certificate from the Medical Officer of Health, that a building is insanitary and should be demolished, the Act allows us to serve on a Native or occupant, a Notice giving him one month's notice within which to leave that insanitary building, provided, at the same time, you offer him accommodation at the other location. One hut, one dormitory was
singed out and notice was served on all the occupants, 18 in number, to vacate the place, but they took no notice. The matter was then taken before the Magistrate, and evidence was called on both sides, and eventually the Magistrate convicted the men on a charge of refusing to obey the order and held that the order was legally given and he ordered the men to vacate these premises and take up occupation at Langa. That judgment was appealed against, and it is now coming before the Supreme Court towards the end of the month.

If that case goes against us, and if the Court holds that we cannot force these people to leave Hlabaeni, then the whole of our administration will have to be altered and it will mean that we shall have to run two locations at these enormous losses which I have shewn and then, of course, there will have to be a change of policy, which the Council will have to notice. So, as you will see, we are hampered all the time.

The actual power to demolish a building, provided we offer other accommodation, was included in the 1930 Act, and we could not move before that Act was passed. There is no desire on our part to rush these people. We have given them as much latitude as possible. We have tried to get the Advisory Board at Langa to back us up and, to a certain extent, they did so, but I am afraid that the influence brought to bear on them at certain meetings is very strong and we have not got the support that we had hoped for. And then we resorted to what was left to us, and that was the law. So you see our difficulties. Our difficulties are to try and run the two locations not knowing what the position is
going to be. We cannot reduce our expenditure and at the same time we are running up these deficits.

DR. ROBERTS: Besides the amendment of the Urban Areas Act which gives you the power to pull down an insanitary hut, does not the law also give you that power? It does not apply to that location, I think. (Dr. Higgins): I do not know that it does not. (Mr. Brinton): I know the provision in the Amending Act of 1930 permits of carrying out things in a much easier form than the Health Act and it was for that reason that it was included in the 1930 Act. For all practical purposes it is sound, but I do not want to discuss the pros and cons of the legal point, beyond just remarking that it is very difficult to understand what the legal position is. Well, it is going to be opposed and they may succeed, or they may not. If they do not succeed, then they 18 men will have to leave and go out and the building will be demolished. But now comes a further difficulty. Supposing that these buildings must come down, supposing we pull them down and that these Natives must leave, we will have no guarantee that every Native who leaves there will go to Langa. You see, there is another complication which enters into the matter then.

CHAIRMAN: You mean, that they may come to live in the town? - Yes, we cannot compel them. A man may leave and walk out of Ntabeni location and simply go where he likes. In many cases, he probably will go out of our area.

In the meantime, with that, and even apart from that, a future slum problem is being created just outside your area, just beyond your reach? - Yes, which we cannot touch. It is not within our power to touch it.
Which would mean laying up a further store of trouble for the future?—Exactly, and there is no alternative for us. That is a point which the Government will have to consider?—Yes. I think, to a large extent, the position may be this. I do not think that 50% will take up occupation immediately outside the area. I think a large number will return to their Territories, to the Native Territories, and then come back again. We do not allow Natives, new Natives, to come into Ndabeni. The place is dying and the numbers there are decreasing and, at Langa, they are increasing, but the two have very little relation to each other. What I want to explain is that the increase at Langa and the decrease at Ndabeni have very little relation to each other, except in an indirect form. That is to say, the Native who leaves Ndabeni and who goes to Langa, does so in an indirect way. He goes home first and then, eventually, he goes to Langa, but he does not go direct, so the Natives whom we have at Langa are largely those who went home first and then, eventually, came back to this area and went to live at Langa.

MR. MOSTERT: Now, do you account for that position going to the agitators going in among the Natives here—do you say that it is due to that that they will not go to Langa at once, and that they go to their own Territories first?—What I say is that the opposition to their going to Langa is largely engineered by agitators in the Ndabeni location.

These agitators are doing that— it is a local affair?—Yes. The Natives go to the Territories first. I do not say for that purpose. The opposition to going to Langa is largely engineered by a certain number of agitators and I
do say that, behind it all, there is this illicit liquor traffic that has a lot to do with it.

MR. LUCAS: I do not want to minimise the difficulties which you have spoken of, nor do I want to say that there may not be a certain amount of engineering, but it is very easy to accept as explaining everything engineering by people who are called agitators, but we have had points put up to us which might well weigh and which would weigh with Natives, although they may not be serious with Europeans. You have heard it, too. First of all, there is this proximity to the abattoirs which gives the Natives cheap meat, then there is the difference in the rental, and the distance from town, making it difficult for these people to get out and back. Then there is the shopping. Are not all those things factors which are pretty important?—Yes, I realise that.

Do you not think that those factors might account for the position a lot more than this so-called engineering?—No, I think those points are magnified by those in whose interests it is to do so. I think the Superintendent is in a better position to answer that than I am. My expression of opinion is largely based on the fact that the Superintendent in his report tells us what he thinks.

(Mr. Cooke): Undoubtedly, you have mentioned three or four points which affect the position. No. 1 is the fact that they get a cheap class of meat outside the abattoirs. A lot of meat is sold to them by men who do the killing at the abattoirs and they get their meat cheaply from them, and naturally, further, there is objection to the fact that the rental at Langa is higher and then probably the railway fare is also a little higher. That would affect the position as well. Then we must not get away from the fact that there is also the lure of the town. They have a wonderful