LAND TRANSACTIONS AFFECTING NATIVES:

2(a) Yes individuals and companies the European African and European investment company have been consulted regarding the purchase of land by natives.

(b) They have shown a readiness to sell, but the tendency is for the price to be fixed at a somewhat higher figure than it would be for a sale to Europeans.

This is a factor that will continue too in my opinion, as the land available for purchase by natives is limited.

(c) The money demanded has been raised. During the year 1930, the natives have finished paying off the purchase price of three farms in the district. One transaction (1,000 morgen of Welverdiend 201) being a £1500 cash one.

3. Neither land nor money has been lost through inability to complete payment.

The seller of one farm showed great consideration even foregoing a certain amount of interest to which he was entitled, owing to delay in payment. The fact that his Attorney also acts for the tribe concerned, I think probably accounted for this.

4. Once a native has secured land, under no circumstances will he part with any of it. He says "I have had a lot of trouble to buy this land and I am going to stick to it". e.g. The Government have recently decided/...
to erect a Police Post on the farm *Zwartkopfontein* 328 owned by certain Xosas.

They absolutely refuse to sell even one morgen, demanding £1,000 for it, with the result that recourse will have to be had to expropriation.

**USE OF LAND HELD BY NATIVES:**

5. (a) plus (b).

Native individuals and syndicates use the land held by them for agricultural purposes — ploughing, sowing and for grazing stock.

(a) No active steps. They are advised to limit the amount of stock and to improve the breed.

At Braklaagte 168, when the Native Commissioner impressed this upon them at a *fitso*, it immediately provoked a heated argument, showing that the matter had been under discussion.

Last month anyway, the Headman purchased four young thoroughbred locally bred kudden Afrikander bulls for the tribe.

(d) Yes — in some instances they make very good use of their land, infinitely better than squatters, labour tenants and natives in the Reserve.

As regards the latter class, however, there has since September, 1930, been stationed in the Hoiloa Reserve an N.A.G. Agricultural Demonstrator who has been doing very good work.

His work is under the supervision, since December, 1930, of the Agricultural Supervisor of the Southern Transvaal and Bechuanaland.

Not only the natives in the Reserve, but those on farms outside are keenly interested, and I anticipate a very great improvement soon to manifest itself in Agricultural methods throughout the District.
The Moiloa Reserve Local Council is now functioning and schemes that they have in hand will also improve the general agricultural standard.

At Braklaagte 168 mentioned above, two Boreholes have been sunk out of local Tax Funds during 1930.

The tribe themselves erected a hand pump over one, and the Department provided at a cost of £2 a Motor Pump for the other hole. This pump has been housed by the tribe in a store room, and they are now busy building a store and cement reservoir.

6 (a) RECRUITED NATIVE LABOURERS:

Six months, except Premier Mines, 3 months.

(b) I am unable to answer this question as (b) regards natives from the district, experience here shows that once a native gets to the mines he stays there for years, only returning to the stead/periodic visits.

They do not go up and complete their contract and then come back and settle down.

In Johannesburg, judging from many years experience in the Courts there, factors tending to prolong the term are loafing and accidents.

(a) (i) Cash £2-15-0
    (ii) Free accommodation 2-6
    (iii) Free rations 1-10-0
    (iv) Free treatment    2-6
    Estimated £4-10-0

7. (a) Once the native's natural suspicion is allayed and he understands the working of a Government Labour Bureau and that as I read the question - by going voluntarily forward to enlist at such an office he will get 3/-4d per month more in cash, I think he will jump at the idea.

I have made enquiries throughout the District regarding the establishment of a Labour Bureau, and the idea seems to be acceptable to the natives. (b) If I were in a position to say, by joining up at the Bureau you will draw/...
dwar £1 more every six months than your brother who waits to be recruited by a Labour Agent. I feel sure the idea would be received with acclamation with a consequent increase of natives going forward voluntary (1) to farms  
(2) to Labour centres.

(c) I have not experienced such a method in practice.

MASTER AND SERVANTS ACT 2

8. (a) - 4
(b) - 50.

9. This Act is too complicated and should be simplified. The penalties provided are much too small. Squatters' contracts should be registered in the local Native Commissioner's Office, and should show full particulars of the terms of the employment, etc. .

Provision to avoid disputes, should be made for the endorsement on the employer's and servant's copy of the contract of the fact of notice having been given and the date thereof in front of a Magistrate, Justice of the Peace, (European) Police Officer or persons especially appointed for the purpose, resident at the District at convenient centres.

It should be the duty of the employer to immediately notify the Native Commissioner in whose office is registered the the contract of such notice having been given and endorsement having been made.

Experience goes to show that there are continually disputes in regard to whether notice has been given or not. The native very seldom has any proof, and is afraid to come to the Police or Native Commissioner etc. to complain without a pass which his employer will not give.

On the other hand provision should be made for the summarily dismissal of a native servant by his employer for good cause 4 in which should be defined - without the employer being liable to be mulcted in a sum equal to a months
wages/in lieu of examination notice.

Often it happens that a native servant is thoroughly unsatisfactory and yet is not guilty of any express act for which he can be summarily dismissed.

The employer's only lawful remedy then is to give him a months notice, and one. an employer gives a native notice he can expect very little work of that native.

It should be provided that notice should take effect from the date upon which given and not as the common law says from the first of the ensuing month or term of hiring.

Provision would have to be made for the reaping of standing crops or payment of their value.

CRIME COMMITTED BY NATIVES:

10 (a) No - The usual number of pass law and liquor offences etc. Very little serious crime, except Stock theft, which in the early part of the year was very prevalent.

(b) What serious crime there is, is due in my opinion, to association with the criminal class with which the raw native has come into contact in large industrial centres, or when in gaol for petty offences.

Recidivists should be prevented from associating with first offenders from the moment of their admission to gaol, i.e. even before conviction and when awaiting trial.

Measures are taken to prevent mixing after conviction, but whilst awaiting trial, free intercourse takes place.

To enable this to be done a very efficient system finger prints would probably be necessary, but should be practicable.

POOR RELIEF FOR NATIVES:

110 (a) Yes grants in appropriate circumstances
are authorised by the Native Affairs Department.

(i) Not a great deal is needed; the tribal native is cared for by his family.

It is the detribalised and old unattached native for whom no one is responsible that require assistance.

At present there are only two cases on my books, but on 10/2/31 two more cases that will have to be assisted came under my notice - two old grey beards of over 70 years of age, residents of Ottahoop where they have resided ever since the Anglo Boer War.

SANITATION:

12. (a) One Urinal and two Earth closets in the same Lavatory - there is no separation of males from females; but very few of the latter class attend court etc.

There is a native Lavatory on the market square within 200 yards of the Office.

SHELTER FOR NATIVES AT COURT:

13. No - there is only one small back verandah at the back of the Native Affairs Office.

Last year I made representations for the erection of a shed in the yard for me as a motor garage and shelter for natives combined, from the sun and rain, without success.

Such a shelter could be provided at very little cost, and would be suitable for both purposes.

GENERAL:

As has been mentioned previously, a local Court has been established for the Moilea Reserve in the District.

The Department of Native Affairs has dealt most sympathetically with all proposals put forward by the Council which embraces a programme of £2500 odd in 1931.
making of Dams and Roads, Erection of a Citrus Packing House, Dairy Hut, purchase of Staff Buls, etc. etc.

One Borehole has already been sunk and a pump erected.

In addition to this, on tribally owned farms, boreholes have been or are being sunk and the necessary pumps provided.

The expenditure of this money from local Tax Funds to which funds it was of course contributed by the natives, originally has had a very good effect - the native's feeling that the Government is looking after its children.

The stationing of the Agricultural Supervisor and Demonstrator in the District too, is also a good thing, natives throughout the District being very interested.

More Demonstrators are, however, required. One tribe outside the Reserve (the Balurtels at Vinkrivier) have selected a youth for the tribe to go to College for training as a Demonstrator, at the tribe's expense.

The Moiloa Reserve Local Council has sent two minant students to College, paying their the fees etc.

As a means of preventing the increasing immigration of surplus natives to large industrial centres, it is suggested that no native should be given a pass to proceed to such centre without an enabling pass from his Chief.

The Chiefs complain that many natives slip away to the Mines avoiding payment of their Tax, Local Tax and Tribal obligations.
Natuurlike ekonomiese komissie.

Algemene vrae.

Nedeling deur: Magistraat
Pos Adres: P.K.Bus 12x, Bloemhof.

(1) (1) Ny mededeling refereer na Distrik Bloemhof
(2) (a) Ny opmerkings vermy na die algemene Naturelle Populasie van die distrik en sluit alle kleurlinge in.
(b) Ny kennis van die Westelike Transvaal se Naturelle beloop 'n tydperk van 18 maande.
(3) Het waar net die algemene kennis en kan nie autoriteit oor die saak praat nie.
(2) (4) Ek glo dat daar baie voordele aan die Stammestelsel verbonde is omdat dit die Naturel meer terughoudend maak van algemene ewels.
(5) Die stelsel verswak by die dag. Die verswakking skrywe ek toe aan die moellike tye wat ons deurmaak en die verswakking kan nie teruggehou word nie. Die 'n algemene beweging.
(6) (a) Naturelle kapteins bestaan nie hier langs nie en ek is dus van hulle dienste onbewus.
(3) (7) Veelwyvery en Lobolo ondernyn die vyft en sadelkheid van 'n naturel en omdat verskeie die prys van 'n vrou nie kan betaal nie, lewe hulle somar saam.
(8) Naturelle huwelike gewoonenes skyn skerp agteruit te gaan en word vervang deur kristelike plegtighede wat natuurlik goedkoper is, en verhoed dus ongetroude samelewing.
(9) Vraag nege se inhoud is nie duidelik die.
(10) Vraag 10 is nie van toepassing in die afdeling nie en ek kan dus nie iets op die punt se nie.
(11) do.

4................

5. (13) (a) Ek is nie in staat om op die punt 'n definitiewe antwoord te gee nie deur ek te kort hier is.

6. (14) Ek meen stellig dat die XXX Status van die naturel verlang word en skryve dit toe aan sy afwyking van sy tradissies.

7. (15) Naturelle aap die Europiese in elke besonderheid na. Ekonomiese is onbekend met naturelle gewoonte en Wette.

8. (16) Naturelle verlaat Naturelle gebiede baie en trek almal na die dorpe toe en ook van die plekse trek menige kaffers na die dorpe toe. Ook stroom kaffers na die Unie van ander gebiede veral uit Swasiland, Rhodesie ens. Die naturelle zoek werk om te lewe.

9. (17) Die instroom van naturelle uit ander gebiede maak dat daar minder aanvraag vir werk is en dit staan baie plaaslike naturelle sowel as Europese uit die werk uit.

10. (18) Die strengte toepassing van die Paswette in Dorpegebiede sal verhinder dat Naturelle somar die dorpe instroom.

11. (19) Daar is nie genoeg grond vir Europesom om 'n behoorlike bestaan te maak nie en ek kan dus nie se dat ek ten gunste is dat kaffers 'n grond moet okkupeer nie, hulle sal dit in elk geval nie bewerk nie.

12. (20) Sulke Naturelle moet handwerk doen.

13. (21) Jaarlikse verlaat baie kaffers die plekse en gaan op die delwerye of in die dorpe werk omdat hulle kontant geld wil sien vir hul werk.

14. (22) Naturelle moet na my insien vir loon werk (geld) en kan ook toegelaat word as woonkaffers wanneer hul toegelaat kan word om te saai en ploeg maar nie om 'n deel vir die baas nie, dan by hulle altyd aan die XXX kortste ent.
Hier is ongelukkig nie 'n Plakkerstelsel in die distrik nie, gevolglik kan en nie oordeel nie.

Europees vervang nou alle Naturelles in plaas arbeid.

Hier is geen Plakkerstelsel nie en die mensige kaffers wat vir loon werk word in geld betaal.

Naturelle boer nie hier nie.

do.

Naturelle besit nie grond hier nie.

Geen.

Geen werfers van Naturelle Arbeiders nie.

Base maak nie voorsiening vir vermaaklikhede nie daar bestaan dus nie iets van die aard nie. Naturelle het hulle eie vermaaklikhede soos dans, voetbal ens.

Afwesigheid van Naturelle van hulle huise af gee aanleiding tot verbreking van hulle familie.

Die meeste huisbediendes in stadsegebiede is Naturelle en voorkeur word gegee aan meide. Op die platteland is daar ook meeste met meide in die huise.

Ek is nie bewus van enige Organisasie waardeur Naturelle hulself en hul vak soe Arbeiders kan beskerm nie.

Eie handel word gedryf met kaffers vir kantoortowel as ruilhandel. Daar is nie krediet vir hulle by winkels nie. Alles moet kantoortowel.

Dear is nie Naturelle handelaars in die distrik nie.

Uitwerking van opvoeding by Naturelle wys nie bevredigende resultate nie. Hulle is natuurlik meer bekwaam om te verdien maar is dan te kiekeurig en te wetgeleerd om dan ordentlik by 'n posisie aan te pas.

Die "rou" Naturel doen meer bevredigende hardearbeid. Daar is geen vooruitsigte vir opgevoede Naturelles in hierdie distrik nie. Aangesien die tyd so swaar is neem Europese bereidwillig werk aan wat voorheen deur Naturelle gedoen was.
26. (46) Naturelle hoort thuis by boedery en as iets van die aard aangemoedig kan word sal hulle daaruit voordeel trek.

27. (49) Die bestaande wet is voldoende en as hulle behoorlike uitgevoer word moet altwee partye voordeel daaruit trek.


(IV) 'n Weinig agitasie is in die begin gemaak teen die Naturelle Administrasie Wet as terme maar Naturelle het alreeds die agitasie op die agtergrond geskuile.

(V) Die Naturelle Belasting en Belastinges Wet word in die algemeen goed opgeneem deur die Naturellebevolking.

(VI) Beide Naturelle en Europese beskou die Wet as baie bevredigend omdat dit die rege van altwee beskerm.

(VII) Die Wet is baie effektief en word goed besef deur alle rasse. Die vervolgings is besonder min vir 'n afdeling soos hierdie.

(VIII) Naturelle beskou Passwette as 'n ingryping op hulle vryheid en daar is baie vervolging vir Passwette. Blanke is ook baie laks en behoorlik uitvoer te gee aan die vereistes van Passwette.

(IX) Nie van toepassing hier nie.

29. (51) Naturelle trek nie van dorpe af na plase toe nie.

Die dorp is meer aantreklik vir hulle en gevolglik is daar meer sonder werk en meer vervolgings & vir oortredings van Passwette.

30. (52) Die algemene indruk is dat die verhouding tussen Europeaan en Naturel verander het maar die mate on die aard is nie presies beskryfbaar nie.
statement by Harding Barlow, Magistrate at Roodepoort.

1. SCOPE OF STATEMENT.

Cape Province, Transvaal Province and Natal Province: Chiefly to Transkeian Territories.

I served for over sixteen years in the Transkeian Territories, for about two years at the Ndabeni Native Location, and for periods on the Staffs of the Chief Native Commissioner for Natal, and the Sub-Native Commissioner Pretoria, and as Acting Magistrate, Herschel, I have had experience of Natives in the Northern Transvaal and in Durban, when for two and a half years, I, inter alia, presided over the Native Civil Court. I lived on a Native Mission Station for over two years, am presently Magistrate of Roodepoort, but Seconded to Bellville.

2. TRIBAL STATEMENT (4)

I consider that the tribal system is advantageous in every way to the Natives, provided that the Chiefs keep pace with the development of their people, by no means an easy matter.

(5)(a)

Undoubtedly, the system is breaking down.

(b) Many factors are causing this. For many years the laws of one country have shown a tendency to curtail the powers of the chiefs, and to substitute European Laws and codes for well established Native customs. And again, the sons of the rich commoner have been enabled to secure better education than the average chief will permit his sons to take advantage of, and an aristocracy of education has raised its head. Contact with urban life has made the native less disciplined, and this, with the advent of the agitator, has produced a strong wave of
socialism in the, until recently, entirely conservative (and royalist) Natives.

(c) In my opinion, the breakdown can neither be assisted, retarded, or allowed to continue unimpeded. The only possible attitude is to regulate the transition stage, and to develop a state of affairs different to that which has obtained in the past, but also unlike that which is threatening.

Every opportunity should be taken to uphold the power of the Chiefs, but this should be done in conjunction with the establishment of the General and District Council Systems throughout Native Areas. Just as the power of the King of England is restrained by Parliament, so should the power of the Chiefs be restrained by the Councils.

(d) I understand that under Act 38 of 1927, certain Chiefs in Natal, Zululand, the Transvaal and Bechuana-land, have petty criminal jurisdiction. I do not consider that Native Chiefs should be given Criminal jurisdiction. Civil jurisdiction has been extended to the Chiefs a little more lavishly.

Up to a year ago, only two Chiefs in the Native Territories had been granted jurisdiction to hear civil cases between Natives and Natives. During my lengthy stay in these territories, I came into contact with several other Chiefs (and Headmen) who would have made admirable adjudicators in such disputes. In many civil cases heard by me, reference was made to a previous decision by a Chief in the dispute, and often these showed considerable sagacity.

There, unless he is a Headman also, the Chief has no officially recognised power. The question of officially recognising all Chiefs is worthy of consideration.

NATIVE CUSTOMS (7) Polygamy:

Has a good influence on the morality of the husband and a bad one on that of the wife.
Native women wish to abstain from intercourse during the period when they are suckling children - often a much longer period than is usual with European women - and a native husband seeks solace elsewhere. Hence if he is a polygamist he more easily refrains from adultery.

If a native man has a number of wives, it is more than likely that the majority of them will have lovers.

A native who wishes to have a number of wives is usually more industrious than a monogamist, unless, of course, he has inherited wealth.

(8) Marriages by Christian rites are sometimes accompanied by the payment of dowry. I have known of missionaries who have encouraged this. Often, the parties pass cattle secretly. Cohabitation without marriage can hardly have anything but the worst results. Practically all native marriage customs are broken down by either Christian marriage or cohabitation without marriage.

(9) There is little connection between overstocking and lobolo, except that where lobolo is not livestock it is most probably due to the fact that livestock is scarce. The native custom may produce overstocking.

(10) Among most of the Transkeian tribes eight to ten head of cattle is the usual dowry for the daughter of a commoner. Exceptions are the Basutos, whose dowry is 20 head of cattle, 10 sheep (or goats) and one horse, the Hlubis whose dowry is 25 head of cattle and one horse, and the Hlangwenis whose dowry is 27 head of cattle (or sometimes 40 head).

The custom of lobolo should I consider be maintained. It might, however, be made more uniform, the objection to this being that the size of the dowry is based upon the wealth of the tribe.

(11) Of late money has often taken the place of cattle, principally among the more civilised natives or when there has been heavy mortality among stock. This has not had a good effect, for, to the native mind it both lessens the value and weakens the significance of the custom.
Numerous attempts have been made to improve the quality of their cattle, with little apparent success. This is the only valuable suggestion so far advanced to prevent overstocking, and with extension of the General Council system it has much more chance of success in the future than in the past. The reservation of unity grazing is a useful measure.

(5) CHANGE IN QUALITY OF SOIL.

The quality of the soil has deteriorated in those districts where there has been much grass burning, and where unity grazing has not been properly regulated.

Vegetation has been ruthlessly chopped away in areas not controlled by the Forest Department.

(6) SOCIAL AND ECONOMIC CONDITION OF NATIVES.

I first served in purely Native territory twenty-six years ago. In Native areas one sees much progress, in agriculture and stock raising in particular, but I do not consider that the Natives' greater contact with the big industrial centres has furthered his social and economic advancement in any material respect. The advance has come from within the Native areas themselves, much of the retrogression has come from without.

(7) NATIVE MIGRATION.

There has been an increased tendency of Natives to migrate from Native areas to Towns during the last twenty-five years. Twenty-five years ago, Chinese Labour was used in the mines, and for several years after their withdrawal, when travelling through the Native territories, one saw few Natives going to and from the mines. Since then there has been a very great increase in the number of men leaving for the Rand, and in quite a number of cases women and children have gone also.
I have noticed a big increase in the number of Natives going to Durban, but, though there are now a great number of Natives in the Cape Peninsula, I don't think the number is very much greater than that soon after the War of 1899 - 1902. There is no doubt that the contact with the large towns tends to the social degradation of the Native. If I have found this in Cape Town, Durban, on the Reef, and in East London and Pretoria.

(19) Surplus Natives in urban areas should be repatriated at Government expense. It is the only solution to the problem. The only way to prevent increased migration at all effectively would be to have a quota at each large centre, and to restrict migration from Native areas accordingly, by means of a pass system.

(6) LAND TENURE BY NATIVES.

To my mind there is no doubt that the individual system of land tenure is the better. There can be no favouritism, such as exists under the communal system, and there is a uniformity of payment which is absent under the latter system. It gives also an individual sense of pride in the land. The chief objection is that it helps break up the tribal system and is foreign to the conservative native's mind.

11. NATIVES AND FAIRS.

I prefer the basis of share farming, as being fairer to the Native and better understood by him.

19. RECREATION.

 Municipalities and large employers of Natives should undoubtedly be urged to provide recreation for Natives. In towns such as Durban on Sundays and the evenings, Natives congregate in large numbers, and having no recreation, except very doubtful "dance halls" continually get into mischief. I frequently pressed from the bench for the provision of recreation for natives, and believe that in Durban a beginning has been made.

Speaking generally, I am afraid that the supply of educated \textit{in} natives exceeds the rather restricted demand, and this leads to disappointed ambition and the development of agitators. Industrial and Agricultural education should be encouraged more than the other branches at the \textit{in} present stage of development.

29. \textbf{NATIVES AND COLOURED PEOPLE IN TOWNS:}

Natives migrating to towns where there is a large Coloured population, come largely in contact with the more disreputable members of the community, who exploit them by selling liquor to them and who encourage their vices.

\textbf{PUNITIVE MEASURES OF RAW NATIVES MIGRATING TO TOWNS.}

Young natives continually arrive at large towns driven there by economic necessity, and, thus, usually in a homeless condition and seeking work.

Many of them came early into conflict with the many Union, Provincial and municipal prohibitions, in most cases innocently from a moral point of view. The usual result is the imposition of a small fine which of course cannot be paid, and in this default, a short term of imprisonment. The inexperienced youth thus early comes into contact with the criminal classes, and in addition loses his natural fear of jail. Many become tainted and thus criminals are constantly being manufactured.

The remedy I would suggest is a special Act of Parliament making provision for particular and reasonable punishments in such cases.

\textit{[Signature]}

\textbf{MAGISTRATE.}

\textit{ROODEPOORT.}

\textit{(presently seconded to Bellville)}

\textbf{27th March 1931.}
Statement by J.G.V.L.M.E., Additional Native Commissioner, Soutpansberg.
Postal Address: P.O. Box 22, Louis Trichardt, N. Transvaal.

(1) Scope of Statement.

(1) Statement applies to the District of Soutpansberg,

(2) (a) Remarks refer to the avenda, Assuto and Shangaan Tribes.
(b) Experience with the tribes has been gained over a period of 20 years as Sub Native Commissioner and later as Additional Native Commissioner.
(3) Answered by (b) above

(2) Tribal System.

(4) The advantages of tribal system are better control for administrative purposes through chiefs and headmen. The prevention of immorality and crime generally. The disadvantages are negligible.

(5) Tribal system is to a great extent breaking down. The factors causing such breakdown are the gradual distributing of natives due to contact with civilisation and the influences of the Native Congress and other kindred societies. (a) It is not deemed advisable nor is it in the interests of the natives themselves to break down the tribal system. Every endeavour should be made to uphold the system and thus assist the Chiefs in tribal control.

(6) Considerable use of chiefs is made in the registration of taxpayers and the collection of taxes due by the people. The dipping of large and small stock and the supervision thereof, the prevention and eradication of animal diseases, the collection of statistics, the prevention, detection, and punishment of crimes and offences, the eradication of noxious weeds, the efficient administration of law relating to the allotment of land and kraal sites within native locations and the prevention of illegal occupation of or squatters upon land.

(c) Until such times as chiefs are better educated it is not deemed advisable and neither is it practicable to make greater use of them than is being done at present.

(4) The following are the present responsibilities of chiefs:
They shall bring to the notice of their people all new laws, orders, instructions and requirements of the Government. They shall promptly report to the responsible officers of the Government the following occurrences:
Outbreaks of any notifiable disease amongst stock
Outbreaks of any notifiable disease amongst persons.
The deaths of persons from violence or other unnatural causes.
The commission of crimes and offences brought to their knowledge.
The presence of strangers and unauthorised persons in their areas.
The presence of a fugitive offender.
The illicit introduction of arms, ammunition and intoxicating liquor.
Meetings for unlawful and undesirable purposes.
The presence of strange stock in the area without
without lawful permit.
They shall prevent so far as the law allows them
to do so, the burning ofสไต, the sale of
poisons, love philtres, and the practice of pre-
tended witchcraft and the practice of native
customs which are contrary to the law and prin-
ciples of humanity and decency.
They shall at the request of the Native Commissioner
convene meetings of their people and shall attend
such meetings themselves and endeavour to secure
the attendance of their people.
They shall in as far as they are able disperse or
order the dispersal of all riotous or unlawful
assemblies of natives and may arrest and hand over
to the Police any person who fails to comply with
such order.
They shall impound or detain any stray stock found
in their areas of which the owners cannot be
ascertained.
They may detain stock brought into their areas under
unlawful or under suspicious circumstances and
shall promptly report the fact to the Native Com-
mmissioner.
They shall report to the District Surgeon or Native
Commissioner every untreated case of venereal
disease or leprosy in their area.
They shall be responsible for the proper allotment
of arable lands and residential sites within their
areas in an equitable manner.
They shall, subject to instructions, act as the upper
guardian of orphans and minor children in the tribe
in accordance with the native law and custom
prevailing.
They shall be responsible to the Government for
the peace, order, welfare and administration of the
tribe, and shall immediately bring to the notice of
the Native Commissioner any conditions of unrest
or dissatisfaction or any other matter of serious
import or concern to the Government.

(5) For the carrying out of the above responsibilities
Chief’s have the power to exercise, in regard to
any native within their area of jurisdiction such
powers and authorities in connection with the
arrest and custody of offenders as are conferred
upon peace officers by Chapter V of Act No 31 of
1917 or by any law relating to the theft of stock
and produce or to the control or the sale of liquor.
They have the power to search without warrant
any native person or the kraal, homestead or other
place within the area of their jurisdiction
occupied by a native if there are reasonable ground
to suspect that stolen stock or produce or intox-
icated liquor or arms or ammunition wrongfully
obtained are hidden on such person or in such
kraal or other place. These powers are deemed
commensurate with the responsibilities of Chiefs.

(3) Native Customs.
(7) The practice of polygamy and lebole cannot be said
to have any degenerating influence on the progress
industry, or moral character of natives. Women still
attach great honour to the custom of “lebolema”.
In the place of solemn vows it gives marriage a
binding effect; it imposes on the husband the main
obligation of reaffirming from doing certain acts
which justify his wife in leaving him, thus forfei-
ting the cattle that were paid for her;
it binds the woman to her husband, for if she leaves him
without lawful cause, complications would arise with her
own people, to whom the husband would look for the
return of his lobolo.

(8)(a) Although a number of native marriages are solemn-
ised yearly in accordance with Christian rites the
payment of lobolo takes place in almost every instance.
There is therefore no indication that Native marriage
customs are broken down in this respect.
(b) Concubinage is not sanctioned by true native law.
It certainly exists today and is probably increasing,
though fortunately it is in check by repugnant
parents who still insist on lobolo being paid for their
daughter. The demand for the payment of lobolo and the
fact that the father of the girl can enforce his demands
acts as a deterrent to cohabitation without marriage
and tends to enforce and uphold Native marriage customs.
The practice is therefore seldom indulged in in rural
areas and is only met with in urban areas where natives
have become detached and have fallen away from
parental control.

(9) It can be safely said that the lobolo custom contributes
to overstocking in a very great measure and as long as
the payment of dowry in cattle continues it will be
an obstacle in the path of improving the cattle popula-
tion of the country-numbers rather than quality
being the general rule when making the payment of lobolo.
This practice of putting a high value on numbers, and
little or no value on quality and the habit of attempt-
ting to carry more cattle to the area than can be kept
in good condition is leading to overstocking of native
areas with disastrous results in periods of severe
drought.

(10) Ten head of cattle is the usual number to be paid for
a girl of commoner parents. It is not considered advis-
able, for moral reasons, to interfere with the custom
of lobolo; it should however be regulated by making it
compulsory to register with a proper official all
payments of lobolo made in connection with a customary
union.

(11) Stock and cash is being employed in the payment of
lobolo. At one time all payments were made in stock, but
since the ravages of Rinderpest and East Coast Fever
denuded the country of cattle, cash payments have been largely resorted to. Cash payments are still
employed and are preferred to cattle payments although
the country has recovered from the above mentioned
diseases and is now fully stocked with cattle. The reason
for this can be attributed to the fact that grazing in
native areas is not available and also to the expense
of compulsory dipping of stock. These changes have had
no effect on the value of lobolo as cattle have a
standard value of £5 a head and when a cash payment is
made these values are adopted i.e. ten head of cattle
would be equal to £50 in cash.

(12) Overstocking.

Beyond remonstrating lecturing the natives against the
evils of overstocking and urging them to reduce their
stock and farm with a better class of animal in smaller
numbers nothing has been done to prevent the continu-
ance of overstocking. I regret to have to report that
these efforts have not met with any measure of success
and it is feared that as long as quantity rather than
quality counts with the native any measures adopted,
short of actual compulsion will have no force or effect.
It can without fear of contradiction be said, that
overstocking today is very much worse than it was ten
years ago. The chief causes of such overstocking are:-

(1) The eradication of
(1) The eradication of East Coast Fever and other stock diseases which formerly took a heavy toll of all large stock.

(2) The beneficial results of compulsory dipping of cattle which has reduced mortality enormously.

(3) The tendency of natives to trek with their stock from privately owned farms into Scheduled Native Areas.

without legislation I fear that all efforts to prevent overstocking will prove abortive, it is suggested that legislation should aim at making it illegal to pay lobolo in live stock. This would eventually do away with the quantity rather than quality complex and ultimately compel the natives to make use of cash instead of cattle as his currency.

(5) **Change in Quality of Soil.**

(13) In native areas it is patent to even a casual observer that a great change for the worse has taken place in the quality of the soil and vegetation in this district during the past twenty five years. These changes have been brought about as follows:-

(1) **Overstocking,** which prevents the better kinds of grass from re-seeding.

(2) **Constant cropping** of the same ground without a rotation of crops and no manure or fertilizers being used.

(3) **Erosion of the soil.**

(4) **The pernicious habit** which the native has of denuding the Veld of all trees.

(6) **Social and Economic conditions of Natives.**

(14) Progress in civilisation amongst the natives is necessarily slow, though there are not wanting indications of a general forward movement compared with the conditions twenty five years ago. A noticeable feature is that, as soon as a man becomes a Christian and is more or less civilised, he will make frantic efforts to drive everyone around him into Church and School. The tendency towards progress in civilisation is, generally speaking very marked, and a promising zeal and aptitude is displayed in acquiring such elementary education as is afforded them, but it is unfortunate that more facilities are not available for industrial education, which is far more important to the natives than mere book learning, which only results in the turning out of numerous would-be clerks and teachers with a smattering of knowledge.

Polygamy certainly appears to be less prevalent, but the reason for this is that the acquisition of more than one wife is luxury which few natives can afford to indulge in. The custom of holding beer drinks appears to be on the increase and the police are hard put to it to control these orgies in many parts. The natives living on private farms appear to be most largely addicted to these practices, and it has been suggested that farmers in some instances encourage beer drinking in order to make sure of obtaining a constant supply of labour, as it generally happens that farmers who take active steps to prohibit the holding of beer practices are boycotted by the natives in the neighbourhood. Beer drinking is too much a part of native life to have been affected by the moderate progress in civilisation. Its regular daily consumption, when the possession of grain permits its manufacture, is a matter of course. A surplus of grain is an event marked by an assembly of natives organized for the sole purpose of beer drinking.

That a considerable loss of labour results from neighbouring farmers as a direct result of a carousal is not to be wondered at. Occasionally
occasionally natives finding difficulty in effecting single-handed the weeding of their crops, invite their friends from surrounding lands to assist in the operation, rendering to the assistants by way of payment for their services as much beer as they can consume or as is available. The efficient control of such gatherings is a difficult matter, and one which merits serious attention.

(15) There is without a doubt a growing tendency on the part of natives in this district to adopt European dress and furniture. This tendency is universal and applies to all sections. The adoption of European houses, recreation amusements, reading, education, custom in marriage and in the employment of servants is confined, more or less, to Christian natives residing in urban areas. The male native population of the district has adopted European dress almost to a man. The female population, however, with the exception of Christian natives and natives residing in urban areas, have not adopted the form of dress to any extent.

(16) The existing laws of native succession and inheritance undoubtedly hinder the social or economic advancement of native women so that they cannot inherit where a male heir, however remote, can be found. In other words she can only, in very exceptional circumstances, become possessed of property and asset remains the bearer of wood and the dresser of water. The males do not suffer any disability from the existing laws of native inheritance as it is the duty of the heir to provide all his younger brothers with wives and in this way the estate is distributed in an equitable manner so far as the male population is concerned.

7. Native Migration

(17) There is an ever-increasing tendency for natives to migrate. This tendency has been very gradual and cannot be said to have been greater over any one period of five, ten, or twenty years. Migration is taking place in the direction of from farms and locations to urban areas and from European-owned farms to Native areas. The reverse is seldom met with very little migration takes place between provinces and the same can be said of union and extra-union territories. The cause of migration from rural to urban areas is the attraction which the towns have for the average native. They remain away from home for so long that they become detached and lose all desire to return to rural conditions. Migration from European-owned farms to Native areas is due principally to conditions and the dislike to native areas is due principally to the conditions of tenancy and which today exist in practically all farms occupied by Europeans.

(18) The social and economic effect on the natives who migrate from farms to urban areas is generally speaking a degenerating effect upon Europeans due to migration from farms to urban areas not commensurate with his expenses and he is then compelled to work year in and year out to make ends meet. The effect upon Europeans is purely an economic one and results in his being put to greater expense in his farming operations in that he has to hire and pay for his labour as against the free squatter labour he had been accustomed to.

(19) Surplus and out of work natives in urban areas, whenever possible, should be compulsorily repatriated to their homes in the native areas. Underage natives should not be allowed to proceed to urban areas in search of work.

8. Land tenure by natives

(20) In favour of the communal system of land tenure for natives provided such communal system is under tribal control. This form of tenure is what the native has been accustomed to in the past and tends to better control and government. In the case of the educated native individual tenure is to be preferred.

9. Landless natives

(21) In areas where no reserved land is available natives will
of a necessity be economically compelled to take up residence as squatters on European-owned farms. I can visualise no other alternative.

12. Farm Evictions:

(22). Evictions of natives from European-owned farms have been in evidence for a number of years past. It is found impossible to cite cases as no official record of evictions are kept. The causes of such evictions are as follows:-

1. Failure on the part of the native to carry out his labour contract or pay rent when due.
2. Increase in the scope of the farmer’s operations resulting in more ground being brought under cultivation and thus reducing the area available for native occupation.
3. The taking up by Europeans and the carrying out of farming operations on farms hitherto solely occupied by natives on rent paying terms of tenancy.

Natives evicted either migrate into locations or on to European-owned farms in proposed native areas where consent to tenancy on rent paying conditions is not difficult to obtain from the Government.

11. Native on Farms:

(23). To my mind the only equitable form of employment on farms are labour tenancy and for cash wages. Share farming and payment of wages in kind contracts lend themselves to abuse and result in useless disputes from which the native usually emerge the loser.

12. Native labour tenants on Farms:

(24). The advantages of a farmer to a labour tenant system are:-

(A). An available supply of labour to hand in times of scarcity.
(B). Efficient labour trained to farm work.
(C). The removing of the difficulties in making cash payments for labour; to a farmer who is struggling along to make ends meet in his farming operations.

The disadvantages to the farmer are:-

(A). The destruction caused to land trees and game by native tenants.
(B). Land reserved for native occupation being locked up and not available for use by the farmer.

The advantages in favour of the native are:-

(A). Knowledge in better methods of cultivating the soil acquired through having to perform farm labour.
(B). Better grazing for his cattle and more fertile land to cultivate than would be obtainable in native reserves.
(C). In times of drought resulting in failure of crops he is looked after by his landlord and taken care of in regard to food supplies.

The disadvantages to the native are that he is tied to the farm by his labour contract and is unable to go out to earn money without the consent of his landlord which is often refused.

The increased acreage being brought under cultivation is a factor in reducing the number of labour tenants on farms. The big majority of natives are not in favour of becoming labour tenants owing to being tied by the labour conditions of contract. This form of contract is not at all popular with the natives and accounts in a very great measure for the falling off of the numbers who take up residence on farms where such contracts are in vogue.

13. Replacement of Farm Workers:

(25). In so far as this district is concerned there has never, at any time, been any tendency to replace native labourers by any other race of workers. Coloured are the only other race employed and there has been no tendency to replace them with native labourers.

(26). The forms of labour tenancy contracts in this district are as follows:

1. Ninety consecutive days of service.
2. Ninety working days spread over the year.
3. Ninety working days in one spell.

The only variation in the above forms of contract
contract is where the tenant is required to render two days a week service spread over the year. Such a form of contract is mostly confined to the wives of tenants.

27. (a) The obligation of a labour tenant to render service is not confined to the head of the family, but also includes his wives, children, and other kreal inmates.

(b) No wage in cash or kind is paid to the head of the kreal, his wives, children, or other inmates unless they enter service on a wage basis after having completed their farm labour obligations and only then in respect of the labour performed over and above their labour contracts.

(c) The customary rate of pay for an adult male malais is from 20/- to 30/- per ticket of 30 days, worked. Females earn about half the above rates. Daily paid labourers earn 1/- per day, females 6d per day with food.

(d) As stated above ordinary male labourers are paid 20/- to 30/- and females 10/- to 15/- per mensal with food and housing.

28. In the majority of instances the labour tenant and his family have to feed themselves whilst in work. They are not required to reside on the premises but return home to their kreasals after the daily work is done. A number of the more progressive farmers feed their labour tenants one meal a day whilst in work but do not provide them with lodging.

29. When the head of the family or any of his sons has given the service required of him he is permitted to go out in search of work for a stipulated period. This permission, as previously stated in this report, is in some cases, for various reasons, withheld. Farmers prefer that the tenant should remain at home and take service with them on a wage basis after they have completed their farm labour contracts. This however is optional and the tenant, if he so wishes, can remain on the farm merely as a resident with full occupation rights.

30. A labour tenant is seldom restricted in the amount of ground which he may cultivate for himself. In most cases sufficient ground for his own requirements. Excepting on farms where the full amount of grazing is not required the native tenant is restricted to ten head of cattle, the number however, varies according to the grazing available and the amount of labour supplied by each head of a family. Assistance in ploughing is very seldom given and the supply of fertilizer has not been heard of. As a general rule the farmer usually makes it a condition of the contract that he has the use of all manure from the tenant's cattle kreasals.

31. Answered above.

32. A very large number of farms in this district is owned by Europeans and solely occupied by natives. The terms of occupation are 20/- per head for each male adult native and 12/ per head for each additional wife. A grazing fee of 3/- per head of large cattle, 2/- per head of small stock per month is charged.

33. The effect of such occupation by natives is the gradual deterioration in value of the property by overstocking, destructed of timber and overcropping without the addition of fertilizers to the soil. The facilities available for the obtaining of rent is having a marked influence in diminishing the available supply of labourers for European farmers residing in the neighbourhood. The natives residing on rent paying terms in the district will not turn out to work unless circumstances compel them to do so and when he does turn out it is to go to the large farms in search of employment.

34. Farming by natives.

35. Very few natives are engaged in farming on their own account in this district. Most farms are and remain in mixed farming, stock, dairy, and agriculture.

36. Marketing of Native Produce.

37. Native produce, with the exception of cream which is sent to the creameries, is usually sold by country store keepers and the creameries, is usually sold by country store keepers and the creameries, is usually sold by country store keepers and the creameries, is usually sold by country store keepers and the creameries.
patience and practical demonstrations. In this direction the native Agricultural Demonstrators employed by this Department are doing very useful work. The pity of it is we have so few of them, more are required if the work is to take a wider range than at present and to serve a useful purpose they should be stationed in every corner of the district. Native Agricultural Associations are being formed in this district with a view to improving the marketing of native produce. The experiment is being watched with interest and should it prove successful there is no doubt that many other associations on the same basis will come into existence.

18. I know of no instance of natives leasing land to non-natives in this district.

17. Employment of Europeans by Natives:

19. No cases of employment of Europeans by individual natives has come to my notice in this district.

20. Recruited Native Workers:

21. There are approximately five recruiters of native labour in this district. Their methods are quite satisfactory. The remittance fee paid them varies according to the class of labourer supplied and whether for mines or agriculture. The following are the fees ordinarily paid—

<table>
<thead>
<tr>
<th>Age</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>£2</td>
</tr>
<tr>
<td>9</td>
<td>£3</td>
</tr>
<tr>
<td>12</td>
<td>£3</td>
</tr>
</tbody>
</table>

22. Adult and Underage Agricultural Labourers 3 months contract £

<table>
<thead>
<tr>
<th>Age</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>£2</td>
</tr>
<tr>
<td>9</td>
<td>£2</td>
</tr>
<tr>
<td>12</td>
<td>£2</td>
</tr>
</tbody>
</table>

The average native will not now contract his services through a labour agent unless he is in difficulties and requires a cash advance or the price of his rail fare. It is therefore not considered that the Recruiter increases to any extent the number of natives who go out to work for Europeans; he merely assists them and effects their distribution amongst various employers.

23. This district being a native area recruited natives are not brought in from other areas for the purpose of work.

24. No steps that I am aware of are taken to return to their homes natives whose contracts have expired.

25. Recreation of Native Employers:

26. With the exception of the Messina copper mine which has a swimming bath and football ground provided for the use of its native employees no provision whatever is made for games or other recreation as far as natives are concerned.

27. Effect of absence of natives from home:

28. As a general rule native labour tenants both male and female, when working on farms in this district return to their kraals at night; there is therefore no change in their social and economic conditions. These remarks do not apply to the native who leaves his home to work for a farmer at a distance from his kraal. The great majority of the natives do not reside on the premises of the farmer but are usually billeted at a kraal of one of the tenant labourers and fed by the farmer or. Socially there is no change as far as he is concerned.

29. Financially there is no change as far as he is concerned. His earnings are small and for this reason he seldom works for longer than three months when he returns to his own head holding having obtained sufficient funds for his requirements in regard to tax payments and the immediate food supplies for his family. Short absence from home of a duration of three to four months can have no practical result upon their families.

30. For the sake of their marriage ties. That knowledge in agriculture is acquired by their forefathers, in the case of to the farming methods of their forefathers. In the case of to the farming methods of their forefathers. In the case of

31. Many instances the wives of these men go wrong and cohabit with other men.
In many instances the wives of the men go wrong and cohabit with other men; in some cases the fault is entirely due to the husband who remains away from home for many years and entirely neglects his family. Happily such cases are in the minority. The majority of natives remit money to their homes at periodic intervals and thus keep their families in tact and contented. Females who leave their homes and go to work in large towns at a distance from their homes usually get married there to natives who have definitely left their homes for good and seldom again return to their kinsmen; others get steeped in crime and are ashamed to return home; they become social outcasts and are denounced by their people.

21. Native Domestic Servants:

22. Domestic servants in both rural and urban areas in this district are generally natives. Females are preferred owing to their being good nurses, but they are not always obtainable due to the fact that parents object to their daughters going into service and do their best to retain them at home. Failing females native youths are preferred to adult males for domestic service.

23. Organisation of Native Employees:

24. Natives are in no way organised for protection as employees in this district.

25. Trade with Natives:

26. Trade with natives in this district is on the basis of cash purchase and sale and barter. Competition between traders is keen and consequently natives are protected against unduly high prices of goods they purchase. Natives will walk miles to buy an article a few pence cheaper than he can obtain it at his local store; traders are aware of this and are therefore not foolish enough to unduly raise the price of their wares. Credit is given to well known natives of substance, but generally there is no regular system of credit or tokens in vogue. Trade is virtually on a cash basis.

27. There are a few native storekeepers trading on their own account in this district. Their names are as follows:-

<table>
<thead>
<tr>
<th>Name of Native</th>
<th>Locality of Store</th>
<th>When Business Started</th>
</tr>
</thead>
<tbody>
<tr>
<td>Philip Mabula</td>
<td>Shanga Location</td>
<td>1/1/30</td>
</tr>
<tr>
<td>Jack Mufu</td>
<td>Nkubwe Location</td>
<td>9/4/30</td>
</tr>
<tr>
<td>Jima Thlawons</td>
<td>Kapiri Location</td>
<td>1/8/30</td>
</tr>
<tr>
<td>John Sambale</td>
<td>Akobwe Location</td>
<td>1/1/30</td>
</tr>
<tr>
<td>Totasha Akuri</td>
<td></td>
<td></td>
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</tbody>
</table>

Numbers of natives in the past have tried storekeeping but the majority have failed and gone out of business. The love of ease, the lack of initiative and general improvidence so essentially a part of a native's nature, prove an effective barrier to commercial progress and make him content to live from day to day an idleless but happy existence. This love of ease usually prevents the accumulation of sufficient capital to allow the native entering successfully into competition in trade with the more enterprising and ambitious. There are exceptions to the rule but the native generally does not make a successful storekeeper and usually fails in his attempts at commercial life after a very short period in trade.

28. Effect of Education on Natives:

29. An educated native changes his mode of living and as far as within his means adopts a European standard of living as is within his means adopts a European standard of living as is within his means adopts a European standard of living as is within his means adopts a European standard of living as is within his means adopts a European standard of living as is within his means adopts a European standard of living.

30. Employment for educated natives in this district is extremely limited the only being in the teaching profession, managers of branch trading stores in native areas and clerical appointments. In all these avenues of employment the number of qualified natives far exceed the available situations.
situations. Large numbers of educated natives have thus per-
force to seek employment in other districts. It is feared
that until more industries are opened up in the district
further openings for the employment of educated natives
cannot possibly be made available.

45. Native Industries in native areas.

46. It is difficult to predict, in a young country like the
Kotah State, what gainful industries might be opened in the
near future. But in areas-like the large number of cattle own-
ed by natives rather indicate that at no distant date the
possibilities of establishing a cream and cheese making
industry might receive attention. At the present time a number
of natives are sending cream to the local creamery and if only
a better system of Reid management could be instilled into
the native mind as to increase the yielding capacity of
their cows. I have no doubt that the number of native cream
suppliers would be largely increased thereby. Basket weaving,
basket making, pottery and furniture making are other industri-
es which might receive attention. Materials for these industri-
es are available and the native is proving himself an adept
at making the abovementioned articles.

47. Laws affecting native workers in towns.

48. I am unable to report under this heading as I have no
experience of it. The laws referred to do not operate in the
small towns in this district.

49. Effect upon natives of certain legislation.

50. The Natives Land Act, 1922, is having the gradual effect
of segregating the natives into native areas where facilities
for paying rent are available. This migration into native areas is re-acting on the European farmers to the extent of
diminishing his available supply of native labour. Economically
the native is better off in native areas, apart from sched-
uled areas, he has more land for cultivation and better graz-
ing for his stock. He is free to come and go as it pleases
him and there is therefore no bar to his turning out to work
whenever he so desires; in other words his capacity for earn-
ing money is not cramped in any way by the restrictions
placed on the native farm labour tenant.

51. The Mines and Works Act and the Native Labour Regulation Act,
can hardly be said to be in force in this district at present
with the exception of that part of the Native Labour Regu-
lation Act which refers to the recruiting of natives.

The Native Administration Act has given wide satisfaction to
the native population in general, yet it has had no notice-
able effect on the social and economical life of the natives.

The Native Taxation and Development Act is tending to force
the native out to work in large numbers more especially in
bad seasons when the crops are a failure. In this respect it
is not an unmixed blessing as the average native through being
compelled to go out to work usually returns home with far
more money than is required to meet his tax obligations and
in this way his family and other relatives benefit. Funds
derived from the Development account are proving of great
advantage to the natives generally in improving their living
conditions both socially and economically. As more money be-
comes available the greater will be the benefits derived
therefrom.

Natives (Urban Areas) Act. The section of the amending Act of
1938 which deals with the curfew has a tendency to cur-
et and to put an end to the female
toll social gatherings at night especially amongst the female
servants of native ownership - employees of native serv-
ants are reluctant to grant the necessary permits for their
servants to be out after 9 p.m. In small towns such
as, and in the case of larger towns the Act has no real economic effect on
the native population. The rents charged by the municipality
for stands and houses within theUrban Native Location are
equitable and well within the means of the inhabitants.

Mature and Servants Act. The 1926 Amendment Act has brought
sauters within the operation of the Master and Servants
Law of 1930. The effect of this amendment has enabled
landlords to bring all their native squatters under labour
contracts of service in respect of their residence on farms. The position which has arisen has had a disturbing effect on the native population in general and is tending to drive them off farms occupied by Europeans on to farms solely occupied by natives in Native Areas where rent paying terms of tenancy can be had. The European has undoubtedly benefitted by this amendment as he is now in a position to obtain free labour from his tenants.

22. Native Laws: These laws act harshly on the native population in restricting movements and in dealing a fatal blow to their social life. The average landlord has no hesitation in making use of the laws to collect his rents and other dues by refusing a permit to travel to all defaulters in arrears with rent etc; the laws should either be repealed or modified to give the native greater freedom of movement.

23. Rating or Labour Tenant Law: About two-thirds of the native population is located on private land occupied by Europeans. The conditions of tenure vary with localities. Some pay rent from 2L to 20L per annum per adult male native, with an additional charge of 1L for extra wives; some form an additional charge is made for grazing of stock on the basis of 3/- per head per annum of great stock and 6/- per annum for small stock. Large numbers of natives are hopelessly in arrears with their rents and it is difficult to see how they are going to extricate themselves. These debts are constantly on the increase and numbers of natives have in consequence been given notice to quit by the landlord. Another class of squatter in the native who is under an agreement to perform service in lieu of rent. The period of service ranges from two days a week to 90 days per annum. In the majority of cases service is usually rendered by the women and children. The labour rendered is usually not equal to labour for which wages are paid.

24. Natives come to work late and leave early; they are independent and if the farmer brings pressure to bear he enforces his contract the native usually gives notice and leaves either for a location or some other farm where the conditions may perhaps be a little easier. The system is not satisfactory as it militates in the case of the two days a week contract, against the native obtaining employment for wages and forms a constant source of complaint against farmers. The practice can only be described as pernicious. A far more satisfactory form of contract would be a system of a minimum wage payment for services after due allowance has been made for the value of the tenant's free residence on the farm. There is undoubtedly a necessity for labour tenants in this district; without this labour farmers would find it extremely difficult to carry on their farming operations. They must have labour available when required owing to the extreme independence of the squatter on rent paying farms and location occupants in a season in which a good harvest has been reaped. Their rents are small and when the granaries are full they have sufficient for all needs and there is therefore no incentive for them to go out in search of work and were it necessary for the farmer to rely on this class of labour his position would be precarious indeed. Another reason why it is considered necessary for farmers to be provided with labour tenants in this area is the fact that by far the greater proportion of farmers in this district are what might be termed pioneers; as such their means are very limited indeed and to have to pay a cash wage to their labourers would cripple the development of their farms and also their farming activities generally to such an extent as to render the position untenable.

25. Natives and coloured persons in towns:

26. The proportion of coloured people in towns in this district is negligible and therefore the presence of natives migrating to towns has no bearing on the situation.
and the inducements held out to them to remove from one farm to another resulting in his becoming overbearing and arrogant. An additional factor which is causing bad feeling between natives and Europeans is, I regret to have to say it, the bad taste which a certain class of European has of exploiting the native at every opportunity. It leaves the native with a very bad impression of the white man's sense of fairness and justice. If the Europeans would be less rapacious and more circumspect in all his dealings with the native there is no doubt that good feeling between Europeans and natives will be restored.
The Secretary,
Native Economic Commission,
P. O. Box 394, PRETORIA.

5.

NELSTROM,
24th March, 1931.

NATIVE ECONOMIC COMMISSION: QUESTIONNAIREE.

With reference to your minute N.E.C.87/2 I beg to report as follows:-

1. (a) Waterberg District, Transvaal. (b) Magistrate and Native Commissioner. (c) 16 months (Mr. Carinus, Clerk in charge of Native Affairs has been in the district for 3½ years.)

2. LAND TRANSACTIONS AFFECTING NATIVES.
   (a), (b) & (e). There have been several such applications, but they were all concerning farms not situated in or near a released Native area. In one instance i.e., the farm Vangheining No. 789, which adjoins a Native area, the Farmers' Association and adjoining European owners objected to the proposed sale of the farm to Natives. The matter was not proceeded with as the price demanded by the seller was quite beyond the means of the Natives who contemplated buying it.
   An application from the Bellevue Cotton Estates to have a block of 13 farms owned by them declared a released Native area, was dealt with, but has not yet reached finality, owing, mainly, I think, to opposition by adjoining European owners.

3. (a) and (b): I know of only one instance i.e., the farm "De Hoop" No. 994 which is not in or near a Native area. This farm was purchased by Natives about 20 years ago, prior to the coming into force of the Native Land Act of 1913. The farm was purchased by three different entities of Natives and they have been squabbling among themselves and have law suits to such an extent that they are now all in danger of losing both the ground and the money they have paid.

4. (a) and (b): USE OF LAND HELD BY NATIVES.

5. (a) and (b): Agriculture and pasture.
   (c): There is no overstocking in this district.
   (d): There is no appreciable difference in the mode of agriculture.

6. RECRUITED NATIVE LABOURERS.
   (a), (b) and (c): There are no Labour Agents in this district and no recruiting is done here.

7. (a) and (b): The establishment of a Government Labour Bureau will be impracticable in view of my reply to question No. 6 above.
   (c): NO.

Masters
Masters and Servants Act.

9. (a) 227 cases. (b) 17 cases.
(b) Farmers in this district are under the impression that the children of the head of a family are under the same obligation as the head to render service. Their minds are being diseased on this point and their attention is being directed to Section 16 and 29 of Chapter II of Law 13 of 1880.
(b) I consider that Law 13 of 1880 should be amended in the following respects:
(i) Contracts should be allowed to be entered into before a Magistrate, Native or Assistant Native Commissioner, Justice of the Peace or Police Officer of or above the rank of sergeant.
(ii) Section 6 Chapter II should be deleted and provision should be made for the contract to be exempt from stamp duty.
(iii) The age of the children mentioned in Section 18 Chapter II should be 18 instead of 16 years so as to be in uniformity with the age of an adult male Native as laid down in the Natives Taxation and Development Act No. 41 of 1928.

Crime Committed by Natives.

10. (a) There is not much crime of a serious nature committed by Natives in this district. Mostly minor offences e.g. contraventions of the Tax Act, Pass laws and Stock diseases regulations.
(b): Poverty and ignorance and occasionally wilful default.

Poor Relief for Natives.

11. (a) Yes. At present there are three cases receiving pauper relief from the Government by means of monthly allowances of from 10/- to 15/- per month.
(b), (c) and (d): It is necessary and each application is considered on its merits.

Sanitation.

12. (a) and (b): There is one latrine and a urinal available for Natives and this considered adequate.

Shelter for Natives at Court.

13. There is no shelter for Natives at this office and in this connection I beg to state that this service was promised by the Native Affairs Department for consideration with other urgent services for inclusion in the minor works estimates for the year 1929/30. (See minute No. N.A.31/292 from the Secretary for Native Affairs dated 31st January, 1929.) Such a shelter is urgently required with an ante-room in which the District Surgeon can examine Natives entering the Urban area in search of work etc.

General.

14. I have nothing further to add.

Magistrate and Native Commissioner.
Christians Tvl.

12th March, 1931.

The Secretary,
Native Economic Commission,
P.O.Box 384,
Pretoria.

NATIVE ECONOMIC COMMISSION: QUESTIONNAIRES
FOR MAGISTRATES AND NATIVE COMMISSIONERS.
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With reference to Identical Minute 64/276(4) dated the
21st January last, from the Secretary for Native Affairs, Pretoria,
I beg to report as follows on the points raised in the typed an-
nexure thereto.

SCOPE OF STATEMENT:

1. My report deals with conditions in the following districts:
   (a) Christians, Transvaal, where I have been stationed for
   the past year.
   (b) Philipstown, northern Cape Province, where I had been
   previously stationed immediately prior to coming here
   for about 4 years.

My remarks in this report must be taken to refer to the
Christians District except such as are specially mentioned as re-
lating to the Philipstown district.

LAND TRANSACTIONS AFFECTING NATIVES:

2. Not applicable. Natives in these districts have never
owned land either communally or individually. There has never
been a proposal to purchase land for natives in these districts.

USE OF LAND HELD BY NATIVES:

3. Not applicable to either districts. Natives hold land
neither on individual tenure or as syndicates.

RECRUITED NATIVE LABOUR:

67.
6.7. The recruiting system has never been in operation in either district. Natives required for farm purposes or for diamond digging (Christiana District) are engaged directly by employers themselves. No natives in either of these districts have been or are being recruited for the mines.

MASTERS AND SERVANTS ACT.

8(a). Employers of natives charged with offences under Section 21 of Law 13 of 1880—Two cases.

(b). Natives charged under Sub-section 5, Section 5, Chapter 3 of Law 13 of 1880.

(l) 7 males (Farm servants).
(11) 6 Females (Domestic).

9(a&b). Comparatively few cases come before the Court. Desertion charges are the most frequent, and in such cases natives generally allege illtreatment, withholding of wages or underfeeding in defence of their conduct. Sometimes the defence is raised that notice was given but ignored by the master, at other times there is a dispute as to the commencing date of the notice.

These are very unsatisfactory cases to deal with as generally it is simply the word of the master against that of the native. I would suggest that the various Masters & Servants Acts at present in operation in the different provinces be repealed and with the object of achieving uniformity that a consolidating Act be passed dealing exclusively with the employment of native and coloured farm servants. In the drafting of such an Act some provision might perhaps be made for the registration of all verbal contracts with the police showing commencing date and the terms of employment with the object of protecting natives against unscrupulous masters, and also it should be made a penal offence for farmers to supply goods on credit to their native servants. There is good reason to suspect that some farmers use this as a means of retaining the
MISTERS & SERVANTS ACT (Continued).

services of natives indefinitely. A threat of prosecution is held out in such cases should the native desire to leave their service. He is led to believe that the existence of a debt owing to his master is a ground for criminal prosecution should he leave without it. I have not come across such instances here but at my previous station (Philipstown) they were by no means uncommon. As the law stands at present the Court is often placed in a dilemma - it has to base its judgment chiefly on the demeanour of the two interested parties in the witness box, and generally speaking the master with his superior intelligence and education has the advantage when giving evidence over the ignorant and illiterate servant.

One cannot help feeling that certain types of European farmers not above exploiting the ignorance of servants are difficult as it might be to embody provisions in an Act designed to safeguard the interest of a servant without thereby prejudicing the position of the many decent and honourable employers who constitute the majority yet I consider that something of the kind should be attempted even if it involves the modification of the law of evidence when masters and servants disputes are under consideration.

DELITES COMMITTED BY NATIVES.

10. (a) Serious crime committed by natives in this district is negligible. 80% of the cases brought before this Court are natives, and the majority of them are merely petty cases i.e.

(1) Under the Natives(Urban) Areas Act of 1923.
(2) Night Pass. Section 3 Ord.43/1902(Tvl).
(3) No proper pass. Sec.6 Procl.10/1903 (Tvl.)
(4) No Passport. Sec.24 (3) Procl.13/1903(Tvl.)
(5) Contra. of various Municipal Regulations and Bye-laws.

In the District several Stock Theft cases.

The petty offences committed may be attributable to the following factors:
CRIMES COMMITTED BY NATIVES (CONTD.)

(a) Willful negligence in obtaining proper passes and permits.
(b) Taking chances to avoid the authorities.
(c) And ignorance in a very limited number of cases.

Crimes of a slightly more serious nature i.e. theft common, assault common, etc. could be attributed to temporary idleness and/or casual drunkenness respectively.

The commission of crimes by natives in this district is not in my opinion due to economic pressure. Employment is easily obtainable and at rates commensurate with their standard of living. More serious crimes such as Stocktheft, Housebreaking, Assault with intent etc. may be ascribed to the lack of control, primal instincts - a feature which is generally found in association with uncivilized or semi-civilized peoples. In this district beer drinking is fairly common, but I cannot say that it has given rise to the commission of crime.

POOR RELIEF FOR NATIVES.

11. (a) Adequate provision for poor relief for natives in this district.
   (b) About 50% of the poor relief grant from the Provincial Administration.
   (c) About 50%, i.e. £225 per annum.
   (d) Every application by a native applying for relief is thoroughly investigated and considered and relief granted where necessary according to the reasonable needs of each case.

Relief granted ranges from 5/- to 12/6 per month. The relief granted is probably more adequate than in the case of Europeans whose requirements are higher.

SANITATION

12. (a) Two buckets: One of the squatting type and the other of the ordinary open.

   (b) This sanitary accommodation is entirely adequate.

SHELTER FOR NATIVES AT COURTS.

13. Suitable waiting shelter for at least 20 is provided for natives attending court etc. at the back of the pass office. The shelter provided is adequate.

At a later date I hope to be able to send a further report on other points raised in the general questionnaire.

[Signature]