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moet julle besigheids plek rotproef maak", dan sal dit gedoen word, maar hoe kan ons dit vir 'n naturel se? As ons vir 'n naturel die reg gee om besigheid te dryf en as ons vir hom verplig om sy besigheids plek rotproef te maak, dan sou dit vir hom ruineer. Dit is almaal kwessies wat ons in aanmerking moet neem. Dit sou nou omtrent £200 kos om 'n winkel op te set as hulle aan ons regulasies moet voldoen. Wel, dit sou die naturel verplig om 'n kompanie te vorm of om na een of ander maatskappy te gaan om vir hom te help; daardie maatskappy sou bestaan, miskien uit koelies, miskien uit witmense, en daardie maatskappy sal die laaste ding wegvat van die naturel. Ons voel die naturel is nog nie groot genœg nie om op sy eie voete te staan, en daarom se ons "staan eers by die kaffer eethuise en dan later sal jou tyd miskien kom om op ander besigheid in te gaan". Ons weet wat hulle hier in belasting kan betaal, en ons se om die rede dat hulle nie in staat is om £300 of £400 te bestee om 'n besigheid op te set.

En dan as ons die naturelle lisensies gee, dan sal ons die lokasie moet toemaak net as 'n kompound en hulle sal dadelik objekteer as ons dit wil doen. As ons vir hulle sou se "betaal die koste van die poliesie wat nodig sal wees, dan sal hulle ook nee se.

Die Munisipaliteit van Kroonstad is nie sleg gesind nie teenoor die naturel; ons voel ons kan hul omgeving verbeter deur elektries lig in die lokasie in te set; daar is baie dorpe wat dit nie gedoen het nie; ons het dit gedoen; ons het die nodige vroedvroue en verpleegsters gekry vir die naturelle, en ons se ons sal doen al wat nodig is om die naturelle te help. Die toeloop van naturelle na die Kroonstad lokasie is mieskien o ook toe te skrywe aan die goeie behandeling wat hulle hier geniet; ons vra dat ons die reg sal kry om dit te stop en

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ons vra "forseer ons nie om stappe te doen wat nie in die beste belang sal wees van die naturel".

SENATOR VAN NIEKERK: Ek appresieer baje wat U gedoen het vir die naturel en die standpunt wat U opgeneem het teenoor die naturel; maar die feit dat U nie vir die naturel die reg wil gee nie om handel te dryf in die lokasie kan ek nie verstaan nie; U se die naturel het nie die geld nie en nie die besigheids kapasiteit nie; maar waarom is U dan bang vir hom?-- Om hier die rede-- as die vader die kind uitstuur, dan bly die verantwoordelikheid by die vader. Ons se "moenie dat daar 'n vreemde invloed sal kom wat verkeerd sal wees-- stuur hom nie na die universiteit nie voordat hy met die laere skool klaar is".

Dit is sy saak; as hy wil ondergaan, laat hom; die naturel dring daarop aan en hy se "gee vir ons die openings". Ons hou hom op seker opsigte terug; daar is seker opsigte waar ons dit nodig oordeel om hom vas te hou, maar hier is 'n kans om hom vooruit te laat gaan; waarom sal ons nie vir hom die kans gee nie; dit lyk snaaks vir my dat die Vrystaat daar die houding sou opneem?--Wel, vat dit-- vat die posiesie tusse die naturel en die koelie; die naturel het moet wyk. Daar is natuurlik ook 'n seker mate van eie belang; ons voel dat as ons die naturel die reg gee om handel te dryf in die lokasie, dan sal elk ander persoon wat in die dorp handel dryf tengevolge daarvan moet ly. Ons in die Vrystaat voel dit, dat ons nie verder moeilikheid wil skep nie, en ons hou graag ons eie wereld skoon; ons wil 'n skoon Vrystaat hou; ons wil ons naturelle billik behandel, maar ons wil ook sien dat ons witmense billik behandel sal word en nie sal ly omdat ons iets sal doen wat niemand voordeel sal besorg. Dit is die rede van ons houding. Die Vrystaat

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het dit een van die kondisies gemaak toe ons op Unie ingegaan het, dat die land skoon sal gehou word en dat die koelies nie in die land sal toegelaat word nie; ons misgun dit aan niemand nie dat hulle die koelie het, maar ons wil nie dieselfde posiesie hier in die Vrystaat kry nie.

As die witmense bang is dat die naturelle die handel van die witmense sal wegneem dan kan ons sodanige regulasies maak dat die naturel net alleen aan ander naturelle sal kan verkoop?--Ja,maar dan sal ons meer poliesie moet kry, want anders sal ons nie in staat wees om so'n regulasie uitgevoer te kry. Wie sal belet dat my kaffer na die naturelle winkel sal gaan en daar iets sal koop wat werklik vir my salwees. As ons daardie saak moet kontroleer dan sal dit vir ons £3,000 of £4,000 in die jaar moet kos om dit behoorlik te doen. Hoe sal ons dit kan kontroleeras ons nie genoeg poliesie het nie? As ek 'n wet wil maak, dan moet ek geld en gesag het om dit uit te voer, want anders help die wet glad nie. Die saak is meer ingewikkel as wat dit so oppervlakkig lyk; ons het die heel kwessie sorgvuldig bestudeer en dit is om die rede waarom ons daarop teen is dat handels lisensies toegstaan sal word aan naturelle.

VOORSITTER: Is daar bog ander punte wat U namens die Stadsraad voor die Kommissie wens te breng?--Nee, ek het net die drie punte onder die aandag van die Kommissie wil breng, virnamelik die kwessie dat die Stadsraad die reg behoor te he om te se "ons wil nie meer naturelle uit die plattelands distrikte toelaat om xin ons lokasie in te kom". Ons eis dit as ons reg.

Native Witnesses.

MR. ROBERT A. SELLO and

MR. HENDERSON KWYAMA BINDA called and examined:

CHAIRMAN: We have here the I.C.U. of the O.F.S. and the I.C.U. of Africa. Are these two separate organizations ?- (Mr. Sello): I represent the old I.C.U. I want to say this

The advantages of the tribal system in the administration of Native affairs are patent and undoubted, not only in tribal areas, but also in the urban areas. It is generally admitted that the ideal to be aimed at is a gradual substitution of the European individualism along with European law over the Native tribal system, as the Natives advance in civilisation.

Neither the tribal nor the urban Native has advanced sufficiently in civilisation for the Native tribal system and Native law to be done away with for a considerable period to come. The strong central patriarchal authority of the chiefs is and has been proved over and over again in the history of this country to be of inestimable value to the Government in the case of tribal disputes and internal disturbances within tribes. The Native Affairs Commission report of 1881 - 1883 described Native customary law and tribal system as being suited to primitive and barbaric life; and while ever the policy is felt of segregating Natives in tribal and other reserves is carried out, the tribal system will have to be maintained for many years to come as European standards or civilization percolate very slowly into the Native reserves.

As has recently been pointed out by investigators in Basutoland, the recognition of hereditary chiefs is inclined to retard progress in Native reserves. This is chiefly owing to the fact that hereditary chiefs are not as a rule well educated or progressive in their ideas, so that the progress of their tribes towards European standards is retarded.

It may thus be said that it is not really tribal system which is to be blamed; but the quality of the hereditary chief. The long recognition of the Native customary law regarding civil matters in most Free State urban areas is acutely felt and this had certain evil effects on the social life and moral well-being of the urban Native.

It must be remembered that the vast majority of the urban Natives are pas ing through a difficult transition stage and, finding themselves freed from the strong patriarchal authority of the chiefs, they are liable to run to excess. Most urban Natives have not the substantial sum necessary to sustain civil actions under the European law of the Union, and as a result seduction of young girls is going on at an alarming rate in most urban locations.

The tribal system, of course, is breaking down. More and more young Natives who are summoned to return to their tribal homes from the urban areas in connection with lobola and other disputes under tribal law are refusing to comply. One of the principal factors of this breaking down of the tribal system is the fact that the Native who obtains work in the towns knows that he is immune as regards civil action under the laws of the Union, because he has nothing to lose in such civil actions as he has little in the way of assets and, at the same time, he is immune from the penalties under his tribal law as long as he continues to work and reside in an area where there is no recognition of Native law.

As far as Native law affects seduction, adultery and other civil matters, the breaking down of the tribal system should not be assisted, but rather retarded until such

time as the Natives shall have acquired a much greater measure of civilization.

Regarding Native customs, morally speaking, polygamy has very evil effects, especially on women who are ~~xxii~~ all jealous of each other and are watching their husband to find out who of the lot he loves best and, if they find that the husband has more love, say, for wife No.3, then there arises all manner of hatred and, as a matter of fact, it is here where superstition is bred. Secondly, in most cases, people who prefer this kind of marriage often neglect to support their wives in a proper and fitting manner and that is why we have so many loose women in the urban areas of the Free State and elsewhere. The majority of women who are seen in our towns have not come solely for the purpose of brewing beer, because beer markets here afford better markets for the queens to stay, but they come here having run away from their husbands as a result of being neglected and not receiving sufficient maintenance from their husbands. But if, on the other hand, the husband goes away from home to go and work in order to bring more money home, these women again become loose and are apt to terrible excesses.

I do not believe that there are any influences exerted on industry by polygamy, because, generally speaking, polygamy is practised by the wealthy Natives and the chiefs who do not require to go out for work at all. I, therefore, do not think that industry suffers as a result of their staying at home.

As regards the progress of the Native people, there is no doubt that it is greatly affected by this system of marriage, because by it the population is greatly increased, whereas the economic conditions of the country do not warrant such an increase in population. Polygamy

was good forthe olden days, when Natives had land and plenty of cattle, but now the conditions are such that even the reserves are becoming overcrowded and overstocked. Other great defects of polygamy which are very noticeable, especially in Native reserves, where chieftainship is in vogue, are the common faction fights caused by the chief's sons as a result of disputes over succession of heirs, especially in cases where the chief favours a certain son on account of his love for his mother and thus violating the known custom of the succession of the chief's heirs.

In connection with the question of organizations of Native employees, the chief Native organization known to me is the Industrial and Commercial Workers' Union of Africa, commonly known as the I.C.U. This organization was started at Cape Town in 1919, and spread northwards at a terrific speed. It passed through several trying times, as some of its officials did not understand the principles of trade unionism and treated it as a pseudo-political body. Later, the National Council of this Union, after failing to obtain co-operation from the White trade unions of this country, appealed to the Amsterdam International Federation of Trade Unions Overseas, and succeeded in obtaining a federation, when, in 1927, the then National Secretary, (later General Secretary) Clements Kadalie, was deputed as an unofficial delegate to the Geneva Conference of the Labour Movement. While in Europe, Mr. Madalie was assisted by English labour people, among whom may be mentioned Miss Holtby, and succeeded in getting the services of an advisor to the Organization in the person of Mr. W. G. Ballinger. Meanwhile efforts

5 Native Witnesses

have been made by the National Council and the Congress of this Organization to get recognition from the Government, but the Government refused to recognize the I.C.U., stating that the I.C.U. was not a trade union and further that the Industrial Conciliation Act did not apply to the pass bearing Natives. Although the I.C.U. has had many internal troubles, yet the cause of its failure to protect Native employees was due to the Government refusing to recognize it and thus having no dealings with it. Had it been given the same recognition as what the White trade unions enjoy, efforts would have been made to keep it on a sound footing; but now everybody has been made hopeless by the manner in which the Government of the country viewed it and its leaders.

Most of the officials became very desperate and went to extremes when they realized that constitutional methods did not help them. The Government, on the other hand, made more repressive laws in order to curb the tongues of the most extreme officials of the I.C.U., but this did not help to make things better. Instead, the I.C.U. officials became very desperate and spent the large sums of money in employing lawyers to make test cases of the laws under which they were charged (Native Administration Act, Clause 29). Later on, the Government succeeded in passing the Riotous Assemblies Bill in Parliament. The Minister of Justice may have this credit, that it is due to his Bill (now Act) more than the internal squabbles of the I.C.U., that the integrity of the I.C.U. was smashed.

However, it is to be regretted that the Government took this hostile attitude against this Native organization, because, as a result, the Communist Party which was at the time very weak, is gaining ground every day. As the

Communists are commonly said to rely for their remuneration from Moscow rather than from the Native subscription, it is feared that this revolutionary organization will some day grip the minds of the unintelligent Natives, who will make no half measures when revolution is seriously preached to them and will undoubtedly be killed like flies, since they have no means of self-defence against the forces of the Government.

CHAIRMAN: I have not got many questions to put to you on your statement. The I.C.U. of the Orange Free State and the I.C.U. of Africa, are they two separate organizations, or is the one a branch of the other?- They are separate organizations and I have spoken here as a representative of what is generally known as the old I.C.U. I have nothing to say on behalf of the independent I.C.U. which is represented here by my friend, Mr. Mote, who, I believe, also has a statement to put before you . I am here, together with my friend Mr. Binda. (Mr. Binda): Yes, I also represent the old I.C.U.

(Mr. Sello): I might point out that, with the assistance of Mr. Ballinger coming to South Africa, certain trades organized themselves into trades unions. Today, we have the laundry workers' trade union, the motorbus drivers' trade union, the cabinet makers' association and the bricklayers' association in places like Johannesburg.

DR. ROBERTS: Do you think yourself that, at the beginning you could reasonably consider the I.C.U. as a trades union?- You mean, when it started?

Yes, when it started?- At the beginning, the I.C.U. was pseudo political body.

Do you think that polygamy has increased the number of people in the country?- Undoubtedly. From my own experience, I think that the Natives in Basutoland

and people who are polygamists have more children than those people who are married by christian rites and custom.

That is to say, a polygamist woman will have more children than a monogamist woman?- Yes.

MR. LUCAS: I do not think you have got the question right. This is what Dr. Roberts means. Does a wife in a polygamist marriage have more children than the wife in a monogamist marriage?- No. By virtue of their number they have more children.

You mean that the husband with three wives has more children than the husband with one wife?- Yes.

CHAIRMAN: Supposing the five wives of one husband were not married to that one husband. Would not, among the Native people of South Africa, those five wives be married anyway?- Yes, undoubtedly they would be.

They would bear the same number of children?- Yes, but there would be no marriage.

Why not?- There would be mere cohabitation.

Supposing your people did not recognise polygamy at all. Do you not think that the women who are now polygamously married would still be married to one husband each?- Yes.

And if there were still the same number of children, would it matter who they would be?- No.

So there would still be the same number of children is that not so?- I am not inclined to agree with you.

The number of children depends on the number of women - say per thousand women and not per thousand men?- No. Supposing each of each women were married to a single husband, you would find cases where one husband would not be capable of making children, so the population would not be as large.

Native Witnesses:

MR. MOSTERT: There are more women than men, is that not so?- That is not the point.

MR. LUCAS: Do you think that, among the Native men there are many who are not competent of having children?- I would not say that there are many men, but there are some men.

A very small number? - Yes, undoubtedly it is small

DR. ROBERTS: If you made the I.C.U. a little broader than it is and if you were able to say that that last sentence in your statement were not true, would not that be better. I shall quote the sentence. "As the Communists are commonly said to rely for their remuneration from Moscow rather than from the Native subscription, it is feared that this revolutionary organization will some day grip the minds of the unintelligent Natives, who will make no half-measures when revolution is seriously preached to them and will undoubtedly be killed like flies since they have no means of self-defence against the forces of the Government." Now, if that were not there, would it not be much better. If you made your organization broader and more kindly?- It would have been very much better. I think it would have assisted it to have become what we desired it to be, if the Government had given us recognition, because there would have been a check on the funds collected by the I.C.U. from the public.

But Governments are usually unwilling to do these things?- Quite so, but then our Government is willing to recognise trades unions, White trades unions.

They are pure trades unions, but this one is not?- My contention is that if the I.C.U. had been recognised by

the Government it would have become a pure trades union.

Do you really think so?- Yes, I do.

MR. MOSTERT: Do you not think it was a mistake to import foreign relations into this question at the beginning?- What do you mean by that?

I mean Kadalie?- Well, Kadalie was one of the founders of the I.C.U., so we could not very well get rid of him.

Do you not think it was a mistake to import a foreign element?- I do not think it is wrong, because even among the White trades unions you find Germans and Frenchmen and all other people.

Yes, but not as leaders, that is quite a different thing?- So long as a man is capable of leadership, I do not see why one should do away with such a capable man. It is the efficiency we look at and not the nationality of a man.

DR. ROBERTS: Still, he is not far removed even from your nation. He is a pure Zulu?- Quite. As a matter of fact, if we have to trace his nationality, we would find that perhaps he belongs to the wandering class of people whom we have heard such a lot about in this country. He belongs to that class of people whom the social anthropologists would tell you a lot about.

You mean, he is really not a foreign element at all?- No, he is not. But it is not a question of nationality we look at. If a man is a good leader and means well by the cause he stands for then it does not matter what nationality he belongs to, so far as I can see.

DR. ROBERTS: You regard Kadalie as a good leader?- He was the founder of the I.C.U.

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MR. THABO KABLE WILFRED MOTE, called and examined:

CHAIRMAN: There is one subject on which the Commission would like to hear certain points from you and that is the question of Native taxation and temporary exemption during times of distress?- I have a statement here.

In accordance with the Government Notice No.1074 of the 13th June 1930, notifying the appointment of this Commission to enquire into economic and social conditions of Natives, especially in the larger towns of the Union of Africa, this statement is submitted by the Independent Industrial and Commercial Workers Union of Africa, representing most of the Native and Coloured Workers of this Province. The whole of South Africa today is haunted by a spectre of Native unrest, and we submit that, under our present system of society, a wide and irreconcilable difference of interest exists between those who work for a living and the landlords. The Native workers fundamentally are sellers of labour power while the employers are buyers of labour power.

Factors leading to detribalisation are many, but we will only give a few which seem to be of paramount importance. These people leave their kraals chiefly because their conditions there are not fit for human habitation in many respects. Today, most of the Europeans are haunted by a nightmare of Native unrest, which in reality exists in their imagination only as we notice them armed as though they were on the eve of the Great World War of 1914.

The migration of Natives into towns from rural areas is caused by economic pinch, or strangulation of Native labourers, both male and female. The position in the rural areas obtaining today on the farms is as follows:- Males are paid according to their age, and some are not

even paid a penny. Males get from 5/- to 12/- per month and free grazing, and females from 2/6d to 10/- per month and free grazing. On some farms, Natives are charged for their stock grazing on the farm.

The rations given are also causing much unrest in the rural areas, with the result that many people drift to the towns. From 8 lbs. to 24 lbs. of mealies per week are given. In the majority of cases, this does not suffice and the labourer is expected to purchase further supplies out of his own wages. Where a labourer posses a cow or cows, these are first milked by some farmer as part payment for grazing, afterwards the milk is skimmed and the skimmed milk allowed to the owner of the cattle. On some farms a sheep's quarter is supplied once monthly per family. Any animal that may have died of disease is allowed to the farm employees for consumption. On many farms, Natives get alms disguised as wages, and even these alms they get in various forms. We are aware of cases where Natives, for asking their daily wages, are threatened with sjamboking, shooting and other threats in order to discourage Natives to urge for the wages. In some cases police, Europeans and Natives, consort with the farmers to combat the African Native farm labourer. The living conditions of the Natives in the farms is intolerable. There are no fixed hours of work. Labourers are aroused at the break of day and expected to continue working until darkness makes further work impossible. In many cases, these people are not allowed to attend Sunday services unless their Church falls under the supervision of an European missionary, and are not allowed to attend any political meeting, for they might contract the I.C.U. disease.

In the majority of cases, there are no terms of

service arranged beforehand, as some Europeans fear their sins of treatment, but their word is generally accepted by some magistrates, notwithstanding that these people concert with the farmers to throttle down the Natives. The fault is, the State has undertaken to employ uneducated Native constables and their psychology is to oppress the Natives. Generally speaking, farmers engage Native labourers and dispense with their services at any time without giving them any notice, so as to enable them to make preparations for the removal of the stock, if they possess any. The result is that the labourer is forced to employ lawyers whose mission-some of them-seems to be the utter exploitation of the Natives. We have heard several cases, especially here in the "Free" State, - some European Attorneys employed by Natives to represent them against cases of assault - , there we strongly urge that African Native lawyers be allowed to practice in this Province, and Natives be encouraged by the State to assume duties as Agents-at-law. Whilst our people are on the road on account of eviction, - the great eviction of 1913 when many of them lost their stock, - they either die or are impounded. (Petrus Steyn in 1927, during the stormy days of the I.C.U.)

In reality, some European farmers in this Province treat the Natives worse than the slaves of Sparta. That is why the Africans argue the correct interpretation of the "Free" State as that of Slave State. The housing question in the farms need not be mentioned, as these are broken down entirely - at the mercy of the farmers themselves -

and this is a pretty disgrace to the Western civilisation and Christianity. The Natives cannot be huddled together as though they were beast of prey in the zoo! The advent of the Europeans into this country has never had the beneficial results, since they made us go right down into the bowels of the Earth to dig gold and diamonds for the needs, and to cultivate the lands for them to produce maize, etc. In the first place, when the White men came out here the Natives went out on strike. The tragic struggle which took place is well known and needs little comment before this Commission, but eventually were had to accept these conditions of civilisation imposed on us, under protest.

Regarding the administration of Native affairs in urban areas, sometimes it is left entirely in the hands of cruel Europeans who are party members of their respective political parties, such as the National Party, whose chief plank is "Hou the Kafir op sy plak". The conditions in the urban areas breed agitators because of the repressive policy of oppression. People should learn to be patient enough to meet all African political and industrial organizations in order to avoid the unpleasant situations that might accrue as a result of the Council's narrow outlook. The Native Advisory Board is in many cases not representative of the peoples, especially in the smaller towns of the Free State, as those elected are only - in the Trade Union language - "Good boys", i.e. scabs. The housing question in Kroonstad is far from satisfactory. The Municipality competes with the Native in the buying of houses in this urban area and this has

caused a lot of dissatisfaction amongst the inhabitants, although the authorities may try to combar this allegation, but it is there in the bosom of the African inhabitants of the locations.

In the appointment of location office employees, the Native Advisory Board should always be consulted, in order to avoid any future misunderstanding. Employment should be given preference to bona fide standholders. Most of the European employees should be replaced by educated and respectable Native inhabitants. The Natives all over South Africa today want these locations to be entirely under their management and supervision, with one European only as director; this will be in conformity with the laws governing segregation policy of the Government.

As far as liquor in the locations is concerned, the kaffer beer privileges granted have not been abused, although there are black sheep in some flocks. The Natives really favour the tot system, although temperance societies are opposed to it, but these do not express the feelings of the working class of the Bantu race, only a minority. In order to eradicate vile concoctions, the State should immediately establish beer canteens, where light wines may be sold to the Natives, and this will stop unscrupulous Europeans smuggling liquor into the location. Rather should the State allow and encourage the Natives to get their beverage. Prohibition is doing the Natives a great deal of harm; the affairs of the Natives are the same as those of the human race the world over. Give the Native a chance to show his capability and strength in liquor; the authorities are only creating an awkward

situation by denying the Natives the right to the indulgence of drink. You will not be able to stop the illicit liquor sale if you prohibit us from drinking.

On the question of Native education, there should be no barriers as far as educating the Native is concerned, and avenues of employment should be opened for the educated African Native. We are proud that men of our origin and race, such as Professor D. D. T. Jabavu, Mr. Zachria Mathews (B.A.), hold commanding and responsible positions. Native education at this stage should not only be in the hands of missionaries. Give interested Native organizations a chance to shape the education of the future, such organizations as the Independent I.C.U; the African National Congress and others should be allowed a say in the administration of Native education. However, we must content ourselves with the views of men like Mr. Jac. Buller Crutse of the Bantu Traders Association. We want the capitation fee and our tax to be utilised for our benefit.

Natives who earn barely 2/- per diem are called upon to pay £1 tax, notwithstanding that an European with an income of £300 per year pays nothing. We go further. Even Native farm workers who get nothing except verbal promises are called upon to pay tax. We claim that the Natives should be entitled to the same treatment without racial discrimination. The most puzzling problem is that the Native gets no pension, whereas he is paying the general revenue 16/- out of every pound. In the rural areas, those Natives who have cattle, even though they may be 60 years of age or sickly , by some magistrates in the

Free State dorps are made to pay the tax. In some quarters, the Natives are beginning to organize seriously that there should be NO TAXATION WITHOUT REPRESENTATION. All the Native taxation should be for the benefit of the Natives themselves. The handed-method of collecting this tax is provocative, the State and the Police should prefer better methods of collection, rather than force the Natives to adopt physical methods. The cry of the Native people is that methods of collecting taxes are barberous and too harsh.

In the matter of inter-racial relations, some Europeans still believe that missionaries have spoiled the Natives; they say "The Native is by nature a law-abiding creature, a happy fellow who sings while he works and laughs while he suffers. In his natural state the Native is a fine specimen of humanity, respectful and obedient to those in authority. He knows his place and that of his superiors and, although lazy, he is nevertheless manageable. The agitator, the half-educated, nay half-Europeanised "kaffer" is a menace which threatens not only the peaceful relations between White and Black, but also the welfare of the Native people themselves. He is a danger to society."

If these Natives had been kept in their places, these missionaries had not spoiled them by giving them education, we would have been spared all this worry. But, unfortunately, the missionaries did not let them alone and today we are reaping the fruits of their folly. The only way out of this difficulty is that the Government's hands should be strengthened. Parliament should make a law

Mr. Mote

to deal drastically with the agitators. The Natives must be governed justly but with a firm hand.

Having thus argued, these Europeans who still believe in the old school, when Natives, through ignorance, and on account of the conditions then prevailing, appeared to be peaceful and satisfied, go contentedly about their business thinking that the prevailing Native unrest will be cured by drastic action which the State might institute against the Native leaders under the Riotous Assemblies Act.

They think that the mere enforcement of the Riotous Assemblies Act and the imprisonment or banishment of Native leaders without trial, will resotre the "good old days" when the kaffers worked hard and suffered injustice and insult without a word or raising a protest, when outwardly they showed respect for the Europeans while in their hearts theyx were burning with hatred and unexpressed antagonism. He soon learned to organise on Trade Union lines, hence the birth of the I.C.U. and other African organisations, with the same object.

Then the Minister of Justice has added another oppressive measure, - the amendment to the Master and Servants Bill, and that a Native should be given lashes. This is a retrogressive measure and should not be passed in these days of christian civilisation. The huge proportion of landless Natives in the location manufactures criminals for minor regulations. The future of these people is gloomy and the Government should make provision to lease land in this province. In some cases, or almost 99%, farmers expel old hands from their farms and the only place for them is the nearest urban location. The Colour

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Bar and other regulations debar these people from getting a means of livelihood. In order to hasten the day of peace, the State should make provision and repeal such laws as the Land Act, the Native Affairs Act, Native Administration, and replace these by laws that are acceptable to the Bantu. The operation of these laws have created oppressive conditions of life, which makes life for us not worth living, hence the seething discontent that has given rise to the widespread unrest, which is disturbing. The high-handed manner and reprehensible attitude of the Police and the constant raids for poll tax, pass laws and other obnoxious legislation are responsible for violent agitation.

The Native (Urban Areas) Act has brought, to some extent, a change in the minds of the Natives, which in some quarters are acceptable. There are other features, such as exemption from lodgers permits for Natives resident in the Municipal houses and those ordinary employees of the Council. The location authority should not be given wide powers of employing whomsoever he favours, as there has been a tendency in the local administration to give jobs to "Pals". If the Municipality is given such wide powers as are not embodied in the location regulations, these create suspicion in the minds of the Natives that the policy of the municipality is revenue-making at the expense of the ignorant and powerless Native. The lodger's permit has created a lot of dissatisfaction, and they should be abolished at once. The Natives of this urban area claim that they should have only one European and the rest Natives in order to comply with the spirit and letter of

all over this Province, - Natives are shot down for asking for their wages that are being withheld illegally by some of the unscrupulous farmers, For selling their stock or horses, these unfortunate victims are sometimes told to come and fetch their money as the "baas" is going to the bank to draw his cheque, and on the day of appointment the first thing the Native gets is "voetzak kaffer","if you do not move I will shoot". In 1927, when the I.C.U. was at its height, daily evictions were reported everywhere, merely for political reasons and, simply because there is no written contract between the master and the servant, the farmer also wins in the Court of Law. If these conditions were to be undergone by the Europeans, they would rebel at once.

The high cost of living in the urban and rural areas in the "Free" State is very high, with the result that, in most of the locations, women report to illicit liquor selling in order to make a living. The Natives of this urban area want a living wage, at least 6/6d per diem would suffice for the time being. Figures have been quoted by other speakers, which convince the Natives that they should get nothing less than 6/6d per day. The little wages are making thieves of the Native peoples and the Government and all lovers of justice and fairplay should see that the Bantu are paid according to their labour.

In conclusion, we beg to state that the following are the principal Bantu needs in this Province:- (a) the right to education, (b) the right to buy and lease land in this Province, (c) the right to trade amongst themselves, (d) the right of free speech, which is the only weapon of democracy and (e) the right of justice.

Before closing our evidence, however, we would like to bring forward the following, as requested at a public meeting held in the location on Sunday last. We submit that the Natives in urban and rural areas have been hard hit by the prevailing depression and drought, more so than any other section of the population in South Africa. The unemployment amongst them is assuming terrible dimensions. The Government, according to a Bill now before Parliament, is giving the European farmers £5,000,000 as a drought relief. The distressful conditions of the Natives is so fierce that, in some Native Reserves (Witzieshoek), people may resort to cannibalism and, during this period, the Natives are prayerfully asking the State Government that there should be a temporary tax remission for all Natives until such times as the World market may improve.

I do not wish to take up your time unduly, but I have a mandate from my people to bring this matter before you. The Minister of Finance has brought before Parliament his bill to lend five millions pounds sterling to the farmers--- my people feel that really it is not just-- if there is such a thing as justice. We feel it is unfair that the people who own farms and cattle and evetything should, when they are suffering from drought and depression, be able to come to Government for relief; these are the people who when they earn over £300 per year do not pay anything in income tax; yet we natives have to pay ,whether we suffering from drought or depression or no matter what; yet to-day these people are to be given money. We know thatin the native reserves large numbers of animals die from drought and starvation--- the police can always find out what happens so far as the natives are concerned, because other natives will always come and tell them-- they

will always give the game away. The Natives figure that the Commission should convey the message to the Government that we Natives ask to be exempted, to be given a temporary exemption from the polltax, until we return to normal times. You have heard of the heartrending conditions from which the Natives are suffering, mostly through the polltax. Some of the Natives are sent to gaol for one reason or another, because they cannot pay their taxes. Does the Government want to make the Bantu race a race of slaves and criminals? Do they want to get the Natives to go and work for the farmers for nothing? We are now asking for a temporary remission of taxation until such time as the markets are improved. On some of the Free State farms, particularly in the northern parts, Frankfort, Reitz and the Notorious Hopestad and Boshof, shootings of Natives have taken place. If that had taken place anywhere else, the people would have revolted against the State. The position of the Natives is shocking, it is intollerable. When a Native wants to get his money from a farmer, the farmer says, "I shall give it to you later", but if the man comes again, the farmer tells him that he will shoot him and tells him to get off. Well, sir, I have mentioned these points to you so as to give you an idea of what is taking place so as to give you an insight as to what is taking place among the Natives. I do not want to take up your time any longer, but I hope our message will be taken to the right quarters. But I say this, that the Minister of Finance should not be allowed to bring in such a pernicious Bill as the Master & Servants Bill, under which the farmers shall be given the right to lash the Natives.

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CHAIRMAN: The Minister does not propose to do anything of the sort.?- Well, that is what I understand and we want to protest against it. Then we also protest very strongly against this lodger's permit, and I hope you will take note of what I say in my statement, as it is causing more and more dissatisfaction. It only means adding another pass to the great many which we already have to carry.

MR. LUCAS: Is not that lodger's permit to cover the water and sanitary services for these extra people?- In the rate which I pay it is included.

But that is for yourself only?- No, it is not for myself only, it is for the place in which I live.

Now, you represent the I.C.U. of Africa. Is that body going to give evidence at some other centre?- (Mr. Sello): No, it is not.

You said that the Riotous Assemblies Act had smashed the integrity of the I.C.U. What did you mean by that?- I meant that we could not function.

Is there any movement today towards forming trades unions for Natives?- Yes, there is.

What direction is that taking and how far has it gone?- Well, the movement is just in its initial stages, but in Johannesburg we have the laundry workers, the bus drivers and other trades organized as a trades union. The brickmakers have also been organized. We are also trying to organise locally the shopworkers and we are trying to establish societies of municipal workers.

DR. ROBERTS: And the bakers, too?- Yes, but we want to go over these industries one by one.

MR. LUCAS: What is the membership of your body in Kroonstad?- Our figure was 14,500.

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Is that for Kroonstad?- That is for Kroonstad and district, but that was before it went down.

When was that?- In 1928.

Have you been keeping the organization going since then?- Well, since we cannot hold meetings, the matter has not gone on.

You have been studying this question; we are asked to report on the application to Natives in urban areas of the laws relating to the regulation of wages and conditions of employment and for dealing with industrial disputes. Have you anything to say about that?- I want to say that there are several causes which make the organizing of Natives very difficult. We are cutting out the rural areas meanwhile and we want to deal purely with Natives in urban areas. Now, we cannot get these people to meet us because they are afraid; I do not know what has happened. Probably the Riotous Assemblies Act has been preached to them. We are trying, however, and I think that, in the near future, we shall be able to give you a fuller report on the situation.

You are trying to organize the Natives?- Yes.

Is the idea to organize them independently of the Whites into unions?- Well, the idea is to have separate unions for Natives, only because we think that the White union still holds the same views as before, that they cannot co-operate with Natives.

Of the Natives whom you know, would they be willing to co-operate with the Whites?- If the Whites offered us their hand, sure.

Do your people realise the advantages of there being co-operation among the employees, or do they think that it

would be a good thing to have an organization separate from the Whites?- They realise that if the employees and the Native employees joined hands for co-operation purposes, it would be the best thing in the world.

DR. ROBERTS: That is really your feeling?- Yes, honestly.

So anything that could be done to break down the division would be beneficial to all of you?- Quite. It is one of these things which would help. What makes us backward here is that the White man will not co-operate with the Black man, because he thinks that we are an inferior body.

Have your people been able to get the employers to meet you and to discuss matters of mutual interest?- We have tried many a time, through the Joint Council, but the only timex we have met the employers was through the European and Bantu Union.

You managed it once?- Yes.

It was in Kroonstad thatyou met the employers?- Yes.

What trade was that in?- We only met them as a Joint Council and not as a trade.

Now, a question which we have to report upon is whether the Industrial Conciliation Act should apply to Natives. What is your view about that?- We certainly do feel that that should be the case.

You feel that you, as employees, should be able to organize into a trades union?- Yes

And you want that?- Yes.

If that took place, would you be prepared to enter into an industrial employment agreement with the employers?- Yes.

Take the Wage Act. The Wage Act is based on recommending to the Government that certain conditions should

be enforced by the Government. Now, do you think that that should be applied to the Natives, or not?- I think that the meaning of the law was that, if the Industrial Conciliation Act failed, then the Wage Act should be applied, and that is exactly what we desire.

You want that?- Yes.

DR. ROBERTS: How could you possibly manage to function under the Conciliation Act with White employees also whose desires must be different from yours. Would you not have more force as Natives?- No, I said that we should co-operate, even on federal lines. If we find some difficulty or some problem in our way and we do not know how to go about it, we should be able to refer to our White colleages and point out the matters to them.

And they would come to your help?- Yes, that would not only help to make things better, but it would bear out the good spirit between Europeans and non-Europeans.

MR. LUCAS: It has sometimes been suggested that, instead of the Natives organizing and being represented directly on industrial councils, someone from the Native Affairs Department should represent them?- I think that would be rather unfair.

Why would it be unfair?- Because, very often we get people who are supposed to represent Native opinion on these councils, and I do not know whether it is by accident or otherwise, but we have often got people in those circumstances to represent us, who really have not understood the Native mind at all and who have not done us any good, and it is therefore that we say that it is better for the Natives to be represented by a man of their own kind, a man who would understand the psychology of the Native.

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DR. ROBERTS: But does not that view hold good, too, in regard to your having an entirely Native trade union?- Well, we can have an entirely Native trade union, but if we are amalgamated with the White unions, we can appeal to them for help.

MR. LUCAS: Have you any suggestions to make in regard to amending the Wage Act as far as Natives are concerned?- No, I have never thought of the matter.

It is one of the points with which we have to deal?- I shall think it over and let you know.

Do you agree with what the witness has said, Mr. Binda?- (Mr. Binda): Yes, I agree with him. (Mr. Sello): I want to express an opinion on the question of good feeling between Europeans and Natives. During the last decade, there has not been a very good feeling. The Natives did not think the White man was giving them fair treatment on account of the several oppressive laws which we have had. For instance, I might mention the Natives Land Act, which was a very unfavourable Act for the Natives, but, with the advent of the Joint Council movement, it would seem as though things were becoming better and the Native is beginning to study the mind of the European and the European is studying the mind of the Native. Hence a reasonable compromise is arrived at. I think that if the European section and the Government encourage such meetings, a great deal would be done to have the South African Native feel more trust in the White man, who is really his ruler.

Now, I notice that the Government has arranged for an annual conference of the Natives and the members of the Government. It is only to be regretted that this conference has no effect at all. Although it is just

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an advisory council, the Government does not seem to make use of its suggestions.

It would be a very great pity if the Government were to allow this conference to die away, because, as a result of that conference a great deal has been done to solve some of the great problems in this grand country of ours. Speaking as the Vice President of a very big organization, I think I am entitled to express that opinion.

CHAIRMAN: Well, thank you very much for having put your views so clearly before the Commission?- We want to thank the Commission for having listened to us and we hope that our suggestions may bear some fruit for the future. (Mr. Mote): Yes, on behalf of the body which I represent, I also want to express the hope that the message which I have conveyed to the Commission will find its way to the proper quarters and that something may be done to grant, if it is only x temporary,remission or exemption of taxation to the Natives, who are so badly hit by drought and depression.

THE COMMISSION ADJOURNED AT 6.45 p.m., MEMBERS SUBSEQUENTLY PROCEEDING BY CAR TO WITZIESHOEK AND RYDAL MOUNT, WHERE AN INSPECTION WAS CONDUCTED OF THE NATIVE AREAS ON ~~THURSDAY~~ WEDNESDAY FEBRUARY 18th, THE ADJOURNMENT FOR EVIDENCE BEING SET DOWN FOR RYDAL MOUNT AT 10 A.M. ON THURSDAY, FEBRUARY 19th.