

19. RECREATION OF NATIVE EMPLOYEES.

Not having the knowledge in this line, I regret I cannot say.

20. EFFECTS OF ABSENCE OF NATIVES FROM HOME.

No deleterious effect, generally speaking, owing to the fact that the Zululand and Natal Native has at present a strong "home" instinct, which is perhaps a saving factor; hence the labour contracts ~~entered~~ into, being generally only for six (6) months at a time.

21. NATIVE DOMESTIC SERVANTS.

(a)(b) Yes. (i) Males. (ii) It has always been the custom that the males should go out in search of work to enable them to invest the money in cattle, etc. A male is the property owner. There are "property rights" in a woman, not in a man. Therefore she is expected to remain at home to bear and care for children and perform the necessary domestic duties.

22. ORGANISATION OF NATIVE EMPLOYEES.

Only to the extent, in some instances, of becoming members of the "I.C.U.", which, I consider, is a disturbing and baneful movement which should be "exterminated". It disturbs the minds of the (at present) contented Natives and only benefits (financially) the organisers.

23. TRADE WITH NATIVES.

(a)(i). Chiefly cash. (b) Yes. (c) Yes. (d) Native Stores are conducted almost entirely on a "cash transaction" basis.

(a) No.

24. EFFECT OF EDUCATION ON NATIVES.

See my reply to 5(13)(b), 2nd paragraph.

25. OPENINGS FOR EDUCATED NATIVES.

See my reply to 5(13)(b), 2nd paragraph.

26. NATIVE INDUSTRIES IN NATIVE AREAS.

Building, pottery, carving, furniture-making, etc. Natives are, generally, born practical and can eventually do almost anything which human-hands can lay hands on, under "European" direction or instruction. This line of "practicality" should certainly be developed to a degree, as this would assist in earning a living.

27. LAWS AFFECTING NATIVE WORKERS IN TOWN.

(a) Natives, generally, are unskilled labourers and, therefore, to regulate their wages would immediately place them above that "status" and consequently would inculcate a feeling of "demand" and "independence" in them; this ~~is~~ should be avoided at all costs. In ordinary circumstances, a Native receives "free board and lodging" and often clothing, when in employment, e.g. domestic; and therefore all his earnings are clear (nett) for use by him at will. Besides, his requirements in life are circumscribed and vastly different from those of the white man.

For these and many other reasons, I would not advocate the regulating of wages.

(b). For purposes of control, etc., every Native employed should be registered, subject to a medical certificate (particularly a domestic servant). He should carry a pass, having provision, inter alia, for an endorsement thereon by the Master regarding

...regarding character. This endorsement to be made on discharge for the benefit of the Native himself and future employers.

Period of service (i.e. whether monthly, or for a certain period, e.g. 6 months, etc.) to be noted by the Registering Officer in the presence of both parties, i.e. Master and Servant, at the time of registration.

(c). There would be no "Industrial Disputes", if all undesirable Native "Unions", such as the "I.C.U." were declared illegal and the formation thereof made punishable, for the recognition of such "Unions" places a strong weapon in the hands of a few, i.e. the leaders who, more often than not, are themselves undesirables working for their own selfish aggrandisement and thus "tainting" the now waning good and law-abiding feeling of the Natives in general. All Native "Industrial Disputes" should be severely dealt with.

28. EFFECT UPON NATIVES OF CERTAIN LEGISLATION.

(a)(b)(c).

(i) Good generally. (ii) ~~XXXXXXX~~ No experience.

(iii) Good generally.

(iv) " "

(v) " "

(vi) " "

(vii) " "

(See my reply to your Questionnaire No. N.E.C. 57/2 received under cover of Secretary for Native Affairs Minute No.64/276(4) of 21.1.31.)

(viii) " "

(ix) See my reply to 11(23) and 12 (24).

(x) Had no experience.

(xi) " " "

(xii) " " "

29. NATIVES AND COLOURED PERSONS IN TOWNS.

Coloureds and Natives, in towns, should not live together in the same location; but should have distinct locations, as their respective mode of living, customs, etc, are quite different and their intermingling would tend more to degenerating them than otherwise.

(See my reply to 7(19)9a.)

30. GOOD FEELING BETWEEN EUROPEANS AND NATIVES.

(a) Yes.

(b) & (c). The I.C.U. and other such communistic movements, e.g. ~~the~~ the Greytown affair re destruction or desecration of the graves.

(d) ?.

(e). I honestly consider that these Native movements (I.C.U. etc) should be declared illegal (See my reply to 22(43) above) and any organisers or leaders in this respect should be severely punished.

(See my remarks at paragraph 16 of my Minute replying to your Questionnaire No. N.E.C.57/2).

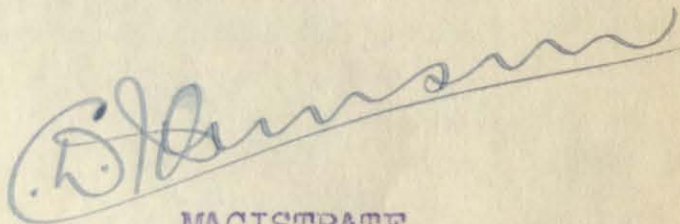
The power of a Magistrate or Native Commissioner, who is the trusted servant of the Government, is being undermined by these pseudo-benefactors, who are ostensibly working for the benefit of the Natives, but are in reality gradually introducing communistic and other suchlike baneful ideas which are ruinous to the Natives.

The Magistrate or Native Commissioner should be given the discretionary power to prohibit anyone entering Native Communities, whether in the Native Areas or otherwise, whom he considers is undesirable and will tend, with his teachings, to disturb the Native mind.

I am strongly in favour of the introduction of the "Transkeian Bunga" system into all the Provinces, for then the Chief Native Commissioners, having in consequence the practical knowledge and pulse of the Natives generally which they represent in the respective Provinces, could meet periodically in conference with

...in conference with the Minister for Native Affairs, and in this way, perhaps, they could resolve themselves into a Native Affairs commission, the present Native Affairs Commission becoming automatically abolished.

In this way, furthermore, the confidence of the Natives in general would become re-established and at the same time it would instil good feeling between Europeans and Natives.



MAGISTRATE,
BRANDFORT O.F.S.

Magistrate's Office,
Harrismith.
20th. March 1931.

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

Native Economic Commission - Questionnaire
for Magistrates and Native Commissioners.

With reference to your Minute N.E.C.57/2 of the
16th. ultimo, I beg to append the foallowing particulars.

	<u>1926.</u>	<u>1927.</u>	<u>1928.</u>	<u>1929.</u>	<u>1930.</u>
1(a) Number of cases	227	291	317	316	311
(b) No.of convictions	187	245	259	273	274

2. Cases of assault:					
/Common.	37	28	26	29	36
/with intent	1		2	1	
(a) against masters					
assault common	8	13	9	9	7
assault with intent	1				
(b) against servants					
assault common	20	16	19	23	29
assault with intent			2	1	

A. W. Roberts
Magistrate.

COPY/WEM.

Brindisi,
P.O. FOURIESBURG. O.F.S.

20 March, 1931.

Secretary,
Native Economic Commission,
PRETORIA.

Dear Sir,

Thank you for your letter of 16th received
yesterday.

Our subject "A quiet recruiting office" :
By this I mean an office through which labour that IS
available can be drafted straight into employment, as
opposed directly to the system of "Touts" bushing round
enticing labour from anyone and anywhere, which is a
serious menace to both agricultural and industrial activities.
This is the key note of a satisfactory recruiting agency in
the Free State.

At the end of this month we have from this farm
20 to 30 Natives who are being granted leave of absence
for SIX months, they do not know definitely where to make
for, as they hear that the diamond and gold mines are not
requiring labour. They and their families are in dire
need. Can you indicate where I should advise them to go,
for good and healthy employment? Any help would be greatly
appreciated.

Yours truly,

(Signed) C. M. MIDDLETON.

BRIEF REPLIES TO THE GENERAL QUESTIONNAIRE.

-----90-----

Statement by: George Sidlari (Revd.)

John. Bidwell Mancee., and Executive Committee.

Postal Address..... P.O. Box 65,

HEILBRON, O.F.S.

- | | | |
|------------------------------|---|--------------------|
| 1. Job Mogetsai (Chairman) | : | |
| 2. J. C. Makute, Secretary. | : | Executive Members. |
| 3. J. Nthakha., | : | |
| 4. Daniel Chasane, | : | |

1. Scope of statement. (1) Heilbron District. (2) (a) Detribalised Natives, (3) Very Long. As far as the employment of natives is concerned their wages are not commensurate with the cost of living. (c) As far as the administration of Native Affairs is concerned one would very much like to make a personal statement before the Commission.
2. Tribal System. Only intelligent Natives who had the privilege of making first-hand study of the system would be in a position to outline the system.
3. Native Customs. One would like to make a personal statement before the Commission on the subject.
4. Overstocking. Only one versed with farming conditions would be in a position to reply fully and satisfactorily.
5. Change in quality of soil. This also requires personal experience.
6. Social and Economic condition of Natives. (14) So long as the low wage system obtains in the union of South Africa there could be no likelihood of a marked change in the social and economic status and conditions of the natives. One might safely aver that there seems to be no appreciable change between now and the last twenty five years. (15) There is. (16) These laws not very much applicable to the Urbanised Natives. There are exceptional cases. (Alluding to question 1.) (14) It can be added that as far as general experience carries us there is very little difference.
7. Native Migration. (17) Yes. The Native Land Act of 1913 and the Native Urban Areas Act of 1923 are responsible for such untimely migration. Personal explanation and/or statement on the matter would serve.....

(2)

ve to inform the Commission better. B. All facts would be embedded in personal explanation. (18) The social and economic effects are partial of property especially where the financial resources are strained. We would very much recommend that the Government set aside land to be acquired by the surplus natives under Government control and/or supervision. We are strongly of the opinion that this would stem the tide of pressing migration to the towns. We wish to submit for the consideration of the Commission the fact that once the surplus Natives acquire land they will be in a position to eke some sort of a better economic life and would, rather than accentuate the unemployment problem lessen it. We strongly recommend that the Commission make a special reference on this matter to the Government.

1. Land tenure by Natives. We wish to submit that we favour both (20-

2. Landless Natives. (21) They will become slaves.

3. Farm Evictions. Evictions took place during the activities of the Industrial and Commercial Workers' Union of farm Natives who identified themselves with the said organisation. May be this was with the sole object of discouraging these farm Natives to associate themselves with the I.C.U.. They may be other fundamental causes such as inadequate wages etc. One other fact that should be observed is the working conditions of these farm Natives. This we are of the opinion that it might also contribute to the eviction question.

4. Natives on farms. (a) Implies fair play. The employer knows what has been realised and is satisfied. (b) (c) (d) and (e) We would recommend cash wages to payment in kind.

5. Native Labour Tenants on farms. We are of the opinion that the Labour tenancy should be discouraged by the Government.

6. Replacement of farm workers. In the Free State farm labour is mostly performed by Natives.

7. B. Questions (26) to (32) could be answered verbally.

8. Farming by Natives. (33) They are engaged as farm workers.

9. Marketing of Native Produce. The Native just now is not in a position to market his produce. (b) and (1) and (11) Native agricultural demonstrators would be in a position to give detailed particulars.

particulars.....

(3)

Particulars

1. Natives leasing land to Non-Natives. Certain Natives in the Thabanechu and Witieshoek districts may be in a position to impart this information.
 2. Employment of Europeans by Natives. No Europeans are employed by Natives in this district.
 3. Recruited Native Workers. Not in this District.
 4. Recreation of Native Employees. No provision is made. The town Natives have a football ground.
 5. Effects of absence of Natives from home. (A written statement will be posted to the Commission.
 6. NATIVE DOMESTIC SERVANTS...This kind of labour is mostly done by females.
 7. Organisation of Native Employees. The Employers of labour are not interested in the organisation of Native labour in any shape or form.
 8. TRADE WITH NATIVES. A personal statement could be made by the delegate or delegates representing this district.
 9. Effect of Education on Natives. This is also a matter that would require personal evidence.
 10. Opening for Educated Natives. / (a) None. (b) None. (c) The civilised labour policy of the Government. (d) Yes.
 11. NATIVE INDUSTRIES IN NATIVE AREAS. First acquisition of land. Then a consideration of these industries.
 12. LAWS AFFECTING NATIVES IN TOWNS. (A written statement will be forwarded to the Commission in due course of time.
 13. Effect upon Natives of certain legislation. (VIII) Humiliating and breeding and increasing criminals. (V) Natives are taxed even if they are not employed. This is a special hardship.
 14. Natives and Coloured persons in towns. In many respects they understand one another.
 15. Good feeling between Europeans and Natives. We can safely say that the attitude of the average European towards the Native ~~poisons the~~ poisons the springs of human relationship between the two races.
- H.B. The above questions are endorsed by the two nominated delegates and the Chairman.

REPLY BY MAGISTRATE - PICKSBURG TO QUESTIONNAIRE .

-000-

[137]

- 1.(a) Picksburg district being dealt with.
- (b) In my capacity as Magistrate and in personal capacity.
- (c) Stationed at Picksburg for one year.

LAND TRANSACTIONS - AFFECTING NATIVES.

- 2.(a) No
3. No land ^{purchased} held by natives.
- 4.(a) No land held by natives.

USE OF LAND HELD BY NATIVES.

5. No land held by natives.

RECRUITED NATIVE LABOURERS.

- 6.(a) No recruited natives employed in this district.
- 7.(a) The natives would welcome such a Government Labour Bureau.
- (b)(1) The number would not be affected to any extent.
- (11) Similar reply.
- (c) I do not know of such a method having been tried.

MASTERS AND SERVANTS ACT.

- 8(a) 3 employers ~~charged~~ of Natives charged.
- (b) 88 natives charged

9(a) When contracts are made under the Act there are very often cases of misunderstanding by the native and in nearly all such cases the native is brought to Court and when the contract is explained by the Complainant (the Master) the Court invariably has to take such explanation as the true one of the contract made and apparently in a good many instances the accused (the Native) is dissatisfied.

- (b) It should be compulsory for all Masters to register the contract made with natives setting forth full terms and conditions. Such contracts could be registered at the various Police Stations.

CRIME COMMITTED BY NATIVES.

- 10.(a) Very little crime of a serious nature committed.
- (b) Stock theft attributable to natives not getting

sufficient meat to eat - natives especially after drinking a quantity of kaffir beer get a craving for meat, and when they cannot get it lawfully they steal.

POOR RELIEF FOR NATIVES.

11. 9a) Natives in the District may apply through the Magistrate to the Provincial Administration for poor relief. This applies also to natives in Town.

(b) The natives in the District do not need poor relief as they are able to live on the farms so cheaply and there are no natives in the District in receipt of any such relief.

In the Town there are natives who need poor relief but their applications are invariably refused by the Provincial Administration owing to shortage of funds.

SANITATION.

12.(a) There is only a urine bucket.

(b) this is adequate as the natives are not kept at the Court for long and before being brought to Court they are able to use sanitary accommodation at the Police Station.

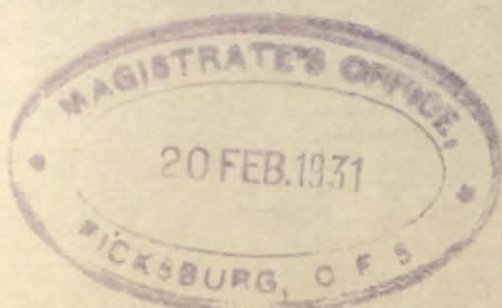
SHELTER FOR NATIVES AT COURTS.

13. There is no suitable waiting shelter but as not many natives are brought up daily those present are allowed to wait at bottom end of Court House (inside)

14. No remarks.

15. No remarks.

16 No remarks.



E. W. M. M. M.
MAGISTRATE.

STATEMENT BY MAGISTRATE, BETHAVILLE, O.F.S. [139]

1. (1) Bethaville District.
 (2)(a) Xosas, Basuto and a few Zulus.
 (b) (i) 2 years 3 months.
 (ii) Coming in contact with them through administrative work of District.
 (3)(a) Since 1915, i.e. 14 years in South West Africa, since then in this District.
 (c) Since 1915.
2. TRIBAL SYSTEM.
 I have not had sufficient experience in the Union to form an opinion.
3. NATIVE CUSTOMS.
 DO.
4. OVERSTOCKING
 DO.
5. CHANGE IN QUALITY OF SOIL
 DO.
6. SOCIAL AND ECONOMIC CONDITION OF NATIVES
 DO.
7. NATIVE MIGRATION.
 DO.
8. LAND TENURE BY NATIVES
 (20)(a) No.
 (b) Yes, for all natives who possess stock. This will do away with Europeans (farmers) having natives for the sole purpose of getting the native oxen to plough for them, and which leads to endless trouble after ploughing season has passed.
9. LANDLESS NATIVES.
 (21) This class of native will be absorbed as General Mine and farm Labourer.
10. FARM EVICTIONS.
 (22) No. Natives are not allowed to squat on farms in this Dist.
11. NATIVES ON FARMS.
 (23) Natives should not be allowed to be employed on the following basis:-
 (a) Share farming.
 (b) Labour Tenancy.
 (c) Cash rent tenancy and
 (e) Wages in kind but only
 (d) on a cash wage basis payable each month plus food.
12. NATIVE LABOUR TENANTS ON FARMS.
 There are no native Labour Tenants in this District.
13. REPLACEMENT OF FARM WORKERS.

13. REPLACEMENT OF FARM WORKERS.

- (25) Not to my knowledge as far as this District is concerned.
 (26) Natives in this District are usually engaged from Sept-October in one year to Sept-Oct in the next year for a period of 12 months. Natives taken on after these months are engaged until reaping is complete.
 (27) A. No labour tenants in this district.
 B. do
 C. About 1/6 p.d. males, 1/- p.d. females without food.
 D. Native males from 5/- to 10/- per month plus food, and about 4 acres of ground.
 Native females 5/- to 10/- p.m. plus food.

- (28) No remarks.
 (29) do
 (30) do
 (31) (a) No.
 (32) do.

14. FARMING BY NATIVES.

There are no natives farming on their own account in this District.

15. MARKETING OF NATIVE PRODUCE.

- (34) (a) Grain sold to Produce Buyers at current market rates.
 (b) (1) No.
 (11) No.

16. NATIVES LEASING LAND TO NON-NATIVES.

- (35) No.

17. EMPLOYMENT OF EUROPEANS BY NATIVES.

- (36) No.

18. RECRUITED NATIVE WORKERS

- (37) No. (38) No. (39) No.

19. RECREATION OF NATIVE EMPLOYEES

- (40) No.

20. EFFECTS OF NATIVES ABSENCE OF NATIVES FROM HOME.

- (41) No.

21. NATIVE DOMESTIC SERVANTS.

- (42) (a) and (b) yes.
 (i) Female.
 (ii) Work more satisfactory and housewives have a certain amount of fear for male Domestic Servants.

22. ORGANIZATION OF NATIVE EMPLOYEES.

- (43) Not aware of any recognised native organization in this District, excepting a few I.C.U.'s but they appear to have become dormant.

23. (44) (a) Both in cash and by barter.

- (b) Fair.
 (c) Natives purchase at cheapest place and barter to best advantage.
 (d) Yes, unfortunately if Trader knows native possesses stock. The economic effect is that eventually the natives' stock is sold to cover his indebtedness if possible.

(45) No.

24. EFFECT OF EDUCATION ON NATIVES.

(46) As soon as a native has reached a certain Standard of Education he does not like working on farms but prefers to work in towns, and as a result he probably gets better wages, and lives better, than he would on a farm.

25. OPENINGS FOR EDUCATED NATIVES.

(47)(A) and (b) None.

(c) There are no obstacles in way for further openings but until the Township grows - which is doubtful - there will be no openings.

26. -----

27. LAW AFFECTING NATIVE WORKERS IN TOWNS.

(49) I do not wish to make any remarks under this head.

28. EFFECT UPON NATIVES OF CERTAIN LEGISLATION.

(50)(a) To the advantage of native population.

(b) do.

(c) Nil as far as I knew.

29. NATIVES AND COLOURED PERSONS IN TOWNS.

(51) Have only a few coloured persons in Municipal Location, who live like natives.

30. (52)(a) Not as far as I have been able to ascertain.

(d) Disputes are ~~sett~~ settled by me personally.



NATIVE ECONOMIC COMMISSION.

A. W. ROBERTS [142]
NATIVE ECONOMIC COMMISSION
NATURELLE EKONOMIESE KOMMISSIE

1. The information disclosed in this Questionnaire is my general impression of the surrounding and refers to the Bloemhof District only.
I am giving this information in my capacity as Acting Magistrate and Native Commissioner.
2. On account of the fact that this district is not a Native Area, Natives do not own land here and consequently the information required in Paragraphs 2, 3 4 & 5 do not apply.
6. No recruiting is done in this district and I am consequently not prepared to make any statement thereon.
7. (a) Regarding this question, I may state that a Labour Area will be well-coming by Natives and to my mind will work satisfactorily as far as the Native is concerned.
(b) I consider that large numbers of Natives will join ⁱⁿ ~~in~~ at such bureau because it will increase the rate of earnings but the system will prove detrimental to farm labour because farmers will be short of labour as soon as a ~~xxx~~ scheme of this nature is started. Natives in this area are not much inclined to work on farms, Labour Centres even digging centres proving more attractive to them.
(g) I am not in a position to quote any instances of ~~xxx~~ of this nature.
8. In 1930 39 Natives & 3 Europeans were charged under the Masters & Servants Law, the bigger number being Natives resident in town.
9. (a) The Act. operates satisfactorily and Europeans as well as Natives seem to be fairly well aware of the Provisions but to my mind the definition of servants should be extended to cover persons employed in building engineering, mining in more or less on the lines as the definition of Servant in the O.F.S. Masters & Servants Law.

10. Crime is fairly frequent and especially cases of Stock theft and contraventions of Act 44/27.

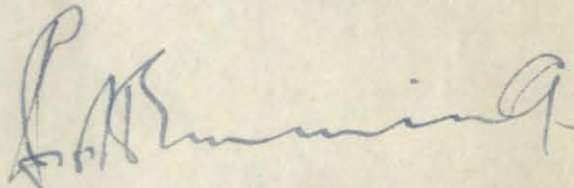
(b) I ascribe the increase in crime due to the hard times experienced by Natives as well as by the Europeans.

11. Pauper rations are paid to deserving cases the amounts per household ranging from 5/- to 7/6 per month.

12. Suitable & adequate sanitary accommodation exists for Natives attending Court.

13. The shelter consisting of a good separate room is adequate

14. Owing to the fact that Natives are altogether detribalised here much cannot be said as to how the introduction of a particular scheme will function but in order to relieve the Administration of paying pauper rations if times continue to be as at present a scheme more or less contemplated in Paragraph.7. will prove beneficial to Natives as well as to the State.


Actg. Magistrate.

Statement of the Magistrate of Dewetsdorp in reply to the "General Questionnaire" of the Native Economic Commission dated the 3rd February, 1931.

075

1. SCOPE OF STATEMENT.

- (1) The statement applies to the Dewetsdorp District, excepting where other areas are expressly referred to.
- (2)(a). The remarks refer to Basutos and Barolong in the District of Dewetsdorp.
- (b). I have been Magistrate here since 1.5.1929 and come in contact with these people administratively and judicially.
- (3) It is easier for me to say what knowledge and experience I have not had of the employment and control of Natives and of the administration of Native Affairs:
I have never lived or been stationed in any native area recognised as such nor have I been prominently or specially connected with the employment or control of Natives. I was Magistrate at Port Alfred, in the District of Bathurst (Cape), for about 2½ years and at Hoopstad (O.F.S.) for about 19 months. As stated above, I have been stationed here since 1.5.1929.

2. TRIBAL SYSTEM.

- (4). I have had no experience of the working of this system.
- (5) and (6) fall away.
(This system is not in vogue here, excepting in so far as Natives who come from Basutoland to find employment continue to regard themselves as owing allegiance to a particular Chief in that Territory.)

3. NATIVE CUSTOMS.

- (7). I cannot speak with authority on this head.
- (8)(a). Marriage by Christian rites is supplanting very extensively marriage by Native custom.
- (b). Cohabitation without marriage is prevalent. However, it is usually followed by marriage.
- (9)(a) and (b). Natives hold no ground in this District either as owners or as lessees. As farms are small and have been acquired expensively, Natives own very few livestock. It follows naturally that a Native who acquires a number of livestock in this District has to leave the District or ~~sell~~ sell his stock or have it transferred to Basutoland for grazing; - the last alternative is frequently resorted to.
- (10) (Only commoners are found here.)
(a) The livestock customarily contributed for a commoner is: 10 head of cattle, 1 horse and 10 sheep.
(b). I cannot speak with authority.
- (11) (a) and (b). In the case of the older type of Native lobolo is as stated above, viz., - 10 head of cattle, 1 horse and 10 sheep. The modern Native requires money instead of livestock, viz., - will accept a ~~substitute~~ £20 for the cattle, £3 or £4 for the horse and £5 for the sheep.
(c). Causes leading to the change. I can only argue that the acceptance of money excludes the difficulty of finding grazing for stock and ~~means~~ that money has a standard value which livestock has not. contact with civilization

has

has struck at the root of the conservatism of the older type of Native. The modern Native must move with the general stream and spend his means rapidly with the rest.

- (d). The change, perhaps inevitable, has the result of making the Native poorer as will be shown later.

4. OVERSTOCKING.

- (12). There is no overstocking by Natives in this District.

5. CHANGE IN QUALITY OF SOIL.

- (13) (I have been in this District for only two years and can therefore only supply hearsay information under this head.)

Throughout the country the soil has been defertilized. For many years livestock, principally small stock, were kraaled every night. The grass and bushes that had been eaten in the day were deposited in the kraals in the form of manure. This was used as fuel, and nothing took its place as a fertilizer in the veld. The constant and systematic driving about of livestock did a great deal to expose the earth to the rays of the sun: the beginnings of soil-erosion.

6. SOCIAL AND ECONOMIC CONDITION OF NATIVES.

- (14) I think that socially the Native of 25 years ago was, if more ignorant, more reliable and more highly principled than the Native of to-day. The Native of to-day has been completely dazed by the outward glitter of civilization and is off his feet for the moment.

Economically the Native is very much worse off to-day than he was 25 years ago. In those days he would sooner have lost his wife than one head of his cattle. He accumulated considerable means and remained the owner of it. His means to-day is represented by money, which goes faster than it comes.

- (15) There is a growing tendency on the part of Natives also in this District to adopt European dress, houses, furniture, recreation, amusements, (even) reading (to a limited extent), education and customs in marriage. Servants are not employed except by Natives who undertake piece-work, e.g. brickmaking.

Natives now play football, tennis, cricket, basket ball, etc. They give concerts, hold bazaars, attend bioscopes, and read history books (Basuto) and, I am told, fairy stories (folklore?) - in their own language. At weddings they have flower-girls, bestmen, toasts, wedding-cakes, etc. (A Native servant asked my wife a few days ago to bring for her a counterpane from Bloemfontein, whilst a warm blanket in this cold weather should have been far more welcome to her and her number of small children.)

- (16). Not applicable here.

7. NATIVE MIGRATION.

- (17). (I am not able to discriminate between the periods 5, 10 and 20 years.)

- (i) Very rarely, if ever.
- (ii). Yes Constantly, owing probably to better prospects.
- (iii). Yes, constantly, especially when work gives out. Furthermore, the deceptive lure of the crowd is irresistible. It creates a sense, in the outsider, of safety, plenty and comfort.
- (iv). Yes, constantly, when need is very great and tempting terms are offered.
- (v). Yes, because of better prospects, real or apparent.
- (vi). Yes, very rarely.

(vii.)

- (vii). I am not aware of an increased tendency in this respect.
- (viii). No, I do not think so. I am not aware of any motive for such migration.
- (ix) . I am not able to make any statement under this head.

22(18)(a). As indicated above, the effect, socially and economically upon the Native has been: instability.

(b). In the areas in which I have been stationed Native Migration has not effected the European appreciably.

(19)(a). The question of Surplus Natives has not arisen in any District served by me.

(b). Local Authorities and the Native Advisory Board should be given the right of exercising a wise discretion to exclude new-comers. In the case of doubt they should consult the Chiefs and/or other authorities of the areas from which the new-comers hail. This would be exceptionally helpful in those cases where Natives leave their dependants behind in Native Territories. Enquiries would frequently elicit the fact that these dependants have been abandoned to fend for themselves. In such a case the new-comer should be denied residence in the urban area.

8. LAND TENURE BY NATIVES.

(20). I am not able to speak with any authority on this head.

9. LANDLESS NATIVES.

(21). They would remain a floating population excepting where they strike root in urban locations. If I were allowed to take long view I would say that if no further immigration is allowed and the door to emigration is also closed in the course of time Natives, Coloured Persons and Europeans will be represented by one race. The links between the two present extremes are, of course, the coloured person and the poor white.

10. FARM EVICTIONS

(22)(a) This happens constantly.

(b) Cases are not brought to my notice specifically.

(c) The causes are usually:

(i) Bad seasons.

(ii) Accumulation of Native stock, the Native declining to sell. Farms are getting smaller and smaller, and as land becomes more and more expensive intensive farming becomes necessary. There is therefore no room for cheap scrub stock.

(d) The evicted Native who had originally come from Basutoland goes back there. The man who has no connection with Basutoland sells his stock, buys a house in the urban location with the proceeds and comes to live here. Thereafter he and his family suffer badly, inasmuch, whereas on the farm a goodly portion of their food consisted of the milk of their stock, in the urban area everything has to be bought and the Native and his family are soon in a state of utter destitution.

11. NATIVES ON FARMS

11. NATIVES ON FARMS.

(23)(a). Share farming I regard as most undesirable. It is not engaged in in this District. It was carried on illicitly in the District of Bathurst and probably also in the District of Hoopstad (O.F.S.) when I was stationed there.

(i) It is detrimental to the European farmer, who is all the better for studying, managing and taking personal charge of all his own affairs. It is a matter of common experience that an overstaffed concern, be it an office, or a shop, or a farm, is badly run - usually because of neglect. Everybody's duty is nobody's duty. Indifference and laziness result.

(ii). The farm itself suffers very badly. Agriculture has become a science in South Africa and is going forward with vast strides, which is totally antagonistic to the idea of "share farming" as such. When this practice is engaged in, the Native-partner to the arrangement comes to the fore and only too often the European withdraws himself into a life of indolence and indifference. The Native sows and ploughs where he likes, when he likes, and as he likes. It requires slight imagination to realise what havoc is wrought upon the farm itself.

(iii). Share farming in the majority of cases detrimental to the Native-partner himself. This I experienced in the Districts of Bathurst (Cape) and Hoopstad (O.F.S.). Again and again it happens that when crops promise a good result disruption occurs between the two partners. The European sees to it that the Native quits. When the latter returns (if he ever does) to reap the crop, either the European's stock has destroyed everything or the European has reaped the crop himself and sets up so large a counter-claim against the Native in respect of advances in food, money, etc., that there is no balance to hand over to the Native.

(iv). If there is no crop, the Native-partner who usually has a numerous family becomes a menace to neighbouring stockowners. The stock of the European-partner will usually not be touched and so the Native's tenure remains safe. It is the neighbours' flock upon which the illicit levies are made to feed the stranded Native. The European who engages in this kind of farming is usually not a persona grata with his neighbours.

(b) Labour tenancy. My views here are apparent from the foregoing comments. Very often the avowed arrangement of labour tenancy is merely a cloak for share farming, - in which case all the vices of share farming may be expected. If the arrangement is truly one of labour tenancy, not only are those vices present but in addition the Native often finds himself in a hopeless position. He and his family and dependants with their spans of oxen, if they have any, are called upon by the farmer to perform labour for the latter when their services cannot possibly be spared. Trouble usually ensues and the two partners mutually distrust each other. If the farmer orders the Native to quit, the latter may, and sometimes does, report to the police. The farmer has his version and a long list of liabilities incurred by the Native. If the arrangement is really one of share farming under the cloak of labour tenancy, the European farmer will endure much and practise all the long suffering of which he is capable: because if a breach comes about between the two partners the Native may, as sometimes happens, divulge to the Police the illicit arrangement between the two and criminal proceedings ensue.

- (c) Cash rent tenancy. The foregoing remarks apply mutatis mutandis. If the Native has to pay or has actually paid cash for a tenancy from which owing to a bad season or otherwise he is not going to reap any fruit the conditions to which I have already referred are accentuated. This arrangement I found to be often merely a hoax for the administrative officials. The actual relationship was one of share farming or of labour tenancy.
- (d) Cash Wages. This is preferable to any of the the benefits which are offered by the foregoing arrangements. But again I should like to say that I am generalising. There are exceptions to the rule. Thus, for instance, cash wages is of little benefit if the employee receives so little that in order to keep himself and his dependants alive he has to borrow so extensively from his employer that eventually there is no hope of his ever being able to pay his debts. In that case trouble once more ensues. I shall deal with this question more fully later on.
- (e) Wages in kind. This I favour. It is the kind of payment which the Native understands and round which his happiness and that of his household centres and has centred right away into the dim past. If it becomes necessary for him to borrow money from his employer he may never be able to make repayment, because the coin which he receives as a cash wage is and remains sterile. It is a different matter if his stock earn for him by increasing their own numbers.

Modern ways of farming, as shown above, militate against this kind of wages, unfortunately for the Native, but fortunately for the farmer himself.

12. NATIVE LABOUR TENANTS ON FARMS.

(24). I have dealt with this question in the foregoing comments.

13. REPLACEMENT OF FARM WORKERS.

(25)(a) and (b). No, not as regards Indians, Coloureds and Natives.

In this District there is a pronounced tendency to employ Europeans upon occupations previously performed by Natives and/or Coloured Persons. With the advancement of agriculture farmers are obliged to engage white workmen to perform duties which used to be performed by Natives or Coloured Persons. The tendency in question is more pronounced in reference to works of a public nature. The Municipality, the membership of which consists almost entirely of retired farmers, employs only white men on the making and repairing of streets, etc. The Road Board has now replaced the Native Road gang by a gang of Europeans. If the experiment proves successful, and there is no reason why it should not, the scheme is going to be extended over the whole of the Road Board area. The Native was paid 1/6 per day and all found. The European receives 3/- per day and all found. It is anticipated that the European will do at least twice as much as the Native. It should be clearly pointed out that the first consideration here is roadmaking - not charity. Only the best men are picked.

- (26) (I assume that "labour tenancy" in this paragraph means "the contract between master and servant." Ordinarily labour tenancy is taken to mean, I need not say, the giving by a Native of his labour and that of his dependants or of some of them for the right of using ground belonging to another. It is in this sense that I understood question 11(23)(b) above.)
- (i) three months occasionally.
 - (ii) and (iii). These variations do not occur.
 - (iv) six, nine and twelve months are frequent occurrence.

of the I am not aware of any other variations in this District or in any other Districts in which I have served.

(27) There is no labour tenancy, as the term is ordinarily understood in this District. Hence this question falls away.

(28), (29) and (30). Not applicable.

(31). Not applicable in this District. There are two farms in this District which are managed by Natives for their European Masters. These Natives do not "occupy" the farms in the sense that they have any right to be there otherwise than as mere servants in the ordinary sense.

(32). This question falls away. But see my replies to questions 11(23) above.

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14. FARMING BY NATIVES.

(33). Not applicable here.

15. MARKETING BY NATIVES.

(34). Does not apply here.

16. NATIVES LEASING LAND TO NON-NATIVES

(35) Does not apply here. No Native holds land here either as owner or as lessee.

17. EMPLOYMENT OF EUROPEANS BY NATIVES.

(36) I know of no such case.

18. RECRUITED NATIVE EMPLOYEES. WORKERS.

(37), (38) and (39). No. None of these questions apply here.

19. RECREATION OF NATIVE EMPLOYEES. WORKERS.

(40)(a) and (b). No. Few employers take part in games themselves.

20. EFFECTS OF ABSENCE OF NATIVES FROM HOME.

(41) Natives here are permanent residents, excepting those who come from Basutoland during good seasons and sheating time. I cannot say what the effect is in Basutoland.

21. NATIVE DOMESTIC SERVANTS

(42)(a) and (b). Yes.

(i) Females are favoured. (ii) I accept the following to be the reasons: Hereditarily employers here regard the woman best fitted for the house and the man best fitted for outside work. In fact, a woman - be she white or black - is defter in the house than a man. A well-trained male would ask bigger wages than a well-trained woman. No white employer would tolerate an untrained man as a domestic servant if a female, be she trained or not, is available. Such a man would be too slow and clumsy. Possibly the innate sense of the dignity of the male and of his superiority would stand in the way of his hustling over his duties.

These remarks apply to the Districts in which I have served.

22. ORGANIZATION OF NATIVE EMPLOYEES.

(43). There is no organisation here.

23. TRADE WITH NATIVES.

(44)(a)(i), (ii) and (iii). Yes, both.

(b). No, there is no competition.

(c). No, there is no protection.

(d). Yes, credit is recognised generally. A system of tokens

(e). does not exist. If a Native is very poor and not thought of much by the trader he would get no credit unless his master promises the trader that as long as the Native remains with him he will see to it that the purchase is paid for. Should the Native leave his service before payment is made the master ceases to be responsible to the creditor for the debt in question.

(f)(i) and (ii). The credit leads to thoughtlessness, extravagance, financial embarrassment and poverty, - sometimes to civil imprisonment proceedings the cost of

which

which may have to be borne by the Native even if he is not actually locked up. The master will usually be prepared to enable the Native to obtain food on credit in the manner indicated above, and not much more credit than this should suffice. The Native loves "swank," and tries to copy the latest European fashions. Unnecessary things are bought on credit to ape the European. From this point the credit system involves the undoing of the Native, as it does that of the European himself.

24. EFFECT OF EDUCATION UPON NATIVES.

(46)(a). Ordinarily the civilized Native who has had no "book-learning" is far more industrious than either the "raw" Native or the ordinary educated Native. Usually the "raw" Native is a very slow moving, inert individual, whilst the ordinary educated Native is very much at a loose end. He affects great magnificence, assumes airs of grandeur, in speech and manner, - often using phrases and long words the meaning of which he does not know himself. He is a drone, with this qualification, however, that he would probably exert himself if he were given employment compatible with his own idea of greatness, but he would rather subsist upon the earnings of his less magnificent neighbours than stoop to the performance of ordinary hum-drum manual labour. The uneducated Native is very unsophisticated, easily duped and apparently only too happy to pander to, and to provide for, these drones or, to change the metaphor, these jackdaws in gay plumage: hence the happy hunting ground for Native agitators, many of whom would have to starve if their life depended upon honest, intelligent efforts of their own.

(b). I am not able to record my observations under this head, but I can see no reason for saying that innately the Native is not generally adaptable to changing conditions. He is apparently only too anxious to copy. All that he requires, I think, is to be properly guided and this he completely misses when he has it constantly drummed into him by white and black that he is the equal of the white man and ought even to share in the Government of the country.

(c). The Native's earning capacity is increased in consequence of his employment as a preacher, a teacher, a clerk, etc. To my mind the earning capacity of the educated Native has not improved in the same way as that of the European. The European who has passed Standard VI would be prepared to earn his living, if need must, with spade and shovel. The Native who has passed Standard VI would not be prepared to earn his living with spade and shovel. He would have to be a preacher, or a teacher, or a clerk in a shop, or at least somebody who is entitled to be shown respect. Else, as stated above, he would rather live on the earnings of others.

25. OPENINGS FOR EDUCATED NATIVES.

(47)(a). Nil, excepting as preachers and teachers.

(b). Nil, as far as I can see.

(c) and (d) fall away.

26. NATIVE INDUSTRIES IN NATIVE AREAS.

(48). I think Natives could be taught with profit to make woollen materials. Incidentally, this would slightly increase the facilities of the sheep-farmer to dispose of his wool.

27. LAWS AFFECTING NATIVE WORKERS IN THE TOWNS.

(49). Such laws do not exist in areas in which I have served, and I am thus not able to express an opinion under this head.

28. EFFECT UPON NATIVES OF CERTAIN LEGISLATION

28. EFFECTS OF UPON NATIVES OF CERTAIN LEGISLATION.

(50) My experience has not brought me in touch with the working of the laws referred to under items (i), (ii), (iii), (iv), (x) and (xii). With regard to (i), however, see item (ix) below.

v. Natives Taxation and Development Act, 1925. ~~Natives are very~~
This Act constitutes a very great hardship. I refer to the general tax of £1 per annum. Natives are very poor in this area, and wages ~~are~~ very low. Free medical and hospital treatment given to Natives far more than compensates the Natives as a body for the amount of tax borne by them. There is many a male here who would never to the end of his days pay in taxes for medical and hospital services rendered to him and his family if those services were assessed at ordinary rates. There are isolated cases in which the European employer pays the tax for his servant on the distinct understanding that if the servant proves deserving throughout the year he will not be called upon to make a refund. The arrangement is satisfactory to both sides. Usually the employer is very well repaid by the honest efforts of the servant to do his best.

I bear in mind that the hardship of a tax of £1 per annum is borne not only by all Natives. In this Province Europeans and Coloured Persons, however poor they may be, also have to bear such a tax (the Tax on Persons in respect of Europeans and the Poll Tax in respect of Coloured Persons.)

(vi). Natives (Urban Areas) Act. In the areas in which I have served the Act has worked very smoothly with the exercise of care. Friction is avoided by the appointment of a Location Superintendent who realises that there must be complete sympathy between the location residents and himself and that he is the spokesman of those residents. The Advisory Board must not be treated by him as if they are mere puppets. If these points are borne in mind and carefully aimed at the Advisory Board can become a very helpful adjunct to the Municipal Authorities. If they are ignored, as they very often are unless the Magistrate or other Government Official helps to advise the Superintendent, an intolerable position arises. At a certain ~~station~~ ^{point} at which I was stationed the Superintendent seemed to think that he was intended to be a private detective of the Municipality and to bludgeon the Location into shape. At the end of the conversation which I had with him he admitted to me that he was totally unfit for the job. He resigned and someone else was appointed. I expect, with better results. (I was transferred from there soon after.)

(vii). Master and Servants Laws. Socially the effect of these laws, I think, has been to instil into the European the idea that manual labour is humiliating. No ^{other} contract is enforced in the same way as contracts under these laws are. In any other contract the two parties thereto usually meet each other on equal ground. Under the Master and Servants Laws the employer is at once placed at the right end of the stick, and the other man must dodge a large number of crimes which have been automatically created for him by the contract which he has entered into. I am very far from being a negrophilist. The convictions which I am recording here must be those of every true observer. Economically, a Native servants usually remain very poor. The wage paid precludes the possibility of their being anything else. So far from being able to accumulate any substance for himself, it is very often found that a Native servant becomes poorer ^{and poorer} the longer he stays with his employer. The supply of food provided for ~~one~~ in the contract is not sufficient to feed himself and his family and he is obliged to buy ~~and~~

from

from the employer, payment to be made at some future date or to be deducted from future wages. The Native takes over from the employer an old coat that has seen many years of service. The article is not regarded to be of any further use to the employer. The Native agrees to pay £1 for it. The item is also set off against wages which probably amounts to 10/- or 15/- (at the outside £1) per month. All but a miracle is required to release this man from his debts. Sometimes he asks his master for permission to seek employment elsewhere to pay these debts. The master (several instances have come to my notice) gives him a permit upon which ~~he~~ is endorsed a list of debts ~~to~~ owing to the master. No-one wants such an employee. Natives have no idea of value, usually. A contract of 6 months service is entered into at a wage of 2 merino ewes for the whole period. At the termination of that period the master gives ~~him~~ two ewes, but they are in such wretched condition that they are not worth driving away. This Native servant may be taken to have worked for six months for ~~nothing~~ more than his food and often very little of that. There are very worthy instances of employers who treat their servants very well. They are in the minority. (The regard of the white man for the black is almost humourously typified by the spelling of European with a capital E and Native with a small N!)

(viii). Pass Laws. I see no advantage in Pass Laws excepting in the following cases:-

- (a) In urban areas under curfew regulations.
- (b) In the case of Natives coming into the Union from Territories beyond the Borders (I would include the Native Territories), and
- (c) In the case of stock-removals.

when

The European ignores the pass laws ~~as~~ they are irksome to him; otherwise he enforces them, however irksome they may be to the Native (or Coloured Person), e.g. -

- (a). Section 36 of Chapter CXXXIII requires of every ~~owner~~ farm-owner to keep a record of all coloured persons on his farm and of their stock. I don't think one out of every 1000 farmers does this. I am not aware of a single one.
- (b). Section 1 of Law No.8 of 1899 (O.F.S.) requires, under a penalty of a fine of £1 or, in default of payment, one month's imprisonment, that every owner or occupier of a farm or portion of a farm shall provide every male coloured person above the age of 15 years in his employ with a resident ~~all~~ pass. Many thousands of farmers could be at once summoned to appear before the Court for a contravention of this Section. It is not done, and quite rightly too.
- (c). Farmer X sends his servant to a farmer Y on an errand, without a pass. Y is a friend of X and the omission is ignored. If the servant happens to pass over the ground of the less friendly neighbour Z without a pass, the servant is prosecuted criminally. I dealt with the following case in the District of Hoopstad:-

The Police arrested a Native "found passing through the country without a pass" (Section 11 of Chapter CXXXIII - O.F.S.) The would-be offender explained that he had assisted his master to trek with the stock of the latter; that on the third day the ~~master~~ master had ordered him to return to the farm in order that he might be of assistance to the farmer's wife; that he had asked his master for a pass; and that the farmer had failed to give him a pass, because he had no writing materials with him. I remanded the hearing, ordered that the farmer should be subpoenaed and liberated the accused on his own recognizances. At the next hearing

hearing the farmer confirmed the Native's account. A discharge followed. It was no compensation for an injustice done.

In another case, also in the District of Hoopstad, a Native instituted civil proceedings against a European farmer for the recovery of his livestock, all of which the farmer detained to recoup him, he said, in respect of advances which he had made and in respect of the Native's failure to complete a certain fence, the subject of the contract between the two of them. The Native denied the majority of the alleged advances, but admitted that he had not completed the fence. He said, he and his family had no food and it was impossible for him to go on with the fence until he had obtained food. In the end the European lost the case. He restored the cattle to the Native and gave him a pass to enable him to seek employment in order that he might earn the wherewithal to purchase food and so be enabled to return and complete the fence. He took the precaution, however, to endorse on this pass a list of the alleged debts due to him. I did not follow the case further. It is doubtful whether the Native would secure employment with this pass in his possession. Without it he would have been arrested for a contravention of the Pass Law.

Usually, so long as the Native is indebted to his employer, a pass is refused, even if the term of the contract has expired. In such cases, whilst the pass laws are presumably intended to curb, for the general good, the movements of undesirables, the unscrupulous employer uses (or rather, abuses) them as a means of serving his own private ends. (I must be understood once again to be generalizing. Many farmers, to which section of the white population my remarks apply more particularly, treat their servants very well. They are in the minority, however.)

(ix). Squatting, or labour tenant, laws. This subject has already been dealt with. See paragraphs 11 and 12 supra. I may add, there is no squatting or labour tenancy in this District. Sections 9 and 12 of Law No. 4 of 1895 (O.F.S.) set out the extent to which the law in this Province countenances squatting. (See also Section 16 of this Law). What I say on this subject is based on experience in the Districts of Bathurst and Hoopstad.

As stated above the educated Native will not perform manual labour. The Native who "squats" or enters into a labour tenancy contract is the "raw" Native (in Bathurst) and the Uneducated civilized Native (in Hoopstad). It is these types therefore that my remarks apply. These people are quite incapable of social development when left to themselves. The tendency would be rather to revert to the "raw" state.

Economically, it is questionable whether the Native squatter or tenant ekes out more than a mere existence. He is usually left to carry on in his own inefficient way, with little, if any, result. If his efforts promise a successful crop there, as often as not, arises some ground for disruption between him and the farmer-owner which results in the squatter or tenant having to quit the farm before the crops have ripened. If he should happen to return and claim his crops, nothing of them is left or what is left of them is set off against advances in food and money made to the labour squatter or labour tenant. In a specific case in the District of Hoopstad which I have in mind, the farmer's cattle had habitually fed upon the absent Native's ripening crops. He sued the farmer for damages. The defence ~~was~~ of the latter was that the fence round the land in question was, and had for a long time been, out of repair and that his stock found their way through the fence on their own account. At the outset of this question I remarked that I had not come in touch with the working of the Natives Land Act. I may here qualify that statement by saying that in the District of Hoopstad I tried one European farmer for a contravention of Section 5(1) of that Act. Police reports and statements made by private individuals led me to believe that many so-called squatters and labour tenants are in fact share-farmers as defined in the Act.

The effects upon the European are, in addition to those stated above, as follows:-

(a). It is often the inert farmer who allows squatting and/or labour tenancy, even where the

arrangement

arrangement is not merely a cloak for the contracts penalized by the Natives Land Act.

(b) Economically, immeasurably great damage is inflicted upon the land used by the squatter or tenant, who is always an untrained, lazy individual. It is usually this person who decides when, where, and how ploughing operations should be performed.

29. NATIVES AND COLOURED PERSONS IN TOWNS.

(51). Since my appointment as Magistrate (1924) I have not been stationed in any District in which Coloured people formed a large portion of the population.

30. GOOD FEELING BETWEEN EUROPEANS AND NATIVES.

(51) As far as I can ascertain, there has been ^{no} marked change in the attitude of Natives towards the Europeans in this area. This, I think, may also be said with regard to the Districts of Batgurst and Hoopstad. It is right to say, however, that the Native is becoming more and more conscious of the fact that on the whole his European employer underpays him. They also believe that in cases between Europeans and Natives the Native need not expect justice. They appreciate very greatly the schooling facilities which have of recent years been provided for their children. The Native policy of the Government aims at legislation that will discriminate between Native and European. It would be an opportune moment to enact that disputes between Natives and Europeans should be decided by a judge without a jury, and, if practicable those between Two Natives by a judge without a jury or with a Native jury.

C. J. du Toit
Magistrate.

Dewetsdorp,
8th May, 1931.

Replies to Annexure N.E.C.57/2 to Native Affairs
Identical Minute 64/276(4) dated the 21st January last. 1929

(Paragraph 1 of the Annexure).

These requirements have been complied with.
I served as Magistrate in each of the three Districts referred to by me.

~~(Paragraphs 2, 3, 4, and 5 of the Annexure)~~

(Paragraphs 2, 3, 4, and 5 of the Annexure).

As far as I can ascertain no Europeans have been approached here by Natives about proposed purchases of land. No Native has purchased land here. Nor does any Native hold land here either as owner or lessee.

These remarks, I think, apply also to the District of Bathurst. But in the District of Hoopstad there were two Native landowners when I left there in April, 1929. Doubtless the Magistrate of that District will deal with them in his report.

(Paragraph 6(a) of the Annexure).

The Districts in which I have been stationed are exclusively agricultural areas. Hence sub-paragraphs (a), (b) and (c) fall away.

(Paragraph 7 of the Annexure).

There has been very little, if any, recruiting in the areas in which I have been stationed. I have never heard that Natives are unwilling to go forward to labour centres because remuneration was inadequate. Hence I do not think that suggested innovation would affect the position in the areas in question. The suggested arrangement would not affect labour on farms, excepting possibly to interfere with it. Farmers experience no difficulty in obtaining sufficient labour. My reply to sub-paragraph (c) is in the negative.

(Paragraph 8 of the Annexure).

The figures are respectively:

(a) - - - - Nil.

(b) - - - - 31.

(My criminal roll for the year stood at only 192 cases)

(Paragraph 9 of the Annexure).

The working of the law relating to Masters and Servants is satisfactory. But the insufficiency of wages (including food) given to servants is the cause of a great deal of trouble. I am not able to suggest any remedy by amending the existing laws. The fixing of a minimum wage under a recent act of Parliament has led to very absurd results.

(Paragraph 10 of the Annexure).

There is not much crime committed by Natives in this District. It is represented in the main by

- Taxation and*
1. Failure to pay the general tax under the Natives Development and Taxation Act, 1925.
 2. Making kaffir beer without permission.
 3. Entering upon private property without permission.
 4. Contraventions of the Masters and Servants Law.
 5. Thefts.

These

These crimes I attribute to the following causes, respectively, -

1. Poverty.
2. Ignorance of the fact that permission is required; or hospitability; making beer for sale.
3. The Natives' love of company. In 95% cases the accused was found sitting at a hut without having obtained permission of the farm-owner.
4. Here the causes are very varied.
5. Opportunity, usually.

(Paragraph 11 of the Annexure).

The only poor relief provided here is by way of free medical and see hospital treatment. Until about five years ago (I am told) a sick Native had to be coaxed into a hospital for treatment. To-day, I have no hesitation to say, this kind of relief is badly abused. This remark applies to the District of Dewetsdorp and also to the District of Hoopstad. In fact, the complaint is general throughout the Province. In the District of Bathurst where the Natives are divided into Kosa's and Fingo's months passed without a single call upon the District Surgeon's services. The day before yesterday I had to send the District Surgeon to two Native confinements. Natives magnify the seriousness of their ailments to induce the Magistrate to order free medical services. They find strong allies in their European employers to back them up. In a case last year a European called me up on the telephone to ask me to send out the District Surgeon to his servant (Native male) who was seriously ill. I ordered the service and learnt afterwards from the Doctor that he could find nothing wrong with the Native. In fact, he had not even a temperature. Many hundreds of calls ~~of this~~ are made ~~and supplied~~ every year. At the outset, 2 years ago, I used to investigate into the financial ~~position~~ position of every applicant before ordering free attendance. I have not yet found a single case in which a patient in the rural area was able to defray medical expenses. Hence, I have ceased making enquiries of this nature. I have ^{made} it a rule, ~~however~~ however, not to order gratis services in respect of local patients in those cases where the head of the family is well able to earn something and the medical charge is small. In the District of Bathurst Natives are very independent in this respect. They doctor themselves and each other. Here there is no hesitation to ask ~~the District~~ that the District Surgeon should travel any distance to perform ~~services~~ ^{what} which would be efficiently performed by half a bottle of castor oil.

(Paragraph 12 ~~of~~ the Annexure).

There is no sanitary accommodation for Natives attending my Court and offices. As there is very little Court work here and as there is never any urgency about calls at the offices (there are telephones all over the District and nobody is in a hurry to pay taxes) I do not at present see any need for accommodation.

(Paragraph 13 ~~of~~ the Annexure).

There is no special provision for such shelter, but the Court House is always available if shelter is needed.

(Paragraphs 1⁴ and 14⁵ ~~of~~ the Annexure).

Noted.

(Paragraph 16 of the Annexure.)

I have not seen the Commission's terms of reference.
C.F. du Toit,
Magistrate.

OFFICE OF THE MAGISTRATE,

SMITHFIELD?

18th February, 1931.

The Secretary,

Native Economic Commission,

P.O.Box 384, PRETORIA.

With reference to N.A. Identical Minute N of the 21st January, I beg to forward the following information

1. in respect of the Smithfield District in which I have served as Magistrate for three years and six months.

LAND TRANSACTIONS AFFECTING NATIVES.

2. There have been no proposals from by natives to purchase from Europeans and consequently no consultations.

3. No land is owned by natives in this District nor has any land or money been lost by inability to complete payment.

USE OF LAND HELD BY NATIVES.

4. Falls away.

RECRUITED NATIVE LABOURERS.

6. No recruiting takes place in this area.

7. A number of natives enquire for work at Police and this Office but the surplus labour is not such as to warrant establishment of a recruiting bureau. The surplus is due to entry of natives from Basutoland and ^{Herschel} ~~Herschell~~ where no doubt recruiting agencies exist. When once the native understood that recruitment through the Government bureau means an addition to his wages, I believe the method would be used freely. Such method of obtaining labour has not been attempted in this area. I do not feel able to express an opinion as to the effect such a scheme would have on the number going forward voluntarily.

MASTERS/.....

MASTERS AND SERVANTS' ACTS.

8. Number of cases tried in this Court during 1930 in which
- (a) Employers of natives were charged with offences under the Act..... (1)
 - (b) Native were charged with offences under the Act..... (33).

9. In periods of shortage of labour which occur from time to time there is a tendency on part of some employers to allege longer periods of contract than were agreed upon, and to raise difficulties to servants leaving by requiring days of illness or absence from other causes to be worked off or claiming damage sustained by some alleged negligence.

The wages paid are in many cases very poor and when there is a surplus of labour advantage is often taken of natives who offer their services for inadequate wages resulting in dissatisfaction and, frequently, desertion.. When there is a shortage of labour there is no rise above the average of normal times. Where the contract is for wages in kind the ~~xxx~~ remuneration is often inadequate.

Many native servants are very indifferent workers and have little or no sense of responsibility and some means of control is necessary. Their economic position would best be improved by the introduction of a minimum wage, which, however, is a question of great difficulty, also by sustained efforts to induce natives from investing their wealth in stock, which sooner or later, in these parts, is removed to Basutoland or ~~Herschel~~ ^{Herschel} Districts which areas are already overstocked.

CRIME COMMITTED BY NATIVES.

10. There is little real crime committed by natives in this District. The majority of local cases are under the Revenue, Municipal, Pass and Master and Servant Laws and Regulations. Beer and liquor drinking are the chief causes of assaults and crimes of violence, and of many young natives getting into trouble whilst loafing about when off duty. The provision of playing fields and the encouragement of sport in Municipal Locations has been of benefit and this side of their social life should be further encouraged.. The great difficulty of

of obtaining fuel is the cause of theft of bush wood occasionally.

POOR RELIEF.

11. No poor relief is provided by the Municipality

During 1929 84 orders for free medical attention were given by the Magistrate, the cost being born by the Provincial Administration. Six natives receive regular poor relief from Provincial Funds ^{Varying} from 5/- to 10/- per month. The free medical relief is dependent upon the sympathy of the Magistrate and is consequently of varying extent as the encumbant changes.

SANITATION.

12. No sanitary accommodation exists for natives attending this Court and Offices.

SHELTER FOR NATIVES AT COURTS.

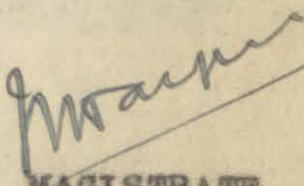
13. No waiting shelter is provided for natives attending this Court or Offices.

GENERAL.

14. During November last an endeavour was made to obtain information as to the economic position of farm labourers and although the questionnaire is not happily drawn the information obtained is fair indication of the position.

There has been a drop in native wages due partly to the prevailing depression and partly to a surplus of labour. The local authorities are endeavouring as far as possible to prevent undercutting by non-resident natives.

The general questionnaire referred to in paragraph 14 has not been received.


MAGISTRATE.

2/1/1

11

Senekal, O.F.S.,

18th. February, 1931.

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

Native Economic Commission: Questionnaire
for Magistrates and Native Commissioners.

With reference to Identical Minute No. 64/276/4
of the 21st ultimo, from the Secretary for Native Affairs, I
have the honour to furnish the following report:-

1. (a) District of Senekal, O.F.S.
(b) As Magistrate.
(c) One year.

Land transactions affecting natives.

2. (a) No.
(b) Nil.
(c) Nil.

3. There are no native landholders in this district, nor are
natives allowed to purchase land.

4. This question does not apply to this district.

5. This question does not apply to this district.

6. Recruited Native Labourers.

This is not a native labour recruiting district, and,
consequently there is no recruiting of natives.

7. In view of my remarks under paragraph 6, I have no
suggestion to make under this head.

8. (a) Master and Servants Act.

(b) <u>Employers of Natives.</u>	<u>20 cases.</u>
(b) <u>Natives:</u>	<u>278 cases.</u>

9.....

Master and Servants Act.

- 9(a) The practice in this district is for farmers to engage labourer with his wife and children for a small wage, some land to cultivate and grazing for animals. The conditions often become onerous when there is a bad year.

It appears that few natives under these conditions have any opportunity for bettering themselves. The housing is generally poor and in a few places there is opportunity for schooling for children.

The law is very much in favour of the employer, but on the other hand the close proximity to the Basutoland border makes it easy for natives to desert.

- (b) There should certainly be a registered contract for children under 14. In this Court and my sub-courts, I have made it a standing rule not to convict juveniles under the Act, but merely to warn them and the parents.

The law should be amended to have payment of wages in cash and not in kind, as the good master has no trouble with his employees.

Crime Committed by Natives.

- 10(a) Stock thefts are rather common. Apart from assaults, which are the outcome of beer drinks, there is not much serious crime.

Wife beating is kept down by severe punishment, and so is cruelty to animals, of which there are too many cases.

- (b) Beer drinks, where all sorts of poisonous concoctions are taken, appear to be the main cause for assaults, and insufficient supply of meat as rations would contribute towards sheep stealing.

Poor Relief for Natives.

11. No provision is made for Poor Relief for natives in this District, except free medical treatment by the District Surgeon, of pauper **natives** and the admission to Hospital of natives who are unable to defray Hospital expenses.

Sanitation.

12. The Sanitary accommodation for natives attending Court and the office is adequate.

13. Shelter for Natives at Courts.

Yes: a suitable waiting shelter has been provided.

General.

14. I have found that natives are hungry for education and bettering themselves. If housing conditions could be improved, they would have more self respect and become more cleanly. Decent quarters and an insistence on personal cleanliness have a very salutary effect.