

standing. We have had native evidence on that ? - Well, I want to tell you this. I have one farmer on a farm in my district who has appeared to me not once, but many times, to be extremely unjust to his natives and the police at Naauwpoort have gone into his case many a time, and the natives who had complained have been found to be in the right and the farmer in the wrong. That again is rather an exceptional instance. That man is unjust to his natives and the consequence is that he has lost all the natives who originally lived on his farm. There were quite a number of natives there originally and they have all gone, one by one, and now we have not got one left. I may say that he is rather a backward individual and it may perhaps be due to ignorance on his side, but I have known him in his dealings with other natives outside his farm to be extremely unjust. That of course is only one instance, and I am pleased to say that it is only an exception.

In that particular case would the circumstances be somewhat similar to what Pasha described as having to work all the year round and being unable to leave ? - The boy reckons that he was done down in regard to his crops. The boy had a good piece of land and it so happened that the locusts did not get his crop, while the crop of the farmer himself was eaten up and destroyed. The master then picked a quarrel with him and chased the boy away from the farm and then coolly collared his crop. Well, I went into that matter and I regained the crop for the boy.

Does an instance like that have a serious effect on the mentality of the natives in the district ? - If there were numerous cases of that kind it would have a serious effect.

I am accepting it that it is an exceptional case? - Yes.

The point is, would that have a serious effect on the attitude of the natives as a whole in the district? - You mean that one instance? I do not think so. Of course, if that instance were multiplied it would have a very serious effect, but the natives know that particular man. But I do not think that a solitary instance like that would influence them to any extent.

Now, a native witness yesterday told us that numbers of natives were chased off the farms. Can you say whether that is so, and if so, for what reason? - Yes, it does happen, and for various reasons: very often because the native himself is drunk and because he is lazy. And I will tell you something else. In some instances, especially along the Steelpoort River, we have natives who go from one farm to another. They are very plausible and they talk very nicely to the farmer, and the farmer takes them on, and he gives them a plot of land to plough. Well, the native puts in his crop, but he stops with that farmer only until he has reaped that crop and then he sits down quietly and completely refuses to do a hand's turn. Well, the farmer tells him to get off, and off he goes on to the next man. I have known boys who have gone from one farm to another simply swindling the farmers.

Would you say that there were numerous cases like that? - Well, there used to be numerous cases like that along the Steelpoort, but they are getting less now because the farmers are beginning to tumble to that kind of thing.

Some of our native witnesses here spoke of natives leaving the farms in order to go and live in the reserves. Now, can you tell us, is there much of that? - Yes, there is a certain amount of it. But it is very difficult to say to what proportion that is done.

You say that it is difficult to say how many natives do it ? - Well, infinitely more natives leave the farms to go and live in the reserves than that leave the reserves and go on to the farms. That is my experience since 1908 as regards this district.

Would that be sufficient to make a substantial increase in the total population of the reserve ? - Well, spread over a period of years it has made a substantial difference, but over one year it is almost imperceptible.

Do you know the reasons that prompt them to move into the reserves ? - Well, I should say that it is the natural tendency on the part of the native to be free and independent, and to free himself from restraint. I think that is very largely the reason. A native likes to feel that he is absolutely free from restraint, and that he is free from all responsibility, and that is one of the most important things. So long as they are on a farm they have to keep certain hours and they have to do this or that, but if they are in a location free to go here and there, to do as they like, and to get as drunk as they like, to do as they please - that is the live which attracts them.

DR. FOURIE: They want freedom or licence - is that the reason ? - Yes, freedom or licence.

And would you say that they are lazy - would you call it laziness ? - Yes, laziness.

MR. LUCAS: Laziness is rather a relative term ? - Yes, it is. They say "Let us go back to the day of Thulale". Thulale was an old chief: he died in 1824. It means "Let us go back to our old customs and let us be free from every one; let us go back to the good old times." They have those views - they are retrogressive and they certainly are not

progressive. Take these natives who come from the farms - these natives who are told to leave the farms and to go to the locations. Can you notice any improvements in their methods of agriculture in the reserves as compared with the methods of the past ? - No, I have noticed no improvement. You see, they come in as individuals and they are absorbed in the mass, and they simply drift back into the ways of the mass.

You spoke about the number of farms that have been bought for the natives. How many farms have been bought for the natives ? - The Bapedi tribe have bought twelve farms. The Matlala have bought two farms.

Can you tell us what the total morgenance is of these farms ? - The morgenance of the farms which the Bapedi bought is 26,717. For that they paid £28,563. The Matlala have bought 4,916 morgen, for which they paid £4,879. The Bapedi have bought other farms in the Middelburg district, and eight in the Lydenburg district. The Matlala have bought one in the Middelburg district and one in the Pretoria district. You will notice that the price which they have paid is just a little over £1 per morgen. The total bought by both combines is 31,633 morgen and the price they paid is £33,442. If you look at that you will see that it works out at slightly over £1 per morgen. Actually the price of the land would be under £1 per morgen, because these totals include transfer at 2 per cent and they also include lawyers' fees, interest on bonds, and all kinds of things.

Have they all been paid for ? - Yes, they have all been completely paid for. I will not allow them to buy unless they have the full purchase price, or almost the full purchase price. I learned that in Rustenburg.

How do they raise the money ? - Through the tribal

levy, sanctioned by the Government.

And when it is sanctioned by the Government is it enforceable by law on every member of the tribe ? - Yes, on every tax-paying member of the tribe, but if they do not pay we cannot run them in criminally. All we can do is to sue them civilly. That really means that we can only collect from those who have cattle - that is, from the older men, and the young men who have not got cattle we cannot touch at all. That of course makes it rather difficult.

THE CHAIRMAN: In regard to this case which you mentioned yesterday, where the Department of Native Affairs refused to sanction the expenditure of certain money for roads and education; was that money from the tribal levy or was that from the local tax ? - That was from the local tax.

MR. LUCAS: Is there a power under the law, under the existing legislation, criminally to enforce a levy ? - I have not got the Act before me, nor have I got the Administration Act here, but I think that we have got that power. My belief is that all that is necessary is a proclamation. Under Act 41 the Government could make regulations. All that is required is to put it under section 9 of the Act, which gives the power of criminal prosecution.

DR. ROBERTS: And you can collect taxes through the criminal courts ? - Yes, I do; I have to do that. Owing to the abolition of the tax tour my tax has decreased seriously. That is a point which I wish to touch upon, if you will allow me. At present I am about £2,00 down as compared with 1929. The cost of my tax tour in 1929 was £89.0.11. That was inclusive of my clerk's allowance. I did not get any allowance, but my clerk did. Now included in that £89 was the cost of the waggon and everything.

MR. LUCAS: And if you tried to collect that £2,000

through criminal proceedings, there would be considerable waste in criminal proceedings ? - Naturally; if you put a boy in prison it costs the Government something. I might add that almost every farmer in the district has complained about the abolition of the tax tour, and I personally think that it was an unwise move. Every mine manager in my district - there are four of them - has complained about the abolition of the tax tour. My natives in a full pitso representing the whole of the district have also complained, and I have forwarded all these complaints to my Head Office.

In your opinion, apart from the financial side -- ? - The administrative loss is to mind much more serious than the financial loss.

What do you consider were the administrative advantages? - Well, for one thing I used to get in touch with my farmers and also with the mines in the district. I could see how the mine labour was carrying on; I could see what was required in the various compounds, and I could get and keep in close touch with my natives on the spot, especially with my older natives, who were able to come and tell me all the information which I should know. They were able to come and see me and talk to me, whereas to-day they have to go long distances to pay their taxes at my office.

What distance would some of your natives have to come in to pay their taxes ? - Some of them would have to come 80 and 90 miles; close on 100 miles, some of them. That is to say, 100 miles there and 100 miles back, and they have to do that to pay their £1 tax, and some of them - old natives at that - have to go over the various mountain ridges.

Prior to the abolition of the tax tour, were there many natives which you had to prosecute for failing to pay their taxes ? - Well, of course there are always defaulters.

Were there many ? - Yes, there were many, but there are more now.

Would it run into hundreds, or would it run into thousands, previously ? - Ordinarily I suppose it would run into about three hundred or four hundred per annum, but now it would run into a very great many more. I can tell you this, we are only half way through and we have already prosecuted over 1,000.

Now, this arrangement of natives being prosecuted for tax defaulting, is that likely to breed contempt for our legal system, for our present system? What I want to put is this, is there any disgrace to the native in going to gaol ? - Yes, I think there is. I think it is a mistake for people to say that it is no disgrace for a native to go to gaol. They do feel it.

Even if it is for a default payment of tax ? - Yes, they do feel it. It is nonsense for people to say that they do not feel it; they feel it very much.

THE CHAIRMAN: What is the usual penalty inflicted in the case of failure to pay tax ? - Under the new law -- it varies, of course, but in my office the usual penalty is "ordered to pay £1 tax 1930, or in default of payment 14 days' imprisonment with hard labour, to be released on payment of £1 tax 1930." I write that down and I have written it 1,000 times this year.

Are they generally in a position to pay immediately ? - Very often they are. I should say more often than not. They have discovered that they can be released on payment and they sit and wait until my police round them up, and then they come along with their £1 tax. It is very evident. When the Act came into force they did not know that, but now they do.

So the court becomes a collecting agency ? - Yes, the court is really a collecting agency now-a-days.

It is the last opportunity to pay, when he comes to court ? - Yes, that is his last opportunity, and he often pays. When he is sentenced he pays.

And there is a tendency to make use of the latitude which is given ? - Yes, that is so.

Now, in the case of those who do not pay, you have them in prison for a fortnight ? - Yes, that is so.

During that period, do you think they cost more than their labour is worth, or do you think less ? - I should say it is about equal. Their labour is extremely bad. You see, they do what we call the Government stroke; but at the same time they do not cost us very much at Skoonoord, and then, furthermore, their scale of rations is very small.

They have been a fortnight in gaol, and their tax is still unpaid ? - Yes.

Would some system be feasible by which they could be given a suspended sentence, provided they were taken into service by someone who would be prepared to hold himself responsible for the payment of the tax ? - It might be in a farming area, but not in my area, where there are no Whites within reach to take them on. You have seen it yourselves, the nearest White man is twenty miles away.

If that were done, would not the mines have someone ready to take them on ? - The mines have two runners at or near my office ready to advance any money, £2 or £3.

And do the natives make use of that ? - Yes, sometimes they do. Sometimes these recruiters, especially among the younger boys, advance the money and the boys pay the tax and they get released. That happens.

MR. LUCAS: When they have served their fourteen days they escape the tax ? - Well, of course I do not run them in



twice for the same offence. But next year I shall round up their 1930 tax again, just the same, but I dare say if they were to go to the Supreme Court they would escape me.

THE CHAIRMAN: On the other hand, if it were made clear that the fact of his being in prison exempted him from the payment of the tax ? - He would probably go to prison and I would have to increase the punishment. That would be the only way in which to deal with that.

MR. LE ROUX VAN NIEKERK: Can you increase the sentence, under your present jurisdiction ? - Yes, I can give him up to three months. I should hate myself to be put into prison for not paying my dog licence, or something like that.

MR. LUCAS: Now in the period that you have been in the Service, have you noticed any change in the attitude of the natives towards the Government ? - Do you mean whether they pay their taxes as well -- ?

No, do they show less respect ? - Yes, now and again. It depends a great deal on the individuality of the official. I must say that I have noticed a change. I think there is less respect generally, taking it all round. Personally, I have no complaint, and I do not think my next door neighbour to the west of me would complain either. But I do know that there is a feeling in the department that there is less respect.

Is there any lessening of the trust of the natives in the Government's desire to look after them and after their welfare ? - Yes, I think there is. I can tell you this. In my humble opinion one of the reasons for that is this: in the olden days I used to go round my district and all of us used to go round in cape carts with two or four mules, and we used to outspan every ten or twelve miles, and we used

to sit under a tree for a couple of hours, and all the old fellows from the kraals would come along and talk to us, and tell us the news, and we used to tell them the news and be in touch with them, and in the evening I would camp under a tree in a tent and all the old men from the neighbouring stad used to come and pay their respects. I used to talk to them and sleep in my little tent under the tree, and I was to some extent their host. I was in touch with them, and we were friends. But now-a-days, what do I do? I have no cape cart, I have no mules. I have a motor car, and I think the motor car is bad, or rather/<sup>it</sup> is more difficult with the motor car to keep in touch with the various parts of the district. I simply get into my motor car and I go quickly round my district, and in that way I do not see my old men, I never have my chats with them, and I can feel it, I have to a very great extent lost touch with all the old fellows in my district, and that is due to this motor car, and I think you will probably find that that is not only so in South Africa but in India too. I have a brother in India who told me exactly the same thing.

That is a mechanical cause, but is there any change due to distrust? We have heard it said that the natives do not trust the Government now. I do not mean any special Government. They do not trust the White man. Can you notice any decrease in the confidence, in the trust of the native? - Yes, I think I can, but it is very hard to put one's finger on any concrete instance. Still, I do feel that it is so.

DR. ROBERTS: You do not think it is a change in circumstances, a change in times, the circumstances in which we live now? - I think that ~~ix~~ it probably is that too.

The older men were courteous and polite, and the younger men has not got time? - Yes, that is so; in the

olden days I never passed a native in my district without his taking off his hat with a great flourish. Really, they were a positive nuisance! Some of them took off their hats with such a tremendous flourish that they scared my mules and frightened them into the bush. Now-a-days I go across the road and not a single one thinks of taking off his hat, and that more especially applies to the younger ones. I can certainly say that I have noticed that. That of course may be a sign of the times, but there it is.

MR. LUCAS: That is a matter of courtesy ? - Yes.

I was thinking of something more serious. Have they decreased in their reliance on the faith of the White man ? - Well, I have heard this at a pitso. I remember hearing one man say "We cannot now rely on the word of the Government." The particular incident when that occurred I think had something to do with the Land Commission. That was at a pitso, and the native who said so was a spokesman, not an induna, for the Chief Sekukuni himself.

THE CHAIRMAN: Is not that rather due to the democratic system -- ? - Yes, they are democrats - they are, and they are not.

In the olden days, in the Republican days, the President said what had to be done, but the present system works - must work - very much more slowly ? - It may be due to that and I think they did prefer the old system. If you cannot get them to believe in you, they just simply take your word; that is, if you have been living a long time among them. I think they prefer the autocratic system, but it is difficult to get them to take to that.

MR. LUCAS: Do you think any difficulty arises from the inadequacy of notifying them of changes of law ? How do the natives get to know of any changes of law ? - Well, I hold pitsos in my district and I inform them of any change of

law affecting them. And may I add that I was astounded when I got to the Rustenburg district to hear that they had never had a pitso there. The Magistrate at the time when I suggested a pitso said no, he was totally opposed to it. Well, eventually the magistrate was changed and the next one was altogether in favour of it, and we did hold pitsos. Just before I left I had three pitsos, and I am sure that they did a power of good.

Now, taking your reserve, do you have much crime there ? - Real crime, extraordinarily little. Stock theft almost none- almost non-existent, because every beast is known. Of course, what the police call stock theft I do not always call by that name.

What is the distinction ? - One boys owes another one cattle for lobola and he has not paid his full lobola. Well, the other fellow will come along and take a beast out of the other chap's kraal. The police will run him in for stock theft, but I do not always take up the same attitude. It is simply a notification to that man that he must pay up. I do not find him guilty of stock theft always.

MAJOR HUNT CONTINUED HIS EVIDENCE, WHICH IS NOW  
GIVEN IN THE AFTERNOON.

THE CHAIRMAN: Have you anything to add on the question of suspicion as between Black and White ? - The only thing I wish to add is that living as I do in a location far away from the White people one notices very little of this, but one comes straight face to face with it when one goes visiting on farms in among my White area, and one cannot help feeling that this suspicion is not simply confined, it is not merely on the part of the natives. You get it on the side of the White man as well. I do not know what it is; it is very difficult to know the reason for it. I

admit that it may be that the native has become more sophisticated, and therefore the White people have a feeling that he has grown less respectful, less near to him. It may be a feeling of almost fear on the part of the White man. One meets it amongst some and not among others. You have had here this morning this young farmer, Mr. van Rensburg. I do not think there is any feeling of fear on his part, but amongst some of the farmers there is, there is always a fear that the native may eventually chase the White man out of South Africa. The suspicion is not entirely on the part of the Black alone, and I think it is fifty-fifty on both sides.

Can you point to anything in our present conditions which should be altered and would improve matters? - Yes, a little closer attention, a little more sympathy on the part of Government officials. I have met Government Officials who are very haughty. "Come in, come in, damn you; get a move on!" that is the way they speak, and that sort of thing does not do. I have heard them say: "Get out that tax receipt - quick!" That sort of thing should be altered; a little more attention, a little more human touch, in matters like that, in ordinary matters concerning natives. I have noticed it here, for instance. I came across it yesterday. I had five witnesses here. I brought them in, or rather I had them sent in. They arrived in Lydenburg and they were required to sleep here. Where? At my place I had a hut, a shed, a little tin shed for them to sleep in. Here surely we could have a little tin shed at the magistrate's Office, where such people who come in could sleep. Well, that is only an instance. A little attention like that on the part of officials would perhaps bring about a slightly better feeling than what we have now. At any rate, it would not give any cause for the increase of distrust.

DR. ROBERTS: You have no hostel in this town at all? - Well, of course this is out of my district, but as far as I know there is no hostel here - none at all. They may have one, but I do not know of it.

MR. LUCAS: And are there any other causes which you could point to which should be removed? - I could not speak of any on the spur of the moment, but I shall try and think this matter over and write to you about them, but what I want to urge is a little more human touch on the part of the officials.

DR. ROBERTS: Now, you mentioned the Government Offices. Have you any special office in mind? Say, for instance, the Post Office, have you got that in your mind's eye? - The post office here - I have never heard a complaint about the post office here. As to the Railways, well they have improved enormously, but it is the young officials elsewhere who have not.

MR. LUCAS: I asked you a question about crime in the location and you mentioned a case which the police considered stock theft and you did not? - I will not allow that kind of thing, of course.

Now is there any other serious crime in the locations? - There is very little serious crime in my district. I do not call crime just the regulation-made crime, such as a man not having a pass, and so on. And even I dare say you might call it a crime if two boys are sitting over a pot of beer, they are the best of friends, both of them drink the beer and they get a little drunk. The one says to the other, "You have to pay for this beer", and the other one says, "No, you bought it and asked me to have a drink." They have a little argument, and the one biffs the other with his knobkerrie. Murder! Well, it is not premeditated, but he is up for murder.

Do you get any cases of rape here in the reserve ? -  
Very very few indeed. There is very little crime really.

I mean, rape on the part of the Black man on the  
Black woman ? - Of course, we have not any Whites here and I  
dare say that that does occur, but I suppose these things  
are settled by the chiefs and the headmen.

MR. LUCAS: Then I want to ask a question about  
the health in the reserves . What is the position as regards  
that; how do you find it ? - We have malaria there, and in  
some seasons it is very bad indeed. In 1920, in the  
summer of 1920-1921, we had over 600 deaths reported - I do  
not know how many were not reported - within a radius of  
nine or ten miles of my office. Practically the whole of  
the district was down. In some seasons malaria is very  
bad, but other years we have very, very little indeed.  
Syphilis, yes, and I think that is increasing. I differ  
from the department of the Chief Medical Officer in regard  
to syphilis in my district and I have given my views on  
this matter. Unfortunately, a private letter which I wrote  
was published at full length in the "Star". It was a private  
letter which I wrote to a brother officer, and he showed  
this letter to a certain person, and he had the whole  
published, full-length, in the "Star", and my views  
were very openly expressed, much more openly than I would  
have published them officially. Sir Edward Thornton  
led the public to believe that there were five per cent  
syphilitics in my district. He was having a controversy  
with the doctor of the Jane Furze Hospital, who estimated  
75 per cent as being syphilitic. That is Dr. Thompson,  
who is now Medical Officer at Messina. Sir Edward Thornton  
said only five per cent, simply because only 3,000 had been  
treated for syphilis by the Jane Furze Hospital in 1929.  
Well, for every syphilitic person treated and sent there

there are five, ten, a dozen, or more who are never seen at all. Many are afraid of the White doctors. They prefer to pay a beast to their own doctors. And many do not know that they have the disease. It is impossible for me to say exactly what the percentage is; I do not know, but I do know that in some of the stads pretty well every one is infected with syphilis, from the headman down to the baby who was born yesterday. In other stads again they may be free, or almost free, from syphilis, and so it is extremely difficult to say with any degree of accuracy what the percentage is. I could have taken you down to a stad a little way from where you were yesterday, where every man and woman and child from the headman down is syphilitic and I could have taken you to other places again where they are entirely free, so far as we know.

THE CHAIRMAN: Do you know if the Wassermann tests have been applied - that is, the blood tests? - Yes, those who go to the Jane Furze Hospital have blood smears taken and those blood smears are sent away. In other cases again it is quite obvious and there is no need to send a blood smear away; the doctor just treats them. He gives them all the latest treatments; but the whole district has never been tested, and I certainly do think that we should have more medical attention - considerably more. It would be expensive - that is so, but it is very necessary.

Would it be a practical proposition from the point of view of the native to get the inhabitants of a whole stad and get blood smears from them in order to apply that test? - Yes, why not. I could do that. I would send my police boy, and if the doctor were on the spot he could just take a blood smear from every single living soul in the whole stad and send it away.

Would not they disperse in the same way as they did during the 1929 census round up? - I would not tell them.



I would send down a dozen policemen, I would round up the stad and let the doctor loose. Of course, you could not do that in a stad in Rustenburg, but here we can do it, and I should be quite prepared to do it. I see no objection to it.

MR. LUCAS: Are there any other diseases here ? -  
two  
Well, those are our/main diseases.

Is there any sign of tuberculosis ? - Yes, we have natives who come back from the mines. I had a police boy of mine whom I have just had to dismiss. He was an old mine boy and he developed tuberculosis, and I am afraid he is going to die. I have many natives with "chests" as you call it. They come to me and they ask for exemption, and they tell me that there is something the matter with their chests. Well, I cannot tell them whether there is anything wrong, so I write out a slip and send them to the Jane Furze Hospital. The doctor there listens to their chests with a stethoscope, and if necessary he tells them - he says, "Yes, phthisis!." and I exempt them from paying the tax.

Is there a very large number of cases such as that ? - Yes, I should say there is a considerable number. It runs to very many. I send very many of these natives to the Jane Furze Hospital. At a guess, there would be 100 to 150 a year.

Would it be more than 1,000 ? - No. When I get the doctor's slip back I attach that to the native's card; every one has a card.

So that the claim that natives are immune from phthisis because they remain only a short while on the mine is not substantiated by facts ? - Some of those natives remain there for nine months, and others again remain for five or six years. I am not a doctor, so I cannot tell you

anything on that point.

Do they get compensation if any of these cases are referred to the Miners' Phthisis Bureau - say a native develops phthisis - is he paid compensation? - Yes, I think they do get compensation, but I cannot tell you how many cases there are or how much they get.

Now, have you any information to give us on the mortality among children? - The mortality among the infants is very heavy, but I cannot give you the exact figures; I have no record whatever.

The trouble is that we cannot get exact figures anywhere, but you are in a position, better than most people, to form an opinion? - You want to know out of every hundred born how many die - that is, in the first year? There again, it is merely a guess, but I should say 35 per cent.

DR. ROBERTS: In some of the locations it reaches 50 per cent? - Yes, it may be even 60 per cent, but all I know is that a large number of the small children do die within the first year.

MR. MOSTERT: Must they report that to you? - No, deaths are not reported. Births and deaths are not reportable.

MAJOR ANDERSON: Do you think that they should be reported? Do you think there should be a system of registration of births and deaths? - It would be very difficult to introduce it, unless we had more offices. At the present moment it certainly would be very difficult. The distances are so great, and mothers and fathers would never do it.

MR. LUCAS: Then I would like to ask you a question about trading. Have any natives tried to set up stores of

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