

than to live where they are now living. From talk I have heard amongst them on many occasions I have gathered that it is not the rent so much which crowds out many of them but the class of accommodation .

They do not like the bunk idea and the central communal kitchen business, etc. What they want is a native hut and to live on a scale such as they have been accustomed to. Of course there are two classes of natives to be considered; naturally one form of house will not suit both classes, but I consider myself ^{should} that there ~~will~~ be native huts on the same lines as at Kingwilliamstown and other parts of the country for the kraal natives, and houses with four or five rooms if necessary for those who desire that. There is plenty of ground at Langa.

THE CHAIRMAN: You suggest more differentiation in the type of housing supplied?- Yes. Let those who like the communal kitchen idea remain exactly as they are now, what are known as married quarters, at Langa.

DR ROBERTS: Is there not a growing feeling even amongst Europeans towards the rondavel as being hygienic and comfortable? I know a magistrate who has lived in one for years ?- Not so much down here.

SENATOR VAN NIEKERK: What about sanitation?- On the Flats there is practically no sanitation. The practice is to put a pail in the ground with a stick across it and then to fill in and move to another place. Water they fetch from a distance; they generally fetch it in a barrel on a donkey cart. In some cases they use cattle or mules.

MAJOR ANDERSON: Do they have to pay for the water?- Yes. What is the usual price?-- If there is a drought 3d. a paraffin tin, otherwise 1d. a paraffin tin.

THE CHAIRMAN: Where do they get the water from?- In some

some places they have municipal water laid on and these people sell it. There are stand pipes on the road in some places and they can buy water from the Municipality.

The Cape Town Municipality? - Yes. But most of it is bought from the farmers who have the municipal water laid on. They have pipes and retail the water to these people.

MAJOR ANDERSON: Have you any idea of the total number of natives living under these conditions? - I should say there are between four and five thousand living right through the Flats. Of course when I say the Flats, that is rather a large area; it must extend roughly about ten miles by five and there are people scattered over the whole area. A large number of these natives are employed as dairy boys and that sort of thing.

They go to and fro? - Yes, but a large number are not employed at all. There may be anything from 500 to a thousand, who do not do any work at all.

How are they living? - Well, we know in our own minds how they manage but it would not perhaps be fair to say. Probably half of them are criminals and the others live out of coloured men who themselves are criminals. These coloured men bring stuff for the natives to dispose of for them. They are receivers. Then there is a fair sprinkling of educated natives who live on the others in various ways, for instance by teaching them how to write their names on voters certificates and so on. That is quite a lucrative matter for some of them. They teach their pupils how to write their names, that is, to make the letters, though they haven't the faintest idea of what the letters are.

DR. ROBERTS: But under the new regulations that is impossible? - Yes.

So that opportunity is gone? - Yes, but still they will

will teach something.

To sign a cheque perhaps?-- Yes. And many live in different ways by frauds on their mates and so on, the less educated ones. It is quite a common thing for a fairly educated native to promise another native, if he will pay 10/-, to get him a job. Quite a number of them have been arrested in connection with this serious crime and at times have been convicted. It is always difficult to get the necessary evidence.

MAJOR ANDERSON: What are the health conditions; are they very bad?-- That is something I cannot speak of with any certainty. I have seen numbers of them sick at different times, but I do not know from what they were suffering.

SENATOR VAN NIEKERK: Do you think they are developing into an undesirable class?-- Yes, they certainly are. They are deteriorating the coloured and white people in those vicinities in which they are scattered and they are themselves becoming deteriorated.

These seem to be hunting grounds for the coloured men criminals inclined to go to those areas?-- Yes, they will eventually become slum areas. As far as the natives are concerned they cannot get their own native drink, their Kafir beer as it is known in the territories, and they brew down here what is called danti from yeast obtained from the breweries. That is diluted with all sorts of different concoctions such as methylated spirit to give it a bite.

DR. ROBERTS: I thought they were not allowed to have yeast?-- But they get it from the breweries through a coloured person. The coloured man is the go-between all the time. They can get it. It is the same with liquor. Not being able to get their beer they soon find out that it is easy to get European liquor and they get on to that. As soon as they get on to wine they are not natives any more practically. It has a most deleterious effect

effect on the general surroundings and everything else; on everybody who comes in contact with them. It would be very much better if they could have their own beer.

At Ndabeni they have a rule whereby a permit may be issued to permit a native to brew a certain number of gallons per week for his home consumption, but quite frequently these people brew a few gallons too much; they are caught in possession and convicted; that person's permit is then suspended for three months. Within the three months he wants native beer again and gets convicted again. He is suspended again and does not get another permit.

There are no permits in Langa yet but to my own knowledge there is more native beer in Langa than at Ndabeni. The Dubban system would be a good idea to put into practice down here in the location. I am of the opinion that if the natives could get their beer they would not have the longing for European's liquor which they now have.

MR. JOHN HUBERT TANDY, examined

THE CHAIRMAN: You are Assistant Native Commissioner?— Yes.
You have had I think a certain amount of experience not only with natives here but in other parts of the country?— Yes.

Can you tell us what was your official experience in dealing with the natives?— I have been over twenty years on the Rand, and I had a year or so in the country districts of the Transvaal. I have been here just over five years.

In carrying out native administration here as compared with the Rand, what is the chief difference which you noticed?— When one is talking of dealing with natives, I think the majority of those who deal with them do not look upon them as a small minority but as a mass, so that in a place like the Transvaal, and to a smaller extent, in Natal, it is very much easier to deal with illiterate men, because after all they are then more like children and require to be looked after. You have had some native witnesses before you and one can quite imagine that they are well able to look after themselves.

But I suppose about 55 per cent of the natives in South Africa are still under tribal conditions and cannot look after themselves. In the Transvaal particularly you can imagine when you take into account that there are on the mines about 250,000 what the position would be if they were uncontrolled and not protected against themselves. There is nobody harder on a native than another native.

When you speak of protection what have you in mind?— An efficient system of registration. The system here is by no means effective; it is not a system. You have what you may term a kraal native who is engaged by an employer.

I think that a contract should be registered and if necessary the rate of pay so that if there is any complaint of non-payment of wages or being discharged without notice and so on, a Native Affairs official or even the magistrate dealing with the case would have prima facie evidence of a contract. They have no trouble in Johannesburg about these things. If the native says that he was engaged at so much, the Native office has got a contract to prove that, ^{and} the employer has got to prove that he paid the native that particular wage or given him the requisite notice. It protects the native.

The system is not quite as objectionable as it was before. They ask for a copy of the contract. In the old days they had nothing. Now the employer has the original and the native has a copy and there is a copy filed in the Office. It is not a pass. It does not enable him to move about; it is just a copy of his contract. They have nothing like that down here. Under the registration system his name is entered and the employer's name and address. If a native says that he has not been paid his wages we cannot ~~corroborate~~ corroborate his evidence; you rarely find witnesses whereas if you have documentary proof the native is protected.

You have difficulty here in not having documentary proof of contract?— Yes. In the Transvaal of course they ^{issue} will ~~xxxx~~ the registration certificate which is for the better type of native, the native who is doing his own work probably and does not require to be registered. He has got exemption from the ordinary registration. In a way this is a sort of minor certificate but you have a complete record and can in some degree control influx. If you go to Johannesburg they can probably tell you how many natives were looking for work yesterday. But I do not think they register all the natives here.

Do you mean that because the native cannot be held up for not having a pass he does not really worry to go and register?-- That is so.

MR. LUCAS: Or to register a contract?-- There is no contract.

To register the fact that he is employed?-- No. They do not carry anything. Police assistance was asked for when these regulations came in at first but the police said they could do nothing. A constable would speak to a native and ask him if he was working. The native would say he was working for "Mr. Jones" at Sea Point, and when the constable took him out there, he would say he had been working there but had now got a job with "Mr. Smith" at Muizenburg. The police had no time to follow these things up.

The natives complain that when they get work they must go out to Langa to be registered there; it appears they could also get registered in town?-- I know that complaint and I think it is a reasonable one. I can understand the Municipality requiring new arrivals to go to Langa to get their first permit. Then they could register the man as a new arrival, but I think it is a bit unreasonable to expect that every time a man is discharged by one employer and gets a job with another that he should have to go out to Langa to get another permit.

Mr. Cook explained that there were registering offices in town?-- But before a native can be registered by the employer, the native must have a permit to look for work. *See over p*

That is the thing they complain of, it is not the registration of the contract?-- No. When he has got his permit to look for work the employer sends him in to register. That would be one of the benefits if he had a copy of the contract.

As it is the native has got nothing at all except the permit that he is seeking work.

SENATOR VAN NIEKERK. What does registration mean?— I do not know: it is only half a system.

THE CHAIRMAN: If the native is not registered is there any penalty?— No, the onus is on the employer to register the native.

But if a native goes to look for work and has not got the permit to seek work?— Then it would be an offence for not getting the six-days slip to seek work.

But what registration is it that he does not go in for: you said that not more than half the natives registered; do you mean the permit to seek work?— Let me explain. The native comes here and gets a permit to seek work. He has probably already found employment. He may have found some work on his way to Langa. But the employer may not employ him until he has got a permit to seek work. He goes to Langa and gets his permit, and when he goes back to his employer everything is in order; the employer may register him. The employer then takes him or sends him with a note and the fee to the registering office. They get the native's name and find out whether he is living in an authorised place. If he is a domestic servant and the employer wants to ~~xxx~~ ^{house} him on his own premises the registering officer would give him a temporary document, and one of the inspectors would go round and see if the premises were suitable; then the native would be given an exemption certificate.

The complaint would arise after this registration. Assuming that he is discharged from his employment; he must go to Langa to get another permit. That takes him nearly the whole day and by the time he gets back his prospective employer may have got some other native who has happened

along

along with a permit; he takes his because he cannot wait for the other native. If the register was at our office permits could be issued to natives from there and it would remove what I feel is a reasonable objection of the native.

Mr. LUCAS:

Are the permits to look for work taken up regularly by all natives?-- Supposed to be.

Is that observed?-- I think that the ^{very} ~~fact~~ fact that Langa is not full is proof that the natives do not, otherwise they would be living at Langa.

next

Take the stage; supposing a native has got work, is the law about the registration of the engagement to work fairly regularly observed?-- It is improving every week. You can notice an improvement in this way, with employers who have been registering for the last two or three years you do not worry about them; they send the natives in, and the Municipality is gradually roping in the new employers so that they will know their duty afterwards.

Peninsular

The Cape-Brevinee is unique; it is different from any other part of South Africa. It is an isolated spot. One cannot understand why the natives come down here. They were no doubt in the first place attracted by high wages. The public are not educated to deal with the native as a native. They simply look upon him as a non-European. They have dealt with coloured people all their lives and leave him to fend for himself. The native is left to fend in the same way. I am not referring to the few educated natives or those who are detribalised, but the great majority of a different type who want looking after.

SENATOR VAN NISKERK: How do those living outside the municipal boundaries get their permits?-- when a native comes here he has to get his permit and then he drifts

out

out there afterwards. Economic stress probably sends him out. He gets a permit to stay at Langa for a week. He goes to Cape Town to look for work but he cannot get it and as he has no money he cannot go back to Langa.

After he gets a permit to look for work is he all right?— He is supposed to stay at Langa.

But supposing he gets employment cannot he shift somewhere else?— He is supposed to stay at Langa.

But don't they go to the Flats?— Yes, that is where they have not got control. They have not got a check.

MAJOR ANDERSON: Cannot a native go to live on the outskirts, on the Flats, if he wants to?— He is not supposed to do so, but he does.

Are there no means of checking it?— In Johannesburg you have an elaborate card system. I think that is run in conjunction with the native tax at the same time.

With regard to the point raised by Senator van Niekerk they should have a means of connecting up the permit that is issued to the native when he arrives. Say he is issued with permit No. 1 and ^{he} his registered say No. 1000 there should be some means of connecting up that permit with that native so that you would know whether or not he was living in Langa.

THE CHAIRMAN: As far as I understand it the law makes it essential for the employer to get a certificate that the native is registered to look for work?— Not registered to look for work; he has got a permit to look for work.

And when he finds work he has to live at an approved place?— The employer does not worry where he lives.

But the official?— The Municipality, yes.

The employer has to get a note from the municipality that the man is living in an approved place?— Yes.

What prevents that man from going to another place the day after?-- That is just why the Municipality insist upon his going to Langa.

Is there anything to prevent him going to another place the day after?-- No, that is what they do.

Let us take the case of a native who is a voter and lives in one of those "palatial" places we saw last night?-- But he is exempt from the regulations.

The Municipality does not need to satisfy itself that he lives in an approved place?-- No.

He can live where he likes?-- Yes, he does not even have to register.

The other native must live under controlled conditions?-- Yes, and that is why the Municipality insists upon him going to Langa every time he gets a permit to look for work so that they can find out where he is living.

He can be given leave to live on his employers premises?-- Yes.

And it is difficult for him to leave his employer's service?-- Yes, if he leaves the employer must return the certificate.

And to avoid these regulations he goes somewhere outside the municipal area?-- Yes.

Is there a penalty for not registering?-- Yes, but it is not on the native.

Do the authorities prosecute?-- Yes, it is the duty of the Municipality to prosecute the employer for not registering a native.

Are there any other points you would like to bring to our notice?-- There are one or two. There is for instance the question of labola and Christian marriages. There are many natives who live together and intend to get married but labola is the great consideration with them even in a

a Christian marriage; I mean among detribalised natives and those intending to be detribalised. Mr. Lucas wanted to know why natives came down here to work. There were some to be brought down from the interior to work at Bellville quarries. As to why we were not keen on their coming, we reckoned that there were sufficient natives down here already particularly of the ordinary labouring type. These natives were wanted for quarry work and the contractor wanted to bring them from Johannesburg and from Natal.

It was asked why natives did not go from Natal to the Transvaal and why they chiefly went there from the Transkei. In Natal, the Free State and the Transvaal they are not supposed to issue passes to go to the Cape. The Administrator's instructions were issued some years ago because he said there was ample native labour here and there was no room for them.

Is there power under the law to enable them to do that?— Yes, in these three Provinces a native may not get a ticket at the railway station unless he has a pass.

But is there any legal power to refuse him a pass to come to the Cape?— I think so.

By the Cape do you mean the Western Province?— I mean Cape Town.

But I understand that in actual practice they take a ticket to Kimberley and then manage to get to Cape Town?— Yes.

From Kimberley the same thing does not apply, and they finish their journey?— Yes. Some of them spend all their money here and then ask to be repatriated.

I may mention too that natives are taking the places of coloured men at the whaling stations. You get a very poor type of native however who take up that work. We attest them here for work at the whaling station at Walvis Bay.

They are good workers if they can be kept away from drink. But you get a type of Zulu who has been away from his tribe for 20 years and tells you that his chief was Solomon. One can visualise the extent to which he has been detribalised.

Another point in favour of an effective registration system and having ^a proper ~~contract~~ ^{contract} is that without it you do not get the same continuity of service. If a man has got his contract and he has done something foolish you think twice before you discharge him because he is under contract. You may not like him the first week but after a month you may find him very satisfactory for your work and you keep him on.

We have hundreds of natives come to our office and we always want particulars of residence and place of employment. I suppose 25 per cent of them do not happen to be working at the time, and in reply to questions say that they are just doing casual employment in Cape Town. There is a lot of that in Cape Town as a matter of fact.

I think it would tend to stop the influx of natives if we made the conditions - although one does not like to say it - a little bit more restrictive and irksome because it is not to the interests of the natives to come down. It has been said that natives used to come here from the Transvaal because they could get a voter's registration certificate, or a "drink permit" as it was known. I have come across instances of officials who have met their old servants down here; in one case an officer of the Immigration Department met one who had worked for him before and when he asked this native "Why don't you come and work for me in Pretoria?" the boy replied: "I do not have to pay tax here, and there are no passes".

The natives move about a great deal. Many come here for the season and then go to Natal for the Durban season, and so on.

On the question of leadership and finance, we find that it is notorious that money is the downfall of the majority of the native leaders. Once they get money they cannot resist the opportunity of spending it for their own purposes. We have had numbers of cases, educated men, ^{some} ~~most~~ of them ministers of religion, who have had money given to them to take home. They cannot help it. They get money and it runs through their fingers like so much water. I do not think they mean to be dishonest, but they excuse themselves under the old native idea "I won't return the money but my son will".

A suggestion has been put before you in favour of a Native Commissioner's Court. I do not think that should be necessary here in Cape Town which is an isolated spot. How would you get the necessary witnesses, and evidence, that would be required in order to deal with a particular case under native law?

I have been asked to find out whether natives were buying land at various places outside the Municipal boundary. At Elsie's River a syndicate bought about 30 plots and others are buying at [?] Elsberg. At Welcome Estate too natives are buying land. When I was out there I must have seen 15 plots in a small area. It is rather difficult to understand why the natives are going out there. I ~~was~~ ^{was at} one house to get from which one had to walk half a mile through heavy sand to ~~one~~ ^{one} the bus. Then ~~the~~ goes by train and by the time one gets to town it is a matter of considerable expense amounting, including payment of rent, to £4 a month. That is not taking into account food, and this man was earning £6 a month. This particular native had his house magnificently furnished.

DR. ROBERTS: On the hire system?— Yes, ~~but~~ the furniture had all been bought. There was a beautiful piano and the proper furniture in each of the rooms. I should imagine the

the furniture must have been worth in the vicinity of £100. I tried to find out how he had earned the money to buy such furniture but he did not want to tell. I said "Surely he has been supplementing his income in some way?" and finally I learned that before he came out to the Flats he used to sell liquor. That is how he saved money. He could not possibly have done it out of his earnings, to do so would have taken him twenty years.

Some one asked about the Cape Explosive works. They have about 900 natives there; they get medical attention, and employment there is very popular. In fact they have some rooms where they house natives who are waiting for employment; frequently they have a hundred there waiting. The natives do their own cooking and are able to buy at the company's store. They can buy at cost price. The natives are well treated there and they have no difficulty whatever.

I am informed that there is another place where the natives have recently started to buy land, between Elsiebe River and Bellville. I suppose there is a natural desire for a man to have his own place and to get away from the restrictions of a location; and it certainly is going to tend to encourage settlement. Quite a large number of the natives come from the territories and remain here for some years, and they are struck off the books in the Transkei as regards tax and that sort of thing. They are then completely detribalised and they say "It is no use going home again; we have got no land". That is the one cry, that they have got no land.

THE CHAIRMAN: Why do you think that Cape Town is so popular?— They get good pay, and earn good money. I suppose that is really the ^{chief} reason. They are free, they are not worried and have no trouble. You have no trouble at all with native from the Transkei. There is very little trouble from what

what one might term the "kraal" native. With regard to the natives employed at the Cape Explosive Works very few of them have been there for a number of years. They go backwards and forwards.

DR. ROBERTS: A good many went from my own district, Alice. They say that a number of them got sick with the fumes?— That I have not heard. It is really not in my district. We go out every quarter to collect the native tax.

Then there is the Cape Portland Cement Works at De Hoek where they have their own compound, and medical attention. They had about 200 British Central African natives and there have been many complaints about their being allowed to remain there. But I think that the Department some years ago gave the company permission to retain a number. They were north of latitude 22 and were not allowed to work on the mines.

THE CHAIRMAN: Where is De Hoek?— In the Piquetberg district That as Mr. Cook pointed out is a very sore point with the natives. There are many extra Union natives including Portuguese natives, but there are not many of them.

DR. ROBERTS: How did they manage to get down here?— The authorities are supposed to be very strict but nevertheless a number have come from Rhodesia by train, and some have come down by boat. Numbers are brought down for employment and then are left stranded. I think that covers all the notes I had made.

DR. FOURIE: What proportion of the detribalised natives will pay labola?— It is difficult to say. But within the last couple of years I would put it down at about 50 per cent cases sent in the office. We try to reconcile parties who have been living together or have been intending to marry, and I can't

remember

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