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(Mr. Chester): Not necessarily more. I cannot understand why these do not balance out.

But they are very slightly out of balance ?- ----

CHAIRMAN: Perhaps you might go into the question and find out how this is made up and see, if a remittance is made for ~~more than~~ one purpose it is entered in the first column, and if it is for more than one purpose it is split up, - or whether some other method is followed ?- Yes.

MR. LUCAS: Can you tell us why you take the year 1924/5 ?- It was a typical year.

Would the figures show more or less ?- Last year's figures would show less from 1926/27, when the Native Commissioner in Durban collected from other provinces. Prior to that, the Natives had to remit their taxes to their own particular province, and we remitted quite a number of the Government pass fees, too; but now that the Government Commissioner's office acts as an agency for other provinces, we do not interfere with the tax at all.

CHAIRMAN: Now, Mr. Scott, have you readily available the profit that was made on the beer ~~tax~~ monopoly over a series of years ?- The profit of the Department? That statement which I have just handed in, does not include the last year that you have before you in print there.

The figures on the sheet that you have just distributed would suggest that a very considerable profit is made on this trading department ?- Yes.

And, therefore, the Native might be inclined to think that the Council sells him his beer at too high a price ?- I do not think so, sir.

Still, if you find that a petrol company makes a very

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considerable profit, I think you are inclined to jump to the conclusion that it is 'milking' you. It is just a matter of, are they receiving value for the money. What determines the value of an article that you can produce at will ?- Actual cost and sales.

Now, you have got a very considerable amount in addition to your cost here ?- We had a considerable loss last year.

Owing to somewhat special considerations; but for a period of seven years you have an accumulated profit of somewhere in the neighbourhood of --- ?- About £150,000.

So you are still very well up on the account ?- Yes.

Now, that money has been spent on subsidising Native housing, very largely, and on other social services ?- Yes, the whole of it has been spent on the Natives.

That has simplified your financial position, as far as housing is concerned; but you have got all these liabilities still. Supposing your 1930 account becomes a more or less typical one for the next five years, it would land the Council in Queer Street as far as their finances are concerned ?- It would not get into Queer Street; it would not be paid from the rates.

I want to ~~axi~~ nail that point down as hard as I can, that it has to come out of the rates ?- That is the law, sir. I have all the details of that expenditure here, if it is of any use to the Commission.

MR. MOSTERT: Now, the amount of eating houses; is that where the beer is sold ?- Yes.

And the revenue is from beer ? Take £62,000; is that beer ?- Not all of it; it is less stallholders rents and all manner of things. In the printed account you have it

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separately; Victoria Street, trading; Victoria Street, beer. Bell Street, beer; and Bell Street, trading. Beer and trading are entirely different.

MR. LUCAS: Looking at page 4 of the statement, I would like to know how the Native Administration Committee is constituted. Does it consist entirely of Members of the Town Council ?- (Mr. Murray): It consists entirely of Town Councillors.

And what connection does that Committee have with any Native body able to express Native opinion ?- By representatives of that Committee; the Chairman and three other members of the Native's Committee sit in conjunction with the Native Advisory Board.

And how is that Native Advisory Board constituted ?- It is constituted from Natives, consisting of one representative from the three locations, one representative from the I.C.U., one representative from the religious bodies, and one representative from the industrial area - that is, representing the firms of Congella. Then there is one congress, and one representing the Railway location.

How are those from the Municipal hostels chosen ?- On the recommendation of the Manager of the Native Affairs Department.

We have been told that respectable Natives will not go to the eating houses - the beer houses; have you any comment to make on that ?- Respectable Natives?

Yes, the educated Natives will not ?- First of all, it is rather difficult to say whether it is because they are respectable Natives or because of an existing condition of boycott.

Well, you know your local conditions; which do you suggest ?- I would like the Manager to explain. My point of

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view is very difficult. (Mr. Chester): I think we have hundreds of thousands of respectable Natives visiting these places every year, and I think it is the first time I have heard the matter put in this way, that respectable Natives refuse to go there. I do not know whether the Commission could enlighten me as to what is meant in that respect.

I think I can tell you who said it, and what he said. It is the African Union's (Durban Branch) statement? - It is the first time I have heard such a statement made. I did not know until now that there was a desire for privacy.

The suggestion was that beer should be sold to licensed Natives or companies and that the Municipality should only come in as wholesalers? - That is a matter of the law, again. The law has given the monopoly system to the various Municipalities. I will not make any comment on that.

We are entitled to criticise the law if we think it might be altered, and would like your suggestions on that. First of all, I would like your comment on the statement that no civilised respectable Native likes to patronise your beer shops? - (Mr. Murray): The Native Administration Committee have had a suggestion made to them of commencing or setting aside a particular area of their locations for what the Natives, members of the Advisory Board, term a 'tea room'. Whether that particular suggestion meant the term you have used this afternoon, I do not know, but we have had the suggestion made to us that the Council would be well advised to consider the question of setting aside a tea room. Whether that is for the better educated Native or not, I do not know; I have never had that set up before the Committee before.

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But the establishment of a tea room at Victoria Street and, perhaps, Bell Street - the setting aside of a particular area for tea, has been suggested.

That is something different ?- Does the remark made just now indicate that the Natives want a particular area whence they can go, rather than where the existing conditions are.

Could you express any opinion on the connection between the boycott and the idea that these places are not suitable for respectable people ?- (Mr. Chester): I do not think there is any connection personally, Mr. Chairman. I feel that there is possibly a desire, in view of the evidence tendered before this Commission, for perhaps a little more privacy at these eating houses, although I am not aware of any representations of that nature.

Are women allowed to go to these beer shops ?- No, only men.

There is no provision for Native women getting beer in Durban ?- It is prohibited under the Act, Mr. Chairman.

MR. LUCAS: On page 5 you say "The Overseers in each eating house are able, from experience, to gauge the spending power of Natives attending these institutions"; how do they do that ?- In this way. The nearer it is to payday, the more money, - or the nearer after payday our takings are greater, and they order by telephone an hour or so in advance. We have permanent transport facilities.

Do you get complaints from the wives that the husbands spend much of or all of their wages before they get home ?- I can think of no individual case of that particular nature. It may be a general statement; but as far as spending money on drink, on the whole, no.

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So far as you can form any opinion, is there much illegal brewing in the Municipal area ?- There is a good deal, sir. (Mr. Murray): Since the boycott, it has been on the increase very considerably, and needs a tremendous lot of extra police supervision.

And then, when we take the different stands or stalls of the Natives, does a Native get the same stall every day, or does he have to take his chance ?- He has the same stall every day.

MR. MOSTERT: While we are on the boycott; is it principally by the Natives that make beer in this district - is it engineered by them ?- It is difficult to say the actual cause of it other than agitation against the Municipality in various ways. There was voluminous evidence led before Mr. Justice DeWaal. I would not like to say it is engineered by illicit liquor sellers; it may be possibly aided and abetted ..

Is it principally engineered by them ?- No; I think I am safe in saying, no.

MR. LUCAS: THEN, on page 7; where did the capital come from for building those 120 cottages ?- From the Native Revenue Fund.

And the loss, due to their being let at a sub-economic rental; was that also out of Native Revenue Fund ?- Yes.

MAJOR ANDERSON: They were built with White labour?-Ye

MR. LUCAS: Then, farther down, you say "All institutions are connected with the water supply of the Borough and Natives are permitted to use rational quantities freely"; what do you mean by "rational quantities" ?- I mean, without any absolute waste; they may use it freely, provided they are not wastefully using it. We have hostel managers or superintendents and a staff of Natives and, if we find a man is

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turning on a tap full blast, whereas he can do his work just as well with the water at moderate pressure -- perhaps I can put it this way, he can use as much water as he likes, without wilfully wasting it.

How do you prevent his wasting it ?- In many instances, we have self-closing taps - spring taps. When you take your hands off the tap, it automatically closes, - the same with the showers; but they sometimes put half bricks on them to keep the water running.

Then, in the next paragraph, you say "Electric light is supplied free of charge" and I notice that something over £3,000 is charged for electricity ?- That is from the Department's point of view.

It is included in the rent ?- Yes, it is an inclusive charge.

But the Natives actually do pay for all the electric current that is used ?- The Native Fund, yes.

You say, on page 8, that formerly contracts were on a monthly basis, but there is now ^{steady} ~~special~~ preference for shorter contracts; is that preference applicable to, say, half of the contracts ?- I think so, sir; I think it must be quite half.

That is an important change in their attitude, in relation to the employer and employee ?- If it is of interest to the Commission, I can explain how this shorter contract came about. It originated with the building trade. The builders employed their Natives on a weekly basis. Generally when a job is completed, the hands are paid off - the surplus hands. It happened in one or two instances, where, on completion of the building, the employer exercised his privilege and was sued for wages in lieu of Notice; on the written

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contract, the Native was entitled to notice every week or month, as the case might be, and the Master Builders Association were the first people to adopt short-term contracts, that is, contracts on which you get your pay or are subject to 24 hours' notice. And we find now that that has extended from the Natives employed in the building trade to stores and so on. I do not think it applies a great deal to householders. There are certain householders who have the one-day's contract, -- that is, terminable at a day's notice, -- and, I think, in many cases the Natives are justified in asking for it.

Why is that ?- On account of friction between the employer and employee.

You mean, it was to the advantage of the Native ?- Yes.

I gathered from the way this paragraph is framed that it was the Native who was asking for this change; for a shorter period; your Executive say that it was the employer who started it ?- In the first instance, the employer started it, but now the Native is availing himself of it; that is what I intended to convey.

The Natives are now asking for the shorter period ?- Yes.

Then, with regard to rickshaw-pullers, is it correct that they have all the risk of any accident to a ricksha while they are out with it ?- Yes.

Then, another point which strikes me as very important is this statement of yours that togt labour - the supply of togt labour varies with the demand ?- I have the figures here. (Handing in statement).q

When you say this fee includes the right to take up his residence in one of the togt hostels, does it include residence ?- Yes, 5/-.

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Now, not knowing enough about Durban in detail to follow these figures, I shall be glad if you will explain how you draw your inference, as stated in your report.?- Taking, say, 1923, in the Point area, - which is a shipping area - there were registered 17,000 odd separate contracts; in 1923, in the Central area, 5,000 odd; in the Congella area, 391. You will notice there that the figures have gradually increased; as Congella has extended industrially so have the figures increased. There has been an increase at the Point as well, but not to the same extent as the Congella area. And there is a slight falling off in the Central area. What I mean is, the more work there is at Congella, the more Natives register in that district.

They only register when there is a demand, is that your point, - or do they register and take the chance of there being a big over-supply? - No; they seem to be able to regulate themselves fairly well in that regard. There is always a big number of Natives in any one of these particular districts. We have separate contracts at each of these areas and I take it that a man on arriving at the compound, will enquire of the other people as to the chance of getting employment. If there is, he takes out his badge; on the 7th or 8th of the month he gets his license and it does not register again until the 7th or 8th of next month.

I thought this so important that it might have a bearing on the statement that Natives will only go into a town when there is a reasonable prospect of getting employment in that town? - I think that is so, Mr. Chairman. Just how they find out whether there is employment or not is difficult to say. They may return to their homes and spread the news,

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"It is no use going to Durban for work".

MAJOR ANDERSON: What is the minimum rate laid down for togt labour ?- It is contained in a set of our regulations; it is 2/- within the outer area and 3/- over the Bar. The rate was laid down, I am sorry to say, years ago, when they had to work in lighters over the Bar, and today the ruling rates are 3/6d and 4/- per day.

All over ?- 3/6d other than the shipping area, and the shipping area is usually 4/-.

That increase has taken place comparatively recently, has it not ?- The amount laid down, sir, in the regulations, is on page 6, sub-section 5; that is the minimum laid down, Mr. Chairman.

MR. LUCAS: Take the last paragraph on page 9 - I do not want to go into all the details; could you tell me what you mean in the last paragraph when you speak about "the interaction of these groups wield an influence upon the Native"; what interaction or effects have you in mind ?- I think those remarks will apply to almost any area where you have a mixed population. The statement has been made because you will find that a Native, on coming into contact with other races and so on, suffers very often from the result of that contact - sometimes for the worse; generally so.

It is because of your experience that I would like to know what you regard as the result on the Native of that interaction ?- I think that, in many case --- may I say, first of all that the type of Native must be taken into account, in my opinion. The young and irresponsible man comes in and mixes with Europeans of his own leanings, and Coloureds and so on, and starts gambling, drinking and so on; but the more stable man with responsibilities in his own district is not

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so susceptible to temptation as the younger man is. I find that the unruly element usually stir up the young and irresponsible men; when I say irresponsible, I mean they are not responsible even in their own home life as compared, say, with the kraal head who maintains a sense of dignity, and who looks upon many of the young fellows who tempt him, with contempt.

Then go to page 12. You speak about food supply being approximately 3 lbs. of maize meal per head per diem, which may be varied by bread or adding various other things. May we take it from that that there are many cases where the food allowance is merely a maize meal? I believe I am correct in saying,^{so} although possibly on that point, the Resident Native Commissioner could give more definite information. My information is that, in many instances, the meal allowance with meat perhaps once a week is stable diet.

In an investigation I made about three or four years' ago, there were quite a number who had still the meal alone; although meal and meat are common, meal alone also occurs frequently? - (Mr. Murray): Amongst the householders, there is a tendency today for the Native to partake of the household food; meat and bread are handed to the Native.

That is not very common, is it? - I think the tendency is becoming commoner, because the conditions are making a person say, "I have got to give this Native food that I have myself", that is, the ^{flat} resident.

They are a comparatively small proportion of your suburban residents, are they not? - It is on the increase tremendously. The Native has to find accommodation elsewhere now, not like under the old-fashioned house accommodation.

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On page 15, how did you arrive at these quantities of food that are supplied? I notice that the food for the husband, wife and child are less than for the husband and wife alone?-(Mr. Chester): And investigation was made on behalf of the Census Department in 1921, and I have no reason to believe that there has been any change from that state of affairs to this day.

On the top of page 16, - for what period are the figures given there for food of the Native labourer? - That is also for the month, it is the same as the month.

Now take page 16, - the cost of the school; is that also paid for out of Native Revenue Fund? - Yes.

And these various provisions for Native recreation? - Yes. (Mr. Murray): I might say, with regard to Native recreation, after the appointment of welfare officers, the question will be considered by the Native Affairs Committee in the next year's estimates, whether a certain sum of money shall not be set aside for recreation purposes under that particular officer.

Out of the Native Revenue Fund? - I take it that is so, if it is possible.

What are the duties, briefly, of the Welfare Officer? - They are to attend to really and control the social welfare of the Native in the Borough, apart from Native administration.

What is he supposed to do; does he deal with individual cases, or is it just a general policy? - It is not his duty to investigate individual cases, but grievances collectively and also to attend to the recreative side of the life of the Native in the Borough; where collective grievances are faced, the Welfare Officer would attend to

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this and report to the Committee on this particular grievance.

And then, taking the rate at the end, is rent charged to the Native Revenue Fund for all those areas there specified

?- Yes, Mr. Chairman.

MAJOR ANDERSON: We have had a great deal of criticism of the barrack system, which I think is peculiar to Durban. Is the policy of the Town Council - is it satisfied that it is the best system in the circumstances; does it intend to extend it as Durban grows ?- (Mr. Murray): Under the present barrack system, I believe the Native Administration is faced with the fact that the question of housing in the near future must receive different treatment than in the past.

It is a policy ?- It is our intention to consider the whole question of housing, apart from the present system of barracks.

They are not likely to extend it ?- I do not think they are.

CHAIRMAN: There are one or two points, Dr. Shearer, that I would like to fill up in your statement, which goes very fully into the position, which we need not ask many questions about; but there are one or two points which are not quite clear:- "The Registering Officer may cause a Native to be medically examined": is it the practice to cause all Natives coming in to be medically examined ?-

(Dr. Shearer): Providing that they have not been examined within a period of three months; assuming a Native comes into the Borough and was examined locally within the period of three months, there is no necessity then to have him examined.

You examine all cases in excess of three months ?-

Yes.

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Now, your statement on page 9, - your statistical statement, there I may be reading wrongly, but it seems to me that it has this meaning that, in 1923, out of 15 cases of pulmonary tuberculosis, 35 died; are those figures to be read in a different way? - These figures, sir, I got from the Medical Officer of Health. On the face of it, it does look very much as if that is the case, but I really do not know how one can explain that. I should imagine it to be a clerical error.

In 1922 it is the same. You might have that looked into and have the correct figures supplied? - Yes, very well, sir.

Now, on page 11 - your table for venereal diseases; you draw the conclusion from that table that venereal diseases are on the increase; but may not the alternative explanation simply be that you are giving better medical aid now and that, therefore, a larger number of cases come in? - I do not think so. I think the tendency with regard to venereal disease is rather to hide than to reveal it.

But that tendency was there four years ago also. Education may have reduced it. Do you think that the Natives are coming to know better of the facilities that the Borough provides in that way? - That is a factor, but, I think, apart from that venereal disease is definitely on the increase.

Take your figure for 1924/25 - 48; you would not suggest 48 as a representative figure for that year? - As a matter of fact, that is the date the Government Special Department --- well, actually, in that year, it was not generally known there were facilities for treatment in that

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respect; but when this became known, gradually I take it a fair number did come and seek treatment.

There may be simply an increase owing to a larger number of people coming for treatment than before? - Yes. Before I actually made up this report, I spoke to the Government Specialist in that respect and it is his opinion that, notwithstanding this, venereal disease is on the increase.

Now, with regard to your annexure; you shew in the third column, a birthrate of 1.17; what does that mean? - That is ~~ixix~~ 1.17 per thousand.

Of the population? - Yes.

Your population being mainly men would naturally account for the very low figures? - Yes.

Do the figures in the column here actually shew the number of births registered in Durban? - Yes.

And the fifth column, the annual number of deaths of infants registered? - Yes.

So that the conclusions drawn in the last two columns are based on a very small number indeed of births or registrations? - Yes; actually, as a matter of fact, these figures are likely to be a little misleading - that is, the ratio between the birthrate and the deathrate, - for this reason, that you see a number of cases of women come in with debilitated children, or children with acute illness, - they come into the Borough and die. So actually the ratio between the two I do not think is real, that is, the birth and deathrate ratio.

MR. LUCAS: It is so small that you could not draw any conclusions? - No.

Compulsory medical examination does not apply to

Collection Number: AD1438

NATIVE ECONOMIC COMMISSION 1930-1932, Evidence and Memoranda

PUBLISHER:

Collection funder:- Atlantic Philanthropies Foundation

Publisher:- Historical Papers Research Archive

Location:- Johannesburg

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