

strong provisions of Law 4 of 1885 the Transvaal Volksraad as shown by the preamble regarded those provisions as necessary only until such time as the native peoples should have developed a fitness for the duties and responsibilities of civilised life. Nearly fifty years have elapsed since that law was passed and it would indeed be a confession of failure by the Europeans of this country to raise and civilise the native peoples if it were found necessary today to resort to these autocratic provisions which interfere so gravely with what is understood by the liberty of the subject.

The tendency should be the other way - towards the relaxation of control in order that the sense of responsibility may be increasingly developed." (Advocate O.D. Schreiner).

Whatever may be the authority upon which the Draft proclamation endows the Supreme Chief with powers of arrest without trial, it is to be hoped that Section 8 will be withdrawn and reliance sought either on the support which the Courts of the land can give for the suppression of treasonable or other wrongful conduct or on specific authority derived direct from an Act of Parliament.

The objections to Section 8 are applicable to Sections 4 and 10 which grant immunity to the Supreme Chief / and his administrative officers from the jurisdiction of the Supreme Court.

Section 4. (1) Officers of the Native Affairs Department and other officers exercising administrative functions under this Code shall in all such matters be answerable only to the Supreme Chief and to their superior officers.

Section 10 (1) Neither the Supreme Court nor any other court of law shall have jurisdiction to question or pronounce upon the validity or legality of any act done, direction or order given or punishment inflicted by the Supreme Chief in the exercise of his powers, authorities, functions, rights, immunities and privileges.

(2) No interdict or other legal process shall issue for the stay of any administrative act or order of any officer acting as the representative or deputy of the Supreme Chief or requiring any such officer to answer any suit or proceedings in respect of any such act or order unless the court be satisfied that prima facie the act or order is without lawful authority.



This immunity is provided for in Section 40 of the 1891 Code, but the Courts have held "that the irresponsibility conferred is a qualified and not an absolute one, and the acts of the Supreme Chief are open to review to ascertain whether they are within the scope of his authority or the sphere of his duty". This right of inquiry has been exercised in many cases and in the case of Siziba vs. Meseni the Natal High Court in 1894 held that Section 40 of the 1891 Code did "not prevent the Court from enquiring into such acts of the Supreme Chief and declaring them invalid". More recently the full court of the Orange Free State, Provincial Division, has held (in Rex vs. Goduka, 1928 O.P.D. 168) that, in the absence of evidence to prove that the paramount chief ever exercised the power, according to the laws, customs and usages of Natives, to prohibit meetings of Natives, the Court could not hold that the Governor-General held that power.

The new sections are designed to prevent the Courts from scrutinising the actions of the Supreme Chief. Hitherto there have been spheres, within the recognised limits of the powers of the Supreme Chief, in which the Courts could not prevent arbitrary and even unjust action by the Supreme Chief, but the fact that the Courts were always liable to scrutinise the Supreme Chief's actions to see whether or not they lay within the circle of his authority had the effect of restraining and curbing harsh administration. The new clauses will remove the last vestiges of the oversight of the Courts over Native administration. It is the conception of the paramount Chief as the absolute monarch, subject to no control beyond his own desires, carried to full fruition.



Is it wise to burden the Administration with the grave responsibility of uncontrolled power to dispose of the person and property of the Native subject? Generally speaking, Native administration in South Africa has been gentler than the laws it has to administer; partly because those who come into direct contact with the Native people recognise the Native as a reasonable human being who is amenable to just and humane administration; and partly because the courts have stood between them and unreasonable pressure from an inflamed or prejudiced public opinion. The draft proclamation leaves the Native Administrators bereft of the protection of the courts, and, they will be compelled, because they have uncontrolled power, to introduce harsh measures to satisfy inflamed passions or vested interests. ✓

This is not a situation in which the Native Affairs Administration should be placed, and it is to be hoped that the Minister of Native Affairs will protect those who serve him in this administration. Is it right that the Native people in Natal, Transvaal and Orange Free State should now be prevented from having access to the ordinary courts of the land when they consider themselves unjustly dealt with by those who govern them? There might have been a great deal to be said in favour of the immunity of the administration in 1891 when Natal had as neighbours the Zulus of Zululand, so closely allied in many ways to the Zulus of Natal, and so liable to unrest and warlike actions, at a time when the mechanisms of administration and justice were not so well developed, and when the Natives were still influenced by the Shepstone traditions. But in 1932 what circumstance calls for the abrogation of the right of access to the Courts? What situation justifies the administration in refusing to answer for its actions at the bar of justice?

-Whatever -



Whatever advantages may appear so desirable in these sections - swift action, even prompt justice - will surely prove a snare and a delusion if the confidence of the Native in the Courts is destroyed. Mere efficient administration can never make up for the loss of the confidence of the people, and the maintenance of law and order is made more difficult if they are sullen and resentful. To quote Chief Justice de Villiers again in the case of Sigcau vs. Rex:

"It must tend to enlist the Natives on the side of the law if they know that the Courts of law are as ready and willing to protect their legal rights as they are to punish them for offences against the Law."

An important criticism of the Draft proclamation arises from the fact that it fails to make any distinction between Natives in rural areas (where the tribal system may or may not exist in the effective form which the Code relies on) and the Natives in urban areas where communal life does not exist and where the Natives are just aggregations of individuals. Nor is there any provision today for the exemption which Shepstone always insisted upon and which was provided for in the Natal Law 28 of 1865; now repealed by the Native Administration Act.

Section 6 of the Draft Code providing for communal responsibility in cases of "homicide, assault, theft or other injury to person or property" may be useful where the Natal Act 47 of 1903 has been in force, and it is in accordance with the principles of Native customary law, but if applied in the Transvaal and Orange Free State it may easily lead to serious trouble. The principle is a dangerous one and is not in accordance with the notions of justice prevailing in modern states.



Perhaps the most fundamental criticism that can be levelled against the Draft Code is that it is not a Code of Native Law, but a code which makes use of such forms of Native organisation and Native juristic ideas as may be convenient for securing to the Administration full and uncontrolled power over the Native inhabitants of Natal, Transvaal and Orange Free State. As has been shown there are grave dangers in the Draft Code - dangers to the Administration itself as well as to the Native people and the country as a whole, and this memorandum will have served a useful purpose if it serves to persuade the Minister of Native Affairs to revise the Draft Code in the directions indicated, and to submit it to the leaders of the Native people for consultation.

Use is made of Native tribal forms. The whole Code is founded upon the conception of the paramount chief in Native life as an absolute monarch who has full power of life and death over his subjects. The Code has gone very far in the expression of this view and as it is commonly regarded as a justification for the grant of autocratic powers to the Supreme Chief it is right in this memorandum to examine the fundamental assumptions upon which it rests.

#### THE POWERS OF THE SUPREME CHIEF.

What actually were the powers "exercised and enjoyed by any Supreme or Paramount Native Chief" in early Bantu society?

In the past, many South African authorities have held (relying on Maclean) that "The Paramount Chief of each Tribe is above all law in his own tribe: he has power of life and death and is supposed to do no wrong." (Maclean's Compendium p. 78). In the very next paragraph, not so often quoted, Maclean qualifies this by adding; "The checks upon the despotic inclinations of chiefs are the divisions of the tribes and the influence of the amapakati or councillors."



His first statement has been exemplified by exceptional Bantu chiefs - Chaka, Dingaan, Lobengula - who exercised absolute and despotic power, but they secured obedience because of masterful personality or through some special circumstance, such as a state of war, and such obedience was usually maintained with the aid of a standing and disciplined military force or bodyguard. It is not to these that we must look for the cohesive force in normal Bantu political organisation. The Chief is the symbol of social organisation, and anthropologists now recognise that the two main integrating influences in Bantu life are the mystical relation which exists between him and his people and the system of family and clan relationship which creates privileges and mutual responsibilities. In so far as the Chief is representative of the tribe in its ritual life, his hold is correspondingly great and his position secure. But there are limits to the forbearance of his subjects, and instances, though rare, are known of a Chief who has been deposed and another - in the vast majority of cases a member of the same "royal family"-appointed in his stead. As Junod says: "To reign over a Bantu clan requires much tact, ability and patience. A chief must be a father to his people and not a tyrant". (Junod: Life of a South African Tribe p. 409). If wise he is careful to follow the advice of his counsellors and "keep his ear to the ground" for the movements of his subjects. Thus, while his councillors discuss, the Chief sits, silent but watchful, gathering together the threads of the argument and delivers his decision according to the consensus of opinion or, at least, the voice of the majority. Rarely does he issue an order without discussing the matter, first with his intimate councillors and later with the wider circle of members of the tribal council - the 'pitso' of the Sutos,



the 'ibunga' of the Xosas, the 'Khoro' of the Vendas etc., and even the Zulu despots held the annual gathering or 'umkosi' at which the new laws were pronounced. Thus any measure was fully and freely criticised and when adopted it expressed the views and received the support of a strong group, if not the bulk of the people. The 1883 Commission reports: "that the laws of the Kafirs are not usually made by the Chief and his councillors without reference to the people; that the laws have all grown up among the people, and are only administered by the Chief; for example: with the exception of the prohibition of circumcision and of the sale of brandy by Moshesh, he (Mr. Orpen) hardly knows of any law proclaimed by the Chief; that Moshesh after long council with the tribe, also published a law prohibiting witchcraft, and of these three laws altered by Moshesh, only the one prohibiting witchcraft held its ground: the other two, his individual commands, were failures."

Among the Bantu the Chief is not so much a law-maker as the protector of tribal traditions and in this he is aided by the elders - repositories of ancient lore and staunch conservatives. "He was bound through his own conscience and the influence of his councillors to follow the traditions of the tribe, the decisions of the old Chiefs and the general ideas of the people. Any treasonable action of course would rouse the Chief to action." (Cook: Bomvana p. 146) It is because the Chief is the representative of the tribe, the focal point of social solidarity, that treason was considered the most heinous of all crimes and usually punished with death. The death sentence, however was not regarded as individual retaliation by the Chief but as the united reaction of all loyal subjects.



"The power of the rulers depends upon their wealth and the numerical strength of their followers. This is an incentive to all rulers to endeavour to attract new people and to maintain their hold over their present subjects by ruling with equity and justice, acting in all things with consideration and giving wise counsel .....If a leader is unpopular with any of his followers and an individual feels that he has not been fairly treated, or that his over-lord is unworthy of the services he is bound to offer him he has one method of revenge, he can desert his unjust lord and offer his allegiance to another. This power of achieving retribution by desertion, possibly to join the ranks of a rival, forms a natural check upon the absolute power of rulers and prevents them from indulging too often in arbitrary actions of cruelty and injustice." (Stayt:The Bavenda page 217.)

The leading feature of the Bantu political organisation is no doubt that of a monarchy "but by no means an irresponsible despotism: on the contrary the power of the great chief .... is always subject to checks and balances, and the amapakati (middle men) successfully maintain an equipoise between his authority and the rights of the other members of the tribe which make their mutual relations so acceptable as to have implanted in the hearts of the people a loyalty and devotion to their chiefs which cannot easily be uprooted". (J. Ayliff, 1883 Commission, page 21.)

The conception of Bantu chieftainship as a form of constitutional monarchy is now held by many magistrates of experience and is well expressed by Mr. G.M.B. Whitfield, a Transkeian Magistrate well versed in Native Law, "It appears that although chiefs have at times exercised despotic power to such an extent as to induce people to come to the



conclusion that the will of the chief is law in his tribe, the power of making law did not really vest absolutely in the Chief ....the rule of Native Chiefs in South Africa was not so irresponsible as it is generally believed to have been.....The inference to be drawn from the whole evidence given before the various Commissions appointed to enquire into Native matters in South African is that, although the Natives had nothing corresponding to European forms of representative government, their laws embodies the national will". (Whitfield; Native Law in South Africa, page 1 - 2).

The powers of the Paramount Chief, like those of a Chief, are limited by public opinion, by influential councils and by the ability to offer allegiance to another and hostile - chief. A "Paramount Chief" is a chief over a congeries of tribes by virtue of conquest. "But the tribes do not lose their self-government; they retain their chiefs and councils. But they are subject to the control of the Paramount Council ... This Council is constituted on the same lines as the Chief's Council and includes the heads of the conquered tribes. It acts as the national court of appeal.....The Council has power even to judge the Paramount Chief himself. When the Paramount Chief has done wrong he appears before the council composed of his brothers and uncles, and when no agreement is reached then the matter is referred to the general council. In the event of a Paramount Chief refusing to the judgment of this council, then the men refuse to attend the "Khotla ". This generally leads to friction and the division of the tribe." (The powers of the Supreme Chief Under the Native Administration Act, 1927, Published by the African National Congress.; pages 4 and 8.) In addition his powers are counter-balanced by the responsibilities vesting in him as the father of his people; to him they look for protection, for food in times of scarcity, for the wellbeing of the country, the coming of rain, the



the ensuring of sufficient crops, the fixing of the season of sowing and harvesting.

To sum up: the Supreme Chief has not absolute legislative, administrative, or judicial powers in Native Law.

When in 1849 Theophilus Shepstone succeeded in securing the Letters Patent by which the Lieutenant -Governor of Natal was made Supreme Chief, he inaugurated a hitherto unparalleled system owing to the existence of unique conditions.

The Natal Natives, under the despotism of Chaka and Dingaan, had been welded into a military Empire which was destroyed at the Battle of Blood River in 1838. From that date till the annexation by the British Government in 1843, a steady influx of disorganised Natives had entered Natal from across the Tugela River. When the British finally took office in 1845 they were faced with the problem of "controlling and civilising" some hundred thousand Natives without police, without money and with but a small military garrison. Theophilus Shepstone then appeared on the scene as "Diplomatic Agent to the Native Tribes". In order to protect parts of Natal for the mere handful of Europeans, it was decided to place vast hordes of Natives in locations, and as there were insufficient funds to pay for European superintendents to control and supervise, and as the majority of Natives - owing to the former tyranny - were without tribal organisation or chiefs, Shepstone, "in a flash of administrative genius", decided to recreate, artificially, the tribal system: he gathered together scattered members, at times even "discovering" scions of the old "royal families" in other cases appointing chiefs and conferring upon them similar powers of jurisdiction in a magnificent attempt to reconcile the tribal organisation with the existence of a weak European administration. (Acknowledgments to Brookes: History of Native Policy.) This was the policy which culminated in Ordinance 3 of 1849, Section 4 proclaiming - the -



the Lieutenant-Governor Supreme Chief of the Native population with the "power and authority enjoyed according to Native law by any Supreme Chief" and there was associated therewith the power to appoint and remove subordinate chiefs.

As time went on-the powers vested in the Governor as Supreme Chief tended to broaden so considerably that Shepstone, as head of the Native Administration, gathered to himself uncontrolled legislative, administrative and judicial powers. Law 26 of 1875 and other legislative measures were definitely designed to check such autocratic tendencies. The position was described by the Native Affairs Commission 1903 - 5 (Volume 5 para. 220): "In the year 1850 the Governor of the Colony of Natal was first specifically constituted Supreme Chief over all the Natives. He was then vested with more extensive powers than at present. His legislative powers were taken away by the creation of the Legislative Council, and his jurisdiction as a Court of Appeal was removed by subsequent legislation. His powers have now practically been reduced to matters of administration except in the case of disputes about general heirship of a deceased Chief of a tribe, where he decided finally, no right of appeal being allowed."

The possession of arbitrary powers had undoubtedly tended to make Shepstone, despite his innate humanness rely upon these powers for the maintenance of government and to devote too little attention to the task of civilising the Native people. In his earlier years he had constantly borne in mind the ideal of "advance towards a higher and better civilisation" and his great love for Natives gave him a far stronger hold upon them than any legal power. Despite all this Mr. Merriman could state in 1904 before the Inter-Colonial Commission: "You have not elevated the Natives in Natal; you have not raised them; you have not



educated them; they are barbarians and you have designedly left them in a state of barbarism."

The Natal Law 26 of 1875 defined (Section 13) the powers of the Supreme Chief as follows:

"The Lieutenant-Governor may, so far as is not repugnant to the provisions of this law, exercise over all the Chiefs and Natives in the Colony all the power and authority which, according to the laws and customs and usages of the Natives are held and enjoyed by any Supreme or Paramount Chief, and he is hereby empowered, with the advice and consent of the Executive Council, to direct that any Chief who has been found guilty of any political offence likely to endanger the peace of the Colony shall be dismissed from such chieftainship, and be removed from the location where he shall have resided, and be placed under such supervision as may appear expedient.

Later, in 1887, Law 44, Section 7, this definition was continued, while sections 32, 39 and 41 of the Code of 1891 specified the powers in more detail, very much in the terms of Chapter 2 of the Draft Code.

Shepstone's personal prestige among the Zulu tribes in Natal was the greatest asset of the government, and as in the earlier years, he was personally accessible to the Natives, he could explain his actions much as a Native Chief in Bantu society. As the years passed, and especially after the resignation of Shepstone in 1876, Native administration became more and more impersonal and the gulf between the people and the Supreme Chief grew wider and with the widening of the gulf the more the administration was forced to rely on autocratic powers to keep the people under control and the more the magistrates leaned upon the letter of the Code. In 1904 James Stuart, Magistrate of



Durban, stated: "At the present time, and for years past, the Supreme Chief has been too much cut off from the Natives. He is their Supreme Chief, and should take as much perceptible interest in Native affairs as he does in European. It seems to me necessary to revive and substantiate the office in such a way that at least the heads of tribes shall feel they have access not merely to the Secretary for Native Affairs but to the highest local representative of the King..."

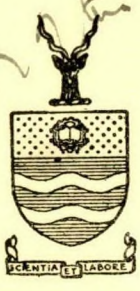
With the advent of Union the government of Natives in Natal became more and more impersonal. "Queen Victoria we know", said a Zulu Chief to the writer of this memorandum, "she was our Mother. Now we hear of 'Native Affairs': who is Native Affairs?" And with this widening of the gulf between governors and governed has come an increasing tendency to rely upon autocratic powers to secure the obedience which good administration and friendly contact should win. And so the idea of the absolute monarch - the Supreme Chief - is used to buttress a weakening administration; an idea, as we have seen that has no basis in normal Bantu life.

The Draft Code as it stands is a confession of weakness which must disturb every thinking person. Its promulgation in its present form will be a real disaster, bringing in its train a weakening of authority, a loss of loyalty and an increase of racial bitterness.



ABX 310602

15. Jan Sunday you  
are after the blue staining  
interest you.  
which may



# University of the Witwatersrand.

TELEGRAMS: "UNIVERSITY."  
CODE: A.B.C. 5TH EDITION.

TELEPHONE HILLBROW NO. 1881-4  
P. O. Box 1176.

MILNER PARK,  
JOHANNESBURG.

2<sup>nd</sup> June 1931

Race Relations 2/6/31

IN REPLY PLEASE QUOTE:

Dear Dr. Xuma,

I must apologise once more that these notes were not sent to you last week. That my suggestion that we should meet and talk things over got no farther. With our plans for leaving for Bechuanaland & Rhodesia this week, we have been snowed under with work. I have to get my University work in order because I am having special leave and it was all taken so much time. Please forgive me and I shall arrange that every one of my students as soon as we return.

The notes have been very rapidly thrown together. I hope you will be able to make something of them.

Mr Lawrence's address is 11 Old Square  
Lincoln's Inn

With kindest regards,

Lundun W.C. 2.  
Yours sincerely  
Margaret K. Hodgson



ABX 310608

*Joint Council*

*8/6/31*

JOHANNESBURG JOINT COUNCIL OF EUROPEANS & NATIVES.

SPECIAL NOTICE.

The position with respect to Women's Passes has become critical. This subject will have first place at the meeting next MONDAY JUNE 8th, with a view to making immediate and urgent representations to the Ministers.

Your attendance is urgently requested.

E.W. Grant,

HON. SECRETARY.

[1931]



[10 June 1931]

I

I give and devise to my son, Leroy Hall one house and lot on the West side of Cameron Ave. - W. - Salem N.C., described in book of Deeds

II

I give and devise to my daughters, Madie B Hall and Edna Hall two lots situated on the east side of Cameron Ave - share and share alike.

III

I give and devise to my four children, to wit, Madie B Hall, Edna Hall, Leroy Hall Willie H. Kennedy, in fee simple, share and share alike, one lot on Hickory St, one lot on 7½ St - and one lot on Ogburn St -

IV

I give and devise to my four children, to wit, Madie B Hall Edna Hall, Leroy Hall and Willie Hall Kennedy, one lot in Mesh Asheville, as appears of record in said city and county and one lot in Salisbury N.C. as appears of record



in said city and Rowan County, share and share alike in fee simple.

V

I give and devise to my grandson Harold Kennedy, Jr. one house and lot 231 Hickory St —

VI

I give and devise to my four children to wit, Madie B Hall, Edna Hall, Leroy Hall Willie Hall Kennedy my home place located at 125 E 7 St, share and share alike in fee simple, the same not to be sold so long as any one of the said children are living and desire said property as a home.

VII

Cement block houses  
(These were sold)

VIII

I give and devise to my three children to wit Madie B Hall, Edna Hall and Leroy Hall, one brick stone building located on the corner of 7 & Patterson Share and share alike in fee simple



Kennedy 1035.25 ✓  
Snyder - 988.29 ✓  
Greenwood - 698.32 ✓  
Jones - 751.22 ✓  
Street Assesst - 99.85 ✓  
125 E. 7th " - 137.80 ✓  
Wilson - 50.00 ✓  
Jones - 160.00

\$ 3940.73

9-26-1938

# 4000.00  
3940.73

# 59.27 Bal



(3)

IV

Fee.

Drug store to brother Henry  
(sold)

V

I give and bequeath to my four children to wit, Madie B Hall, Edna Hall Leroy Hall Willie Hall Kennedy, all my home furniture, furnishings and other household equipment, the same to remain in the home as long as they desire.

VI

I give and bequeath to my daughter Willie Hall Kennedy all debts due me by mortgages, note or otherwise for money loaned or advanced to Harold Kennedy all papers representing such debts are to be turned over to her by my executrix.

VII

All rent from properties all money collected from notes or other debts due me or to become due shall be applied on my debts until the same are paid in full and the balance to be divided equally between



my four children to wit, Madie Hall Edna Hall, Leroy Hall, Willie H Kennedy.

XIII

All insurance policies where the beneficiaries are living are to be paid to said beneficiaries.

XIV

All insurance policies where the beneficiaries are not living shall be collected by my executrix and applied on my debts.

XV

After all my debts are paid all money due my estate and all properties not heretofore disposed of shall go to my four children to wit, Madie B Hall Edna Hall, Leroy Hall and Willie Hall Kennedy, share and share alike.

XVI

I desire that my executrix herein after named shall give my body a decent burial, suitable to the wishes of my relatives and friends and pay all my funeral expenses out of the first money that shall come into her hand belong to my estate



XVII

I desire that all my just and honest debts be paid by my executrix as far as my assets will permit.

XVIII

I hereby nominate and appoint my beloved and trusted daughter, Madie B. Hall, as my executrix under this will and I require no bond of her whatsoever.

XV  
June 10, 1931.



TELEGRAMS: "HAVILLAND."  
TELEPHONE: TURF, 44.



P.O. BOX 7105,  
JOHANNESBURG

12/6/31

Dear J. Xume.

Just a line to let you know how much I enjoyed my evening with you all at the Banters Mens Social Club. The experience was unique & I am sure we all learnt a great deal about a subject we in the past had little or no knowledge of.

I want you to be assured that I am deeply interested in your affairs now and am keen to learn more about them & help in any way I can

In order to give you



a brief idea of my outlook  
in life - I am enclosing a copy of  
a little speech I prepared for  
my initiation into the Rotary Club  
at the beginning of this month.

Please do not hesitate to  
call on me if there is anything  
I can do to help your worthy  
Cause.

Yours sincerely

Rod. Dampf.



I thank you all very sincerely for the honour you have bestowed upon me by admitting me to your worthy Club. I have already received a copy of Constitution and By-laws and I must say the spirit behind your movements is one which appeals to me tremendously. On the first page of this little book under the heading of "Objects Clause F." I find the following sentence :-

"The advancement of understanding, good will, and international peace through a world fellowship of business and professional men united in the Rotary ideal of service."

Gentlemen being interested in aviation as you know this sentence appeals to me tremendously. Contrary to the general opinion about aviation the more farseeing of us earnestly consider Aircraft as being agents of world reconstruction and as efficient instruments of the economic and synthetic forces of our time that are steadily breaking down the petty national divisions of mankind and imposing on the world an international conception of society. To many these ideas will seem premature and far-fetched but everywhere around us we are conscious of vital new influences at work, affecting the psychology of nations and individuals alike, and bidding fair to transform the whole structure of world politics and economics. Aviation is playing a wonderful part, there must be a philosophy of "gradualness" in these matters. Ideas must ever be some generations ahead of what is termed "practical politics." However reasonable and desirable the movement away from nationalism in the direction of internationalism may appear to many minds it cannot be hurried. Anyone today who advocates the immediate abolition of territorial nationality or even a drastic limitation of its exercise, is branded as a traitor rather than acclaimed as a patriot of the human race. But I feel/<sup>confident</sup> that there is no ~~other~~ organization in the world better able to bring this about than your worthy Club.

Gentlemen I have read the obligations of every good rotian



rotarian and I will do my best to comply with them. Once  
again gentlemen I thank you.

CHARLES MARTIN

ETNA STRONG



ABX 3106 12 b

PHONE 1989 HILLBROW.

41. SARATOGA AVENUE.

DOORNFONTEIN.

JOHANNESBURG

*Race Relations*

12/6/31

Dear Doctor,

I want to express my appreciation of the way in which you handled the meeting last night, and of the two or three appeals you made to the Rotarians for a statesmanlike approach to the whole question of Race. You made a fine impression, and I am going to work for the Rotary Club to open its luncheon meetings for addressees from non-Europeans. Your addresses last night has made the task much easier. We are bound to have one address per quarter on Native questions, and some of these should be given by Bantu men. And I am going to strongly second the suggestion that was made last night that you be asked to be one of those speakers.

Again thanking you, and with kind regards, I am,  
Sincerely yours,  
12/6/31.

*Robert Phillips*



Methodist Church of South Africa.

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Rev. ARTHUR J. LENNARD.

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Telephone 376.

Telegrams: "LENNARD,"  
Grahamstown.

"ROSEVILLE,"

LAWRANCE STREET,

GRAHAMSTOWN.

22<sup>nd</sup> June 1931.

Dear Dr. Xuma,

Your letter of 18<sup>th</sup> came duly to hand, also the reprint of your address. I am glad to have both. The address was a useful one, and I shall have pleasure in passing it round.

It is not necessary for me to tell you that I regard the gospel and then education as the two greatest means of advancement of the native as well as the European peoples. It was that conviction that made me give the greater part of my life to institution work. And it affords me now great satisfaction to know that I was able in that way to help the native people. I believe that it is in the good providence of God that the native people will make a great contribution to the advancement of our land and of the world. The greatest clog at present is the "Red". As I explained to my friend Jabavu one day when he was in England



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Methodist Church of South Africa.

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Rev. ARTHUR J. LENNARD.

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Telephone 376.

Telegrams: "LENNARD,"  
Grahamstown.

"ROSEVILLE,"

LAWRANCE STREET,

GRAHAMSTOWN.

people saw him against a background of civilised people, many of them of similar attainments and most of similar habits of life. But here in S. Af. people saw him against a background of "Reds", and so, in the two countries he was differently classed. What we have got to do is to labour for the uplift of all the native people. That, of course, is an economic as well as a religious and educational question.

Every year sees some progress. The delay in dealing with the "Native Niles" is a sign of a change for the better in the mental outlook of many of the members of Parliament. Had it not been already on the Statute Book, the "Colour Bar" Act would have been impossible today. And the day is not far distant when it will be removed. I often say "Thank God, we are not fighting a losing battle!"



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Methodist Church of South Africa.

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Rev. ARTHUR J. LENNARD.

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Telephone 376.

Telegrams: "LENNARD,"  
Grahamstown.

"ROSEVILLE,"

LAWRANCE STREET,

GRAHAMSTOWN.

How to refer to other things. Re. Barnes of marriage. Unless your bride has had her Barnes published before the congregation to which she now belongs, and produces a certificate from the minister to the effect that the Barnes have been so published on three successive Sundays within three months of the time of the marriage, and that there was no objection, then the only thing to be done is to get a "special licence" at a cost of £5. The Marriage Ordinance lays that down very clearly. So I am afraid you will have to pay the £5.

You did not enclose the clipping of the report of your evidence before the Commission. When the Report is published I hope to get a copy of the whole of the evidence.

I have not appeared before the Commission, but have done a good deal of work in the preparation of evidence. When at Capetown in April I had conversation



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Methodist Church of South Africa.

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Rev. ARTHUR J. LENNARD.

Telephone 376.

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GRAHAMSTOWN.

with one of the members of the Commission and had the satisfaction of knowing that some evidence I had been able to prepare had impressed them. He hadn't any idea evidently that I had any part or lot in it! Facts speak! mere opinions do not go far without a good background of facts.

With regard to your wedding - I have not asked ~~where~~ you wish it to take place. As you desire a quiet wedding, both the Native Churches are out of the question - it could not be quiet there. You would have a crowd. I am afraid the Native people would feel hurt if it took place in either of the European Churches. Rev. Fr. Wood, who was at one time stationed in Ezegebo offers his house. He is Supt. of the East London English Circuit. And, if at home, Rev. Thos. Stanton, Sec. of our Missionary Society, would welcome it at his house. Let me know what



you would like when you write next.  
I shall be glad to make the necessary  
arrangements for you if you so desire.

With very kind regards,

I remain,

Yours sincerely,

A. J. Leonard.



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