

remember a single instance in which the guardian or parent of the girl have not brought up the question of labola.

Does the father of the girl also give a dowry?- That point I have not gone into.

MR. LUCAS: Is there anything in the way of a big entertainment at a native wedding down here; I mean in connection with people of ordinary standing?- Yes, they make great preparations.

Do they spend much money?- Yes, according to their means. In complaints we have had where the contracts have not been completed, one party has probably complained that they have been put to great expense. After all, if a native spends £10 on a wedding, it is a lot of money. In the ordinary course it represents five months savings.

THE CHAIRMAN: Is there a big entertainment at funerals?- Well, I won't say, entertainment. They are very good to, and stick to each other, and they try to give their people a decent funeral. We get it in connection with the administration of estates, and you often find that the funeral expenses run from £8 or £8-10-0. to 10 guineas; although there may be only £2 in the estate but friends put up the money. In connection with an estate worth £20 I asked "Do you want this money back?" and they said that they would pay it themselves. More often than not that is the case.

In their own areas, in some cases, they kill a cow if the head of the family dies?- They cannot of course do that here.

Have they nothing in its place?- No, except that they do make a show of it.

Do they provide refreshment for people going to the funeral?- I have not attended one so I would not like to say definitely.

Someone mentioned a case of a native having to pay exorbitant interest. I came across a case the other day of a native who borrowed £4 and had to pay back 2/6 per £ per month and another case of a native who borrowed £18 and when he had paid off £19 he still owed £23.

MR. LUCAS: Could not your department take up a case like that and prosecute the lender?— It is very difficult to say that he should have sold the native's cattle.

That is not the point; the point is that in insisting on a rate of interest like that he is breaking the law?— Yes.

In this particular case we got the magistrate to take it up and he had the claim substantially reduced. A statement was submitted in which the trader charged the legal 20 per cent. The difficulty is that if you prosecute the trader he can get at the native in some other way.

It would not protect the individual native to bring up the point?— No.

But is it not worth while in the interests of the community as a whole?— Yes. Well that was one we put up to the magistrate. He did not say that any drastic action would be taken but he got the claim put in legal order and it was reduced substantially.

The same thing goes on without notice unless some measures are taken?— Yes.

After the judgment did the natives tumble to the fact that there was a legal limit?— Yes. Natives have been done by a certain type of solicitor and when they cannot get their money back have complained because we do not prosecute the solicitor. In one particular case we could have secured a conviction but the native would not have recovered his money. As it was we recovered £30 or £40. Instead of prosecuting we squeezed him and got back the money

money for the native. The natives do not want to prosecute these traders. You can see their point. They say that the next time they go to that trader for money they will not be able to get it. They always feel that when they are away from home their families will be at the mercy of the trader.

MAJOR ANDERSON: Is it the practice to return offenders?— Natives discharged from gaol are sent to us and we go into each case and try to persuade the man to return home. I think it is advantageous to the native himself, say he has done six months, to get away from this area and to get back home. I donot know whether the natives know that they can ask to be sent home. I have repatriated one or two cases who should certainly be got away; men for instance who have been in gaol for indecent assault. They get away home and have a chance of recovering their self respect.

MR. LUCAS: But the sort of case I think Major Anderson had in mind was the hardened criminal who was sent back because you found him difficult to handle and the towns, the native who is described as a scabby sheep in a clean flock?— If he is a hardened criminal you have first to find out whether he has got a home. If you get a bad Zulu for instance there is nothing worse, but if you have a man who has been here for 20 or 25 years he probably would not find his way home if you sent him off to Zululand. And they do not want him. It is probably better for him to remain in an area where he is under a certain amount of supervision; he would be under police supervision.

In Johannesburg if you had a bad native you could keep him under control through the pass system. The police were very keen <sup>under</sup> on Section 17 of the Urban Areas Act on getting rid of their scallywags; they pulled them up on the slightest pretext. Up there the Native Affairs Department deal§ with all these cases.

MAJOR ANDERSON: Do you make any attempt to deal with

Mr. Tandy.

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with unemployed natives?- No, that is done by the Municipality. We do it in a few instances, but the registration under the UrbanAreas Act is all done by the Municipality.

The Municipality does not bring them to you?- No.

Who would pay the unemployed native's fare back again?- We do a lot of repatriating . When I first came down here they had lost their work at the Docks and we repatriated about 500 of them. But they were back again in six months so it was like sending them home for a holiday. We repatriate now deserving cases and warn them that they must not return to this area.

(The Commission adjourned at 11-45 a.m.  
to JOHANNESBURG)

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