

"Beer Halls to obtain money from the Natives who will  
"not resist such a temptation."

It will be noticed that in the letter to the Native Commissioner Champion protested on the ground that the proposal was "an attempt to obtain money from the poor Natives", and in his letter to the Secretary of the Health Board that it was an attempt by the Board "to obtain monies from the low paid Natives for the purpose of financing their funds for their own advancement." It was, however, nothing of the sort, and Champion knew it was not. He knew that the main object in view was an attempt to stamp out drunkenness and lawlessness in the area concerned by sweeping out of existence the illicit brewer and the shebeener. He knew, moreover, that the object of the Health Board was not and could not have been to raise revenue to finance their own funds for their own advancement, in view of the provisions of section 21(6) of the Natives Urban Areas Act of 1923.

On the 5th May and on the 12th May large bodies of Natives armed with sticks, headed by brass bands, marched in column formation from the I.C.U. Hall in Durban to Sydenham to hold protest meetings. At these meetings inflammatory speeches were made. (See letter from the Secretary of the Health Board to the Provincial Secretary at Maritzburg. / Exhibit "C"). Other meetings were held similarly attended by armed Native columns marching from the I.C.U. Hall. On the 19th May, William Bester Smit in attempting to pass through such a column with his motor car, after an opening had been made for that purpose, was assaulted by blows on the head from a stick. The Natives also

attempted to drag from the car a lady passenger. On the same occasion in another part of the town Dr. Mackenzie, who was driving a motor car, encountered the same column. His car was attacked. Captain Alexander who saw the car next morning says that it was covered with indentations as the result of blows from sticks. The windscreen and radiator were broken, the mudguards smashed, and the reflector glass next to the driver's head battered in.

On the 26th May, a similar procession, headed by a band and bodyguard clad in red tunics, the main column being armed with sticks carried at the slope, marched through the streets. On that occasion they appointed their own men to direct the traffic at street corners, in spite of the fact that <sup>there</sup> were policemen on point duty at all the main crossings.

I turn now to the events at the Point barracks that were intimately associated with the Boycott of the Borough Beer Halls and the excesses of the 17th June.

On the 29th May, Native induna Makati, head boy at the barracks, reported that Natives in the compound were making and storing "Mahewu" in their rooms for sale, mahewu being a harmless non-intoxicant consisting of cooked mealie meal and water. There is no regulation against the making of mahewu, provided it is made for consumption by individual Natives, or by a number of Natives belonging to one mess. But the acting compound manager, Grant, objected for health and other reasons to its storage for sale. It appeared that a Native, Mcijelwa, one of the inmates at the barracks, complained that a barrel of the stuff, belonging to him, had been deliberately overturned, blaming the head boy, and through him the compound manager, .... with having caused it to be done.

As a retaliation Mcijelwa was then supposed to have advocated a boycott of the sale of beer at the Point beer hall. On the 30th Chester, Chief Clerk in the Native Affairs Department, sent for Mcijelwa and interrogated him, and in consequence of what he, Chester, had been told about the boycott and Mcijelwa's share in it, it was decided, after consultation with Mr. Layman, to withdraw from Mcijelwa his "togt" badge. (Such a badge is issued to every day labourer in terms of the Regulations framed under section 23(1) of the Natives Urban Areas Act of 1923 for the proclaimed area of Durban (Exhibit "E"). Without the possession of such a badge, no Native is employable in the Borough as a day labourer, nor may he reside at the barracks. A badge is liable to cancellation in terms of Regulation 12(6) at the instance of the Borough Council or its authorised officer for good and valid reason). Mcijelwa's badge expired on the 11th June, and when he reported for its renewal on the 12th it was refused, the authorities responsible for its refusal acting under the provisions of Regulation 12(6). This refusal of a renewal of Mcijelwa's badge was taken up by the I.C.U. and was placed in the forefront of their grievances, when a deputation of Natives met Chester on the 14th June and again on the morning of the 17th June.

On the 12th a meeting of Natives was held on the sand dunes opposite the Bell Street barracks. It was largely attended and addressed by Champion. At that meeting Champion openly advised a boycott of the beer halls.

On the 13th June a partial boycott at the Point beer hall was in progress. Hellett, the compound manager, said that he noticed that the hall was picketed and/.....

and Ashby, in charge of the beer hall, said that the sale of beer that day largely decreased. Ashby reported the matter to Head Office.

On the 14th there was a strict boycott, no sales taking place. Ashy was then informed that the hall was closely picketed so as not to allow of anyone entering.

At 11.30 a.m., Folweni, a Native Induna from the Railway works visited the Point barracks, as was his daily custom, to warn railway workers to be ready to return to work. As usual he went through the eating house into the beer hall to look for railway employees. This led to immediate trouble. The picketers, assuming that he had gone in to drink beer, thereby breaking the boycott, attacked him as he went out in spite of the explanation by Ashby that Folweni was not breaking the boycott but that he was there on his usual rounds. Ashby managed to get him back into the building where he remained until he was released by a lorry of police that had been telephoned for. When the police took Folweni away on the lorry the crowd, about 1,000 strong, attacked the beer hall and the office breaking the windows and a door and trampling down a fence. (See Photographs - Exhibit "F"). The damage to property amounted to about £35. (Incidentally it should be noted that this, together with the damage to Dr. Mackenzie's car on the 19th May, (for which see page 16 of this report), was the only damage to property caused by Natives throughout the whole period of unrest culminating in the riots of the 17th June).

Meanwhile there were somewhat similar

demonstrations/.....

demonstrations at the Prince Alfred Street and the Victoria Street beer halls, where Natives, who were found in the beer halls, were thrown out and assaulted by the picketers.

The boycott was now in full progress and fully effective. All the beer halls in the Borough were closed, since when the Borough has neither brewed nor sold beer.

On hearing of the disturbance at the Point barracks, Captain Alexander, after sending a lorry of police to rescue Folweni, proceeded to the barracks by car accompanied by Captain Baston. There was then a mob of 600 to ,1000 armed Natives assembled on an adjoining sand dune. While Alexander was remonstrating with the crowd, pointing out the lawlessness of their behaviour, Champion and Batty arrived. Champion immediately addressed the crowd which seemed to pacify them. Alexander and Baston then left.

Saturday the 15th June, passed off quietly except for an attempt by the I.C.U. picketers to intimidate the Natives at the South Coast Junction beer hall. Captain Baston had however forestalled them by placing a police force in charge at the hall, which is run by the South Coast Health Board. That afternoon orders were placed with a local Indian printer to print 3,000 dodgers one of which is attached (Exhibit "L"). These were distributed on Saturday. It contains a list of evils (so-called) for which the sale of beer to Natives is deemed to be responsible. They are so utterly extravagant and devoid of foundation in fact that I quote them in full:

"THE EVILS OF KAFFIR BEER TO NATIVES IN DURBAN.

1. It deprives him of his money and makes him drunk and when drunk the Corporation sends him to gaol.
2. It has enriched the Corporation and the Corporation has created barracks where Natives are badly treated.
3. It has created Native spendthrifts because every day they are tempted with Kaffir beer.
4. Through it, large barracks are built where every day the effects of Natives are stolen and no assistance is rendered for recovering the stolen goods. The Corporation sends Natives to live there by force.
5. It has created many supportless people at the kraals because Natives who have no money in Durban had no desire to return home.

-TAKE CARE-

A Native who violates this resolution will be punished by the makers thereof, according to their Law."

On Sunday, the 16th June, there was a meeting on Cartwright's Flats attended by approximately 5,000 Natives at which the speakers were Champion, Gumede, and another Native called Mapumulu. What was said was reduced to writing by members of the police force. (Exhibit "C"). The speeches, especially, that of Champion, speak for themselves. The Natives being in the state of mind in which they were as a result of the happenings on Friday, nothing could have been more unfortunate or better calculated to lead to further trouble/...

trouble than Champion's speech. Inter alia he said that the Corporation was making money out of the sale of beer; that the Natives were prisoners and slaves; that God should bless them for having broken windows (he referred to the attack on the beer hall and offices at the Point on Friday); that the detectives present should wire to Hertzog (that is, the Prime Minister) and tell him to stop beer for good, because if he did not there would be trouble; that all the Native constables were a lot of criminals; that it was the leaders of the country that passed laws to oppress Natives. And in calling upon the next speaker, Gumede, to address the crowd he said:

"I am calling upon Mr. Gumede to sepak, and  
"after him Mr. Mapumulo. Gumede is hated  
"because he is a Communist and has been to  
"Russia, and if you read the Native newspaper  
"Langa La se Natal, you will see it breathes  
"flames".

All those present were warned to join the I.C.U. as members failing which they would be dealt with by a Society called the Unity League. (It should be pointed out that in terms of its constitution membership of the I.C.U. entails the following payments:- entrance fee 2/-, weekly contribution 6d., and a compulsory purchase of at least one £1 share in the African Workers Co-operative Society Limited, payable at the rate of 2/6 per month. (Exhibit "JJ").

Gumede then spoke and delivered himself, inter alia, of the following:

"When I went to Russia I was told I had become a Red man - a Communist. When I went to England that paper said nothing, and when I went to

Germany/.....

Germany, France, that paper said nothing. I want to tell you here that I am a free man, and if I want to become a Communist, I shall do so, but I shall never cease to criticise what I think is wrong. I am against Imperialism because it took our land. I told you I disagreed with political parties in South Africa, because they have agreed among themselves to oppress the black man. The Communist Party is a new party in South Africa, and we still want to find out about them. If we find that they are alright, we will follow them, but we must open our eyes and think.

I am glad now that these young men have opened our eyes and that we can see for ourselves".

Who these young men are he does not say. It is possible that he referred to Bunting, Walton and Pettersen, noted Communists, all of whom had not long before visited Durban and addressed meetings at the I.C.U. hall.

Mapumulo in his speech emphasises the fact that Champion wielded enormous influence over the Natives.

On Monday morning the 17th June, there was a meeting between 12 representative Natives and Mr. Chester, at which a typed memorandum was handed to Chester (Exhibit "H") containing a list of Native grievances. The meeting commenced at 12 noon and lasted for two and a half hours. Champion was not present but was represented by his assistant, J.H. London. In addition to the grievances contained in the memorandum Chester drew up (Exhibit "I") a document containing a list of further grievances raised by the deputation. In the memorandum of grievances (Exhibit "H") pride



of place is given to the withdrawal of the badge from Meijelwa. It is therein called "our chief complaint". All the grievances, those enumerated in "H" as well as in "IJ", were fully gone into during the cross-examination of Champion and it was almost pathetic to see how utterly devoid of any substance they became during that cross-examination. The only real grievances that remained, of any substance, were (1) objection to grant of beer hall to Sydenham, (2) the absence of a properly laid out Native location and (3) the absence of a Native advisory board.

Whilst this conference was in progress the resolution previously taken to boycott all beer halls was being given effect to. A platoon of Natives, between 30 and 40 strong, armed with sticks, marched from beer hall to beer hall. On their rounds they encountered a Sergeant of the Borough Police, whose order to them to disarm and disperse was ignored. Thereupon, at about noon, a lorry of police, about 40 in number under Sergeant Clements, was despatched from Police Headquarters to deal with them. The lorry met the platoon in Victoria Street. The police jumped off and rushed at the Natives with the object of arresting them for the contravention of two Borough by-laws which prohibit Natives (a) from gathering in the Borough armed with sticks and (b) from carrying more than one stick each. The Natives resisted arrest, force was used, with the result that there were casualties on both sides.

At about the same time, that is about noon, Captain Baston got in touch with Champion. Baston pointed out to Champion that things had gone far enough and that the situation was gradually getting beyond

his/.....

his, Champion's, control. Champion agreed and offered whatever assistance he could for the preservation of law and order. Baston then fetched Captain Alexander in a car taking Champion with him. Together they proceeded to the Point barracks, the most disaffected area, where a crowd of Natives was gathering. The crowd was somewhat unruly at first but Champion soon succeeded in calming them, persuading them upon the advice of the Police Officers present to disperse. Captain Alexander then advised Champion that he should adopt other and more peaceful methods of bringing the legitimate grievances of the Natives to the notice of the authorities. This Champion understood as a promise by Alexander that he would lay their grievances before the proper authorities. Champion then agreed to call off all Natives engaged in the boycott and promptly proceeded to carry out his promise. The police thereafter issued a bulletin that all trouble was over, that then being the opinion of the heads of the South African Police and the Borough Police, as also of Champion who afterwards proceeded to have an interview with two members of the Borough Council.

Meanwhile however a civilian crowd was collecting opposite the I.C.U. Hall, having heard of the conflict earlier that day between the police under Sergeant Clements and armed Natives. This crowd was not aware that successful efforts were actually then being made by the police authorities to quell further disturbances.

At 4 p.m. the first edition of the afternoon paper appeared with the following headlines:

DURBAN POLICE BATTLE WITH NATIVES.

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SERIOUS ENCOUNTER IN THE HEART OF THE TOWN.

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HEAVY CASUALTIES ON BOTH SIDES.

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LUNCH-HOUR CROWDS WATCH OPENING SKIRMISH.

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A serious encounter between police and civilians on one side and Natives on the other took place in the heart of Durban in the lunch-hour to-day. It was a sequel to the riot in the Point area last Friday, when three Police boys were badly injured. The Natives have objected this time to the preparation of food by other than their own compatriots. The rioters came into conflict with the Police first of all in Railway Street. A disturbance had been anticipated and all the available Police were concentrated in the danger zone but nevertheless the first skirmish resulted in a victory for the Natives.

Extra police were rushed upon the scene from all quarters of the town and, with the help of members of the public, succeeded in gaining the upper hand, but not before heavy casualties had been inflicted on both sides. Even the policemen were relieved from point duty to deal with the sudden menace, and in many places traffic was brought to a standstill.

CIVILIANS JOIN IN.

This almost inevitably had the effect of drawing more curious sight seers to the I.C.U. Hall, with the result that by about five o'clock a mob, estimated at between five hundred and a thousand, had assembled in Prince Edward Street outside the Hall. The mob was armed with sticks and even with firearms. There were minor conflicts between individual

Natives/.....

Natives and members of the crowd, for instance, the flicking of a newspaper by one of the latter in the face of a Native. The crowd had also become incensed by the rumour, quite unfounded, that there were two white men inside the Hall consulting with and advising the Natives. Stones were thrown into the I.C.U. Hall windows. Bottles and stones were thrown back by the beleaguered Natives who hastily barricaded the windows from the inside, and who also telephoned to Captain Baston for assistance.

Before the arrival of the police there was an armed sortie from the Hall causing the mob to scatter in confusion. Just then a motor car drove up in the direction of the Hall, the occupants being the driver, George Hotchin, McCabe and Martin. They alighted out of curiosity and were then attacked by the Natives in their rush from the Hall. Martin escaped, McCabe was killed and Hotchin left for dead. He was subsequently taken to hospital and was sufficiently recovered to be able to give evidence before the Commission.

During this sortie from the Hall another European, Jamieson, walked up to the I.C.U. Hall to see what was afoot. Like Hotchin he too was very severely knocked about and left for dead. Another European, Cummins, was also attacked at that time by a Native who dashed out of an adjoining Indian store. He subsequently died from his injuries.

Some of the Natives who made the sortie escaped, others made their way back into the Hall. After a time the European mob moved back to the Hall. They had meanwhile heard of the killing of McCabe and of the assaults on Jamieson, Cummings and Hotchin. The mob were now utterly unrestrained and bent on revenge, shouting out "Blood for Blood". According to the

opinion/.....

opinion of the police officers they would undoubtedly have killed every Native in the Hall had they been able to effect an entrance. To prevent this was then the main concern of the Borough Police who had meanwhile arrived. Endeavours were also made, without success, by the Mayor, the Chief Magistrate and by the Chiefs of the South African Police and the Borough Police, to induce the civilian mob to desist from attacking the Hall and to disperse. Champion who was approaching the I.C.U. Hall at about six o'clock was advised by a European, a friend of his, to go home which he did.

The police took up a horseshoe position in front of the Hall forcing the mob back. And after the South African Police under Captain Baston arrived, the two forces combined succeeded in clearing the mob out of Prince Edward Street in front of the I.C.U. Hall. The South African Police then took up a position at the corner of Prince Edward and Grey Streets, barring access to Prince Edward Street from the West, and the Borough Police took up a position at the corner of Albert and Prince Edward Streets, barring access to Prince Edward Street from the East. The civilian mob was then to the East in Prince Edward Street and to the South in Albert Street.

Meanwhile a large force of armed Natives, estimated at about 2,000, were hurrying from the Point to the assistance of their fellows besieged in the I.C.U. Hall. Such a force was evidently expected by both the police and the civilian mob. As the Natives came marching or running over the railway bridge and into Albert Street, Chief Constable Alexander swung his men round so as to face them, thereby barring access to them to Prince Edward Street and the Hall. His men,  
some/.....

some 90 in number with 170 Native constables in support, were then facing North. At the same time the civilian mob rushed up from behind and either lined up with the police or else stood immediately behind them. When the Natives were some twenty paces away there was a stab of flame from their left wing which the Chief Constable said he took for the discharge of a firearm. The civilian crowd then commenced to fire into the Natives, checking their onrush. They wavered, broke and fled being pursued and attacked by the civilians in motor cars and on foot, most of the casualties, according to police opinion, taking place during this flight and pursuit. The police forces, both Borough and South African Police, remained in position awaiting further eventualities. There was, however, no further attack nor did the civilian mob return in force.

Meanwhile under cover of darkness the Borough Police were able to evacuate the Natives in the I.C.U. Hall and to rush them to places of safety. Altogether between 40 and 50 men, 28 women and 2 children were so evacuated

The police kept guard until 2 a.m. on the 18th, when, all being quiet, they were withdrawn. Up to that time the damage done to the I.C.U. building was from £30 to £60 (estimated).

The next morning however the civilian mob returned to the scene, effected an entrance into the Hall, and caused damage to movable contents to an amount of £500. The Hall is on the second floor of the building and from there a piano was thrown down into the yard, all the furniture in the Hall wrecked, and a safe conveyed and handed over intact to the police.

There/.....

There was no disturbance of any kind after that.

According to all the evidence one thing emerges clearly; that there would have been no disturbance during the afternoon and evening of the 17th, and that there would have been no damage then done either to life or property had the civilian mob not gathered at and attacked the Hall. On that point all the evidence is agreed. It was accepted that after the police officers had discussed the situation with Champion just after mid-day, and had driven with him to the Point, the trouble would have been over. It was the besieging of the Natives in the Hall by the civilian mob thereafter, and their attack on the Hall itself, which forced the defenders from the Hall into the Street, with the deplorable attacks on McCabe, Hotchin, Cummins and Jamieson. That also drew the armed throng of Natives from the Point with the consequent conflict with the police, reinforced by the civilian mob.

The total casualties that day, including those sustained in the minor conflict with the police under Sergeant Clements, were 91. Of these 15 were Europeans: 1 killed, one died of wounds and thirteen injured; 3 Indians and 3 Coloureds injured; 2 Natives killed, 3 died of wounds and 65 injured - of the injured Natives 14 suffered from gunshot wounds. On the 4th July there were still 3 Europeans and 8 Natives in hospital all of whom were expected to recover. According to Captain Alexander there were additional casualties not recorded, for instance, of injured Natives fleeing into the country to their distant kraals during the night of the 17th. Champion knew of one such case only.

From the police evidence it is quite clear

that/.....

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