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# NATIVE AFFAIRS COMMITTEE

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EVIDENCE TENDERED BY THE MEMBERS  
OF THE  
ADVISORY BOARD AND NATIVE LEADERS



WALTER NGQOYI  
Our energetic chairman

## PREAMBLE.

This evidence is published at my request in order to bring into light the state of affairs which Africans are faced with at this dark hour of transition upon which the Union Government is tabling many Bills, directed against their future throughout the Union

I owe much credit to Benoni Leaders who have thought me fit to be their Chairman and Leader in the cause of preparing this evidence tendered before the Native Affairs Committee.

I feel I would not have done myself justice if I would forget to mention the late Mr. James S. Zini and Mr. D. D. Ngxola, who contributed a great deal towards my little knowledge.

The help I received from Messrs P. Malanga, N. Ngqoyi, J. Letsika, R. Tladi, C. Kivit, M. Madingoane S. Tladi, S. Mokheti and Rev. J. Kekana, is of paramount importance in the making up of this evidence.

Signed,

W. N. NGQOYI.



# NATIVE AFFAIRS COMMITTEE

## EVIDENCE TENDERED BY THE MEMBERS OF THE ADVISORY BOARD AND NATIVE LEADERS

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BENONI LOCATION, 11/11/35.

MR. CHAIRMAN,  
and Members of the Committee,  
Johannesburg,

We the undersigned on behalf of our community have the honour of submitting to this Court the following evidence.

- (1.) That it is our opinion that to enforce the principle of limiting the number of Natives in Urban Areas calls for our emphatic and strongest protest. It is our opinion that in view of the fact that the Natives are being forced to towns by circumstances above their control Legislation etc As reasons we give these presents inter-alia:—

The hypocrisy and absurdity of this enquiry surpasses any human comprehension, it shows in colours genuine and glaring the futility and aimlessness on the part of the Government to select this Commission save only to pave its way towards exercising its evil designs upon the Natives as embodied upon the Urban Areas Act of 1930. (The Act which has already made thousands of our people, irrespective of sex, victims of Gaol and Labour Colonies) and it is our hope as we desire that this present Commission now sitting will undoubtedly lead the Government without fail as it has been the case with other Commissions.

Seeing that according to the Municipal Regulations providing accomodation for employed natives in their Areas, the limitation of natives by legislation would not be of any

material benefit or would have no reason more over that no Native under the Local Regulations is allowed in any Municipal Location. It should also be borne in mind that the Natives already resident in these centres have gone a long way of improving the said Centres.

We consider that the Government & Local Authorities should encourage natives to work for the improvements of their place of residence, and it is our fear that such measures would disable them of such improvements, while not forgetting to mention that not until a provision is made for the detribalised Natives such measure would be detrimental to both Europeans and Natives.

It has been repeatedly mentioned by all Commissions since from the Bounont Commission, that the Land Act of 1913 is responsible for the influx of Natives into Towns and that not until this Act is amended no solution towards the Limitation of Natives in any form or shape could be arrived at; moreover that every farmer is compelled by Law not to employ more than 5 Natives. The Native is placed entirely at the mercy of the "Local Authority" with no safeguards against the abuse of these powers by the Local Authority. This applies to the farmer To make our case clearer before this Commission, we feel obliged to say. The Native races of South Africa, before the introduction of Civilisation, lived a Communal life, the land to them was a property of the people. Economics or the mode of exchange by means of money were then unknown to them. Cattle being the only means used for settlement of obligations.

It sounds most atrocious that now when natives have adopted and adapted themselves into this new life and, talk of making them victims of enforcing the limitation of their number in Urban Areas.

This in our mind is brought about by the unsympathetic guidance the natives receive from the rulling Class, or, the Union Legislature either prompted by a fear of native progress or by a desire to keep the native races down or by trying to solve the "Poor Whites' Problem" or to fulfil the dream of White South Africa at the expense of the landless and destitute Natives.

In considering this item futher, there is a great fear among the natives that the Local Authorities aided by the Union Government, are in coalition with the Farmers for



the enslavement of the native people and that the Urban Areas Act of 1923 as amended by the Urban Areas Act of 1930 is the direct outcome of this notorious and diabolic pact having succeeded in enslaving the farm natives by the Land Act of 1913. We fear that the Union Government by this same Act of 1930 and by amending it by the enforcement of the principle of limiting the number of natives in the said Areas for the requirement of labour is bent upon the persecution of town natives, if not their extermination by that big wheel of civilisation. This enquiry in our minds will serve no good purpose for the solution of the town natives on this item.

At this stage of transition into which natives have been forced by persuasion of the education of their children which has not been catered for by the Government in the Rural Areas and perpetuation of ill-treatment and non-payment of the native labour by the farmers with the result that natives in the Rural Areas are direct slaves together with their wives and children to the farmers. They are at the mercy of every individual farmer as aforementioned.

(11.) and (111.) Secondly, dealing with item II and III of the Memorandum, to provide for the withdrawal of superfluous natives from Urban Areas. We desire to put it on record that it goes without question or fear of contradiction that many natives now residents in towns came not from a desire to come and live town-life; but as a result of economic agencies over which they had no control. It should be borne in mind that Natives are by nature a pastoral people, who take more pride in owning land and live-stock than in the possession of money.

The control of the Influx of Natives into towns should only be solved by means of

- (a) providing land for them,
- (b) protection from periods of drought,
- (c) the dying of their stock through lack of grazing ground,
- (d) the starving wage paid on the farms and the inhuman conditions imposed by the Land Act of 1913,
- (e) to limit the excessive powers given to the Baas under the Native Labour Contract Service Act for the farm Native Labourers which gives all the advantages to the Baas and the disadvantages to the native farm labourer
- (f) to limit sudden evictions of natives by farmers,

- (g) to stop contracting natives with their wives, children as well as their live-stock and
- (h) to provide educational facilities for Rural Natives.

(IV), (V) & (IV.) Not replied.

(VII.) What steps, if any, are taken by the Local Urban Authority to control the Influx of Natives. In reply to this item, the Local Urban Authority restricts the ingress of natives in this area and removes all natives from the same area and prosecutes and repatriates all natives believed to be unemployed and prohibits the entry of female natives as well as unemployed females by regulations drawn under the Native Urban Areas Act of 1930 as amending Act No. 21 of 1923, which gave Local Authorities additional powers and the irony of this step, is that it does not discriminate between the proportions of urbanised and semi-urbanised and rural natives save that by virtue of employment. It is our feeling that such a measure is too remote and calls for an immediate consideration.

(VIII) What are the conditions under which the natives reside in the Urban Area and what control is exercised by the Local Authority ?

The following are the conditions:—

- (a) Any person employed in this said area desirous of erecting a dwelling in the Location for occupation for himself, his wife and unmarried children shall personally apply to the Superintendent for a site and in making his application shall state that the dwelling is intended to be so occupied and failing such statement a site shall not be granted.
- (b) The applicant has to prove himself a fit and proper person in terms of the regulations to reside in the Location is resident or employed or carrying a lawful occupation within the area of jurisdiction of the Council
- (c) The site is leased on monthly rental of 10/-. No holder of a site permit is allowed to sublet his site or dwelling or other buildings thereon except on a written permit known as a "tenant-permit" to be granted by the Superintendent,
- (d) All monies, rent, fees or other charges, in terms of the Municipal Regulations are strictly payable in advance.
- (e) Lodgers: Males are charged 2/-, Females 1/- per month Under the Municipal Regulations no LOAN is provided



to assist the Natives in building as provided under the Native Urban Areas Act of 1923.

- (f) There is a Native Advisory Board consisting of six Members which are appointed this way:—Three members are elected by the residents and three selected by the Town Council and the Location Superintendent is Chairman ex officio, member of the Board.
- (g) The Location Superintendent under the Regulations is authorised to arrest natives as well as to eject them without the order of court and, he is also a Sanitary Inspector who can demolish any house or hut of a native without trying the said native, and his report to the Town Council has nothing to do with the Advisory Board.

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### DUTIES AND FUNCTIONS OF ADVISORY BOARD.

- (a) To receive complaints from Residents.
- (b) To advise residents on matters affecting them.
- (c) To discuss the business of their meeting and to make a presentation to the Council
- (d) To be consulted by the Council as provided under Section 10, sub-section 2 of the Native Urban Areas Act of 1923
- (e) The Board has no say in the Administration of the Native Revenue, hence the inability of the Board to function to the interest of the people
- (f) Native residents have no security of tenure

Signed

Chairman )

COPY OF A LETTER RECEIVED FROM THE DIR-  
ECTOR OF NATIVE LABOUR

Dated 11th Nov., '35.

Mr. W. N. Ngqoyi,  
Chairman, Benoni Location Advisory Board,  
42, 9th Street and 4th Avenue,  
Benoni Location.

Dear Sir,

COMMITTEE ON NATIVES IN URBAN AREAS.

I am in receipt of your letter of to-days date with  
annexure.

Your representations are fully understood by this Committee  
which consequently has no further questions to ask you.

That being so, the Committee feels that no good purpose  
will be served by putting you to the inconvenience of coming to  
Johannesburg.

Yours faithfully,  
Signed  
Secretary to the Committee.

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