

" And there was nothing secretive about this meeting? Discussion was quite open? "

" Yes. "

" According to your evidence, Marks spoke about strikes which had taken place on various mines? "

" Yes. "

" And, just to get it on record, you remember that he did say that the Union was against these strikes. "

" I remember him saying that they did not like strikes. "

" But that these strikes had broken out because the people were frustrated by their conditions? "

" Yes. "

One of the strikes mentioned was a strike at Modder East... "and you were given bullets, and as a result some of you are not here."?

Yes.

" Do you happen to know that some of the strikers were shot dead at Modder East? "

" I was away when that occurred. I heard there was trouble. "

The vote that was taken at the meeting....you were present when that vote was taken by a show of hands?

Yes.

" It was an open vote? "

" It was. "

" As far as you could see it was unanimous? "

" It was. "

" You say that the proposal for a strike came from an unknown native male? "

" Yes. "

" Do you know who he was? "

" I did not know at the time, but at a subsequent meeting the same party proposed a strike and gave his name. "

" Did he appear from his dress or otherwise to be a mine-worker? "

" I did not think he was at first; he was very well dressed. "

" Does that mean that mine workers are not well dressed? "

" The majority are not. They wear blankets, but he was in European clothes. "

" He may not have been an underground worker? He may have been a clerk? "

" Yes."

" The meeting on the 19th May did not agree upon a date for this strike?"

" It did not."

" It decided in fact that after further negotiations which the meeting directed were to be opened ~~with~~ by the Union with the Chamber of Mines and the Government, <sup>11</sup> after these negotiations had been made, a further meeting was to be called to report back?"

" Yes."

" And that further meeting was held on the 4th August.?"

" Yes. "

" In your notes of the meeting of the 19th May, there is a reference to Marks welcoming everybody, and addressing "the Government officials and the spy agents."?

" Yes. "

" You know from your experiences that the Chamber of Mines does employ spy-agents? "

" I do not know whether to use that term. They employ mine police to do the work for them."

" They employ, to use a term more familiar in your circles, informers?"

" There would probably be a number of mine police."

" In uniform? "

" Quite a majority do not wear uniform."

" A kind of plain-clothes non-European Secret Service? "

" They have a lot of them searching for deserters."

" Part of their job is to search for information which may be interesting and important to the Chamber? "

" That may be so."

" This meeting on the 4th August. It was again an ~~open~~ open meeting?"

" It was."

" The police were there, and the Director of Native Labour, and various other officials and the press?"

" Yes."

" And Marks opened this meeting and explained that it was called as a result of the resolution of the 19th May, to report back what had happened at their attempts to negotiate?"

" Yes."

" I think Majoro actually gave the report? "

" Yes. They both spoke. "

" Majoro reported, of course, a complete failure of any attempts to negotiate? "

" I think he said that he had not received a reply from the Chamber of Mines, but some reply from the Labour Department? "

" A mere acknowledgement? "

" I do not know what it was... "

" Do you remember that they told the meeting that they asked the Chamber to meet them, and the Government to appoint an arbitrator under War Measure 145? "

" I cannot remember. "

" Then Marks called for opinions, and there were many speakers from the crowd? "

" Yes. "

" They all got on to the platform and spoke as usual about the bad conditions and the refusal of the authorities to negotiate with them? "

" Yes, these speakers invariably gave their own opinions. "

" And their experiences? "

" Yes. "

" And then this worker got up and proposed a General Strike for the 12th August? "

" Yes. "

" This was seconded? "

" It was. "

" From the ~~oor~~ crowd? "

" Yes. Parties came away from the crowd onto the platform. "

" Then there was a debate or discussion called for by Marks, and various people from the crowd spoke but they all supported the resolution? "

" Yes. "

" And then Marks turned round before he made his final remarks - do you remember this? - He turned round to the police and the officials - that would include yourself - and he asked you to note particularly that this resolution had come from the floor, and to note what the response would be because he was about to call for a vote...? "

" That may have happened, but I cannot remember. "

" It was then that Marks warned the audience that, having taken this serious decision to strike, on no account must they resort to violence? "

" Yes. "

" And they should not, as they had done in the past, storm the kitchens or attack the compound manager? "

" Yes. "

" You will remember that he told them specifically they should not, at the mere sight of the police, start shouting their battle cries? "

" Yes. "

" After warning them against the use of violence and attacks, he told them what they should do ~~was~~ to withhold their labour peacefully merely stop work? "

" Yes. "

" And he also said they should have meetings in the compound the following week? "

" The following Sunday. "

" In order to explain to the to the other thousands who were not there the peaceful methods decided upon? "

" I would not use the word "peaceful". He said... 'inform them of the decision'. "

" That would include what he had told them about the methods? "

" Yes. "

" The gathering itself was a peaceful gathering, orderly? "

" Yes. "

Advocate Franz Boshoff asked: "At both these meetings .... no speaker claimed to be from the Communist Party?"

" No. "

" And from what you have told us it is clear that the decision taken at the meeting was taken by those people as a result of their having debated the matter, and from what you could see they came to that decision of their own accord? "

" From what I could see, yes. "

" Neither the Chairman nor the Secretary told them 'we want you to take this decision to strike'. "

"Not at the meeting."

"Do you know that they told them anywhere else?"

"No."

Advocate Zwarenstein: "I take it you are <sup>on</sup>~~not~~ what is known as the 'Political Staff.'?"

"No. I am on the Special Staff."

"That includes political work?"

"It includes political work."

"I take it you were in touch with what was going on before the strike?"

"I was."

"Did you appreciate that events may take a serious turn?"

"I myself did not think so."

"Although on the 4th August, there was a decision to go on strike?

"Even with that decision, there was such a minority of African Mine Workers at the meeting, I did not think the strike would spread."

"I take it that the police were sent to the mines at the request of the mining industry?"

"I do not know about that."

The court adjourned for tea. After the short break, Advocate Festenstein asked further questions of Detective Sergeant Boy.

"You remember - I think it was in 1944 - Proclamation 1425 prohibiting meetings of more than 20 people on Proclaimed Land was published?"

"Yes."

"Before that proclamation was issued, you know that meetings of several thousands of mine workers were constantly held at the compounds and outside the compounds?"

"Yes."

"Meetings of the African Mine Workers Union?"

"Yes."

"At which these people were exhorted to join the Union?"

"Yes."

"And these meetings were orderly?"

"Those I attended were orderly."

"And also at these meetings, subscriptions were collected?"

"Yes."

" Since that time, these meetings have been stopped? "

" Yes, on proclaimed ground. "

" Is it easy, from your experiences, for mine natives to collect in any meeting off proclaimed ground? "

" No. Not on the Reef. "

Detective Sergeant Boy was allowed to leave the witness box.

The prosecutor asked the defence to state what documents they wanted the witness, Limebeer, to bring to court. Mr. Berrange stated that the defence wanted all minutes of the Committee meetings of the Chamber of Mines which refer to the African Mine Workers Union, together with all circulars and instructions on the same subject. The Prosecutor objected that it was impossible for the witness to bring what might be a great stack of material to court. The magistrate ruled that a consultation between the prosecutor, the defence and the Chamber of Mines be held, in order that the Defence inspect the records.

The Prosecutor called as his next witness Detective Constable Viviers, who gave evidence that he had taken down notes of what was said at the meeting on the 4th ~~xxxx~~ August. He handed in the notes. His evidence was corroborative of all that had been said by Detective Boy about the meeting. The only question which brought out anything was put by Advocate Zwarenstein:

" Majoro will say that apart from what you have got down in these your notes, he also mentioned that the miners ~~xxxx~~ themselves must decide, the gathering itself must decide whether the strike should take place, and the Mine Workers Union Executive had carried out instructions, had made a report and that the decision lay with the gathering? "

" That is correct. "

Another day was passed.

WEDNESDAY, SEPTEMBER 18th:

Before any witnesses were called, Mr. V.C. Berrange got to this feet. He had been asked by the accused, he said to ~~MAKE~~ make a protest to the court about the way this case was being reported, and the false impression about it being given to the public.

"When these proceedings started as a Preparatory Examination, broadly speaking we were told there were two charges against the accused; one of conspiring to incite the workers to strike; and one of participating in such strike. At the time these proceedings were converted into a summary trial, the Crown dropped the charge of conspiring to incite, and accepted a plea of ~~xxxx~~ participating in such strike.

"On last night's radio news at 7.30 p.m., the following ~~x~~ statement was made. 'When 51 alleged Communists appeared in the Magistrates Court today on a charge of conspiring to incite to strike, the charges were withdrawn against five, and the remainder entered a plea of guilty.'

"Quite obviously there are three statements that are completely false. First, there is no suggestion that 51 accused are alleged to be Communists. Second, they are not standing a charge of conspiring to incite. And third, they never entered a plea of guilty to such charge.

"I think I should take the matter further by referring to the reports in the Rand Daily Mail, in which at no stage ~~they~~ yet have they set out that the accused are charged with participating in the strike, nor have they set out the fact that the charge of conspiring to incite had been withdrawn."

Advocate Franz Boshoff jumped to his feet. "In so far as ~~x~~ the 'Transvaaler' is concerned, they first stated that 'beweerde oproermakers' were before the court, which means that the accused are rioters, and at no time was it suggested that these people were inciting to riot. They then changed it to 'beweerde Kommuniste', and then yesterday they dropped the 'beweerde' (alleged) and they just became 'Kommuniste'."

The magistrate again read the precise charge to which the accused had pleaded guilty.... "participating in the continuation of a strike about or after 12th August."

The Prosecutor had to get his word in. "Your Worship, you get mistakes everywhere. I have here a paper - it is the 'Inkululeko' - which describes one of my witnesses as Mr. Lion Beer." The accused, defence and spectators laughed. Mr. Alfred John

Limebeer, Secretary of the Chamber of Mines, grew red, and mopped his forehead, before entering the witness box, to continue his cross-examination.

The prosecutor, considerably ill at ease, started off. He informed the court that, in consultation with Limebeer, he had arranged that the Chamber of Mines documents required by the Defence would be available at 4 p.m. the previous afternoon. "The defence told me they were not ready to see them, but were prepared to see them at my office at 8.30 a.m. this morning. This morning I got in touch with the witness again, and the position is this. I can almost say it is an impossibility for the witness to do it. I think I should ask the defence to state definitely in Court what they want, and then I will argue on that basis."

Mr. Berrange: "Do I understand that the Gold Producers Committee refuse to make available these things to us?"

Prosecutor: "It boils down to that."

Berrange: "Even though they were prepared to produce them yesterday at 4 p.m.?"

A confused discussion took place between the Prosecutor and the magistrate, while the court buzzed with discussion, everyone asking his neighbour what it was the Chamber had discovered in its own minutes between those times to make them change their minds so sharply.

The cross-examination of Limebeer was reopened by Advocate Behrmann, His questions centered around the report of the ~~Knox~~ Lansdown Commission, on which the witness stated that he was not an expert, but could get the figures if the court desired.

Behrmann: "Do you know to what extent the recommendation of the Commission have been implemented by the Government?"

Limebeer: "You will understand I am speaking from memory and it ~~is~~ is matter in regard to which I am not employed by the Chamber as an authority, but the greater part of the wage increases was granted. It was not quite done in the way recommended, but it was done in the way thought best for those concerned."

Berrange: "The only thing I am quarrelling with is that you <sup>say</sup> that the greater part of the wage increases by the Lansdown Commission were

in fact granted. ... Let me give you the figures. The recommendation proposed by the Commission would have cost £2,642,000. The Government proposals cost, in fact £1,850,000 leaving a shortfall of over three-quarters of a million - £792,000. Would you comment on this?

Limebeer: "I am not prepared to comment on the figures from memory."

"Do you dispute them?"

"Need I add to my answer?"

"Do you dispute them?"

"I do not dispute them. I cannot say."

Berrange: "Did the Chamber make representations to the Government so as to ensure that the recommendations of the Commission were not implemented?"

Limebeer: "No. No representations on these lines were necessary."

Berrange: "Are you trying to suggest that the Chamber was perfectly prepared to accept the recommendations?"

"No."

"Do you agree with the suggestion made by me that the Chamber made representations to the Government asking the Government not to implement the recommendations of the Commission in full?"

"I am not acquainted with the discussions which took place after the Commission ended."

"Although the recommendations made by the Lansdown Commission were not implemented, in fact when the European miners asked for higher wages they were granted an increase involving nearly one million pounds?"

"That is so."

"Could I say there were important recommendations made by the Lansdown Commission - important to the workers - which were not implemented by the Government?"

"I cannot dispute that."

"Are you aware of any letter ever having been written to any member or members of the African Mine Workers Union wherein the Gold Producers Committee said 'We are sorry we are not going to recognise you.'?"

"No. I am not aware of such letter."

"And in fact you know that no such letter has ever been written?"

I have not written any, and I do not know of any such letter. The only letter that I know of that was ever addressed to the African Mine Workers Union was a printed postcard acknowledgement, obviously in error."

" It was a blunder? "

" It was a blunder. "

" Numerous letters were addressed to the Chamber by the African Mine Workers Union, numerous complaints were contained in these letters, and at no stage did the Chamber or the Gold Producers Committee have the courtesy to write back and say: "We have received your communication but we cannot recognise you for this and that reason." "

" We did not reply to any of their communications. "

" Do you think that <sup>it</sup> was courteous conduct to adopt this attitude? "

The prosecutor rose to object, but the court allowed the cross-examination to proceed.

" And whether this conduct was not deliberately calculated to cause resentment and dissatisfaction...? "

Again the prosecutor objected, and is again overruled.

" And do you not think that this conduct was deliberately calculated to arouse resentment? "

" It was not deliberately calculated, in the sense that there was no intention behind it. "

" Perhaps there was no thought behind it? "

" The decision of my Committee was not to deal with the correspondence of the Union. "

" Did you yourself, as Secretary of this committee, as an individual, did you think it would arouse extreme resentment? "

Again the prosecutor objected, and is again over-ruled.

Limebeer: " One naturally assumes that it is apt to arouse resentment. "

" And in this case? "

" I cannot say I thought about the matter specially. "

" I ask you whether you thought, or whether from your knowledge of what was happening, in your capacity as Secretary, did it occur to you that the whole conduct of the Chamber and G.P.C. was calculated to prejudice and hamper the Union in its organisation of the workers? "

" The Gold Producers Committee did not consider..... "

" I am asking you whether you thought that? "

" I knew that the Committee did not favour the activities of the Union in any way. "

" I am asking you a very simple question, Please give the answer. "

" I think I have answered the question. "

" I will put it to you again. From your knowledge of what was happening, in your capacity as Secretary, did it become apparent to you that the Chamber was deliberately trying to prejudice and hamper the Union? "

" That is not the way I would put it. "

" It is not, perhaps, the way you would like to put it. Do you agree with it? "

" The Gold Producers Committee did not wish to do anything which would assist in any way the Union's activities. "

" I understand that broadly speaking, the reasons you have given that the Gold Producers Committee did not recognise this Union is because you felt it was not sufficiently representative? "

" That is one reason. "

" And because it was felt that the African mine workers had not reached the stage of development - I have heard it so often before - to fit them to become members of a Union? "

" That is true. "

" And because it is not a stabilised form of labour? "

" That is true. "

" Can you offer any reason why the G.P.C. should not have ~~written~~ written to the Union and given them their reasons for not wanting to recognise the Union? "

" Because they did not regard the African Mine Workers Union as having any right whatsoever to speak for their fellow workers. "

" Why not reply and say that to them? "

" Because they decided not to deal with the correspondence. "

" Why not reply and say that to them unless it was done for the purpose of arousing resentment? "

" It was not for arousing resentment. "

" Can you give ~~reasons why such a reply should not be given?~~ any reason why such a reply should not be given? "

" I do not remember the discussions. "

" You remember that on the last occasion, you admitted that there had been a refusal on the part of the G.P.C. to allow the defence to go and collect evidence from the compounds? "

" Yes. "

" This was a decision taken by your Committee? "

" Yes, "

" Will you please give the Court the names of the members present who took that decision? "

Prosecutor: "Is that relevant?"

Berrange: "I say this is a definite policy of the Chamber of Mines and the Gold Producers Committee over a period of years to frustrate and hamper the African Mine Workers Union. The members of the African Mine Workers Union are standing charge today. Not only have we a history going back years of the manner in which the Chamber and the Gold Producers Committee have done everything to frustrate and hamper the activities of the African Mine Workers Union, but even now when some of these men are standing their trial on a charge, the simple democratic right of seeking witnesses is withheld by the Chamber, We will want to submit to the Court that this action is corroborative and indicative of the attitude of the Chamber in this respect."

Magistrate: "Proceed."

Berrange: "At the meeting which gave this decision, who was the Chairman? "

Limebeer: "Mr. Carlton-Jones."

"How do you suggest we are going to obtain evidence under these circumstances? "

"I am afraid I have no knowledge of how one obtains evidence."

"As an ordinary citizen don't you think it was rather harsh to refuse to allow accused people to go and look for witnesses in their defense? "

"I do not know that I thought about the matter."

"You are not merely a recording machine, Mr. Limebeer. Surely you have got thoughts and opinions?"

"My thoughts as a private citizen are not relevant to this case."

"Was there any discussion amongst these gentlemen who came to this decision to withhold the right to seek evidence?"

"Yes."

"As to the manner in which it would hamper and prejudice the defence?"

"There was a discussion mainly in legal lines."

"Was there any discussion amongst these gentlemen of the manner in which their refusal would hamper the defence?"

"On that specific point, there was no discussion."

"Didn't anybody say: 'It might be hard on the defence; we might reconsider our attitude.'?"

"That remark was not made. I cannot recall that they discussed on those lines at all."

"Was it discussed on the other lines, that it would be a good thing to exclude the accused?"

"....It was on the lines that they did not wish to have this thing discussed in the compounds."

"And what was their grounds for refusal? I recall at the time the legal adviser found some technical reasons?"

"Yes."

"And the question as to whether or not this would be depriving my clients of their ordinary democratic rights of seeking witnesses in their defence was never thought of?"

"We are managing a business concern, and not discussing politics."

"The only thing that weighed with these gentlemen was that they did not want it discussed in the compounds, and for that reason they sought some technical reasons to achieve their object?"

"They did not want it discussed."

"They desired that people seeking ~~witness~~ witnesses should be excluded, and some technical reasons were advanced?"

"That is correct."

Advocate Boshoff: "You know of the existence of war Measure 1425 published in August 1944 by the Government, as a War Measure, to prevent gatherings of more than 20 people on proclaimed ground?"

Limebeer: "I am aware of its existence."

"And in your earlier evidence, you gave us a reason why this measure became necessary?"

" Yes. I know that the reason was supposed to be that it was desirable to prevent gatherings. "

" To prevent gatherings? "

" In the interests of public peace. "

" On what facts did your Committee base its view of this measure? "

" In the interests of public peace, on the advice of its native labour officials. "

" And I take it that your Committee then requested the Government to issue this proclamation? "

" I have no knowledge of where the idea was initiated. It may have been in private discussion in which I had no part. "

" My purpose in getting this evidence is that the reason advanced on behalf of the Chamber today is not a truthful reason, it is a spurious reason. "

Limebeer: " The whole idea was the preservation of public peace, and I am not in any way aware whether the matter was suggested to the Government by the Chamber or whether the Government had been approached by other persons. "

" The police who gave evidence yesterday said the meetins were peaceful. ...What facts were placed before your committee to substantiate their opinion? "

" As far as I can recall, there were reports of violence at certain meetings, or threats of violence or risk of violence. We always wished to avoid the risk of any circumstances which could lead to violence. "

Boshoff: "Great difficulty was experienced in organising the African Mine Workers Union, because for one reason there was a system of spying in the compounds which led to the ~~xxx~~ position being created that the Union was a sort of illegal body. It was then resolved at a Conference in 1941 to organise this Union openly and the Union grew in strength until in about 1944, they held meetings of thousands and thousands of these mine workers. At no meetings was there any threat of violence,; and then suddenly the Government issued this proclamation which was in accordance with your policy so completely. My submission to the Court is that it was done by your Committee in order to cripple the Union. You will concede that it is a strange

(Boshoff) coincidence that precisely when the African Mine Workers Union was beginning to develop, such a proclamation was issued?"

No reply.

Advocate Zwarenstein rose to ask whether the witness intended to make available the records of his committee asked for by the defence.

Limebeer: "On that point I have consulted the Chamber's solicitors and had Counsel's opinion. ... As regards the Chamber's records and out-going correspondence to other parties, I am advised by counsel that they are not relevant to this case and I have no legal duty to produce them."

Zwarenstein: "I do not know how counsel's opinion or the opinion of his legal adviser concerns this court."

Prosecutor: "I object to this application. On these grounds.

Firstly there is no demand for specific documents. Point, No. 2 is that if all these documents are produced, they will be obviously irrelevant. Point No. 3, is that if this request is acceded to, then we allow the defence to go <sup>to</sup> the Chamber of Mines, and not only the Chamber but <sup>to</sup> all Mining Houses and conduct a search for documents."

The witness was allowed to stand down, without any ruling from the court. As he left, and the court adjourned, he was overheard to say aggrievedly to the prosecutor; "You didn't tell me that I would be cross-examined!"

During the adjournment, several of the accused gathered with their legal advisers in ~~one~~ one of the little offices in the building; The Crown had called all its witnesses. In order to shorten the proceedings, it was agreed that the accused make an admission of guilt, which was drawn up there and then.

When the court resumed, the admission was handed in.

It/ read "That a strike took place on various mines on the Witwatersrand. That such strike was in contravention of War Measure 145 of 1942. That accused Nos. 14 to 51 participated in the continuation of the strike by distributing leaflets.

That accused Nos. 1. to 13 participated in the strike by being parties to the distribution of leaflets."

The Crown then formally closed its case. The court adjourned till the afternoon.

The great case, which had started off under three-column headlines screaming 'Conspiracy' 'Incitement' - had petered away. The crown had attempted to produce a mountain. But it had brought forth a mouse. [Its witness, Steyn, had testified that the police had provoked violence, had acted irresponsibly and without evidence, had been acting under orders of mine officials, while the workers had been staying quietly in their compounds until driven out, or gathering on embankments, or sitting down peacefully underground. [Its police witnesses had testified to the peaceful character of meetings held at the mines before illegalised by War Measure 1425; to the peaceful and open character of two Union conferences to discuss their future plans; to the fact that the decision to strike had come unanimously from the workers themselves without incitement or encouragement from anyone. [The witness, Limebeer, had proved that the Chamber had for long been aware that trouble was brewing amongst the African workers, that despite this it had refused to discuss or meet with the Union to avert trouble, that its every action had resulted in adding to the workers discontent; that even the inadequate recommendations of the Lhasdown Commission had not been carried into effect. And this, this was the evidence for the Crown.

The Conspiracy allegation had been turned on its head. Those who followed the evidence carefully could see where the conspiracy lay. The conspiracy lay, not with the workers, but against them. The Crown had proved it, up to the hilt. Where the workers had been dissatisfied, the Government and the Chamber had conspired together to deprive them of every legal form of redress. Where a Government appointed Commission of Inquiry had recommended miserable and insignificant increases, the Government and the Chamber had conspired together to avoid the implementation of the increases. Where the Union had begun to grow strong and representative, the Chamber and Government had conspired together to prevent their holding meetings near mine property. When trouble was obviously and apparently reaching a head, the Government and the Chamber conspired together to turn a deaf ear to all attempts to negotiate a peaceful settlement.

And when the strike finally broke out, the Government and the Chamber conspired together to place the police force at the disposal of the mine-owners to break the strike, and drive the slaves back to the thousand-foot shaft from which they had come. And when the brutality and violence had had their effect, the Government and the Chamber conspired together, - the one in an attempt to place the blame for all that had happened on the heads of the Communists and 'agitators': the other to deny the accused <sup>access</sup> to witnesses, and to records that could prove where the guilt really lay.

The Crown closed its case. Its only evidence against the accused was the admission, made voluntarily by all accused, that they had stood with the workers, in a fight that was just and decent, illegal though it might be under the primitive laws of a country ruled by mining magnates. But the evidence of the real conspiracy, the unmasking of the real criminals who held responsibility for all the bloodshed and terror of the week of the 12th August, had been laid bare.

There was little left for the defence to do.

.....

Senator Basner was called to the witness stand - first witness for the defence.

He testified that he was elected in 1942, under the Native Representative Act, and represented four million Africans in the Transvaal and the Free State.

In November 1942, he had met a number of mine workers who were asking for cost of living allowances. There had already been spontaneous strikes on the mines and in industry.

"When the 1942 session of Parliament opened, all the native representatives made representations to the Prime Minister, warning him that there was great unrest on the mines and unless a cost of living allowance was granted there would be trouble." Some time in 1943, cost of living allowances were granted to all African workers, except ~~in~~ those in agriculture and mining.

The Parliamentary representatives of the Africans pressed for a Wage Board Inquiry, or an Arbitrator to be appointed for the mining industry. Late in 1942, the Government appointed the Lansdown Commission. Every important social body in the country gave evidence, and it "was probably the most thorough investigation that we have ever had."

Festenstein

Berrange: "Did you hear the evidence at the Commission by Mr.

de Villiers, the Chief Magistrate of the ~~Transvaal~~ Transkei"?

Basner: "The effect of the evidence given by the Transkei Administration was that the wages paid to natives on the mines was absolutely inadequate, and that the natives were suffering great hardship as the result of low wages. The Medical Officers gave evidence of malnutrition and suffering as a result of inadequate income. More than one-third of the natives in the Transkei and Ciskei had no allotments of land in the native territories, and no income except earnings on the mines. The soil of the Transkei is becoming eroded, and the productivity of the native territories is constantly decreasing."

"During the period of over a year, the natives on the mines waited patiently for the Commission's findings.

Festenstein

Berrange: "Do you know the Commission's recommendations in regard to wages? "

Basner: "An increase for the underground workers of 5d per shift and for surface workers 4d."

"With regard to Boot Allowance, was there a recommendation?"

Basner: "3/- a month of thirty shifts. The Boot Allowance is a considerable item, as natives have to buy their own boots, and they are quickly worn out."

"Was there a recommendation in regard to overtime?"

"There was a recommendation for Sundays and overtime to be paid at time-and-a-half."

"Do you know of any recommendation in regard to paid leave?"

"Two weeks in every two years should be granted."

"Was there a recommendation in regard to rations?"

"There was a general recommendation to try and improve the position of the workers."

The recommendations of the Commission were made known. They appeared in the Press. The word got around the mine compounds. The workers came to believe they were going to get the benefits recommended.

*Tobias* Berrange: "Did the Government implement the recommendations?"

Basner: "Two months elapsed from the time of the report and the time when an announcement was made....The Government was not prepared to implement the recommendations....Most of the recommendations apart from the wage increase were not accepted. ....The effect was to cause very grave uneasiness and a sense of betrayal in the minds of the native miners."

"Did you attend any conference of the African Mine Workers Union?"

"I attended conferences immediately after the Government decision...at which over 1,000 delegates from different shafts on the Witwatersrand were present. ....They wanted immediate action - to strike there and then. We informed them that we were putting it to the Government that this was their attitude, and asked them to wait...."

"What year was that?"

"Towards the end of 1944, .... From 1942 onwards all the Native Representatives continually brought up this question of the pay of the native miners. They kept on arguing with the Government to give the cost of living allowances as there was grave unrest on the

~~(Basner)~~

Witwatersrand."

- ~~the~~ -

98.

" In May 1946, did you have any news?...in regard to the native miners?"

" I received an urgent message to come to Johannesburg as there was trouble on the Mines, and when I came, Marks, the President of the Union, interviewed me, and other people interviewed me. They informed me that they could not hold the native mine workers from striking, and unless we could convince them that through the Government or the Chamber of Mines negotiations had started, they could not prevent the strike. ... I made certain investigations of my own... What the Union wanted was to have immediate negotiations so that the mine workers felt that something was being done for them. After that I came to the conclusion that the position was very serious, and I got in touch with a number of people, leading people and had interviews with them....and asked them to take steps to force the Gold Producers Committee to negotiate with the mine-workers. .... I was informed that the Gold Producers Committee was adamant, it would not negotiate. ....I then went back to Parliament and asked that a meeting be called for all Native Representatives. I had a meeting.....As a result of that it was decided to make immediate representations to the Government, and I was determined to interview the Minister of Labour, Dr. Colin Steyn. I interviewed him the same day and put the position to him - that I considered the position was very serious, that the strike was inevitable and he should put arbitration machinery into operation immediately. I asked him to apply War Measure No. 145. He replied that he did not want to use War Measures any longer."

The Government failed to act. He saw the Secretary for Native Affairs, Mr. Mears. He saw the Chamber of Mines Parliamentary lobbyist, Mr. Turvey. Nothing happened.

Fedenski

Berrange: " Do you know whether the cost of living and the position in the reserves which is bound up with the whole question ~~since~~ has changed since the Insdawn Commission report was drawn up in 1943? "

Basner: " The cost of living for the mine workers has increased the same as for everybody else...often more than the Europeans, because of the Black Market.... There was a very grave aggravation of the position from the middle of 1945 for the African Mine Worker. With the shortage of food in South Africa....their rations were exceedingly

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