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influx of Natives into the town. Then there are also the Natives who were recruited for labour for the Railways, for Railway constructions, for work in the cane plantations and the sugar estates. At the expiration of their contracts, they do not go back to their kraals, but they elect to remain in Durban. Then there is another section of Natives, men who were sent down to the local gaol, long term prisoners. At the expiration of their terms, they are not forced to go away to their homes, although privileges are provided for them to go back to their places of origin. They simply remain in Durban and I put all these things down as causes of the influx of Natives in to the town. Then also, sir, there are the individuals who come in because they are tired of country life. But that is only a very small factor, the majority are those whom I have already mentioned. Then especially there are the Natives who have been evicted from the farms. Those are the Natives who bear all the hardship, because they trek into town with their families and without any provision being made for them at all. If the husband is unable to obtain employment of any kind, his earnings are insufficient to support the whole of his family; and then there is the competition caused by the Natives who have been ~~trained~~ drawn into the local area by the inducement of better pay. Since 1914, better pay has been prevailing in Durban than in most other towns, but the conditions of the Natives at the present time in Durban are deplorable. It is a great pity that this village which has been proposed was not started on some years earlier, because all these people, through conditions that obtain today,

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have been brought into contact with influence which are not to the good of the Natives. We hear a lot about the Natives not being as respectable as they used to be, -- not as respectful to the European --. That is also the cause of a lot of illfeeling, and that is due to the fact that the Native has lost control of his children through the children having come into town. The bad influence with which they come into contact in town are responsible for that. They live under conditions which are different from the conditions which prevail in their own homes, and those influences are the causes of all these things of which we hear nowadays.

They are responsible for the fact that the Native is disrespectful. There is one point I should like to touch on with reference to Native domestic servants. There is one point there which Mr. Thomas overlooked, it is about the employment of Native females more especially in Natal. In olden days, it was only the males who were allowed to go out and Native females were restricted from going into employment, with the result that the Native females today lack that proper training which, in the meantime, has been acquired by the males. That, sir, is one of the causes for more Native males than females being employed in domestic service today.

DR. ROBERTS: Were these Native females restricted, or were they hindered by the Natives themselves, or by the law? - No, sir; they were restricted by the Natives themselves from going to the towns.

Is it not a fact that the Natives did not care for their womenfolk coming in? - Yes, sir, that is so.

And would you say that that is passing away now? -

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Yes, that is passing away now, owing to the changed conditions under which they live.

How would the male Natives look upon their women taking up posts as nurses, cooks, domestic servants and so on, now ?- Well, the Natives themselves look upon that as avenues of employment for their womenfolk. That is how they look upon it today.

You mean, that they do not object to it now ?- No, they do not object to it now any more, but they did in the past.

And what about the women who are taught at places like Inanda and elsewhere, could they not be employed as cooks or nurses ?- The trouble is that there are no openings for them today.

What makes you say that, why not ?- Because all these avenues, all these openings, have been taken up by men.

Are they able to do that kind of work ?- Who, the men?

No, I mean the women, are they able to do it ?- Yes. But all these openings have been taken up by men, because there was nothing to shew that the women were capable of doing such duties.

Are the men still being employed everywhere ?- Not everywhere, but mainly.

And are there no signs of any change coming about in those conditions ?- There are no signs at present.

You are referring to Durban ?- Yes, sir.

And are there no women in domestic service in Durban, - none at all ?- Not very many. Generally, it is only the men who get the work.

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MR. ERNEST BEACHER SCOTT, Town Treasurer of Durban,
MR. THOMAS JOHN CHESTER, Acting Manager of the Municipal
Native Administration Department,
MR. JOHN KYNNOCH MURRAY, Acting Chairman of the Native
Administration Committee,
MR. OSWALD LYALL SHEARER, Medical Office, Municipal Native
Administration Department,

called and examined:

CHAIRMAN: We have received a number of statements from you gentlemen, on behalf of the Town Council, and we have had an opportunity of studying those, so there is no need for us to have them readx over again, but we shall be pleased to put some questions to you. Now, you make a statement here that, when a license is given to a Native to trade, there is a condition attached to the effect that he is the sole partner of the business. I take it that, by that, you mean the sole owner ?- (Mr. Murray): That is the form which is generally used. The meaning is that there are no partners in it.

Could you tell us why that is introduced? Why do you prevent a Native from having a partner in a business like that ?- (Mr. Chester): That arrangement was made to prevent a Native being subsidised or financed by an outsider. We prefer that the man should conduct his own business solely for his own interest. The declaration is similar to that which is made under the 1906 Registration of Firms Act of Natal. I may just say that, since that statement was prepared, we have received new regulations which have been promulgated and I have pleasure in putting them in now. (Regulations handed to Chairman and other members of the Commission.) These are new regulations for the government of eatinghouses.

Now, if the man who is financing a business like

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that is also a Native, then would there be any objection to it ?- No, there would be no objection. The idea of putting that in was that perhaps someone who was not a Native might come in and finance the Native and that was regarded as being undesirable.

MR. MOSTERT: You mean some European ?- Yes.

CHAIRMAN: Now, you mention about Native hospitals, and you say that they are rated according to the general rating provisions. By whom are those rates paid ?- They are paid by the Native Revenue Fund.

And to whom is that money transferred ?- It is transferred to the Borough Fund.

And then it simply passes on to be spent in the ordinary Borough Fund, like rates on European properties? Does that not seem to be entirely wrong in principle? The rates in the European areas are paid for the benefit which the Europeans get from the improvements. Should not the rates in the Native area be similarly spent on the improvements in the Native area? I am inclined to think that this is a question of policy which should be answered by the acting Chairman of the Committee ?- (Mr. Murray): I do not know exactly what the position is of the land. The land is only leased to the Native Affairs Department.

Is that land part of the land belonging to the Durban Municipality ?- Yes, I take it that that is so. (Mr. Scott): It is part of the Borough Estate.

It seems to me that underlying the principle by which that ~~has~~ money is paid to the Borough Account is the assumption that the Borough Estate belongs only to the White people living in the Borough ?- No, that is not so.

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Why do you make the Natives pay this in a different way from the White people ?- (Mr. Murray) I do not know that we make them pay in a different way from the White people. (Mr. Scott): As you know, Natal is perhaps different from what the other provinces are in that they were granted blocks of land to commence their towns upon originally and they were given certain areas to commence making a borough. Now, since then, we have also purchased different plots of land inside that area and outside that area. Fir instance, if you take the Native location which you have seen on the Flats, a portion of that is situated on the land that was originally granted to the Borough and a portion of it is on land which we purchased from the War Department after the Boer War. You see, there is a variation in the principles even there. Now Natal definitely is differently situated from the other provinces. We have certain property within the Borough; rates are levied on those properties on certain principles. Government properties within that area pay rates under certain circumstances and are exempted under other circumstances, but there are no exemptions granted in regard to any land used for Native purposes.

I am not suggesting exemptions. Does the law determine whether that money should be transferred from the Native Fund to the General Fund, or is the Council free to determine itself whether that money should be spent in the Native funds ?- If you will allow me, I shall come to that in a minute. I may say, we are compelled by law. The estates management of the Municipality is compelled to declare on land to have its certain value for rating purposes. They come under our valuation really accordingly,

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and are levied as ordinary Borough properties. Every Department of the Corporation, electric light, telephone, Native administration, everyone of them occupies certain lands belonging to the Municipality. That land is valued according to the area which they occupy, and that land is rated accordingly. Now, the rate levied on any land, the money derived from such rent, comes into the general Borough Fund for the benefit of the town and also, with a population such as we have, probably 50% of the Native population undoubtedly have a great proportion of these rates spent for their benefit. When they are in the town, a great proportion of the rates are spent for their benefit. I think that must be clear.

In what way, for example, is the money spent for their benefit? - Well, policing alone is a very big item. The cost of policing alone is more than what we get from the location in rates.

Is that a further debit to the Native Revenue Account? - Only the actual portion employed in the location itself.

MR. LUCAS: Have you got a copy of your accounts there? - Yes. (Accounts handed to Members of the Commission.)

DR. ROBERTS: Do you credit your Town Account with the full amount obtained from the beer halls, do you credit the whole of that money directly to the Native Fund, or does a certain amount go out for policing? - No, the whole of that amount is credited to the Native fund.

I am asking you that, because it is a common rumour that not the whole of it is credited to the Native Fund? - The Native Department Account, the Native Administration Account, I may say, is an entirely separate entity, just like

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the Electric Light Department, and any revenue received even from the sale of a bucket of waste grain at the brewery, goes into the Native Affairs funds. Every penny goes through its correct account and the total takings of all these hostels of any description whatever go to the credit of the Native account.

Perhaps you have heard that rumour yourslef ?- Well, I have heard such a lot of rumours.

Did you hear this particular rumour ?- Yes, sir, and I had to go through the mill in the Town House in connection with these riots.

CHAIRMAN: Now, you debit the Native accounts, the Native Revenue Account, with the police actually used in the Native area ?- Yes.

But your further contention is that the policing in the whole area of Durban must, to some extent, be paid for by the Natives ?- It becomes a charge on the total administration of the Borough.

And for that reason you credit the income from the Borough Estate to the Borough Account ?- Yes.

Apart from policing, will you mention other things from which the Native derives any advantage ?- Well, for instance, we have also the sanitary service in the Borough and things of that kind all round the Borough. Different services of all kinds.

To what extent are the Natives and the population chargeable with that outside their own immediate area ?- Only the use they have of these things as public facilities. We have special conveniences set aside for the Natives.

You are not referring now to these facilities which

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employers place at the disposal of their own Natives ?- No, I am not.

You are thinking of different latrines in the Native area for the Natives ?- Yes. And also, there is a feature in regard to what we compel owners of property to provide for the Natives. We compel people to institute certain services on behalf of the Natives. For instance, we compel people to erect special rooms for the Natives in their employ and we make it compulsory for the Natives to be provided with lavatories.

That is part of the perquisites paid to the Native who is living on the employer's premises ?- It would not be necessary to go so far as that.

DR. ROBERTS: Would not the Public Health Act, the Public Areas Act compel you to do that ?- No, it would not compel us to go as far as we do. We want the Natives to be well looked after. We want to lift him up and to see that he is properly provided for.

MR. MOSTERT: Is he provided with light ?- In my house they get electric light.

CHAIRMAN: Yes, but that is a direct debit to that account ?- That is a debit to the account of the householder.

MR. MOSTERT: That applies to the compound ?- Yes.

MAJOR ANDERSON: Do the Coloured people get the use of any of these facilities for which these charges are made ?- Yes.

CHAIRMAN: Do you mark portion of the Native income to the Native Revenue Account ?- Yes, we do. I may say that that matter is in dispute just at the present moment with the Minister, under the rulings that have been put forward by the Natal Municipal Association. We, of course, used to

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charge actual cost as far as it could be worked out and we thought that that was the fairest way. The Provincial Auditor^{OR} came along and proposed that certain changes should be made. The small local authorities wanted a different way to be laid down for the charging of lump sums. The Provincial Auditor said "No", and would not agree to the proposals that were made to him. We set up a tariff for this purpose, but the Provincial Auditor set up a tariff of 5% on the first thousand pounds and so on. The Municipal Association set up another tariff and said, "That is not good enough. I am trying to explain this, more or less, so that you may have some idea of the position. The Municipal Association said, "We should have 10% on the first £1,000, to bring in a better balance for the larger towns". I have seen the Minister over there and I have seen the Officials of the Department, and we have discussed the matter, but they say "No, we have accepted the Auditor's definition and we have made that position general throughout South Africa". Well, my opinion is that that is where the mistake arises, and I shall tell you why.

There is no Native development outside Natal to compare with what is being ~~being~~ done in Natal. We have this Native beer, which takes much more to administer than the running of the Port Elizabeth location or the Cape Town location.

May I just point out that the actual charges of administering the Native beer funds are debited directly against the Native Account. So, if it is a bigger thing, then it is not borne by the General Revenue Account? - Yes. In the original returns of the Provincial Auditor of the

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Government about percentages, etc., I may say that he did not include the cost of the Medical Officer of Health. That is for the general service of the Borough on behalf of the Natives of the Borough. But the Minister now includes that and, of course, we set up an argument again, and, in 1925, the Minister passed the rents and rates which were gazetted then on actual ~~and~~ land and buildings. Since then, we have doubled the rents and buildings and the rates have gone up automatically, but the Minister refuses to pass these.

CHAIRMAN: Yes; I realise the difficulty of running the accounts of one Borough into two absolute accounts, but still, it is possible within limits. In the first place, you have the purely Native services, like the beer hall and eating houses. There is no question about them? - No.

Now we come to the second lot of services which you might defend as services which the Native enjoys by virtue of his being in a town like Durban. If he rides his bicycle through the streets, he does not have to go over rough stones and cobbles and rocks -- he has the advantage of well-made roads, but no charges are made for this against the Native Revenue Account? - You mean, road maintenance, no.

And you claim, therefore, that you may charge rates on the ground belonging to the Municipality, on the Municipal Estate -- as an offset for these other services? - Yes, that is one of our contentions. I may also point this out, that cheap transportation is possible for the whole of these people through what we are doing. They have their bus service and everything and it is through these good roads and through traffic control and licence control that we

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have to bear the cost. And this cheap transportation is possible through all that. Then we have another feature. Our road rates in Durban are offset considerably by profits from the Trading Department and the Natives get the benefit of that just as all other ratepayers do. For instance, whatever profits come from the Electricity Department, come to the benefit of the Native as much as to the benefit of the White man. It is all offset in the rates, and they only pay the difference. I, as Treasurer, of course, have to administer the law.

The Natives have the benefit of the roads in exactly the same way as the European ratepayers have? - Yes, exactly the same way.

Yes, I quite agree that it would require the most careful investigation to see whether this sort of balance which is shewn in your accounts is a balance which means transfer of Native monies to the European funds, or vice versa? - Well, I have shewn you what our contentions are, but, of course, it is a very complicated matter, which requires careful handling, and we have put our position before the Minister and before the Native Affairs Department. You will undoubtedly get further evidence on this point later on from the Natal Municipal Association.

THE COMMISSION ADJOURNED AT 1.5 p.m. UNTIL 2.30 P.M., THE REPRESENTATIVES OF THE DURBAN BOROUGH NOT HAVING CONCLUDED THEIR EVIDENCE.

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(On resuming at 2-30 p.m.)

CHAIRMAN: I am not sure whether the accommodation mentioned in your statement on page 7 is given anywhere else in the Statement. You mention one Hostel for Native women? - (Mr. Chester): I think you will find that in the Annexure under "Hostel, Grey Street - Females - 250".

Is that a sufficient provision for women? - (Mr. Murray): We do admit that the provision at the present moment is not sufficient. As I told you during our inspection the other day, premises for casuals will be erected. The Committee is also considering, before the Estimates are framed, further extensions.

But the position then is that at present you have that accommodation for 250 single women. You have 120 Married Quarters. So that the total number of females that you cater for for the population of Durban seems to me to be on the small side? - (Mr. Chester): It is only within the last year or so that our Hostels - the 250 bed Hostel - has been running to capacity. Hitherto it was never full of ordinary residents; we were overcrowded with casual visitors, for which, as you can realize, you can hardly expect us to provide accommodation for: but during the last year or eighteen months the place has been filled to capacity; and our Native Committee is considering an extension in the next financial year.

What happens to other Native women in Durban? Surely you have not got such a small number? Where do they reside? - Some on their employers' premises, and some in the peri-Durban areas, such as Overport, Mayville, Sydenham, South Coast Junction, and so on.

For married couples you have got 120 cottages; that

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would seem to show that you consider the married as rather a stranger to your Native occupational group? - Not entirely. But we have had to build for the very pressing needs of all the population. I must admit we are behind our programme really, but have gone along as best we could with the finances available. (Mr. Murray): I have to support what the Manager said. The Council does realize that there is need for further development; and I would like to take this opportunity of saying this particular aspect is one of the underlying principles of incorporation, and also owing to the fact that we have acquired valuable property at Clairwood for a Native Village. Undoubtedly the first step in connection with that Native Village will be the guarantee of houses for the particular type of women and married quarters at the onset.

But the point has been put to us ^{by} ~~that~~ people who are interested in the Natives that the Council is simply dilly-dallying with that Native Township; and one statement which has been handed in to us states that the matter was under consideration as far back as 1922. Is that correct? - That is before my time. (Mr. Chester): If there is anything in it, Sir, I think it is with reference to a small area of land at Wentworth, which was considered too small to attempt anything of that nature; it was right in the centre of an industrial area, and the Council deemed it inadvisable to establish a Native Village out there. And at that time also there was the question of the Village coming within the area of another Health Board. We had not the authority then, ^{only} ~~as~~ as you know, Sir, under the Urban Areas Act, to control and manage our own affairs in the area of another Health Board; and I can assure this Commission suitable land will occupy the serious attention of the Committee for a long time to come.

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I have personally hunted land in the peri-Durban district and it is only within the year since the estate at Clairwood came into the market; it has to be surveyed before any money is passed. (Mr. Murray): That being purely outside of our area, that particular property was purchased on the condition that the Minister of Native Affairs would give us direct control over that particular property. We have been awaiting that for some considerable time. In regard to the Wentworth proposition; when that was originally put up and there was an idea of buying that property, the objection came from the South Coast people at having that Village erected; and that again tied our hands. Then, as the Manager says, in building a Native Village one of the most important factors is transport.

Now, when the matter of the peri-Durban area and the frightfully insanitary condition - which I think you admit - is put to you, I take it you would make an adequate reply and say, "It is outside our area, and we have nothing to say"; I take it that would be your reply? - Yes.

Supposing it is suggested that for a City of the size of Durban it is somewhat of a reflection to have such a large proportion of these working-population houses in such a horrible, slum area - supposing that accusation were made against you, could you give a satisfactory reply to it? -

(Mr. Murray): If that accusation were made - there is no doubt the Council is faced with difficulties in providing facilities for these particular people, May I point to one difficulty we have - although not bearing on this aspect, it will indicate to the Commission the difficulty we are in: We bought Gato Manor with the idea of taking the Indians

Collection Number: AD1438

NATIVE ECONOMIC COMMISSION 1930-1932, Evidence and Memoranda

PUBLISHER:

Collection funder:- Atlantic Philanthropies Foundation

Publisher:- Historical Papers Research Archive

Location:- Johannesburg

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