

COPY LETTER:

The Senate,
Cape Town,
28.2.42.

Dear Saffery,

I think I should report to you that the Minister of Labour spoke very strongly to me about Gordon's activities in P.E. He thought that I sent Gordon there (and I find that many people think so too) and he complained that Gordon took no heed of the ordinary procedure in regard to the settlement of disputes and by-passed the Labour officials at P.E. He said many things that I need not repeat. I did what I could to defend Gordon.

I find that the Dept. of Labour Officials generally are also annoyed with Gordon and blame me for sending him to Port Elizabeth.

During the recent Social Survey Conference two P.E. persons approached me to complain of Gordon's methods.

Yesterday, Mrs. Ballinger spoke to me in the same strain. She complained also that Gordon is trying to get her African (I forget his name) agent to give up his job and take the money Mrs. B. has raised. She says she has raised no money and has none to support the man. I said that I had understood she had the money - but she said "no", very emphatically.

I am reporting all this to you as Secretary of the Industrial Relations Committee. I can express no opinion of my own on the representations made to me. No doubt you will bring them to the Chairman's notice.

Yours sincerely,

J.D. RHEINALLT JONES.

ADVISORY COMMITTEE ON NON-EUROPEAN TRADE UNION
ORGANISATION

P.O. Box 940,
PORT ELIZABETH.

18th March, 1942.

A.L. Saffery, Esq.,
Honorary Treasurer, Southern African
Committee on Industrial Relations,
P.O. Box 97,
JOHANNESBURG.

Dear Sir,

I write to you formally in my capacity as Chairman of the above Committee.

As you are aware, this Committee was formed in Port Elizabeth by prominent local Trade Unionists and others interested in the welfare of Non-European workers in general and African workers in particular.

The function of my Committee was, and still is, to advise and assist in the organisation of African and Non-European Trade Unions in this centre, and to co-operate with, and render what assistance we can to Mr. Max Gordon, who was sent down to this centre by your Committee, to do Trade Union organisation work amongst African workers in Port Elizabeth.

Mr. Gordon has shown me, in my capacity as Chairman of the Advisory Committee, the letter which was addressed to you by Senator Rheinallt Jones, dated the 28th ultimo, and in view of the contents thereof I have felt it my duty to write to you at some length relative to this matter.

May I preface my remarks by stating that during Mr. Gordon's stay here in Port Elizabeth, he has co-operated wholeheartedly with my Committee and has kept us fully informed of the work he has conducted in this centre. Mr. Gordon has without question accepted whatever advice has been tendered by my Committee and has taken no action whatsoever without either consulting me personally, in my capacity as Chairman, or alternatively, submitting any proposals to the whole of my Committee. I feel that I cannot speak sufficiently highly of the excellent work that Mr. Gordon has thus far done in Port Elizabeth. He informs me that he has kept your Committee fully advised of all activities in this centre.

Senator Rheinallt Jones' letter discloses the most unpleasant fact that unwarranted accusations have been made against Mr. Gordon's activities here, and this has resulted in the issue of a public statement by Trade Unionists and others who have been co-operating with Mr. Gordon, denying the imputations which are being levelled at him. I am enclosing herewith a copy of this statement, which is being handed to certain sections of the Press.

I, however, wish to deal with the specific allegation made in Senator Jones' letter, so that when this communication is placed before your Committee they will be in possession of the full facts.

(1) Mr. Gordon's relations with the Department of Labour : Before Mr. Gordon commenced any activities in Port Elizabeth, he interviewed the Divisional Inspector of Labour and, I believe, other officials of that Department and informed them of his proposed plan of work.

Shortly after Mr. Gordon's arrival here, a stoppage of work took place in one of the Factories employing almost entirely African workers, namely, Boxes and Shooks (Pty.) Limited. The workers in this industry are not subject to any Wage regulating

instrument.....

instrument and are being paid miserably low wages of 15/- to 17/6d per week. The trouble which arose was not new, since a similar stoppage of work had taken place some few months prior to Mr. Gordon's arrival in Port Elizabeth. The workers' main demand was for wage increases. There was a Union to which the workers in this Factory belonged, before Mr. Gordon's arrival, but it had failed to function in anything like a satisfactory manner. At the time of the dispute Mr. Gordon was endeavouring to re-organise this Union and he made contact only with the few members of the Committee who were still interested in the organisation. He was in no way responsible for the stoppage of work, and he was only informed that such stoppage had taken place, the following morning, since it was the workers on the night shift who first refused to continue work. The Secretary of this Union, an African by the name of Tshiwula (to whom I will refer later) is not employed in the Industry, and the workers were unable to contact him when they most needed his assistance. They immediately communicated with Mr. Gordon and he, without any hesitation, consulted the Department of Labour about the matter. There is no doubt whatsoever that due to Mr. Gordon's intervention the dispute was speedily settled, and in this matter he co-operated most fully with the officials of the Department of Labour, since he was instrumental in getting the Department of Labour to send an official to address a mass meeting of the workers, and afterwards intervened in the discussion himself to suggest that the workers should accept a temporary increase of 2/6d per week in their wages, subject to application being made for the Minister of Labour to appoint an Arbitrator to settle the dispute permanently.

This suggestion of Mr. Gordon's was finally accepted by the workers, who returned to work.

In connection with this proposed arbitration, the Secretary of my Committee has addressed another letter to your Committee.

Mr. Gordon was also instrumental in settling a dispute which might have led to a stoppage of work in the establishment of Messrs. Dorman Long (Africa) Limited. This dispute arose as a result of a certain worker having been put on light work by his doctor and thereafter having refused to do heavy work when he was instructed by the Foreman. Mr. Gordon, I believe, interviewed the employer, and also saw that the worker was examined by another doctor, and as a result of this, amicably settled the possibility of the other workers stopping work in sympathy.

I am unable to say whether the Labour Department were actually informed of what transpired in this matter, but I do know that the Police were present at the works one day when it was thought that there would be a stoppage of work.

I need hardly emphasize that in this case as well, the threatened dispute was not occasioned or caused in any way by Mr. Gordon's activities.

Apart from this, Mr. Gordon has frequently referred complaints by workers to the Department of Labour for them to take action.

Mr. Gordon further informs me that the only ways in which he can be said to have "by passed" the Labour Department's officials in Port Elizabeth, are the following:-

(a) He has on occasions, where workers have been dismissed, given them a letter addressed to their late Employer pointing out that they are entitled to holiday-pay. This has been done so as to expedite the worker receiving the amount due to him. Where the Employer has not responded to Mr. Gordon's letter, then the matter has been reported to the Department of Labour.

(b) With the kind permission of the Manager of the African Canning and Packing Corporation, Limited, Mr. Gordon and a Mr. Desai, who is the Secretary of the newly formed Food and Canning Workers' Union, were shown over the Factory of this concern. Mr. Gordon

pointed...

pointed out during the inspection that certain workers should be provided with rubber boots in view of the type of work and the place where they were doing the work. The Manager agreed, and I believe these rubber boots have been supplied.

If Mr. Gordon can be considered to have acted in an improper way in these two instances, I must say that the Department of Labour is applying a most far-fetched interpretation to their functions.

But, unfortunately, the matter does not end there, and as you might expect, the allegations made by the Minister of Labour and the local Department's officials have evoked from Mr. Gordon a counter-allegation with which I would like to deal at some length.

Mr. Desai, a young Indian in Port Elizabeth, contacted Mr. Gordon shortly after his arrival here and asked him to assist in the formation of a Food and Canning Workers' Union. Mr. Gordon rendered what assistance he could, and a Union has been formed which consists of 100% of the Non-European workers in the largest Canning establishment in Port Elizabeth - the aforementioned African Canning and Packing Corporation, Limited.

When the Union was formed here it was decided that it should become a branch of the Cape Union of Food and Canning Workers which has registration over the whole of the Cape Province. Mr. Desai was appointed as Secretary for the local Branch and contact was immediately made with the Head Office in Cape Town informing them of the formation of the Branch and asking them to make arrangements about the formal registration of the Port Elizabeth Branch. The Head Office has welcomed the formation of the local Branch and is proceeding to apply for registration.

Apparently certain negotiations have been conducted as to an increase in wages on a national basis for workers in this Industry, and Mr. Gordon and Mr. Desai went to interview the Manager of the African Canning and Packing Corporation, Limited, in this connection. They were received on the first occasion in a most friendly manner and a discussion took place which covered wage increases and other matters.

The Department of Labour was naturally aware of the formation of this new Branch.

Subsequently, however, when Mr. Gordon and Mr. Desai wished to approach the Management once more, they were informed that the Labour Department had advised that since the Union was not registered, the Management should not negotiate with the Union. This seemed a most startling proposition in view of the fact that the Union was fully representative of the Non-European workers and was in the process of being registered. In addition to this, since there was confusion as to the actual wages that were to be paid in the Industry and the workers were becoming restless it seemed obvious that the best policy that could be adopted would be for the Management to negotiate with the accredited representatives of the workers, so as to obviate any possibility of open dispute.

At first Mr. Gordon and Mr. Desai were not prepared to accept the Management's statement that the Department of Labour had intimated to them (the Management) that they should not negotiate with the Union since it was not registered. These two gentlemen in company with Mr. E.S. Sachs, Secretary of the Garment Workers' Union and a member of your Committee, who is at present in Port Elizabeth, interviewed the Divisional Inspector of Labour, who after a great deal of hedging finally agreed that this attitude was incorrect. He did not, however, deny that the Management had been informed accordingly by his Department. As a result thereof, a strong deputation consisting of representatives of many Trade Unions in Port Elizabeth went with Mr. Gordon and Mr. Desai to interview the General Manager of the African Canning and Packing Corporation, Limited, to ask him to re-consider his decision regarding the negotiations with the Union pending its registration. The General Manager received the deputation fairly well and agreed to their

request....

request. He, however, indicated that the Labour Department had further pointed out to him that they considered that Mr. Desai was not a fit and proper person to be the Secretary of the Union.

I do not believe that the Department of Labour has anything of a concrete nature which can be levelled against Desai and their interference is of a most startling nature. I may mention that this is not the only case in which officials of Trade Unions have discovered that the local Department of Labour is far from sympathetic to such Unions. This applies incidentally to European Trade Unions as well as Non-European Trade Unions. An exceptionally strong deputation representing all shades of Trade Union opinion in Port Elizabeth is interviewing the Divisional Inspector today to have the whole of this matter cleared up.

From this lengthy statement, I submit that your Committee can come to no conclusion other than that the statements made by the Minister of Labour to Senator Jones are without any foundation in fact whatsoever. The statements as set forth in Senator Jones' letter are, to say the least of it, very vague, and I am personally of the opinion that a malicious attempt is being made to frustrate the excellent work which Gordon has been, and is doing, in Port Elizabeth.

(2) Mr. Gordon's Political Activities: I have made it my business to keep a very watchful eye on Mr. Gordon's work from this angle, in view of the unfortunate position in which Mr. Gordon found himself some months back.

Shortly after Mr. Gordon's arrival here, a deputation from my Committee interviewed the Chief Magistrate, who is the Control Officer in this area, and explained very fully to him the purpose of Mr. Gordon's stay, so as to obviate any misinterpretation of his activities.

I can say without any doubt that Gordon has confined himself only to Trade Union work and has been most circumspect in this regard. If amongst the many things which the Minister of Labour told Senator R. Jones about Gordon and which he does not wish to repeat, there are any allegations bearing on this aspect of the matter, I can personally vouch for their incorrectness.

I asked Gordon shortly after he arrived to furnish my Secretary, Mrs. Saffery, with a copy of every circular he issued personally or which was issued from his office, so that these can be kept for record purposes. I have seen most of these circulars and hand-bills and Gordon has complied with my request to hand a copy of each one to Mrs. Saffery.

No objection whatsoever can possibly be taken to any of these circulars.

(3) Mr. Gordon's relationship with Tshiwula: I received a personal note from Mr. Julius Lewin, a member of your Committee, asking me if there was any truth in the rumours that he had heard that Mr. Gordon was at "loggerheads" with people in Port Elizabeth.

I assumed that Mr. Lewin had heard from Mrs. Ballinger about the difficulty which had arisen in connection with Tshiwula, who is her African agent here, and who is the person referred to in Senator Jones' letter. I, therefore, wrote a lengthy and detailed account of this aspect of the matter to Mr. Lewin and asked him, at your next committee meeting, to use information which I had given him to clarify the position. I do not wish to cover this ground again, and I would, therefore, ask you to contact Mr. Lewin so that you can see the relevant portions of my letter to him on this subject.

However, certain matters are referred to in Senator Jones' letter on which I did not touch in my letter to Mr. Lewin.

There is no truth whatsoever in Mrs. Ballinger's statement that....

that Gordon is trying to get Tshiwula to give up his job and take the money raised by Mrs. Ballinger. Apparently when this matter was discussed about Gordon coming to Port Elizabeth, Mrs. Ballinger indicated that Tshiwula was doing Trade Union organisation work here in Port Elizabeth quite satisfactorily and that she was prepared to subsidize his salary to the extent of £8.0.0 per month if he took on this work as full time.

When Gordon came here he asked Tshiwula if this was correct. Apparently Tshiwula was somewhat vague about the matter and Gordon wrote to Mrs. Ballinger asking her what the position was. It was hoped at that stage that Tshiwula would turn out to be sufficiently reliable and energetic to continue the good work Gordon was doing here. Gordon never suggested that Tshiwula should give up his present employment unless it was absolutely certain that the newly formed Trade Unions could pay his salary or, alternatively, the money which Mrs. Ballinger had referred to, would be available. There was no question in the first instance of Gordon endeavouring to get anybody else to do the work, but Tshiwula.

Mrs. Ballinger replied to Gordon's letter in a most peculiar manner. She indicated that she had no money for Tshiwula, but that she had hoped to raise money from friends, including Mr. Neil Boss, and that this money would be used to guarantee Tshiwula's salary if, and when, he left his present employment and did Trade Union work full time. The idea being, that if the Trade Unions were unable to pay Tshiwula £8.0.0 per month, this Fund would subsidize his salary to that amount.

She also indicated that my Committee which had received a fairly substantial donation from Mr. Neil Boss, had now taken the money which had been promised to her for the aforementioned scheme, to the prejudice of Tshiwula. In connection with this latter insinuation, I personally interviewed Mr. Anderson, who is Mr. Neil Boss' right hand man and is a member of my Committee, and he was quite categorical on the point that the £30.0.0 which had been given to my Committee in no way effected any obligations which Mr. Neil Boss may have to Mrs. Ballinger, and that if further money was needed for Mrs. Ballinger's purpose, it would be available.

I may mention that Mr. Neil Boss was fully informed of the use to which the money which he had donated to us, would be put, namely, to cover initial administrative expenses in connection with Gordon's work.

With regard to Tshiwula giving up his present employment, it appears that quite unbeknown to Gordon and my Committee, Tshiwula left his employment for the purpose of conducting work for the formation of an African Co-operative Society here in Port Elizabeth. Mr. Anderson (referred to above) has been assisting in this very worthy activity. It is not clear whether Tshiwula has left his present employment permanently or has at the moment only taken a month's leave, but his time has been devoted almost exclusively to co-operative work, and there is no question of his having left his employment to do Trade Union work.

However, it is clear that if Tshiwula wishes to retain the Secretaryships of the Unions which have been formed and in respect of which he was elected Secretary with Gordon's assistance, then he will have to be prepared to do the work full time. The Unions in question have, with their potential income, quite sufficient to meet Tshiwula's salary, but this is a matter which he must decide himself. If he does not want to give up his employment, then somebody else must be found. Of course, I may mention now, as I said in Lewin's letter, Tshiwula has thus far turned out to be most unqualified for the work and that there is every possibility that, quite apart from the question of his giving up his employment or not, he will not retain the Secretaryships which he holds temporarily. My Committee and all the local people who are interested in this movement are determined that the best man must be found for these jobs, and the influence of prominent friends is not to be allowed to act in such a way as to foist on these Unions unsatisfactory officials.

Yours faithfully,
(Sgd.) P.J. KAPLAN.

CHAIRMAN

P.S. The interview with the Department of Labour, referred to on page 3 of my letter, has taken place since the letter was dictated, and in the light thereof I would like to report as follows:-

(a) In respect of the African Canning and Packing Corporation, Ltd., the Divisional Inspector informed the Deputation that he had not pointed out to the General Manager of this concern that he considered Mr. Desai was not a fit and proper person to be the Secretary of the Union. He doubts very much whether any member of his Department has made such a statement and he has undertaken to investigate the same.

(b) The Divisional Inspector categorically denies that any complaints whatsoever about Mr. Gordon's activities in Port Elizabeth have been lodged by him, or his Department, to the Minister or Secretary for Labour.

I am absolutely certain that this denial is correct and that from whatever source the Minister obtained his information about Mr. Gordon's activities in Port Elizabeth, it was not from the local Department of Labour. The Department, in fact, have apparently no complaints whatsoever about Mr. Gordon's activities here. The relevant portions of Senator Jones' letter in connection with this matter were read out to the Divisional Inspector, who expressed his complete surprise at the same.

(c) The Divisional Inspector has indicated that his Department is not only willing to co-operate with African Trade Unions which have been formed by Mr. Gordon, but welcomes their formation, as he considers that they will assist his Inspectors in supervising the Determination in respect of unskilled labour.

(d) In view of the satisfactory results of this interview, it has been decided to withhold for the present the issuing of the statement referred to on page 1 of my letter. I enclose herewith a draft of this statement which had been approved of by Messrs. Sachs, Kruger, Forsyth and other local Trade Unionists. You will readily appreciate the reason why, after the interview with the Department, it has been decided not to issue the statement.

(Sgd.) P.J. KAPLAN.

24th March, 1942.

/ML.

Statement by Members of the Eastern Province
Trades Council, other prominent Trade Unionists, and
friends of the Native People in Port Elizabeth, on the
activities and conduct of Mr. Max Gordon, during his
stay in Port Elizabeth

In view of complaints which have been made by the Minister of Labour, the Honourable Mr. Walter B. Madeley, Officers of the Department of Labour, Port Elizabeth, and others, concerning the activities and conduct of Mr. Max Gordon in Port Elizabeth, the undersigned deem it their bounden duty to issue the following public statement:

(1) There are at least 10,000 African workers in Port Elizabeth, and at the end of last year Trade Union Organisations had made little headway amongst them.

In May, 1941, a Wage Determination in respect of unskilled workers in 27 different trades in the Magisterial district of Port Elizabeth, was promulgated and this Determination effected the wages of a substantial number of the aforementioned African workers.

No increase, however, in the size of the staff of the Labour Department, Port Elizabeth, was authorised, and accordingly the facilities available for supervising the enforcement of the Wage Determination was far from satisfactory. The remaining African workers are not subject to any Wage regulating instrument and their wages are extremely low and their conditions of work generally unsatisfactory.

(2) In view of this, it was felt strongly by local Trade Unionists and others interested in the conditions of African workers that a conscientious effort should be made to organise these workers into Trade Unions. Towards the end of last year the Industrial Relations Committee in Johannesburg was approached in connection with this matter and it decided to ask Mr. Gordon to proceed to Port Elizabeth for a period of two or three months to do organising work amongst the African workers in that area. An Advisory Committee consisting of prominent local Trade Unionists and others was formed in Port Elizabeth to advise and assist Mr. Gordon in this work. The Johannesburg Committee made itself responsible for a very nominal salary to be paid to Mr. Gordon, and the Port Elizabeth Committee endeavoured to raise money to cover incidental organising expenses. It should be added that the Johannesburg Committee gave full consideration to a proposal which emanated from a certain quarter that Mr. Gordon should not proceed to Port Elizabeth, but the majority of this Committee were fully convinced that this suggestion was not in the best interests of African Trade Union Organisation work in Port Elizabeth and that Mr. Gordon, who is eminently suited to carry on such work, should proceed to that centre.

(3) Mr. Gordon has now been in Port Elizabeth since the middle of January and has been instrumental in creating the following new Unions:-

- (a) Non-European Distributive Workers' Union.
- (b) Wool, Skins and Hides Workers' Union.
- (c) Non-European Engineering Workers' Union.
- (d) Food and Canning Workers' Union.
- (e) Laundry Workers' Union.
- (f) Mineral Water Manufacturers' Workers' Union.

He has also re-organised Boxes and Shooks' Workers' Union, and is at present engaged in forming a Cement Workers' Union.

(4) Apart from the usual difficulties that one must expect in trying to organise masses of unorganised and backward workers, Mr. Gordon's work of Trade Union organisation has been made

unnecessarily....

unnecessarily difficult by unwarranted interference by certain officers of the Labour Department.

(5) From the information at our disposal we can state very definitely that one or more officers of the Department of Labour not only completely failed to endeavour to bring about a harmonious relationship between the newly organised bodies of workers and their employers, but even went out of their way to offer unwarranted advice to a large employer of labour by stating that a certain person, not Mr. Gordon, who had been duly elected by a newly formed Union as its Secretary, was unfit for that position, and further, by advising the same Employer of Labour not to enter into any negotiations with the newly formed Union until it had been duly incorporated as a branch of a National Union already in existence, despite the fact that workers in the establishment in question are desirous of placing certain grievances before their employer, through the channels of the newly formed Union, so as to obviate any serious dispute which might otherwise develop.

(6) We can state very definitely that Mr. Gordon's conduct in Port Elizabeth has been most exemplary. He has co-operated most willingly with the Advisory Committee which was formed in that centre and has accepted their advice and directions without question.

Far from doing anything which was likely to lead to dispute, Mr. Gordon displayed the greatest amount of skill and tact in preventing disputes.

We invite the fullest enquiry on the part of unbiased people or bodies, and knowing the full facts of the case, we can come to the only conclusion possible that the total unwarranted attacks upon Mr. Gordon have been due to the fact that he is an able and conscientious worker on behalf of the lowly paid Africans.

(7) We wish to state that whilst we are most anxious to co-operate with the Department of Labour and other persons interested in the welfare of Non-European workers, and whilst we shall do everything in our power to prevent and settle disputes, we shall not permit any interference with Trade Union organisation from the Department of Labour or anyone else, nor the victimization or persecution of a conscientious and hard working Trade Union organiser without offering the strongest opposition.

24th March, 1942.

/ML.

85 Selby Street,

Malay Camp,

Kimberley.

24th May 1943.

J. D. R. Jones Esq,
P. O. Box 97,
Johannesburg.

Dear Sir,

I am writing you this letter to ask you few questions regarding Lievtenant Colonel Fyfe King Exchief Magistrate of the Transkei who has been appointed by the minister of Railways And Harbours to organise and form one union for the non Europeans railway workers, now sir, we the railway labourers do not agree with the appointment, as we have our own union which was formed on 9th May 1939.

And also there are many retired railway servants who should have been appointed to organise the workers on railways

The questions are as follow:- Do you know the gentleman?
Is he good man to organise and form one organisation to represent
~~it~~ represent non europeans? workers?

I shall be very much pleased if you could kindly let me know if you do know the gentleman.

With best regards,

Yours faithfully,

G. S. Mpuang

8th June, 1943.

Lt. Col. R. Fyfe-King,
c/o The General Manager, of Railways,
JOHANNESBURG.

Dear Col. Fyfe-King,

ORGANISATION OF NON-EUROPEAN RAILWAY WORKERS:

The Executive Committee of this Institute has had brought before it your appointment by the Minister of Railways and Harbours, and I have been asked to seek an interview with you for the President (Professor Hoernlé) and myself to learn from you the exact nature of your appointment and the times upon which you are working. A certain amount of apprehension exists among Non-Europeans and also among Europeans interested in trades union organisation among Non-Europeans on this matter, and it would be helpful to the Executive Committee if its representatives could have a talk with you about it. Will you be so kind as to arrange this? As Professor Hoernlé is a very busy man owing to his military duties, as well as his academic and public activities, it would be appreciated if the appointment could be arranged over the telephone to ensure that the day and time was convenient to all of us.

With kind regards,

Yours sincerely,

JDRJ/NA

CHIEF EXECUTIVE OFFICER AND
ADVISER

Received	25 JUN 1943
For Attention	<i>Adams</i>
Recorded
Acknowledged
Answered

30 Durham Street,
Umtata, 14th June 1943.

Dear Professor Rheinaalt Jones,

Your letter of 8th June reached me here this morning.

I was asked by the Minister of Railways and Harbours to conduct an investigation with a view to finding the best form of staff representation for the non-Europeans in his service.

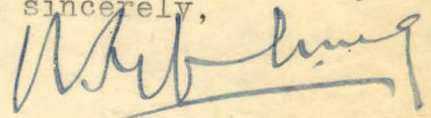
In the course of my enquiry I consulted many thousands of the workers ~~with a view~~ to eliciting their ideas about their future as well as the extent to which advantage was being taken of the existing means of representing their grievances. I also sought their reactions to an outline plan to give them more direct contact with the Administration.

My proposals were embodied in a Report which was handed to the Minister at the end of May, and you will appreciate that without his specific approval I am precluded from discussing them at the moment. I am therefore forwarding a copy of your letter and of this reply to the General Manager of Railways and Harbours in the hope that he will let me know the desires of the Minister in regard to the suggested interview.

I should like at this stage to give you my personal assurance that there is nothing in the proposals put forward which need cause any misgivings on the part of the non-Europeans or of those like yourself whose interests lie in the direction of safeguarding their future and of helping them to play their full part in the future of our country. The need for the goodwill and cooperation of bodies like the Institute of Race Relations is realized by the Minister who is most anxious that any plan adopted for the future will give promise of providing a sound foundation.

Possibly the General Manager will communicate direct with you or authorize me to do so in the near future.

With kind regards,
Yours sincerely,



Lt. Col.

P.S. I am returning a letter intended for Dr McVicar but enclosed in an envelope addressed to me.

Lt.Col.R.Fyfe-King,

17th June, 1943.

c/o General Manager of Railways,
JOHANNESBURG.

Dear Col.Fyfe-King,

I have reason to suppose that the original of the enclosed letter, which was addressed to you on 8th June, was through an oversight in the office posted in the wrong envelope. It may have been forwarded to you since, but to ensure that you receive it I am sending a duplicate.

Yours sincerely,

ADVISER

28th June 1943.

Lt. Col. H. Fyfe-King,
30, Durham Street,
UMTATA.

Dear Col. Fyfe-King,

I very much appreciate your letter of the 14th inst., and your kindness in passing on my letter to the General Manager of Railways. I will now await a further communication from you.

It is gratifying to have the assurance which you give, as communications we have received indicate considerable apprehension on the part of some of the workers.

With kind regards,

Yours faithfully,

Received ..1.. JUL 1943..
For Attention
Recorded
Acknowledged
Answered

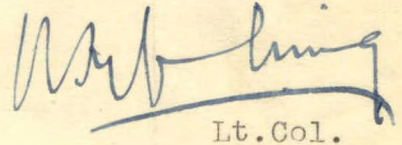
30 Durham Street, Umtata.
28th June 1943.

My dear Professor,

Your letter of 17th must have crossed mine of 14th June which I hope has reached you.

I wrote the same day to the General Manager of Railways and forwarded copies of your letter and my reply. I have since received an acknowledgment only.

With kind regards,
Yours sincerely,



Lt.Col.

Professor J.D.Rheinallt Jones,
Chief Executive Officer and Adviser,
S.A.Institute of Race Relations.

Mr.G.S.Mpuang,
85, Selby Street,
Malay Camp, KIMBERLEY.

30th June, 1943.

Dear Sir,

I received your letter of 24th May, but have delayed replying because at the request of the Executive Committee of this Institute I have asked Lt.Col.Fyfe King to grant an interview to a deputation from this Institute, as the Executive Committee is anxious to obtain all the facts in regard to the attitude of the Railways and Harbours Administration towards existing organisations of Non-European workers on the railways, and other matters.

In the circumstances I think it would be better if I did not reply now to the questions you ask. I will, however, write to you fully later, after I have had the interview with Col.Fyfe King.

Yours faithfully,

JDRJ/NMC

ADVISED

Mr. G. S. Mpuang,
85, Selby Street,
Malay Camp, KIMBERLEY.

3rd July, 1943.

Dear Sir,

ORGANISATION OF NON-EUROPEAN WORKERS ON
THE RAILWAY

Further to my letter of 30th ult., I have now received a letter from Col. Fyfe King saying that he has reported to the Minister of Railways and that he has asked the Minister of Railways to consider letting me see a copy of his report. I will write to you as soon as I get further information.

Yours faithfully,

JDRJ/NMC

ADVISER

85 Selby Street,

Malay Camp,

Kimberley.

6/7/43.

Received	9 JUL 1943
For Attention	
Recorded	
Acknowledged	
Answered	

J. D. R. Jones Esq,

P. O. Box 97,

Johannesburg.

~~5/2/43~~
205 Ampt #20

Dear Sir,

I have received both your letters, and I am very much pleased that you are helping our union. Known as South African Railway And Harbour Workers' Union.

With best regards,

Yours faithfully,

G. S. Mpanang

25th August, 1943.

Lt. Colonel H. Fyfe-King,
30, Durham Street,
UMTATA.

ORGANISATION OF NON-EUROPEAN RAILWAY
WORKERS

Dear Colonel Fyfe-King,

I beg to refer you to your letter of 14th June and to ask if it is not possible for you to let me have the information for which I have been waiting. If you think I should do so, I will ask the Minister to let me call on him about the matter.

With kind regards,

Yours sincerely,

ADVISED

JDRJ/NMC



UNION OF SOUTH AFRICA.
UNIE VAN SUID-AFRIKA.

DEPARTMENT OF NATIVE AFFAIRS,
DEPARTEMENT VAN NATURELLESAKE,

OFFICE OF THE CHIEF NATIVE COMMISSIONER,
KANTOOR VAN DIE HOOF NATURELE-KOMMISSARIS,

P.O. Box
Posbus 125,

KING WILLIAMS TOWN.

1st September, 1943.

Dear Professor Rheinallt Jones,

Your letter of 25th August, on the subject of the Organisation of Non-European Railway Workers, reached me today from Umtata. I am relieving Mr. Owen, Chief Native Commissioner, Cape, while he is absent on sick leave.

I am sorry that I am not in a position to say more than is contained in my letter of 14th June as the Minister has not yet decided what action if any is to be taken on my Report. The recent reorganisation of Ministerial portfolios, added to the Rhodesian visit and the elections, has doubtless compelled delay in considering the proposals. May I suggest therefore that you leave the matter in abeyance until the Minister reaches his decision.

The death of Professor Hoernle is a grievous blow to all of us whose interests lie in the happy solution of Race Relationship.

With kind regards.

Yours sincerely,

Received	3 SEP 1943
For Attention
Recorded
Acknowledged
Answered

45

FIFE

R

6th September, 1943.

Lt. Col. H. Fyfe-King,
P.O. Box 125,
KINGWILLIAMSTOWN.

ORGANISATION OF NON-EUROPEAN RAILWAY
WORKERS

Dear Colonel Fyfe-King,

I appreciate your kind letter of 1st instant, and, in view of what you say, I will still await the Minister's decision.

I thank you for your kind reference to the late Professor Hoernlé. He was not only a brilliantly able man, but a man of great force of character and high-mindedness. The cause of sound race relations and the Institute in particular have suffered severely by his death.

With kind regards,

Yours sincerely,

ADVISER

JDRJ/NMC

COPY

UNION OF SOUTH AFTICA } UNIE VAN SUID-AFRIKA.

REGISTERED:

The General Secretary,
South African Railways and Harbour Workers' Union
(non-European)
Room 108, Union House,
Queen Victoria Street,
CAPE TOWN.

DEPARTMENT OF LABOUR
Compensation House,
Schoeman Street,
PRETORIA.

11theSeptember 1943.

Sir,

Cancellation of Registration.

I have to inform you that I have reasonable cause to believe that the South African Railways and Harbours Workers' Union (non-European) has admitted native workers into membership. As you are aware natives are not classified as "employees" for the purpose of the Industrial Conciliation Act, 1937, and as the Union is specifically registered in respect of "non-European male employees" and if natives have in fact been enrolled as members, the Union can no longer be regarede as functioning as a trade union as defined in the Act.

If a reply is not received within fourteen days from the date hereof, a notice will be published in the Government Gazette in terms of Section 15(2) of the Industrial Conciliation Act, 1937, to the effect that the registration of your Union will be cancelled after a specified period unless cause iss~~h~~own to the contrary.

Your obedient servant,

(SGD.) ASST. INDUSTRIAL REGISTRAR.

S. A. RAILWAY & HARBOUR WORKERS' UNION.

(National union of all Non-European Railway & Harbour Workers).

HEAD OFFICE.

310, Union House,
Queen Victoria St.,
CAPE TOWN.The Industrial Registrar,
Compensation House,
Schoeman Street,
PRETORIA.

17th September, 1943.

Sir,

I am in receipt of your letter (No. 1054/536) of the 11th instant and have to state that my Union is still functioning as such and is still an association of a "number of employees" of the S.A. Railways and Harbours Administration as referred to in Act No. 36 of 1937, Section 2 (definition of "trade union").

My Union is not aware that Natives are not classified as 'employees' for the purposes of the Act except those whose contracts of service are regulated by the laws set out in the definition of "employees" in Section 2.

Your allegation, however, that my Union is no longer functioning is apparently based on the fact that the branch Executives, in the discharge of their functions in terms of Clause 4 of the constitution, have admitted to membership Africans to whose contracts of service one or other of the above-mentioned laws do apply

It is strongly denied that the fact that this has occurred implies that my Union is not functioning. That certain categories of workers have been admitted to membership who are not qualified in terms of Clause 4 (1) of the Constitution is a domestic matter concerning the Union's internal arrangements. The only ground that it could conceivably give for interference by your Department (although this is by no means admitted by my Union) would be that it constitutes a breach of Clause 4 (1) of the Constitution and hence justifies an inquiry under Section 13 of the Act, followed by Ministerial publication of the report founded upon such inquiry. But even if that section is applicable, an inquiry is unnecessary since my Union has never sought to conceal the fact that it seeks to organise the workers who do not happen to fall within the arbitrary statutory definition of "employees", in addition to those who do, and has no objection to the Minister's publishing this fact.

Moreover it does not lie in the mouth of your Department to suggest that because my Union includes African members (whether these fall within the statutory definition or not) it is no longer functioning, since an examination of the records of your Department will reveal that the original application of my Union for registration in April, 1937, clearly disclosed a Native membership, and notwithstanding this, the Union was duly registered. The following are the details of the information then disclosed:-

	<u>Coloured</u>	<u>Natives</u>	<u>Total.</u>
Members up to date with Subscriptions	(1720	300	2020
Members in arrears	1620	260	1880.

The definition of "employee" contained in Act. No. 11 of 1924 (then in force) was substantially the same as that contained in the present Act.

In conclusion, I wish to inform you that my Union has no illusions as to the reason for the threat of cancellation of its registration contained in your letter. That reason is based not on the fact that the union "is not functioning", but that it is doing so in a most active manner, at a time when a move is on foot, on the part of the Railway Administration, to destroy the Union

and substitute a form of staff organisation of its own under its own control.

In the circumstances any action by you in terms of your threat will be strenuously resisted by my Union by resort to the statutory remedies contained in the Industrial Conciliation Act.

Yours faithfully.

(Sgd.) A.L.S.LOUW.
GENERAL SECRETARY.

[Faint handwritten notes and signatures at the bottom of the page, including a signature that appears to be "A.L.S. Louw" and other illegible text.]

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