

Some Comments on the Native Trust. Land Bill.

§ 2 (2) line 20 'Equivalent value'. For natives there is seldom a house an equivalent in value to land riparian to a running river. Bachelors & pumps everlastingly set out of order with latines.

§ 5 (a) As the whole significance of the first three chapters of the Bill depends on the amount of money to be made available it is desirable for the public to have some indication as to what this amount will be.

The whole bill largely depends on this sub-section. Is Parliament going to vote a lump sum down on passing the bill in order to acquire the balance of the Released Areas, then vote a fixed annual sum for development? If the sums voted are subject to variation year by year it will be impossible to lay down any extended programme of development.

§ 8 (b) These are comparatively trivial amounts except for (g) which provides that Crown Rents paid by natives in Released Areas go to the Trust. This should produce a few thousands.

§ (a) How about farm taxes on farms cheap owned by natives?

§ 10 Thus $\frac{2}{3}$ or 69.35% of the Released Area is in the Transvaal
 $\frac{1}{14}$. 7.25% Natal
 $\frac{1}{90}$. 1.1% O.F.S.
 $\frac{2}{9}$. 22.3% Cape

 100.

Of the 7,250,000 morgen a prod percentage has already been bought, more especially in the T.C. under 'bhal' leases etc. It would be interesting to know how much of the Released Area already belongs to the natives.

Also what is the area of the Crown Land which will be handed over automatically to the Trust under § 6 (1)(b).

§ 14 Supposing all or many Europeans want to dispose of such land at the same time, it will cost the Government a pretty penny in a lump sum, perhaps millions.

§ 17 (1) Two units are the Janus Broomplaat and Aepiesdoondrevi in the Lydi Dist, but there was no suitable land in the adjacent Released Area on which to place these natives.

§ 18 (1) line 74 "Land required for public purposes such as for a big white irrigation scheme, but money"

does not compensate natives for loss of land
 § 18(3) "dispose of land" presumably without the
 consent of the natives concerned. This
 wants watching

§ 18(4) I have taken the R.C. Church try to get
 two morgen of a certain farm, namely the
 only two morgen where there was a spring of
 water, with a view to making the natives
 on the whole farm dependent on them

§ 19(2) How about quitrent on farms already
 acquired by natives in these Released Areas?
 Must they still continue to pay?

§ 21(4) This is wide & vague, you never know
 what is coming next.

§ 22(3) "Too thick" Why not the whole lot?

§ 23(3) There is a lot more in this than at
 first meets the eye. Storekeepers in locations
 form rings to keep up prices. I was
 always in favour of hawkers coming to
 undercutting the Jewish store keepers
 who formed rings & charged exorbitant
 prices for ordinary necessaries.

§ 25 (5) lines 47-48. "Summarily removed by a
 member of the police. He may be a native
 Constable himself drunk at the time.
 They are not all angels.

Such a removal requires tact

rather than a disturbance & fighting
 Better make it "White" member of police
 why also "warrant issued by Magistrate?"
 The Magistrate may be 100 miles away
 i.e. in case of Letimuland & Potswani
 & the Native Commissioner who knows more
 about it may be on the spot. Make it
 "Magistrate or Native Commissioner"

§ 27 (1) There will be plenty of political
 bias about this board in the backveld.

§ 28 Ditto - A bad Section!!!

§ 28(4) no matter how progressive he is or
 how his farming operations might other-
 wise expand, a jealous $\frac{1}{2}$ dog neighbour
 can knock him out.

§ 28(6) This makes it worse. The official
 can be outvoted by 2 ignorant farmers
 with political bias against their neighbour
 e.g. at Letlles in the Waterberg Dist.

§ 29 The old Squatters Law (Plakkenswet)
 in a new disguise & more stringent

§ 29 (1) line 5 & "Six months". The old Plak-
 was 90 days. Does this mean 6 Calendar months
 or 6 tickets of 30 days each? Are
 the months consecutive or are the days
 filled in as required by the farmer
 thus spreading it over
 the whole 12 months - & the Native Commissioner
 knows when he will be required?

§ 30 lines 14-16 "A dependent work thereon"
 See Def: of dependant; "a child, male
 or female, over 12, has to give service
 in spite of parents wishing to send
 them to school"

§ 32 (2) In some cases this will cause whole tribes to move away from the places they have occupied for centuries unless they consent to become the serfs of farmers near their own homes.

§ 32 (5) l. 63. "Upon the date of the application of this Chapter." How about the children of squatters going up but not yet squatters?

§ 34 (1a). Companies often do not know either the names or existence of their own squatters who have come of age while away working on the reef or out, but home occasionally.

There is a large floating population.

§ 36 1. "Complain to the Magistrate". Why why the distant Magistrate?

In the U.K. the N.A. Officer is usually more capable & knows his business better. This is another instance of N.A. being made subservient to the Dept. of Justice.

§ 36 (3) L. 44. "Effect? Where to? He has no place to go to. How about his stock, household goods etc?"

§ 36(5) lines 62-63 "re-enter for purposes of harvesting".

This is just as vague as under the old law. The growing and harvesting of crops can be spread out for a very long time and the friction between farmer and boy goes on all the time. Cattle get into the crop and there is always plenty of trouble.

§ 37 It is easy enough to say this in Parliament and sounds plausible to those who do not have to carry it out. There is no room in any scheduled area that I know of in the Transvaal for such natives. It cannot be done in practice though it sounds simple in theory.

It is not easy to force a total stranger into a clan where he is not welcome and where there are no lands for him or pasturage for his stock.

The whole of Chapter IV is retrogressive and they might just as well go back to the old Voortrekker days of indenture and slavery.

The whole tendency of the chapter is to drive still more natives into the towns.

§ 38(1) "maximum rental". Does this also cover stock? Companies or present charge now for individuals (including widows) ^{and} 3/- per head of great stock & 1/- or 6/- per head of small stock.

§ 43 Means more prisoners for the gaols. In 1934 there were 69591 convicted under the Tax Act.

§ 45(5) page 50 line 6.7 "Four calendar months or 122 days". It used to be 90 days. There is a vast difference between four calendar months and 122 days if the days are by tickets and spread out over the whole 12 months or if the calendar months are not consecutive.

§ 46 "dependant" line 30 = male or female.

Schedule I Area 32 Transferred page 64 line 8
 "Oldham - thence north-eastward etc" This is most
 unfair. It excludes the farms Intoria and Abutor
 which were included in the Beaumont - Commission
 recommendations. Valenciennes and Klipfontein (43)
 are full of natives and the valley runs down to the
 Stiefpoort river through Intoria farm.

The Stiefpoort - Olifants junction farms are bush covered
 hills impossible for agriculture. They are the only farms
 on the Stiefpoort river left in the Release area
 except for Aapiesboom (229) much higher up. The area
 is delimited one farm's width back from the
Stiefpoort river all along the Release Area (Schubbenland)
side thus shutting the natives off from the water
 of that river all the way along and making an
 unnatural boundary that will have to be fenced instead
 of a perfect natural visible and historical boundary
 the Stiefpoort. The Stiefpoort has always been
 considered the eastern boundary of Schubbenland
 since the treaty between Sekwati and the Lydenburg
 Republic in 1857. All Bapedi look upon the Stiefpoort
 as their boundary & will never be satisfied with less.
 This giving of the riparian farms on both sides of the
 river to whites is a big mistake, is very short-sighted,
 unfair and will cause future difficulties.

It looks as if this Bill is a bluff for England's
 consumption in order to induce the Imperial Government
 to give up the Protectorates.

The Bill requires more time for consideration and
 certainly should be held up till after the census
 which will be taken next May.

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