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QUESTIONS AFFECTING THE NATIVE
SUBJECTS OF HIS MAJESTY THE KING



A PETITION

RESPECTFULLY

PRESENTED TO THE HONOURABLE
THE HOUSE OF COMMONS

OF THE

UNITED KINGDOM OF GREAT BRITAIN & IRELAND



COMPILED BY THE EXECUTIVE
OF THE
TRANSVAAL NATIVE CONGRESS

TO THE HONOURABLE THE COMMONS

of the United Kingdom of Great Britain and Ireland, in
Parliament assembled.

The Petition of the undersigned members of the Executive Committee of the Native Congress of the Transvaal Colony, and representing about Four Hundred Thousand members of the said Congress, and the Native population of the said Colony generally humbly sheweth :

1. That your petitioners are loyal subjects of the British Empire.

NATIVE ADMINISTRATION.

2. That the Natives of South Africa have naturally great faith in the Imperial Government, having experienced enormous privations in the hands of the Colonials. What is known as "Colonial Sentiment" is the infernalising of Natives and trying to force them to remain as "hewers of wood and drawers of water." The trend in Native legislation has in this Colony been towards this end. Throughout these severe trials, which the Natives of this Colony have undergone, the names of Sir Richard Solomon and Mr. Wm. Hosken, M.L.C., must be mentioned as men who, in the midst of difficulties, opposition, and most brutal prejudices, have contrived to maintain the traditional prestige of the British power in the fulfilment of its obligations to the Natives of this country, while at the same time conserving the highest interests of the European population. The Natives also owe much to the untiring zeal and humanitarian sentiment of the much and wrongfully abused Exeter Hall Party with all their defects, whatever they are, we cannot cease to cherish the memories, and highest esteem of those courageous and just men.

In the meantime the Natives of this Colony have no means of representation other than the Department of Native Affairs. The deteriorating influences of that department have caused a decline rather than maintained Native estimation of the British ideals. The aim of that department has been so far to undermine the influence of the Chiefs over their tribesmen, while the unfortunate Chiefs are charged

with the responsibility of the misdeeds of the people over whom the power to make laws as well as to enforce them, and to regulate their movements is vested in the hands of the officials of the Department of Native Affairs. We must here remark that these Chiefs are nominally servants of the Government without remuneration; they are expected to carry out at all times the orders of the Government, they cannot by any means vacate their offices to proceed to Labour centres to seek work, and thereby be enabled to meet their ordinary disbursements.

There has never been any Native policy declared. We are neither governed by Native law nor by civilised law; and the result is that the Native Affairs Department leaves us in such a confusion of mind as to make us believe that we were better off under our own primitive laws. Whatever Native policy will be declared by the Responsible Government, is as yet unknown to us and we have no reason to hope that it will be to our advantage, as we fear that the enfranchisement of the Natives civilised or uncivilised may not be entertained by our Colonial legislators. We would beg to bring to your consideration the advisability of establishing "Native Pitso" (Council) similar to that of Basutoland.

PASS LAW

3. That ever since the days of Van Riebek, 1652, the Natives have had added to the ten Commandments the eleventh Commandment, viz.: "Thou shalt carry a pass." When one remembers that the pass law was originated by the Netherlands East India Company, which also originated the historical placards of "Dogs and Natives not admitted" in the Churches, it will be manifest that the inferiorising of the Natives was, as it still is at the bottom of the whole pass law. We are not aware of any reason that may be advanced to contradict the above statement and in support of our contention that the pass law is as unnecessary as it is undesirable and un-British, we beg to refer to the satisfactory state of affairs which exist in the Cape Colony, where the pass law was originated and ultimately abolished. The system of the pass law as pursued in this Colony is as repugnant as it is antagonistic to the liberty of the Natives, as well as a great incensum to criminality.

To prove that most of the Native criminals are recruited from and attributable to the pass law, we have only to refer to the Finger Impressions Record Department, to the duties of which Department, amongst other things, is added that of branding all Native criminals. The question of

providing means for starting afresh to ex-prisoners has been one of acute importance to all civilised nations. Here in our midst also there is amongst Europeans an organisation known as the Prisoners Aid Association, which we understand to be patronised by some high officials of the State. Now, when we come to the question of Native criminals, we find that no effort for providing them with facilities for restarting are made, but on the contrary a Government office is maintained by Native revenue for the sole purpose of branding their passports with the criminal letter "C," and thereby narrowing the Natives' chances of obtaining employment, whereas it would be better to impress upon their mind the necessity of opening a new page. It is no wonder therefore that a Native of that description having tried here and there to obtain employment and being "voet-sacked" on account of the criminal letter "C" on his passport, finally decides to obtain his livelihood by hook or crook. Thus from the trivial contravention of a mere bagatelle of a clause in the vexatious pass law, many Natives have been forced to become criminals and high-way-men. In support of the above facts, we beg to refer to the statement made by Sir Richard Solomon as the Attorney-General of the Transvaal Colony.

1. That a large proportion of the Natives in prison are in prison for contravention of the pass regulations.
2. That the Government is satisfied That these regulations require a thorough revision, with the view of making them more simple and less irritating, having due regard however to the efficient control of the Natives in this Colony.
3. That the existing regulations their administration by the police, and the fines imposed for contravening them will be carefully considered by the Government as soon as possible.

The pass law was included in the first instalment of Native legislation introduced by the Native Affairs Department. Surely, it is an entire condemnation of the law that its principal effect has been to fill the prisons with Natives. That the pass law requires thorough revision will need no further demonstration on our part since an authority of the stamp of Sir Richard Solomon has declared his convictions to that effect. We understand that the Native Affairs Department has made suggestions for the simpli-

fication of the pass law in districts other than labour districts and Municipal areas.

We are indebted to the Transvaal Missionary Association for the following quotations —

“Revision of pass laws.—The Secretary for Native affairs has drafted a number of proposals in connection with these laws which are awaiting the sanction of Sir Godfrey Lagden before being submitted to Parliament. The deputation was given to understand that the object aimed at by these proposals was the abolition of Native passes (except in labour centres) and their substitution by identification certificates, containing the name, address, and tax receipt of the Natives to whom they are issued. These certificates will permit the Natives to travel without restrictions outside Municipal and labour areas.”

It will be seen that the above proposals leave the seat of the pass disease untouched, since the majority of the pass criminals are from the labour and Municipal centres. The proposals prove conclusively that it is not the intention of the Native Affairs Department to approach this question with a spirit desirous of obtaining the best possible means of controlling the Native population. The attention of the said Department should have been concentrated on a scheme that would have applied as well, to rural as to mining and Municipal districts. It is argued that the pass law is essential as a means by which Native criminals and deserters from service can be traced, and that it is a puzzle for some white officials to know one Native from another unless such Native produces his identification badge. In our mind the above argument can be met by revising the whole of the pass law (if the question of the proper control of Natives be primary and not secondary to that of revenue, derivable through passes) on the following lines:—

- 1 That the Transvaal Colony be divided into six divisions, each under a Native Commissioner.
2. Each Native Commissioner shall keep a register of Natives belonging to his district as well as a register for Native visitors.
- 3 That all tax paying Natives be supplied with identification certificates, bearing the name of Native, father, mother, chief, tribe, address, also number of tax receipt
- 4 That the identification certificate be given serial numbers for each particular district with the initial capital letter of the district.

5. That the identification certificate be kept by the Native to be produced by him when demanded, while moving about in his district.
6. That in labour and Municipal areas the register for visitors, kept by the Native Commissioner, be used for registering agreements between master and servant.
7. That a Native moving out of his district to another shall before leaving, apply for and be supplied with a travelling pass which shall be filed in the office of the Native Commissioner of the district he goes to, when a visitors identification certificate is supplied.
8. That the movement of the Native visitor while in that district shall not concern the Native Commissioner until his return to his district, when an endorsement for return home shall be made on his pass.
9. That the identification certificate shall be issued gratis.

EDUCATION

4. That, coming to this question we have to draw your attention to our deputation that waited upon their Excellencies Lord Selborne and Sir Arthur Lawley, on the 28th July, 1905. On that occasion we pointed out to their Excellencies that the amount voted for Native Education was inadequate, as the Government voted a sum of £7,000 only for the year 1904, which was increased in 1905 to £10,000. Although the amount was increased from £7,000 to £10,000 the question of providing some form of elementary education still remains paramount, when we consider the revenue raised from Natives and the sum voted for their education as compared with a large sum of not less than £300,000 voted for European Schools, almost equal to the sum contributed by the Natives through poll tax. The need for higher education has been considered important by the South African Native Affairs Commission of 1903-5 (paragraphs 329 and 342 (e)), and as a means of affording the great demand for Higher Education by Natives and as well to check the great exodus to American Negro Colleges, a central College has been suggested. We cannot do better than support this suggestion. But, taking the report of that Commission as a whole, we think that the spirit underlying it is against the interests and advancement of the Natives.

The Natives have much to learn and unlearn, and the power of resistance to the will of the ruling caste having been effectually broken down, they are now applying themselves to the newer conditions imposed upon them by Christianity and civilisation, with a common faith in the necessity of British rule, as the best and most liberal system for the Government of the various tribes and the settlement of their conflicting interests. There is, therefore, no longer a Native problem but the problem of the ruling caste, how to govern and educate on those broad and impartial lines, which, while insisting on a policy of judicious firmness without prejudice of sympathy, without weakness and justice with moderation, will at the same time ensure the protection of the weak and law-abiding and be a terror to evil-doers.

THE LABOUR QUESTION.

5. That in regard to the labour question it was formerly asserted that there were sufficient and more than sufficient able-bodied men in the country to do all the work needed, but that they were living in absolute idleness and not helping in the slightest degree to advance the progress of the country. We cannot be led to believe that the statement is true, for it raises the inference that the Native will not work. To say that the Natives will not work is to argue against the visible progress of the country, which has in greater part been built up and developed with the aid of Native labour, whatever its shortcomings may be. On the contrary the Natives are willing to work. The changing conditions from barbarism to civilisation have produced new wants in their "modus vivendi," and therefore act as a stimulus in seeking employment of every description. The cause for Native labour depression on the Witwatersrand is not far to find. If we look at the state of affairs which exists in other large centres of Native labour, such as Kimberley, Capetown, and the South African ports, it is not such as to warrant the assertion that Natives will not work. The reasons, therefore, why the Natives have not come to the Rand as desired should be sought and when found faced squarely. A few of them may here be mentioned

1. The treatment accorded to Native labourers on the Rand has been conspicuous for its brutality.

2. The defective system of recruiting inaugurated by Lord Milner, *i.e.* Witwatersrand Native Labour Association

The treatment meted out to Natives immediately after the British occupation of Johannesburg up to 1903, was so

brutal and harsh as to cause many Natives to think twice before coming to the Rand. We need not say much on this question, but suffice it to say as a proof of our belief, in September, 1903, the Cape Government sent Native delegates here accompanied by Mr. W. J. Brownlee, to ascertain the condition of the Natives of the Cape Colony. The report given by Mr. Brownlee caused the House of Commons much concern. The treatment at the present time, although somewhat improved, there are cases known where Natives were flogged by officials and some compound overseers. This sort of treatment goes back to the Kraals and is circulated, this circulation does the Rand a lot of harm as far as the Natives labour is concerned.

On resumption of Mining operations, immediately after the war, an organisation known as the Witwatersrand Native Labour Association was formed, which has the monopoly of recruiting Native labour for the Mines. It is controlled by the Chamber of Mines; the Corporation that demands labour thereby controls the supply. A new departure in the history of the world, and a peculiarity of the Rand. An anomalous position was instituted by the Chamber of Mines, when immediately after the formation of the W. N. L. Association, and at the time when Native labour was said to be insufficient, Native wages on the Mines were reduced, a shock from the effects of which many of the Natives have as yet not revived. At this juncture when every possible means of driving Natives from the Rand had been resorted to and proved successful, then the cry for Chinese was the order of the day. The originators of Chinese labour were saved from an exposure which would have defeated their ends in obtaining the British support for that labour, by the shrewdness of Mr. Joseph Chamberlain, who, we understand, during his visit here at that time, suggested that Native wages should be raised to pre-war rate. This was a master stroke.

Since the Chamber of Mines control the supply of Native labour and furnish statistics on same, and at the same time clamour for Chinese labour it will appear that the figures they give may be calculated in such a way as not to defeat their ends. Every recruiter of Native labour knows that in the old days before the W. N. L. A. was born, there were no difficulties in obtaining Native labour. If the W. N. L. A. be abolished and free recruiting resorted to, there is no doubt that Native labour will be more than sufficient. We also beg to express an opinion that the question of maintaining permanent supply of labour has not yet been earnestly taken

up by the Chamber of Mines with a view to effectually enticing their Natives to follow Mining as a profession. The present compound system is based on a temporary lodging principle.

COMPENSATION.

6. That Lord Milner's policy on Native Affairs was also responsible for the disgraceful manner in which Native claims for war losses were compensated. Out of the total number of 16,020 claims assessed at £657,003 17s. 7d. in the year 1904-5, 10,337 claims were paid a sum of £87,517 8s. 4d., which shows that for every one pound allowed a small sum of $\frac{3}{5}$ was paid. At 30th June, 1905, it will be seen that 5,692 claims assessed at £144,544 19s. 0d. remained unsettled. When one remembers that during the war Natives had nothing to gain, the injustice meted out to them in not paying for what was commandeered from them establishes a grave grievance in the minds of men who stood so well at the time when British supremacy was at stake, and who on account of their good behaviour, helped to accelerate the termination of hostilities. The Natives during that long struggle showed marked loyalty when their property was being commandeered by both British and Boer, they remained quiet and obeyed orders, believing British love of justice would be extended to them. The action taken by Lord Milner in regard to this matter was a breach of British principles of fair play and justice to all who come under the British flag. He dealt fairly with those who were at the time the enemies of the King and British principles; and unfairly with those who were by heart and deeds the citizens of the Great Empire of the United Kingdom. The differentiation of dividends paid on claims for actual war losses on colour lines is an injustice for which we had Lord Milner to thank.

NATIVE TAXATION.

DIRECT AND INDIRECT

6. That in dealing with this question we must at the outset inquire into the motives that have as it has been asserted, led to the imposition on Natives of this Colony of a higher tax than that imposed on Natives of other South African States. It has been asserted by some public men that

- (a) The imposition of such tax was of necessity to force the Natives to work.
- (b) Lord Milner in defence of his action of taxing Native men and women said the Natives ought to be taxed in order that they should bear a

fair burden of the expenditure incurred in the governing of this Colony and

- (c) That he taxed women in order to discourage polygamy.
- (d) In my opinion, said Sir Godfrey Lagden, in his memorandum of the 29th August, 1902, the principle should be to require all male adult Natives to contribute reasonably for the benefits they enjoy on account of:—*inter alia*.
- (1.) The settlement of the country which has cost so much.
 - (2) Suppression of liquor traffic.
 - (3.) Facilities for suitable education.

Well, if the statement (a) be taken as the motive of imposing high tax, we fail to see how slavery does not exist in this Colony, wherein much has been said against the least tint of slavery.

If statement (b) be admitted as the motive, we still have to ask, are Natives of other Colonies who do not pay £2 not considered as contributing a fair proportion?

If statement (c) be accepted as the motive, we beg to state that polygamy is not an evil to be repressed by taxation, but rather to be cured by evolution and enlightenment of the race. You do not deter Europeans from polygamy by taxation, but public opinion and laws enacted against plurality of wives are found to be more effective.

So far as we have examined the Native laws of the Transvaal there is no enactment which establishes a marriage by Native custom as a legal union. It seems therefore that the wives and children by Native marriages have no protection under the law, the position therefore is that while the women are regarded as wives for taxation purposes they are merely concubines in the eyes of the law.

If statement (1) by Sir Godfrey Lagden, the pilot of Native Department, passes as justifiable, it will appear that Briton and Boer waged war, and Natives must pay the penalty.

But if statement (2) be said to be reasonable we fail to see how a purely social matter—suppression of liquor traffic—can be reconciled with the taxation.

Coming to statement (3) it is sufficient to say we have already demonstrated under Education that no adequate provision has as yet been made providing for some form of Elementary Education for Native children.

We have advanced the above points to show that there is absolutely no ground for imposing such a high tax on Natives.

We here below give statistics in demonstration of our belief that the Natives have always contributed to the revenue of the State a greater proportion than they benefit by. In 1904-5, receipts from Native taxation

amounted to	£407,870	0	0
Passes and Certificates	219,548	10	0
Dog tax	12,587	3	0
Fines, etc.	7,426	7	2

£647,432 0 2

We are aware that in the eyes of the law the monthly pass fee should be paid by the employer, but we happen to know that in the majority of cases Natives pay for their passes or 2/- less from their wages in lieu of the monthly pass fee.

It must also be remembered that Natives bear a large proportion of indirect taxation; they patronise Post Offices, Railways, and consume material for which customs are payable. We are unable to furnish figures under this heading for lack of statistics. Any fair minded man will taking the above figures into consideration admit that the Natives of this Colony are by their taxes the worthy backbone of the Transvaal. Many members of the European community still hold the opinion that the tax to be imposed on Natives should be from £2 12s. 6d to £4 per head, in order to make the Native work; they still say Natives have no wants. Surely, anyone contrasting the wages the Native receives with his disbursements in connection with the passes, food and clothing, school fees, &c, at this stage when a new condition of life has set in, will confess that the expenses and his wants are equal to his earnings. At the time of collecting taxes, many are found to be unable even to get the sum of £2.

A sum of more than a million pounds may be said to be derivable from the Natives tax; direct and indirect, annually. From this sum it may be seen that only a small sum is spent for the benefit of the Natives themselves, as we have already shown when dealing with Education.

We are indebted to the Missionary Association for the following quotation:—

“ Who could have thought that the Gold Mining Industry, the much praised backbone of the Transvaal, helped to produce only the paltry sum of £415,000

towards the public exchequer, and that the Native poll tax was just as good a producer as the Gold Mining put together: only falling short of £15,000?"

Whether the above quotation has reference to all taxes derivable from Gold Mines is beyond our knowledge, but we venture to say Native taxation compares favourably with the revenue derived from Diamond and Gold Mines.

RESPONSIBLE GOVERNMENT. CONSTITUTION.

7. That in a petition of the Eleventh of May, 1905, to His Majesty the King, signed by forty six Chiefs and twenty five thousand seven hundred and thirty eight Natives.

Annexure A. definite reasons were mentioned why the Natives of this country should not be handed over to the Local Government without sufficient representation. We now beg to advocate the principle of the open door under the formula of equal rights to all civilised men, which was favoured by that sagacious Statesman the late Right Honourable Cecil John Rhodes, and endorsed on the eve of their departure by their Excellencies Viscount Milner and Sir Arthur Lawley.

The following are extracts from the speeches of their Excellencies:—

Lord Milner said—

"I am an impenitent heretic, we got off the right lines in this matter (Colour question) when we threw over the principle of Mr. Rhodes' "Equal Rights for all civilised men." you may learn too, that the essence of wisdom with regard to it is discrimination, and not to throw all people of colour the highest, as well as the lowest into one indistinguishable heap but to follow closely the difference of race of circumstances and of degrees of civilisation. and adopt your policy intelligently and sympathetically to the several requirements of each."

Sir Arthur Lawley said, *inter alia*.

"It is a complicated problem and I venture to say that it receives less consideration than any other question at the hands of every ninety-nine out of a hundred men. Out on the veldt you have a good mass of humanity just emerging from the lowest stage of barbarism, densely ignorant, devoid of any code of religion or morality, or art, and just within the white zone you have another class who are gradually and slowly becoming familiar with the sim-

plest form of civilisation, and here in your towns you have another class whose intelligence is every day being quickened, whose ambitions are every day aroused by the keener insight into the manners of European life. One thing is perfectly evident to me, you cannot treat them like one homogeneous whole."

The above principle is the only sound construction in our mind of the Constitution.

8. That we must record a firm but respectful dissent to the interpretation of Great Britain's duties at this crisis by any one section however powerful, against the fundamental interests of any other section however weak. That responsibility lies entirely in the hands of the British Cabinet. But what do we find in the New Colonies! There are the Associations of Rand Pioneers, Het Volk, Responsible Government, Progressives, Chamber of Mines, &c., taking upon themselves the responsibility of interpreting these fundamental duties. Our Governors and High Commissioners have merely acted as disinterested spectators, and when their time of departure came, knowing that their connection with these influential bodies was at an end, and that being termed negrophilist would no longer affect them, opened their minds on the Native question in such terms as have appropriately been styled their "Swan Songs."

The above quotation from Lord Milner's valedictory address clearly demonstrates that not only are the best of South African politicians in sympathy with the maintenance of British traditional love of fairplay, and abhorrence of taxation without representation, but the greatest pro-consul in his heart of hearts was at one with them, as he called himself on the Native question, an "impenitent heretic." Lord Milner was not an isolated instance in upholding these views: One of Natal's best Statesman the late Honourable Harry Escombe, in his speech on Responsible Government, July 17:h. 1883, *inter alia* used the following words:—

"We know, quite well, notwithstanding the complete fairness and honesty with which the Natives have always been treated in the past. That the great danger of Party Government in this Colony (Natal) is with respect to Native Government, and that danger will become nearer our doors in case the Natives are left without representatives, to speak for them in the popular Assembly which is the taxing house,

for if it is right to tax people it is right to give them representatives to say whether the taxes should be lessened or made as light as possible."

The present Natal embroglio supports the above statement, and is the fulfilment of the prophecy of that farseeing man.

The policy advocated by the late Mr. Rhodes has been referred to, and to make our contention as representative as possible of similar views entertained and advocated by men holding different positions, we may add a few words quoted from a letter written to the Rector of Lydenburg and subsequently published by the Right Reverend Allan Gibson, D.D., Coadjutor, Bishop of Cape Town, who in dealing with the Native question states:—

"The giving of the franchise depends upon such matters as education, intellectual fitness, a stake in the country, &c."

And this is the policy we advocate.

Here we may safely say Lord Milner was one of the greatest Englishmen Great Britain had ever sent to South Africa, and had the greatest influence over the most powerful parties, in the country. Surely, if Lord Milner had exercised that influence on the Native question during the many years he spent in South Africa, he would have averted what we consider the future trouble between Europeans and Natives, when he, in conjunction with Lord Kitchener, offered the rights of the Natives as purchase price of Peace at Vereeniging (*vide* Article 8 of the Peace terms) he violated the dictates of his own conscience as he has himself asserted his belief in the famous formula of "Equal Rights for all civilised men." If peace had to be bought at all costs, he had still an opportunity of educating the white public in the right lines, during his term of office. How much he did at that can only be put in the nutshell of his farewell address.

When he signed the notorious document of the Vereeniging unholy alliance he was already aware of what is called Colonial Sentiment. He knew that once the country was granted Responsible Government, the chances of the Natives obtaining franchise would be at the Antipodes. What he manfully declined to accept at Middelburg, he shamelessly accepted at Vereeniging.

9. That by sorrowful experience we wish to emphasise the fact that administration by Colonists, without full representation to the Natives has proved antagonistic to our

social and political advancement as well as our liberty. It is unconstitutional to tax people without their consent, and a violation of that sacred British principle of "no taxation without representation." The constitution of Krugerism was built on this corrupt and pernicious principle which hastened its nemesis. Before closing our remarks under this heading, we would draw the attention of His Majesty's Imperial Government to this fact, that the Constitution His Majesty's Imperial Government are about to confer to this Colony is the foundation upon which future legislation will be built, and that therefore it will be of greater utility and of assured permanency if it be so comprehensive in scope as to include all His Majesty's subjects, irrespective of colour, nationality or creed. The resolutions contained in paragraph 446 of the report of the South African Native Affairs Commission of 1903-5 aim at curtailing the influence of Native voters by giving them a negligible number of members to represent them in the legislatures of the country.

We, therefore, taking the above facts into consideration, strongly and respectfully urge His Majesty's Imperial Government not by any means to hand over Natives to the Colonial legislators, but to reserve, when framing the New Constitution granting the Responsible Government to the Transvaal, the entire administration of Native Affairs to the Crown, by making the whole machinery administering Native Affairs responsible to the Governor alone, and thereby to the Crown. The powers of the Governor as Supreme Chief over the Natives must be clearly defined and be independent of the Ministry of the day.

And your petitioners as in duty bound will ever pray.

Signed,

ANNEXURE A.

TO HIS MOST EXCELLENT MAJESTY EDWARD
THE SEVENTH,

By the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.

The Petition of the members of the Native United Political Associations of the Transvaal Colony, and of the Natives of that Colony humbly sheweth :

1. That your Petitioners are loyal subjects of YOUR MOST EXCELLENT MAJESTY, residing in the Transvaal Colony.

2. That your Petitioners have noticed with apprehension during the past two years the tendency towards class legislation in the Transvaal Colony to the detriment of the status and position of the Natives of the Transvaal.

3. That your Petitioners humbly beg leave to refer to the following instances of such legislation :

- (a). The Morality Act, inasmuch as it does not protect Native women.
- (b). The infliction of the lash in all cases of Assault by Natives on Whites.
- (c). The infliction of the Death Penalty in all cases of Outrage or Attempted Outrage by Natives on White women, while comparatively brief terms of imprisonment are provided for similar offences by White men on Native women.
- (d). The prohibition of Natives from walking on the Footpaths of any Street, except in the case of respectable and well conducted Coloured persons, not being Aboriginal Natives.
- (e). The exclusion of respectable Natives from first and Second Class Compartments on the Central South African Railways.
- (f). The prohibition of Natives from purchasing Landed Property in the Transvaal Colony.
- (g). The prohibition of Natives from holding Public Meetings in the Transvaal Colony.

4. That your Petitioners are informed and verily believe that in terms of the Vereeniging Peace Conditions, the Constitution of a Representative Government for the Transvaal Colony is now engaging the attention of YOUR MAJESTY'S Imperial Government.

5. That under Article 8 of the said Conditions the question of granting the Franchise to Natives of the Transvaal Colony will not be decided until after the introduction of Self-government, the effect whereof is that Natives are not allowed to vote at Municipal Elections and their interests in Municipal matters are at present unrepresented.

6. That for the reason abovementioned Your Petitioners fear that when Representative Government is granted by YOUR MAJESTY'S Imperial Government to the Transvaal Colony it will be the object of the majority of YOUR MAJESTY'S white subjects in that Colony to exclude Natives from enjoying the liberty, freedom and equality, to which, as British subjects, they claim to be entitled.

7. That in proof thereof Your Petitioners would refer to the anti-Native utterances on the part of the Rand Pioneers at Johannesburg in their many attempts to legislate against colour, and especially to the recent discussions in the Johannesburg Municipal Council on the subject of Native Cyclists, showing that it is the intention of the speakers to base their arguments entirely on the question of colour.

8. That Your Petitioners for the above reasons fear that unless the interests of the Natives in the Transvaal Colony are in some way protected by YOUR MAJESTY'S Imperial Government in framing the Transvaal Constitution, the position of Natives in that Colony, under Representative Government, will be a degrading and humiliating one, and one on which your petitioners look with considerable alarm.

WHEREFORE Your Petitioners humbly pray that it may please YOUR MOST EXCELLENT MAJESTY, taking the above facts into consideration, to safeguard, when framing the Constitution for the Transvaal Colony, the interests of the Natives of that Colony, either by reserving to YOUR MAJESTY'S Imperial Government through YOUR MAJESTY'S High Commissioner the entire control of Natives and of legislative enactments regarding Natives in the Transvaal Colony or by reserving to YOUR MAJESTY'S Imperial Government a vetoing power as regards such legislative enactments, until such time as it shall be deemed expedient to accord to the Natives of the Transvaal Colony a franchise similar to that enjoyed by YOUR MAJESTY'S Native subjects in the Cape Colony and Rhodesia, or in such other way as to YOUR MAJESTY and to YOUR MAJESTY'S Imperial Government may seem fit and proper.

AND YOUR PETITIONERS as in duty bound will
ever pray.

Dated at _____ *Transvaal Colony, in the*
month of _____ *in the Year of Our Lord One*
Thousand Nine hundred and Six



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