

~~THE NATIVE NATIONAL LAND SETTLEMENT~~
AND GENERAL CORPORATION OF SOUTH
AFRICA.

CONSTITUTION.

The Native National Land Settlement and General Corporation (hereinafter called the "Corporation") shall consist of an unlimited number of members.

The Head Office of the Corporation shall be in the town of Johannesburg, in the Transvaal Province.

Subject to the provisions of this Constitution the Corporation shall be non-political and non sectarian.

Membership shall be open to all Natives of South Africa, irrespective of age, sex or creed, subject to the approval of the Executive Committee, and membership shall date from the date of enrolment.

The objects of the Corporation shall be :-

- (a) To do all such acts, matters, and things as will tend to raise the native race, and native members individually in the scale of civilisation to advance their best interests, and to promote a sentiment of loyal native nationality.
- (b) To devise and carry into execution methods of easy acquisition of land by members under the Natives Land Act (Act No. 27, 1913) or any amendment thereof, or any Law from time to time in force relating to native acquisition, holding, or occupation of land.

(c)

- (c) To provide and carry ~~into execution~~ easy means of a cquisition by members of houses, fencing, agricultural and farming implements, seed, cattle, stock, and other movables.
- (d) To establish and assist in any manner whatsoever native ranching on ordinary business lines.
- (e) To provide and grant assistance to native farmers on the failure of crops, or in the case of any unavoidable adversity.
- (f) To establish and conduct bureaus in any place or places in the Union of South Africa, for the purpose of securing employment for natives, both skilled and unskilled, and of every description; for the purpose of giving legal and general information and advice, and for the purpose of assisting members in any manner whatsoever.
- (g) To provide and/or subsidise technical training and higher education of natives, with a view to placing them in the field of skilled labour, including the professions of law, medicine and the Church.
- (h) To establish and conduct stores for dealing in all classes of commodities on ordinary business lines.
- (i) To establish and conduct or manage, or subsidise creameries, and all kinds of trades and industries.
- (j) To establish and conduct all kinds and classes of Agency business ~~on ordinary~~ business lines.
- (k) To carry on the business of Bankers.

- (l) To borrow, and lend money.
- (m) To make grants of money to necessitous members.
- (n) To employ servants for any of the purposes aforesaid, and to dismiss same.
- (o) To buy and sell property of any description, movable or immovable.
- (p) To establish, conduct and carry on any business whatsoever.
- (q) To take any steps necessary to influence the Imperial or Union Governments in favour of native aspirations or interests.
- (r) To finance any or all of the operations necessary to give effect to the foregoing objects, and to grant commissions for securing new members, and to pay salaries and other remunerations.
- (s) To take legal action on behalf of a member; to collect debts, and pay debts of members; or any other business for the advancement of the Natives of South Africa.
- (t) To inaugurate and conduct experimental and other farms, and to teach scientific farming to members, subject to the approval of the Executive Council.
- (u) To equip, establish and provide Homes for children of deceased members; and for aged helpless and indigent members, all upon such conditions as to admission or election as the Executive Council may from time to time decide, and for the purpose of giving effect to this

sub-section...

sub-section the Executive Council shall provide an adequate fund for up-keep, maintenance and general expenses incidental thereto.

The Funds of the Corporation shall be primarily derived from an annual subscription from all members of two guineas (£2.2.0) per annum, each.

Fifty per cent of all moneys received by way of subscriptions and by way of aggregate balance of profit on the undertakings or businesses carried on by the Corporation shall be devoted to the Land Settlement business, and any of the activities authorised by the foregoing objects as shall from time to time be carried out, and fifty per cent to establish Corporation Stores, or any other business, for emergencies and for Administration expenses of every description.

The administration of the affairs of the Corporation shall be vested in the following bodies :-

There shall be a General Council consisting of 101 members.

There shall be an Executive Council consisting of 24 members.

There shall be an Advisory Board of Europeans consisting of Harris Horwitz, Aaron Harry Myers, and William Thomas Lee, all of Johannesburg.

There shall be a European Organiser, who, in the first instance, shall be William Thomas Lee, of Johannesburg.

There shall be a President, who, in the first instance, shall be Saul Msane.

There shall be a General Treasurer and Secretary to be appointed by the Executive Council upon such terms as shall be agreed...

agreed upon.

The first General Council shall consist of the President and the first 100 members enrolled, and shall hold office until a General Council has been elected in manner following:- When 1,000 members have been enrolled a General Meeting of members shall be held to elect a General Council of 101 members, of which the President shall be a member. Such Council shall hold office for a period of ten years, and thereafter the General Council shall be elected by a General meeting of members called for the purpose annually.

The first Executive Council shall consist of the President, and the first 24 members enrolled, and the said 24 members shall hold office until their successors have been appointed in manner following: At the first meeting of the first elected General Council, the Executive Council shall be elected by the said General Council from the members of the General Council, the President being ex officio a member thereof, and they shall hold office for a period of ten years, and thereafter the Executive Council shall be elected from members of the General Council by the General Council every five years, the President being in each case an ex officio member.

The aforesaid European Board, in consideration of their having established this Corporation, and undertaken the formulation of a working scheme of operations, shall hold office for life and upon such terms of remuneration as shall be agreed upon between themselves and the first Executive Council, provided such remunerations shall not be more nor less than 10% from the subscriptions payable by new members as enrolled, and also 10% of the nett profits made by the Corporation, that is to say, the nett profits remaining after deducting all legitimate business expenses and

expenses of Administration from revenue received.

The first President shall hold office for a period of ten years, and thereafter shall be elected by the Executive Council for periods not exceeding five years.

Members of the General Council, the Executive Council, and the Advisory Board, the Organiser and the President may resign their offices at any time, and any vacancies occurring by resignation or death, or by forfeiture of office as provided in the next paragraph shall be filled by co-option of the General Council, Executive Council, and Advisory Board respectively, and in the case of the President and Organiser by the Executive Council and Advisory Board respectively.

Meetings of the General Council shall be held quarterly, and of the Executive Council, monthly, and failure of any member to attend three consecutive meetings, without the permission of his colleagues, shall render his seat vacant.

General Meetings of the members of the Corporation shall be held annually, and at such other time as the Executive Council shall decide; and shall be held when requisitioned by the signatures of at least 5% of the aggregate membership roll.

The President shall preside at all General Meetings of members, and at all meetings of the General Council and the Executive Council; and in the event of his absence, the meeting shall elect a Chairman.

The remuneration of the President shall be £25. per month until the first thousand members shall have been enrolled, and thereafter he shall receive such increased remuneration as shall be agreed upon between himself and the Executive Council.

The remuneration of the members of the Executive Council shall...

shall be determined by the General Council; and that of the General Council by a General Meeting of members; provided that the remuneration of the members of the General Council shall in the first instance be determined by the Executive Council with the consent and approval of the Advisory Board.

The remuneration of the Organiser for the General Organisation of the operations and activities of the Corporation from time to time entrusted to him shall be 5% of the subscriptions from time to time payable by members as and when paid, during the period of his employment.

After due notice has been sent of a General Meeting to be held, those present at such meeting shall constitute a quorum.

Seven shall constitute a quorum of the Executive Council, and twenty-five a quorum of the General Council.

In all meetings of the Councils and General Meetings of members, the vote of the majority shall determine any question, and the President or Chairman shall have a casting vote.

At General Meetings of members, members may be represented by proxies on forms duly signed by such member or members, provided such proxies may only be given to members of the Corporation.

A report and Balance Sheet shall be presented annually to members at the Annual General Meeting.

All meetings of the General and Executive Councils, and members shall be held at such hour and place as the Executive Council shall decide.

The General Council shall decide from time to time the general policy of the Corporation, and which of the foregoing objects shall be given effect to and carried out.

The Executive Council shall have full power of control

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of the various activities of the Corporation authorised by, and shall carry out and give effect to the instructions of, the General Council, and may delegate powers of management of any business of the Corporation to Manager or Managers, or to a Local Manager; and further subject to the Constitution, shall have plenary power to deal with any matter or thing that may arise between meetings of the General Council (the General Council thereafter confirming, altering or amending the decision of the Executive Council at its first meeting). The Executive Council shall engage and have authority over all servants and employes of the Corporation, and may in its discretion and from time to time dismiss the same.

The Advisory Board shall at all times advise upon and generally supervise all the affairs of the Corporation, and shall be entitled to be present at all meetings, and to vote thereat on any matter or thing that may arise.

Minutes of all meetings shall be kept.

The Executive Council shall have full power to decide from time to time how funds of the Corporation shall be dealt with, and may vote money for any of the objects entrusted to them by the General Council.

Proper books of account shall be kept reflecting all the business and operations of the Corporation.

A reputable auditor shall be appointed to audit the books of the Corporation. The Auditor for the first year shall be Mr. Harold Maude, Incorporated Accountant, Johannesburg, and at the first annual general meeting the auditor shall be re-elected or a new auditor appointed.

The Corporation shall sue and be sued in the name of the President.

Banking accounts shall be opened with such Banks and
in...

and in such places as shall be decided upon by the Executive Council, and subject to the approval of the Advisory Board, and all monies received shall be paid into a banking account.

All banking accounts shall be operated upon by the signatures of the President and one member of the Executive Council, and one member of the Advisory Board, and in the absence of the President, any three members of the Executive Council, together with one member of the Advisory Board.

Without prejudice to any agreements entered into by virtue hereof, this constitution may be altered or amended by the vote of a majority of any General meeting of members called for the purpose, but shall have no power over life Councillors or life members of the Advisory Board.

All documents and writings, (other than those required for operation of any banking account) connected with the business, work or activities of the Corporation shall be binding on the Corporation if signed under the authority of a resolution of the Executive Council; and a certificate by the President and a member of the Advisory Board shall be sufficient evidence of the due passing of such resolution.

Any dispute arising between the Advisory Board and the Executive Council shall be decided by a majority of a meeting of the members of the General Council duly convened, exclusive of the members of the Executive Council, subject to arbitration under the Arbitration Laws of Transvaal.

Any question arising as to the interpretation of the Constitution shall be decided by the Advisory Board, subject to arbitration under Arbitration Laws of Transvaal, provided that the losing party shall pay the costs of same.

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