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course, restrictions must definitely be enforced against overcrowding and the residence there of undesirable persons. We are not going to allow that to develop into an area which may become a danger to us or to the respectable Native residents there or the White residents on the outside.

CHAIRMAN: Are these townships shewing any slum tendencies now? Yes, I think they are. There are quite a lot of types of buildings, shacks, etc., which are slummy. They are not to be compared altogether with ordinary slums, because they are more open in the first place, but they are just as unkempt or more unkempt than the places which you saw in Doornfontein -- Nathan's Yard.

That yard is not by any means the worst?-- No, that is so, not by any means.

But you say that on the whole Sophiatown is no worse than Nathan's Yard?-- Generally speaking, I would say that it is infinitely better.

At its weakest point?-- At its weakest point it is not worse.

DR. ROBERTS: What about Jackelson's Yard?-- It is infinitely worse than Nathan's Yard.

MR. LUCAS: In Sophiatown and New Clare, do you find any signs of housepride?-- Yes, very much so. Among the Natives generally you find a good deal of housepride. They are not people who allow their houses to go down if they can possibly help it.

CHAIRMAN: The tribal Native has a considerable degree of housepride?-- Yes, and you can say the same about the town Native.

He starts with the background of a clean house?-- Yes. You will notice always that every house, even the meanest, is clean. There is always an attempt at keeping the outside



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yard clean. That is inherent among the Natives.

DR. ROBERTS: And their persons they also keep clean ?- Yes, that is so. There is a big tendency among the Natives to beautify their places. They do not do it in the kraal but when they come to Johannesburg they try and beautify their places with a little garden and they will add all sorts of little things to try and make the place look nice, -- they like to put up a nice fence and so on.

CHAIRMAN: I notice that tree-planting has not gone very far yet. Does your City Council make available for them plants which they can dispose of through the Parks and Estates Committee ?- No; as a matter of fact, plants are not made available to other departments to any very great extent. The whole of their output -- of the Parks and Estates Department -- is required by them for their own purposes.

And there is no surplus worth speaking of ?- No.

MR. LUCAS: I take it the view about the establishment of such villages is one of policy for the Council ?- Yes, that is a matter of policy. May I just get that question clarified? Is the Commission referring to the freehold ownership of land in a Native location, established under the Urban Areas Act, or is the Commission referring to other areas in the town?

Both ?- Because I know that there is a little confusion in the minds of the Council as to what you are referring to.

CHAIRMAN: The point was specially referred to us by the Minister as to whether Native villages in which Natives could acquire title to the soil should be established in or near the boundaries of urban areas. That, of course, leaves it fairly wide ?- Yes, I would say this, that with regard to the establishment of privately owned freehold township on the



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borders of Johannesburg, that the Council is opposed to their establishment. The fear is that they are uncontrolled areas and that you will build up a dangerous population on the border. The Council are not altogether pleased with the existence of Alexandra Township in some respects. There is a fear that it is a weak spot where there may be an outbreak of some epidemic and where there may be no proper facilities for handling such an outbreak. Even in the past, Johannesburg has had to handle these things, which meant that extra burdens were imposed on the Johannesburg local authority in the case of emergency. There is that fear in the case of a township of that nature.

MR. LUCAS: But still, it gives you an opportunity for the big brother view? - I do not think, generally speaking that the Council as a whole is opposed to the Native owning his freehold plot of land, where he can, but you can see its position in regard to the question of the establishment of such townships immediately outside its boundaries.

Let us take the facts for a moment; is there any Municipal land which Natives are able to acquire in this area as freehold? - No. The Council provides no land either for Whites or for Coloureds. The Council, as such, does not buy and resell. That is the position, really.

In any location, in Klipspruit, or in any of your townships, can a Native get a long lease today? - Well, his lease is more or less in perpetuity today. He can only be expelled for two reasons --- he can only be expelled for committing certain crimes, for a second time, for which he may be deported, or failing to pay his rent; but otherwise he can remain a fixture.

That is the title under the Urban Areas Act? - Well, that is a better title than I have for my land.



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MAJOR ANDERSON: He could conceivably have his rent raised ?- No, the rent not only has to be fixed by the local authority, but the local authority has to get the approval of the Minister and it has to pass the Provincial Authority.

Still that might conceivably be done ?- Do you mean by collusion between the three authorities, -- no, I hardly think that would be.

MR. LUCAS: The point is that it could be done without the consent of the tenant being first obtained ?- Yes, it could be done, but it is hardly likely that it would happen.

MR. LUCAS: If there is a possibility, you lose all the advantages of security of tenure ?- (No answer):

CHAIRMAN: As a parallel, all the European land may be taxed out of existence for the coffers of the State ?- Yes, the tax on European land could certainly be raised.

The case is a parallel one ?- Yes, that is so.

MR. LUCAS: The position is one that they have the security and the Native feels that while conditions are as they are at the present moment, there is always the possibility of tricks being played with them ?- Well, I cannot see that. You see, if we should try and raise their rents, it would have to go through the Council in the first place and then there would still be the Minister for Native Affairs, who is the Custodian of the Natives, and then the Provincial Council, who may veto any undue harshness in the fixing of rents.

You do not allow Natives to build in your Native townships ?- Yes, in Klipspruit we do.

But in what you call the Native townships you do not allow them to build ?- No, we do not.



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But in Klipspruit you do ?- Yes.

And have any of the Natives there built valuable houses ?- Yes. Quite a number of them have built fairly creditable residences there; when I say "valuable", I do not compare them with European dwellings, of course, but still they put up a very nice house.

CHAIRMAN: And what is the position in Newclare and Sophiatown ?- Well, there, of course, they have to build to the ordinary bye-laws of the City and the houses are put up substantially and well -- many of them are. Of course, there are shacks just as you have them in many parts of Johannesburg itself, but any houses put up there today must definitely first have plans passed by the City Engineer and the Medical Officer of Health, -- detailed plans have to be passed.

MR. LUCAS: Have any decisions been taken by the Council about allowing Natives in any part other than Klipspruit to build their own houses ?- As a matter of fact, I understand that originally in the Eastern Native Township and in the Western Native Township, certain stands were left open and the Native had the right, if he wanted to, to build his own house there, but he had to build his own house in accordance with the bye-laws of the town, but I understand that noone availed himself of that. There are no stands left now.

I PUT IN A MAP shewing the areas proclaimed under the Native Urban Areas Act. (Map, in colours, put in by Mr. Ballenden).

CHAIRMAN: The areas marked white here are unproclaimed ?- That is so.

Is it likely that they will be proclaimed soon ?- We intend applying for proclamation during the latter part of this year for the balance of Johannesburg.



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Will they then be cleared out ?- No. The area should become affected <sup>ive</sup> on the 1st August of this year. We have sufficient houses for the number of families residing there and we intend clearing them, and the remainder, - we estimate that there are some 35,000 people still residing there, and they will not be cleared until such time as we have built sufficient houses or provided sufficient accommodation on the new township site. In the meantime, they will come under the provisions of the new licensing regulations which are in the course of being passed by the Provincial Council now. That is in terms of the Amendment Act, -- bringing the landless under contrôl in the meantime, and hoping to check the influx of families into Johannesburg.

Well, will you proceed with your next point now ?- We have in our townships what are termed Native Advisory Boards, established in terms of the Act.

MR. LUCAS: Have you got one for each township ?- Yes, one for each township. Under the present regulations, six members constitute the board; four are elected by the people and two are appointed by the Local Authority under the chairmanship of the superintendent in each location. That describes its membership. Its functions are purely advisory, that is, they may advise on any subject they may wish to advise on, or on any subject on which we may require them to give advice, or which we may refer to them. They consider reports which are brought before them and they deal with grievances which are brought up by the residents -- general grievances -- the measure of its success and the extent to which it is consulted by the Local Authority are points raised by you in your questionnaire. The success of these boards, I think, has been fairly reasonable, considering the short



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time that they have been in existence. It is a new thing to the two townships. When I came here in 1927, they did not want to have any board at all, but eventually they were persuaded to establish their board. The difficulty is to explain to them what their functions are. They want their functions to be detailed in the regulation. Well, I have advised them repeatedly and told them that I thought it would be fatal to do so, because I felt that their function should be left as wide as possible, and should not be in any way restricted, as they would be if they were laid down in the regulations.

DR. ROBERTS: But do not they see that themselves? - In theory they may, but even today they are asking that they should be defined. They do not seem to realise that they would be restricting themselves by their own hands. They feel this, too, that they should have more power than they are given today. They think that they should have the power to try petty cases and deal with grievances as between party and party. They consider that their findings should have the force of law. One of their grievances is that they have not got that power. They further demand that they should sit generally with the Native Affairs Committee of the City Council once a month. Well, of course, that demand the City Council turned down.

Why? - Well, the City Council does not give that privilege to its ratepayers or anyone else, and it could not work. They are very useful bodies, or they could be made into very useful bodies, and they will undoubtedly become so when the residents take a greater interest in their function. When it comes to election of members, probably a little clique



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will get in and just their immediate supporters will vote. Unfortunately, the whole of the residents cannot be said to take an active interest in the election of the Advisory Board. Their weak point is in the election of their members.

Why should that be so ?- Because they do not always elect the members who are going to be of the greatest service to the mass of the people. A man who probably is inclined to be a bit of an agitator is often thought to be the proper man to be put on the board, or a man who is so weak that he carries no weight on the board. I daresay that they are no worse than we are ourselves in the election of our members of Parliament, but that is the position with them. We are trying an experiment now of splitting their townships up into areas and appointing sub-committees in the different areas, that is, each of the six members will have an area allocated to him.

MR. LUCAS: Is the proposal that each of the six will be elected by a separate area ?- At the present moment, under the regulations, that cannot be, but the proposal which I have in mind is that definitely the townships will be split up into wards and elections will take place according to wards and not all the members will go out every year. Only part of the board will go out every year. They will hold office for two years, one half going out each year, so that you will always have a leavening of men in touch with what was on before and a guide to incoming new members. The method as laid down in the regulations is, I contend, very faulty. It is cumbersome and I do not think that you get the best representatives on the board. This system of having sub-committees, I hope, will bring the board into more close touch



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with the respective areas. Instead of having six men as they have now, representing the whole of the Native township, representing only about 400 instead of all the 12,000, they will be able to get into close touch with all sections of the community by splitting up the township into wards and each member will be fully representative of his particular area.

DR. ROBERTS: How will it appeal to you to have a large council representing the larger issues of Johannesburg drawn from the various districts? - To meet that, we have joint board meetings. Periodically, when there is a subject common to them all, the three boards assemble at my office and we discuss subjects which are of great importance to each township.

But you do not have one large Council? - I do not think it would work to have one central board. If I follow you correctly, you would call the three townships wards and have the members elected to a central board -- no, that would not work.

Why not? - First of all, because of the difficulty in assembling. You see, our townships are scattered pretty widely. They cover a circuit of 45 miles and the transport facilities are such that it would be difficult to assemble.

You think it is better to have a separate board to each township? - Yes, it is easier for each township to have its own board -- it is easier for each board to assemble in its own township and, in that way, I think they certainly keep in better touch with the domestic affairs of each individual township. It is better to have separate boards for each township.



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I was thinking of a board which would centralise matters ?- Well, we have our joint board.

Yes, but you only call them together for a special purpose ?- When the question of giving evidence before this Commission came up, we called them together. We have been trying to get them to put up something since August last. In a case like that, I get them to come together and I try to get them to do something, but I am not always successful in that. It is now laid down as a special practise that this should be done and any successor of mine might find it difficult to set that aside. Still, it is possible that that might be made a definite regulation and that it should be laid down that the joint board should meet periodically.

CHAIRMAN: There are certain further questions which the Commission would like to put to you, but I take it that you will be available to give evidence before us at a later date, probably some time next week ?- I shall be at your disposal whenever you wish me to appear.

At 4.30 p.m. the Commission adjourned, until 10 a.m. on Wednesday, May 13th.

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