

P. O. Box 1176,  
Johannesburg.

21st Sept. 1928.

Dear Sir,

A joint meeting of the Joint Council Committee on the Native Administration Act and a Committee on Native Marriage Laws of the S. A. General Missionary Conference will be held at the UNIVERSITY, MILNER PARK, JOHANNESBURG, on TUESDAY, 2nd OCTOBER 1928 at 10. a.m. to discuss the probable effects of CHAPTER V of the N. Admin. Act and generally the present position regarding Native Marriages.

As the delegates of the Missionary Conference will be coming from the various parts of South Africa it is hoped that members of the Joint Council Committee will make a strong effort to attend the Conference.

A meeting of the Joint Council Committee will be held at the Bantu Men's Social Centre on WEDNESDAY, 26th SEPT at 3. 30. p.m. to discuss the points to be brought up before the Conference as follows:-

- 1. The legal effects of Chapter v.
- 2. Protection of Christian Marriage
  - a. Desertion
  - b. Subsequent Marriage by Native Custom.
  - c. Inheritance.
- 3. Lobola under the Act
- 4. Christian Marriage and Lobola.

I shall be grateful if you will also try to attend this meeting.

Yours sincerely

*Polysang & Church members.*



Par. 2.

- a. Why were the provisions of the Natal Act 46/1887, Sections 13-15, which declare marriage by Native custom after a Christian or civil marriage to be bigamous, not extended to the rest of the Union? Have they been found to be inoperative?
- b. Proc. 142 of 1910(Transk.), Sections 3 and 8(1) provides that marriage by Native custom subsequent to Christian or civil marriage gives no rights as against a spouse or issue of such Christian or civil marriage. The Colonial law of community of property applicable to Christian or civil marriage also had the same effect. Under Chapter V there is no community(unless expressly desired) and there is no protective clause. Will a subsequent marriage by Native custom be recognised for succession purposes?
- c. Does the declaration made under Section 22(1) automatically set apart property so declared from the main estate?
- d. Under the older proclamations of the Transkei (e.g. Proc. 207/1899, property of a Native married under Christian or civil or registered marriage who died intestate was disposed of according to Colonial Law. What caused the change in Section 8)3) of Proc. 142/1910.
- e. Why was automatic community of property in Christian or civil marriage abolished in the Transkei?
- f. There are extensive complaints of desertion. Can anything be done to fasten responsibility upon the deserting husband?

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