

https://dspace.org/

White workers' grievances and the industrial colour bar 1902-1913

Katz, Elaine N.

1975-08
http://hdl.handle.net/10539/9015

Downloaded from a DSpace repository. https://dspace.org/

UNIVERSITY OF THE WITWATERSRAND

A F R I C A N S T U D I E S I N S T I T U T E

African Studies Seminar Paper
to be presented in RW
4.00pm AUGUST 1975

Title: White Workers' Grievances and the Industrial Colour Bar, 1902-1913.

by: E N Katz

No. 033

After the general strike of July 1913 on the Witwatersrand the Transvaal trade unions (most of which were craft unions) under the auspices of the Transvaal Federation of Trade Unions presented a statement of their grievances in a document entitled 'The Workers' Charter'. These reveal that white workers, particularly mineworkers, had deep-seated grievances. There were precedents for all their demands, and 'The Workers' Charter' could have been a document drafted by trade unionists anywhere in the world. Some of these demands however reveal the major unstated aim, that of preventing non-white encroachment in skilled, semi-skilled and even unskilled occupations.(1)

Partisan writers of South African trade-union histories, such as I. Walker and B. Weinbren, and E. Gitsham and J.F. Trembath, have tended to gloss over the fact that one of the reasons why white miners went on strike in 1907 and miners and all other mineworkers went on strike in 1913, was because they were aggrieved by non-white encroachment, particularly by Africans (and also by the Chinese in 1907) who were paid low contract wages.(2) On the other hand, other writers, for instance H.J. and R.E. Simons, in their determination to emphasise the demands of the trade unionists for the extension of the colour bar, have tended to play down the fact that white workers had many other grievances, many of which had no connection whatsoever with non-white competition.(3)

F. Wilson goes even futher than Simons and Simons. He makes the facile assumption that the sole reason why miners went on strike in 1907 was to 'prevent blacks doing skilled jobs'.(4) R.K. Cope in his book, Comrade Bill- a biography of Bill Andrews, a prominent official in the Amalgamated Society of Engineers before his election as a Labour representative to the Union house of assembly in 1912, gives the most balanced picture, but one which is lacking in the necessary supportive detail.(5)

The objects of this paper are to try to assess mineworkers' grievances in 1913, by an analysis of 'The Workers' Charter'; and also to indicate that the Chamber of Mines, although it was opposed to the legal colour bar, helped to perpetuate the colour bar through its low wage policy for Africans.(6)

After the general strike the government agreed that many of the workers' enumerated grievances were valid and promised to rectify them without further enquiry. Six industrial bills were drafted for the 1914 parliamentary session.(7) Some of the other demands however were considered to be controversial and it was for this reason that the Economic Commission was appointed in the latter half of 1913.(8)

Trade unionists were initially opposed to the appointment of yet another commission, because numerous commissions which had sat from 1907-1913 had made recommendations to alleviate the lot of the white workers, but the government had ignored their findings.(9) However the personnel of the Economic Commission, under the chairmanship of S.J. Chapman, a professor of economics from Manchester University, was higly regarded, and the trade unions willingly submitted evidence.(10) This evidence was of great assistance to the commission because commissions of enquiry were entirely dependent on the goodwill of those members of the public who were prepared to volunteer such information, particularly as there was almost a complete lack of statistical information relating to industrial conditions.(11) The department of mines was the one well-organised administrative unit which had collected figures about the distribution of the labour force and wages earned on the mines.(12) But no investigation had been made into the cost of living, an important item for assessing the adequacy of money wages.(13) Despite the absence of statistics relating to the cost of living, the Economic Commission laboured conscientiously to make a survey of living costs throughout South Africa. Yet some of its findings were critcised and rejected by a special enquiry in 1914 under the auspices of W.G.J. Hill, assistant superintendent of the South African Railways.(14) South African craft unions laid down their district standard rates of wages by evaluating the cost of living applicable to the different regions. In the absence of reliable statistics and in the face of many conflicting and often contradictory opinions about the cost of living, acceptable wages and working hours, it is difficult to generalise about the validity of white working-class grievances as a whole. Often the only recourse has been to assess grievances about specific cases in order to determine their validity.

Trade unionists complained that the Transvaal Industrial Disputes Prevention Act of 1909 operated against their interests. Although there had been frequent requests for dispute settling machinery before 1907, the miners' strike of 1907 convinced the government that such legislation was essential, but two years were to elapse before its enactment.(15) Trade unionists complained that the act was obscure.(16) Within three years of its promulgation it was discovered that the act did not in fact ensure the automatic recognition of trade unions.(17) There was ambiguity as to whether conciliation boards could be appointed to investigate changes in working conditions which affected less than

ten people.(18) The recommendations of the conciliation boards had no force and employers frequently ignored them.(19)

In February 1910 the minister of mines refused to appoint a concilation board in a dispute at the Geduld Gold Mine when overtime rates were abolished, on the ground that rates of pay and hours had not been altered. The employees regarded this answer as technical and verbal fault-finding, and believed that the act was of no use to them.(20) A similar request was turned down again in 1911 at Randfontein Estates.(21)

In 1911 a new contract system on the Aurora West altered the minimum wages of stopers and developers. This change affected fifteen men who sent two affidavits requesting a conciliation board. Management claimed that the law required each application to be signed by ten employees, whereas these two forms had been signed by eight and seven miners respectively.(22) Although a conciliation board was appointed and found in favour of the men, management rejected its findings.(23)

By far the most serious incident occurred in 1912, when many mines introduced new contract forms absolving the companies from having to provide contract-miners with reasonable facilities.(24) The Chamber of Mines successfully opposed the Transvaal Miners' Association's handling of the case on the ground that the union had no legal standing(25) Requests for conciliation boards had thus to be submitted separately for each mine, irrespective of the numbers affected. A board was appointed for the Ferreira Deep. At the board meeting the representative of the Ferreira Deep Mine refused to communicate with the miners' representative; and the majority's findings which favoured the men were once again ignored. The trade unions found themselves without legal recognition and the finances of the Transvaal Miners' Association(T.M.A.) were depleted by £600 as a result of the court case- a case which F.S. Malan, minister of mines, had encouraged the T.M.A. to pursue.(26) A wave of revulsion against the Industrial Disputes Prevention Act spread over the goldfields, and mineworkers believed that unless it were completely revised they would have no alternative but to strike in defiance of the act. Malan was well-aware of the discontent but made no efforts to obviate the shortcomings of the act in the 1913 parliamentary session.

Ever since the strike of mineworkers (artisans) on the Crown Deep in 1902 the Chamber of Mines and the management of all the mines had adopted a policy of refusing to negotiate with any trade-union officials. This meant that there were no channels of communication between management and its employees, and individual mineworkers, particularly active trade unionists, were loath to

register complaints for fear of being victimised.(27) Unpaid union branch secretaries were so frequently dismissed that the monthly report of the Amalgated Society of Engineers (A.S.E.) in 1911 warned its members not to visit branch secretaries at their places of work.(28) In 1912 the South African Council - the executive of the A.S.E. - ceased to publish the names and addresses of branch secretaries in Donaldson's South African Directory for fear of jeopardising these members' jobs.(29) Mineworkers dared not express their political views, even after long years of service on a particular mine, especially after the establishment of the South African Labour Party (S.A.L.P.) in 1910. In 1912 Robert Burns Waterston, organising secretary of the South African Engine Drivers' and Firemen's Association, declared that if the head of the mine was a 'Unionist' a mineworkers dared not admit to being a 'Nationalist'.(30) J. Mulvey, a prominent member of the A.S.E., believed that his dismissal from his job, following his election as a Labour Pary member of the Johannesburg town council, was the result of victimisation for his political beliefs.(31)

The Economic Commission stressed the necessity for the recognition of trade unions and the value of negotiation by paid union officials with management. The commissioners also acknowledged the importance of discussion by employers with officials from the Federation - a suggestion which the Chamber had formally and totally opposed - especially when trade unions could not afford paid officers. The commissioners also stressed the fact that the appointment of a conciliation board should be regarded only as 'a final resort', and that this should only occur after all attempts at negotiation- which they regarded as the primary agency for settling disputes - had failed.(32) Although legislation for the recognition of trade unions was drafted in 1914, the bill was not enacted and only in 1924 were trade unions formally and legally recognised in South Africa.(33)

Trade unionists were also aggrieved by the Transvaal Workmen's Compensation Act of 1907 and requested uniform legislation for the four provinces. The major shortcoming of the Transvaal act lay in the provision which obliged a plaintiff to establish his claim for damages by proving that he was the victim of negligence caused either by a fellow-worker or his employers. (34) Unless a worker received legal assistance this was frequently impossible to prove. (35) In addition, as a variety of magistrates dealt with lawsuits under this act there were discrepancies in evaluating compensation,

particularly in cases of 'disfigurement' or 'partial disablement'. (36) In one case an 'engineer' who lost the sight of an eye was awarded the partial disablement compensation prescribed by the act of £250; but in two other cases in the same year different magistrates declared that the loss of an eye did not incapacitate a carpenter and a drill-sharpener, both of whom lost their cases.(37)

Accident victims had the choice of applying for compensation under the Transvaal Workmen's Compensation Act or under common law.(38) Secretaries of insurance or mining companies frequently visited injured workmen in hospital when they were barely conscious, and contrived to secure their signatures by promising them half-pay for lost time, a right to which workmen were already entitled. By signing this document victims signed away their rights under common law in terms of which higher compensation was ofter awarded than the maximum of £500 to which they were entitled under the Workmen's Compensation Act.(3) Trade unions constantly advised their members not to sign any forms presented by 'curs' until they had either consulted legal opinion or decided under which law they wished to proceed.(40)

In 1914- after the general strike - a Workmen's Compensation Act applicable to the four provinces was passed which,in addition, removed the major disadvantages of the earlier Transvaal act. Workmen no longer had to prove the employer's negligence and were given the right to proceed against the principal.(41)

Although the Transvaal Ordinance No. 12 of 1904 protected workers' wages from being garnished in excessive amounts by magistrates, a loophole in the law permitted the supreme court to attach a worker's entire wage thus bypassing the lower courts. (42) It was therefore not surprising that trade unionists demanded a bill regulating a lien on their wages. The validity of their demand was recognised in 1914 - again after the general strike - by the Workmen's Wages Protection Act. (43) This act also included a long-requested provision that wages had to be paid weekly.(43) The Economic Commission also supported this request finding that the practice of paying workers monthly encouraged them to buy on credit- a system which they often abused- and tended to raise the already high cost of living.(44)

It was the general strike which made the government realise that it could no longer shelve the enactment of legislation for the regulation of industrial conditions, as it had done in the case of the Factory Bill of 1912.(45) The ambitious programme of draft legislation for the 1914 parliamentary session, already commented on, also included a Factories Bill which was only

enacted in 1918.(46) All these suggestions had previously been discussed in parliament at the instigation of the Labour Party, but had been rejected from 1910 to 1913 as 'socialistic nostrums'. (47)

The demand for the legal enactment of a 'National Eight Hour Day' (or alternatively the forty-eight hour week) was a major reform requested by trade unions all over the world. By 1913 skilled artisans on the Witwatersrand did not work excessively long hours. Fifty-one hours a week was the maximum worked on most mines and in private industries, while the forty-eight hour week already obtained in several large firms.(48) Skilled workers on the mines wished to receive 2s.6d. per hour and resented being paid not by the hour but by the shift. In practice this meant that artisans were received £1 per day irrespective of the number of hours they worked, as they seldom paid extra for overtime. Furthermore when overtime rates obtained, they were still calculated at 2s.6d. per hour.(49) The system of calculating a worker's wages by the shift and not by the hour was open to abuse. For instance, it was the custom on the Charlton and Meyer Mine in 1911 to work five long shifts on week-days and a short shift on Saturdays, for which they received £6 per week. On several occasions the manager informed artisans that he did not require their services on Saturdays with the result that the men received only £5 per week.(50)

In contrast to the skilled artisans, pumpmen on the surface worked hours which ranged from fifty-eight to seventy hours per week, a practice which the Economic Commission believed necessitated state intervention, unless management voluntarily reduced these excessive hours.(51) The evidence given before the Economic Commission in no way corroborated the Report of the Select Committee on the Subject Matter of the Eight Hours Bill. This committee, appointed by the Transvaal legislative assembly in 1908, rejected the legal enactment of the eight-hour day for the reason that, apart from mining and agriculture, the principle had been voluntarily adopted in private industry.(52) Trade unionists indicated that far from this being the case in many instances the reverse was true. Women and children employed by the Argus Company, for instance, often worked fifteen to sixteen hours a day in over-crowded, badly-lit rooms without being paid any overtime.(53) Furthermore it was alleged that employers abused the Transvaal Shop Hours Act by requiring employees to work longer than nine hours a day(or fifty-four hours a week).(54)

These abuses were substantiated by the Economic Commission, which advised strict inspection and enforcement of the Shop Hours Act and the promulgation of legislation to provide a maximum week of fifty hours for all employees in factories and workshops, including those on the mines. (55) In addition, the Ecomonic Commission recommended the payment of additional rates for overtime, and stressed that unless the amount of overtime was restricted, hours of work tended to become so elastic that additonal hours were accepted as part of the normal working day.(56) The Economic Commission also agreed with trade unionists that night shifts should be shorter than day shifts, but paid for at the same rates. (57) The commissioners advised that all these recommendations should be implemented by state legislation, a request which the trade unionists had constantly reiterated.(58)

The demand for the eight-hour day particularly concerned all underground mineworkers. Evidence submitted by the trade unions in 1907 to the Transvaal Mining Industry Commission and the Transvaal Mining Regulations Commission made the authorities aware that the mortality due to miners' phthisis was far greater than had been imagined. In 1907 miners who went on strike declared that managements action in obliging them to supervise three instead of one or two drilling-machines would result in their succumbing to the disease far more rapidly in mines which were already notorious as death traps.(59) By 1907 it was abundantly clear that regulations introduced to prevent phthisis were not being observed either by the men or management. Miners found the respirators uncomfortable, while few mining companies had introduced water sprays to prevent dust clouds.(60)

In 1908 the Transvaal department of mines took immediate steps to introduce and enforce regulations to diminish the dust underground. But by 1910 miners themselves were still negligent about observing safety precautions, and inspectors were lax in enforcing regulations.(61) In 1911, on the recommendation of the Mining Regulations Commission, a sanatorium for incapacitated miners was established at Springkell.(62)

This beneficial step did not solve the more urgent preventative problems, and in 1911 the Mines and Works Act made it a punishable offence for underground workers to work more than eight hours at the face of the mine, exclusive of the time taken to convey mineworkers to and from the bank(the surface) of the mine.(63) The system was open to abuse and frequently men at underground waiting staions were exposed to an atmosphere thick with dust and

nitrous fumes for periods varying from one to two hours.(64)

In 1912 the miners' phthisis prevention committee recommended that miners should be 'absolutely prohibited' from returing to the face during the same shift after blasting; but by 1914 this abuse was still prevalent.(65) In thirty-two mines, which by 1913 worked a single shift of eight hours a day, the dust hazard was considerably reduced. However in the remaining twenty-three mines mineworkers were exposed to dust which had not settled after blasting, when they came to work during the second or third shifts. (66) Both the Mining Regulations Commission and the Economic Commission recommended that only one shift per day should be worked.(67)

With the introduction of improved techniques the Chamber complacently stated that there was little 'risk' of contracting phthisis, and adopted the policy that 'things are good enough'.(68) But in 1911 Richard Barry, the manager of Nourse Mines, observed to his uncle John X.Merriman, a former prime minister of the Cape Colony:

> People have been slow to realise what ravages this disease has made and is making and even today the efforts to eradicate it on a great number of mines are of the flimsiest nature... the terrible thing... is that it will take at least 7 years from the date upon which the whole community seriously starts trying to really achieve any noticeable results since as things stand today we are perpetually manufacturing fresh victims who will be with us for some such period as 7 years.(69)

Mineworkers were all too well-aware that, despite the innovations and efforts of the authorities, phthisis was a factor in their daily lives, and scorned the assurance of the Chamber of Mines that it was a 'thing of the past'.(70) In September 1913 Barry stated that phthisis was a 'far bigger factor than even the men are aware'.(71) In December 1913 Thomas Mathews, general secretary of the T.M.A., reported that as many as eleven applicants a day were appealing to the miners' phthisis board for compensation. (72) Mathews's figures were roughly borne out by those of B.de Witt Hamer, the secretary of the board, who calculated that 'over seven' men each day from 1 August 1912 to 1 March 1914 had applied for compensation.(73)

Contrary to the general belief, the medical commission on miners' phthisis asserted that all underground workers, not merely miners, were susceptible to the disease.(74) The drill-sharpeners, aware of this before 1910, had urged the Mining Regulations

Commission to recommend their working on the surface, a view which they reiterated in 1913. The mining regulations of 1911, which permited drill-sharpeners to continue working underground in places not 'deleterious to health', had been abused by management.(75)

Mangement refused to pay underground workers extra rates for overtime on the grounds that men should be dissuaded from performing overtime as it endangered their health. This rationalisation was completely refuted by Barry who stated, 'Health is used as a cloak now and again but always only to shield the alternative of higher pay.'(76) After working with the committee appointed by the Chamber of Mines to collect evidence for the Economic Commission Barry was astounded by the amount of overtime performed underground. He alleged that if access had been allowed to the books of the Randfontein and Barnato groups in the first quarter of 1913 'when no-one was on their guard' and 'before they were altered', it would be clearly seen that management was 'deliberately breaking the law...aided and abetted undoubtedly by the men themselves'. (77)

The trade unions' demand for eight hours bank to bank had considerable merit, because, as has been indicated, the eight hours' face to face regulation was open to abuse. If this provision was to be strictly observed, it was necessary to limit by regulation, as trade unionists requested, the time (half an hour) taken to raise and lower men to and from the surface. The Economic Commission recommended the adoption of this principle, which was one which the Chamber of Mines had rejected in 1912 for the reason that it would be impossible to ensure that such a modification to the Mines and Works Act could be applied to Africans as well.(78)

Trade unionists objected to the Miners' Phthisis Act of 1912 because they believed that it should have been incorporated in the Transvaal Workmens Compensation Act, under which awards for compensation were much higher.(79) In terms of the Miners' Phthisis Act mineworkers were obliged to contribute to the general fund, which awarded £8 per month for one year (or a lump sum of £96), or £8 per month for five years (or a lump sum of £400), if miners suffered from phthisis in the 'first' or 'advanced' stages respectively. Officials in the department of mines agreed with members of the trade unions that £8 per month was insufficient for a married man to live on.(80)

As a result of this 'paltry compensation', workers afflicted by the disease wittingly committed the offence of not reporting their illness until they had phthisis in the advanced stages preferring 'death by phthisis' to death by 'starvation', because it was virtually impossible for a man who had contracted the disease, even if he had recovered from it, to secure any kind of work whatsoever thereafter.(81)

The insecurity of workers on the goldfields was exacerbated by the alleged lack of sympathy not only of management but also by government officials. Miners who in 1907 and 1913 requested representation on the board of examiners for blasting certificates did so in the belief that this would free them from their dependence on their good-standing with shift bosses, shift captains, and mine managers, whose recommendations were necessary before they could undergo their trade test and receive a blasting certificate.(82) In addition, the system of awarding certificates was grossly abused, as the events during the 1907 miners' strike clearly illustrated, when inadequately-trained miners, some of whom had had a mere two weeks' instruction underground, were awarded these certificates.(83) Miners even wished to elect one-third of the mining inspectors so that they could report infringements of the mining regulations with impunity. Their fears were corroborated by Robert Nelson Kotze, the government mining inspector, when he gave evidence before the Select Committee on Working of Miner Phthisis Act in 1914:

> He [the mineworker] runs the risk of either being fired by the inspector [for not reporting that his water pipe was defective] or of getting the sack for complaining.(84)

Mine managers were frequently appointed as mining inspectors, with the result that mineworkers believed that the former would favour management if they reported infringements of mining regulations.(85) A typical case occurred in 1912 when the management of Crown Mines was charged with contravening the regulations by obliging a ganger to supervise too many Africans. The magistrate, accompanied by inspectors and three memebers of the T.M.A., inspected the mine and all agreed that the ganger had more work 'than he could reasonable be expected to perform.' Notwithstanding this evidence, the magistrate did not find the management guilty, because the manager, acting on the chief inspector's advice, after the inspection relieved the ganger of his work-load by employing additional white gangers. In giving evidence the chief magistrate stated that the manager was always amenable to suggestions made by the department

of mines. But the T.M.A. considered that the chief inspector had deliberately abetted the management in averting prosecution.(86) The alleged bias of inspectors also led the T.M.A. to reiterate its request for the reintroduction of the republican Inquest Law because the evidence of inspectors had an important bearing on the compensation awarded to dependents of deceased workers.(87)

Malan acknowledged that the hostility between mine management and mine workers was engendered partly by the 'absence of human touch'.(88) The Chamber was sensitive about this and made enough apologetic statements to confirm the view held by the public that 'managers are hard taskmasters indifferent to the welfare of the workers and that, in fact, there is something radically wrong on the mines which should be remedied'.(89)

Despite requests since 1907 that mining companies abolish the practice of giving a worker twenty-four hours' instead of a month's notice to vacate a house occupied on the mines, the practice was still in vogue in 1913.(90) Insecurity of house-tenure was one of the major reasons deterring immigrant mineworkers from bringing their families to South Africa.(91) Another result was that mineworkers tended to treat houses on the mines as 'camps rather than homes'.(92) In addition, rather than face ejection at such short notice, mineworkers preferred to live in their own private homes and to travel to work, despite the fact that these expenses added to their already high cost of living. Furthermore mineworkers were often summarily dismissed, through no fault of their own, because mine captains and mine managers (who also changed jobs frequently) when moving to a new mine dismissed employees and replaced them by workers who followed them.(93)

The Mines and Works Act of 1911 legalised certain essential work being performed on Sundays. But allegations that the regulations were being infringed was one of the reasons which led to the appointment of the Sunday Observance Commission of 1911.(94) Many miners and artisans believed that no work whatsoever should be performed on Sundays, because it was the one day on which workman and his family could see their friends or enjoy family life.(95) The Sunday Observance Commission recommended that Sunday minework should be reduced to the barest minimum, that mines should be given three years to modify essential reduction processess to prevent their being undertaken on Sundays, and that all new mines should be prohibited from performing any reduction work at all on this day. It had become the practice on certain mines to regard Sunday as a normal working day, and men were

frightened to object for fear of losing their jobs.(96) The shift system, when abused, all affected the mineworker's enjoyment of Sunday, because after working until midnight on Saturdays he was expected to resume work on Sunday at midnight .(97)

Barry, in a confidential letter to Merriman, observed that 'all classes' of underground work were being performed, and that 'many mines were deliberately breaking the law'. He attributed excessive underground overtime and underground Sunday work, in part, to the contract system.

By 1913 almost all developing and more than half the stoping on mines was done under contract.(99) The mining companies provided miner-contractors (who did not use their own capital) with African assistants, supplies, explosives and tools, and miner-contractors paid the companies for these aids.(100) Often miners were unable to fulfil their contracts, and after paying the company its dues found that they earned nothing and were still in debt to the company. In certain cases the companies augmented the wages of miner-contractors, but the Economic Commission considered the average augmented wage of 10s. per day too low. Through experience, but more often through good luck, miner-contractors earned very high wages, but earnings oscillated and the insecurity of these miners affected all mineworkers.(101)

The Economic Commission dispelled the popular misconception that on average miners earned large sums of money which ranged from £600 to £900 per annum. Such cases in fact occurred rarely. The Economic Commission recommended the system of day pay be substituted for the contract system, but that, if the latter practice continued, it should be attached to a reasonable augmented minimum wage. (102) The commissioners, in assessing the high cost of living on the Witwatersrand, observed that although the mineworkers' wages were 'unquestionably very high', they were not excessively high in relation to the cost of living and the nature and conditions of work.(103)

The contract system generated a restless gambling spirit amongst miners. Sometimes miners who had contracted for certain tasks found that the best part of the reef had already been worked. Rather than face a difficult section which could not be mined by the agreed date, they would choose to move elsewhere.(104) However if the discharge certificate - certificates which all mineworkers were obliged to carry and to which they strenuously objected, equating them with African passes - showed that the miner had worked in one place for only two or three weeks, employers would attribute this short tenure to his inefficiency, and the miner would have difficulty in securing work.(105) The frequency with which miners changed jobs is illustrated by the figures produced by Kotze:

> Between January and June, 1911, the Witwatersrand employed in 53 producing mines an average of 22,180 white men, and there were 17,754 changes, on an average of 13.3 per cent per month. (106)

On Randfontein Central Mines, where the contract system had been abandoned and the system of day pay subsituted, there was greater security amongst the men with concomitant increased productivity and stability.(107)

Additional resentment of mineworkers focussed on the sick and benefit societies provided by the mines. Repeated representations since 1907 led the government to appoint a Commission of Enquiry into the Mine Benefit Funds.(108) Although the commission reported in 1911 the government ignored its findings many of which incorporated the trade unions' suggestions. The workers' major grievances were that no matter how long they contributed to these compulsory benefit funds, as soon as they left a mine they lost all claim on the fund. Unemployed mineworkers had no claim on any funds to which they had contributed and could not draw sick pay.(109) Unless a mineworker actually lived on a mine the recreation facilities were valueless to him.(110) Members of the benefit schemes were debarred from drawing on the funds in cases when they were awarded compensation under the Workmen's Compensation Act, or if illness necessitated hospitalisation. (111) Medical examinations were not required when men were admitted to the benefit funds, with the result that sick and chronic invalids coming to a new mine, but paying the same subscriptions, received compensation from the funds.(112) All the abuses inherent in the seventy separate benefit schemes which existed in 1910 and which involved 24,000 workers remained a permanent source of grievance.(113) Mineworkers, who wished the funds to be consolidated and controlled by the government, believed that the schemes operated not in their own interests, but for the benefit of the management of the mines which contributed nothing to these funds.(114)

The lack of time that workers had for recreation was demonstrated by their demand for a national system and additional public holidays. Apart from Sundays, Christmas Day and Good Friday, no other holidays were legalised. It was only after the 1913 general strike and after consultation with the government that the Chamber agreed to pay underground and surface workers, who had been continuously employed for a year on one mine, ten days leave on half pay.(115) This survey of industrial working conditions explains the bitter comments of organised labour exemplified by an editorial in the Worker, the official newspaper of the South African Labour Party, of July 1913:

> The white population has hardly yet realised that a white worker (we will not deal with the black man now) claims in this country, as he has long claimed elsewhere, to be recognised and treated not with the intolerance by a 'baas to a boy' but as a man and a citizen whose right to life, liberty and competence, is as important as his 'master's'.(116)

Prominent men at that time, who had no connection with the trade-union movement, recognised the undoubted legitimacy of many of the workers' grievances. However it is important to stress the fact that it was the trade-union methods of dealing with the black man which alienated their potential supporters. For instance, William Hosken, a former member of the Transvaal legislative assembly, was prompted to comment:

> For myself I sympathise greatly with the aims of organised labour but I am for justice and fairplay for the black worker as well as the white. Here in the Transvaal the white worker refuses elemental [Sic] rights to the Native and Coloured workers.(117)

A number of the Federation's demands had a direct but unstated connection with the trade unionists' fears of non-white competition, and indicate the truth of Hosken's judgement.

The high wages originally paid to skilled immigrant miners and artisans as an inducement to come and work on the Witwatersrand mines set the pattern of the wages for white industrial workers.(118) Basing the minimum standard for skilled whites on the customary sovereign a day, in addition, trade unionists claimed that 16s.8d. and 10s. should be the minimum basic daily wages of semi-skilled and unskilled white industrial workers, although the latter, they declared, was an unfair wage for a white married man.(119) In contrast to the high wages accorded white mineworkers, the wages of all non-whites (particularly Africans), who were originally responsible for all the unskilled work, were infinitely lower.(120) With the establishment in 1900 of the Witwatersrand Native Labour Association(W.N.L.A.), an organisation responsible for the recruitment and distribution of Africans to the companies affiliated to the Chamber of Mines, the simple average maximum wage of these contract labourers was fixed in 1903 at 2s.3d. per day.(121)

The discrimination of the white overseas mineworkers against non-whites was originally a class-conscious discrimination, but as non-white workers acquired skills and could be seen as competitors they were discriminated against mainly for reasons of colour.(122) Overseas miners who in the normal course of their duties had to perform a great variety of tasks, many of which were of a menial nature, rapidly came

to share the average South African's aversion to manual work or 'Kaffir work' of any kind. As in other countries, the introduction of machinery led to the dilution of the skill content of many jobs and depreciated the operative's (or artisan's) asset of versatility. The miner was in a far more difficult position to resist this kind of encroachment on his preserve than the artisan, because the nature of mining militated against a strict definition of unskilled, semi-skilled and skilled minework.

Before the Anglo-Boer war it was the practice for one white miner to operate a drilling-machine with the help of two Africans. Miners admitted that it took Africans no less than two weeks' training before they became competent to handle the drills on their own. Management realised that handing over the drills to the Africans freed the miners to undertake more supervisory work, and before the war it became common practice for white miners to supervise two drills with the aid of five Africans. This innovation led to strikes and white miners reluctantly returned to work on the Primrose mine after they were promised 25s per day instead of £1 for their additional supervisory responsibilities. White miners resented being forced into this supervisory role claiming that it reduced their efficiency and competence as practical all-round miners.(124) Local mining training procedures, unlike the position overseas, produced rock-drillers rather than all-round miners, and many overseas-trained miners found themselves unable to use all their specialised skills except in certain more exacting occupations. In addition, as many overseas-trained miners succumbed to phthisis or went home to die of the disease, management alleged that local standards of proficiency were dropping sharply.(125) All the overseas-trained miners who gave evidence before the Mining Industry Commission in 1907 declared their preference for the old system under which each miner had charge of a single drilling-machine; but locally - trained miners, who had not gone through the mill, preferred their supervisory roles.(126) In the course of time all miners, irrespective of their training and competence, became equated with locally-trained rock-drill supervisors and overseers of all other oocupations, such as tramming, lashing and shovelling.(127) According to a general manager of De Beer, the occupation of supervisor was 'unfortunately... not of a nature calling for the exercise of much brain power'.(128)

The white miners therefore adopted the blasting certificate as their bulwark against non-white encroachment, it being the only entrance qualification necessary to join the T.M.A. (129) Overseas miners had formerly regarded this certificate merely as an extra qualification to fortify their all-round versatility. As blasting certificates

were in the Transvaal in practice awarded only to whites before the mining regulations of 1911 legalised this colour bar, the possession of this certificate was arbitrarily used to differentiate a skilled miner from all other miners.(130)

The artisans in contrast to miners were in a stronger position to resist non-white encroachment by their strict definition of what constituted skilled work, and the apprenticeship rules devised for the training of artisans. However artisans even before the Anglo-Boer war were aware that a number of non-whites were receiving an indirect and informal apprenticeship,and that management was prepared to upgrade non-white workers.(131)

At the direct request of the Transvaal Engine Drivers' Association (the forerunner to the South African Engine Drivers' and Firemen's Association) the republican government introduced laws in 1896, 1897 and 1898 that engine-drivers with the responsibility of hauling men had to be white and in possession of a certificate of competency.(132) This provision was incorporated in the 1903 mining regulations by the British administration.(133) Additional colour bars were introduced in amended mining regulations of 1906 which stipulated that all boiler-attendants(firemen) and lift operators had to be white.(134) These regulations theoretically reinforced the security of engine-drivers, because they had to serve a defined period working with boilers (or engine) before thay were allowed to take their trade test.(135) The Chamber of Mines although opposed to the colour bar, was not greatly perturbed by the restrictions placed on non-white winding engine-drivers because it conceded in 1903 that there were 'practically no coloured drivers'.(136)

In addition, the 1903 Transvaal mining regulations also confined the semi-skilled jobs of banksmen and onsetters to whites.(137) Banksmen and onsetters supervised the loading and unloading of workers and mine-material in the cage, and gave the necessray signals to the engine-drivers to raise and lower the cage. These jobs must have been performed by a number of non-whites, because when the republican government introduced the colour bar in these occupations in 1896 the mineowners reacted with more concern than in the case of winding engine-drivers. Mining-house representations to the volksraad led to the repeal of these two restrictions in 1897(138)

Miners originally did not fear Africans as competitors, believing that they did not have 'the brains enough' to get beyond a 'certain efficiency'.(139) The Chinese however, as experience in Australia had indicated, were different as they had a reputation for being apt

and willing workers.(140) South African trade unionists resisted the introduction of Chinese manual labourers, who in terms of the Labour Importation Ordinance of 1904 were restricted to numerous unskilled occupations, and did so all the more strongly when it was realised what effect their employment was having on the distribution of the white labour force on the mines.(141) Trade unionists alleged that the mining regulations were being broken; but their major grievance was that the ratio between whites and non-whites was steadily increasing (142) They claimed that since the advent of the Chinese, job opportunities for whites on the mines were steadily diminishing - despite the expansion of the industry - and that the ratio of white workers to Chinese labourers had decreased from 19 per cent to 11 per cent.(143) They suggested that this was because white miners supervised vastly increased numbers of Chinese in a great variety of occupations. For instance, a miner might be required to supervise as many as a hundred unskilled labourers on six or sevel levels. Through the delegation of supervisory duties to 'boss boys', the law was still observed, but only in the technical sense, because the white miner was still the overall supervisor.(144)

More important, however, was the fact that Africans, who again began working on the mines in increasing numbers after the temporary dislocation during and after the Anglo-Boer war, were used in similar fashion to the Chinese. The experience derived from the employment of the Chinese, in conjunction with Africans, indicated to management that there was nothing inherent in the African which might 'prevent' him from doing work of a similar nature to that of whites.(145) Mining companies were dependent on local and overseas finance for capital improvements and development. But as the bulk of the ore was of a low-grade quality yielding relatively small returns to investors, and as the highest item of costs was labour, mining directors, particularly in the years of depression from 1902 to 1910, made even greater effort to reduce labour costs or alternatively to increase white productivity, whose output management alleged had been restricted by trade unionism.(146) Management's efforts to introduce white contract rock-drillers had been thwarted by a strike in 1903.(147) In the latter half of 1902 Frederic Hugh Page Cresewell, a mine manager who later became the leader of the S.A.L.P. in parliament, conducted experiments with unskilled white labour. When he required white miners to supervise more than two drilling-machines manned by whites, this action precipitated a strike on the Village Main Reef Mine.(148) White miners were well aware that rock-drilling procedures required only a brief period of training and that aspirant miners could

very easily obtain blasting certificates whereupon they could be classed and paid as skilled. Job fragmentation made white miners fear that their would be no limit to the number of machines that they would be expected to supervise. Thus in 1907 when management required the miners on the Knights Deep to supervise three instead of two rock-drills, manned by Chinese or Africans, they again resorted to striking.(149)

Initially white workers had been encouraged to consider themselves the 'aristocrats' of labour. Lionel Phillips, a director of H. Eckstein and Company, attacked the 'presposterous' idea that white workers should perform 'labour of a similar character' to Africans.(150) Management's repeated references to Africans as 'mere muscular machines and the differences in wage payments of whites and non-whites, when it was clear that the latter were doing minework of a semi-skilled and even of a skilled nature, must certainly have encouraged white workers to adopt the view that all Africans irrespective of the nature of their work, should be designated as unskilled and paid accordingly.(151) Trade unionists who strongly advocated the abolition of the contract system, did not therefore advocate the payment of 'unskilled' non-whites in accordance with unskilled white minimum standards.(152)

Craft unionists began to advocate a white labour policy which envisaged the segregation of Africans in reserves and their total exclusion from all industrial work.(153) Until such a policy was implemented they therefore advocated the extension of the colour bar in such a way that all non-whites would be debarred from handling any form of machinery, thus precluding them from serving any indirect form of apprenticeship.(154) Miners, in contrast to the artisans, were not in favour of dispensing with African assistants, even on the drills, and/did not support the idea that Africans who did the nasty 'rough' manual work, which white miners had performed overseas, should be entirely excluded from the mines. They therefore only favoured the extension of the colour bar.(155)

The Mines and Works Regulations of 1911 listed twenty-two mining jobs which could be performed only by white workers in the Transvaal and the Orange Free State.(156) These regulations laid down inter alia that gangers, who were supervisors of groups of mine-workers, in addition to banksmen and onsetters, now had to be white.(157) The Chamber of Mines resented the extension of the colour bar, and, before the general strike commenced, made no secret of the fact that it wished it to be revoked. The Chamber was told by legal advisers that it should test the regulations applicable to banksmen and onsetters in court/because there was a strong possibility that they

would be declared ultra vires. This was because the mining regulations stipulated that in the Cape and Natal 'competent' men, who did not therefore necessarily have to be white, could undertake these tasks. (158) The Chamber claimed that the employment of semi-skilled non-whites was the necessary alternative to inefficient white labour, the standard of which was steadily deteriorating.(15()

After the 1907 strike,when Afrikaans miners entered the mines for the first time on a large scale as strike-breakers, the government tried to promote schemes to attract and train South Africans as miners. (160) The school for training miners on the Wolhuter Mine, established in 1908, did not prove very successful. Many of the learners left the school before completing their indentures because of their aversion to doing 'Kaffir' work.(161) The danger of phthisis was also a powerful factor deterring whites from undertaking mining.(162) Harry Ross-Skinner, a director of E.R.P.M., inadvertently showed why the majority of miners needed few skills, and why Africans were capable of performing these tasks in/an answer to a question put to him by the Select Committee on European and Labour Conditions in 1913:

> What is the skilled work about? It is looking at the natives while they work the drills - when the natives are raw - when new gangs of natives come in and are allowed to the working places, the white overseer has to hustle after them and get them into their positions, see that they can get the proper position of the holes. He has got to teach the native to use his hammer, and it is a rather difficult thing to hit a piece of steel with a hammer without hitting your fingers. He has all that work to do.(163)

Several mining engineers attributed the inefficiency of miners to the fact that there was no competition from Africans.(164) This explanation had some measure of truth. Safeguarded by the colout bar, the T.M.A. was prepared to lower its standards, and contrary to past requests, asked that a white miner be permitted to receive his blasting certificate after a mere nine months' training.(165)

Contrary to expectation the Africans, particularly those from Portuguese East Africa, who in 1913 comprised approximately 96,000 out of a total of 254,495 non-white mineworkers were considered as good, if not better, supervisors than whites.(166) In spite of the colour bar the scope for underground white employment seemed to be decreasing as Africans were increasingly employed in semi-skilled occupations. In 1907 the Chamber employed 2,234 white miners to supervise 1,890 machines, but by 1913 '2,207 or 200 less' were supervising 4,781 rock-drills handled by Africans. By 1913 it was customary for white 'skilled labourers' to supervise six to ten machines. In addition, the Chamber continued to reduce the numbers of white gangers by

replacing them with intermediary African 'boss boys'.(167)

From 1910 displacement of skilled artisans by Africans also occurred on the surface with the electrification of the mines. Many firemen found themselves redundant, while semi-skilled work on the electricity plants was done by Africans.(168) Africans also replaced white stationary engine-drivers, and, for instance, on the Randfontein group of mines it was estimated that from 1911 to 1913 the number of whites in this occupation decreased from forty to seventeen or eighteen. (169)

In 1912 the system of recruiting Africans was expanded by the establishment of the Native Recruiting Coporation, which had the sole rights to recruit African labour in the Union and the High Commission territories, and as its activities increased trade-union criticism of the contract system grew more vociferous. The threat of 'unfair' and 'docile' competition loomed large as increasing numbers of Africans were employed in semi-skilled and skilled occupations at unskilled contract rates.(170)

Trade unionists were not the sole critics of the contract system. The Economic Commission submitted that 'native labour in South Africa is so cheap that it has come to be looked upon as a thing which can be used extravagantly'. (171) Although the Chamber of Mines contended that the colour bar in the mining regulations was its major obstacle in permitting the advancement of Africans, Barry differed. In 1913 he wrote:

> Native labour and the Colour bar.
> The idea is that we must give the Native a chance to progress and that we could economically employ him much more widely if allowed to do so. Of course there is nothing philanthropic in the minds of the Industrial Controllers.

By May 1914 Barry was urging that the Chamber should withdraw its 'rotten schedule of rates' and that labour should be 'attracted' and not 'recruited'. His subsequent indictment of the Chamber was even stronger:

> Although the Mine Owner shouts at the Government about withdrawi 'The Colour Bar' he proves himself absolutely insincere by his restriction of pay on every class of native worker - this setting up a far stronger and wider 'bar' than any provided by the Regulation.(172)

White workers who had always been encouraged to consider themselves the 'aristocrats of labour' could not possible compete with

Africans at their contract rates of pay.(173) In this particular respect trade unionists were justified in criticising the contract system, and their demand for its abolition was in full accordance with the world-wide trade-union movement. In South Africa the dichotemy between trade-union principle and practice revealed itself in the white workers' refusal to compete with Africans, even at equal rates of pay, because of their consideration that Africans were intruders in the 'proper sphere of the white man'.(174) This rather than unfair competition, was the major reason why organised labour opposed the contract system.

'The Workers' Charter' which demanded a proper system of apprenticeship had merit of its own without touching on the problem of non-white encroachment. There were abuses in the existing apprenticeship system. White apprentices were often obliged to perform work normally done by artisans at far lower wages.(175) After apprentices had served their indentures employers frequently continued to pay them lower wages than the union minimum rates.(176) In South Africa the training and educational standards of apprentices were inferior to those of apprentices in Britain, and the admission of these journeymen into the skilled unions often tended to lower the anticipated standards and brought the trades into disrepute.(177) Despite abuses in the existing apprenticehip practices, the unstated intention of the demand for legally regulating the apprenticeship system was to preserve skilled vocations for whites as ' the inheritance of white men'.(178) Trade unionists, by stipulating that apprentices should have a high educational standard, indirectly hoped to reinforce their exclusive position, and the 1922 Apprenticeship Act satisfied this demand.(179)

Another solution to non-white encroachment was the demand for the establishment of minimum wage boards which would establish £1, 16s.8d. and 10s for skilled, semi-skilled and unskilled workers respectively.(180) This was in contrast to wage boards in other countries which/were usually founded to protect workers in the 'sweated trades'. In 1910 Bill Andrews, organiser of the Amalgamated Society of Engineers, stated that if a standard of minimum wage was fixed there would be no 'injustice to any man'.(181) Not all the A.S.E. office-bearers agreed with Andrews/that minimum wage boards should apply to non-whites as well.(182) All trade unionists however were adamant that minimum wages should be fixed according to white standards only. (183) The Economic Commission recognised that many of the trade unionists who insisted on subsistence wages fixed in accordance with white standards,

but applicable to all races, wished however to exclude all non-whites from industrial work entirely. The Commissioners rejected this idea completely and stated that ' a complete economic collapse as disastrous to white labour as to all other interests' would result if such a system were introduced.(184)

The T.M.A., cognisant of the futility of white unskilled workers competing directly with African even at acceptable white unskilled rates, insisted that certain jobs, which had formerly been classified as unskilled and which white workers had been willing to perform, should be reclassified as semi-skilled and should be paid in accordance with white semi-skilled rates. In addition, they requested the extension of the colour bar in these particular occupations, which included tramming, a job usually performed by Africans under white supervision or by unskilled indigent white workers.(185)

White craftsmen on the Witwatersrand did receive high wages. The wages of members of the South African Typographical Union varied from £6 to £8 per week, while members of the A.S.E. received the minimum district wage of £1 per day (£6 per week). The Economic Commission concluded:

> When allowance is made for the cost of living as a whole, it would seem that the workman on the Witwatersrand is better off than the workman in America and much better off than the workman in Europe.(186)

Miners, the majority of whom were employed under contract, besides living in 'constant fear of displacemnet', believed that the guaranteed contract rates of 10s. or 12s.6d. per day would become comm... practice, and would take the place of the customary minimum standard of 20s. per day.(187) The insecurity of miners permeated the entire labour fource on the Witwatersrand, affecting even the skilled artisans, who feared that their wages would also be reduced. This phenomenon evoked comment by the Econcmic Commission, which submitted that 'every drop in the demand for labour adds to the sense of insecurity'. (188)

and

During 1912/the beginning of 1913 unemployment of white workers was becoming a permanent factor in their daily lives. James Thompson Bain, the organiser of the Federation, claimed that regular employment was the exception rather than the rule, and that on average men worked only eight months of the year.(189) On 21 April 1913 he told the Select Committee on European Employment and Labour Conditions that 'not during the whole of this last 20 years, have

there been so many men in one trade or calling out of work than at the present time.'(190) Charles Mussared, a prominent official of the A.S.E., wrote,' The man who talks about holding a permanent position must justly be accused of having a bee in his bonnet.'(191) George Kendall, the organiser of the A.S.E., in October 1912 attributed the unemployment to the 'steady entrenchment' policy of management, while in April 1913 George Steer, the secretary of the executive of the A.S.E., believed that the Transvaal was on the verge of a depression 'previously not experienced.'(192)

Conditions of employment of white workers on the Witwatersrand had never been salubrious. But the high wages accorded skilled workers and their general security in the past, in the knowledge that they had a monopoly of skilled work, had been sufficient to allay most other grievances. By 1913 however this security was strongly challenged by the steady advancement of non-whites in semi-skilled and even skilled jobs. In this atmosphere the grievances of all white workers were magnified, particularly by socialist organisers of the A.S.E., the Federation and the T.M.A., Kendall, Mathews and Bain respectively. Retrenchment, unemployment and fear of all-round wage reductions fomented discontent. Added resentment was provided by the government's lethargy in improving working conditions, and this engendered a climate of hostility and militancy, unknown before on such a large scale, directed against all employers of labour. It is important to stress the fact that one of the major grievances of mineworkers was the failure by the management of all the mines to give any recognition to the trade unions. The fears of miners that the average minimum wages were being slowly reduced highlighted the incidence of phthisis, which had always been prevalent, but which now loomed larger because men were not prepared to risk their lives for the little pay they were receiving. It was the government's slow reaction to these conditions which made all workers believe that it was indifferent to their welfare and their only redress was to resort to militant action.

••••••••••••••••••••••••••••••••••

NOTES.

1. Worker, 31 July 1913. This document was divided into a number of sections, including the 'General Demands,' the 'Immediate Demands', the 'Reply of the Government' and the 'Reply of the Employers' (Chamber of Mines). In this paper the term non-white has only been used where necessary as a generic term for Africans, Asians and Coloureds.

2. Walker, I.L., and Weinbren, B., 2,000 Casualties: a history of the Trade Unions and the Labour Movement in the Union of South Africa (Johannesburg, 1961), pp. 22-23, 32-33; Gitsham, E., and Trembath, J.F., A First Account of Labour Organisations in South Africa (Durban, 1926), pp. 34-36.

3. Simons, H.J., and Simons, R.E., Class and Colour in South Africa, 1850-1950, (Harmondsworth, 1969), pp. 77-98 passim, 152-153, 156.

4. Wilson, F. Labour in the South African Gold Mines, 1911-1969 (Cambridge, 1972) p. 8.

5. Cope, R.K., Comrade Bill: the Life and Times of W. Andrews, Workers' Leader (Cape Town, (1943), pp. 89-90, 133-134.

6. See Johnstone, F.A., 'Class Conflict and Colour Bars in the South African Gold Mining Industry, 1910 - 1926,' University of London Institute of Commonwealth Studies, October 1969 - March 1970, No. 10, pp. 112-123, for his analysis of the 'wage colour bar'.

7. Draft Legislation: Text of Bills for the ... 1914 Parliamentary Session.

8. U.G. 12, 1914.

9. Worker, 7Aug. 1913, 'Commissions not Accepted'.

10. Worker, 20 Nov. 1913; A.S.E.J. (Amalgamated Society of Engineers Monthly Journal) April 1914, pp. 6-13; S.A.T.J. (South African Typographical Journal), Nov. 1913, p.3; Executive minutes of the South AFrican Engine Drivers' and Firemen's Association, 7March 1914.

11. Cd. 7 707, 1914, pt. 11, p. 152, evidence of J.W. Laite; U.G. 10, 1912, p.11.

12. U.G. 12, 1914, p. 68, par 127

13. Ibid., pp. 9 - 10, par. 1 and p. 131.

14. U.G. 46, 1914, p. 101.

15. Transvaal Statutes, 1909, Act No. 20

16. S. A.C. Minutes (South African Council minutes of the A.S.E.), 16 July 1910.

17. Transvaal Leader, 21 Sept. 1912

18. Transvaal Statutes, 1909, Act No. 20, sections 5 (1) (a), 6, 10 (1).

19. Union House of Assembly Debates, 1914, col. 2074, speech by W. Madeley.

20. A.S.E.J., Feb. 1910, p. 4, March 1910, p. 4, April 1910, p. 3; SAC minutes, 5 Feb. 1910; Voice of Labour, 11 Feb. 1910

21. S.A.C. minutes, 25 Feb., 6 May 1911.

22. Rand Daily Mail 22 Jan 1911

23. Phillips Diary, V. 1, p. 39, extract quoted from the Worker, 10 Aug. 1912.

24. Ibid., pp. 41-43, extracts quoted from the Worker, 10, 17 Aug., 15 Sept., 3 Oct. 1912.

25. Transvaal Leader, 21 Sept. 1912.

26. S. C. 9, 1913, p. 411, pp. 2 973 - 2 980, evidence of R. Shanks; Union House of Assembly Debates, 1914, cols. 1 948, 1 996, speeches of W. Andrews and F.S. Malan; Phillips Diary, v.1, p. 43, extract quoted from the Worker, 3 Oct. 1912; Rand Daily Mail, 9 July 1913, statement by F. Creswell; Strike Herald, 28 June 1913.

27. A.S.E.J., April 1910, p. 3, Jan. 1911, p. 3, April 1912, p. 4, Feb. 1913, p.3.

28. Ibid., Feb. 1911 p. 8, letter by G. Kendall.

29. S.A.C. minutes, 25 March 1912.

30. T.G. 2, 1908, pt 11, p. 443, q. 3 442, evidence of C. Smith; S.A.C. minutes, 14 Feb. 17 June 1911; Voice of Labour, 11 Dec. 1909; S.C. 9, 1913, p. 567, q. 4 011, evidence of R. Waterston.

31. A.S.E.J. Nov. 1911, p. 6, statement by J. Mulvey.

32. U.G. 12, 1914, pp. 46 - 49; Merriman Papers, 1913 correspondence, F.D.P. Chaplin to J.X.M. (John X. Merriman), 28 Aug. 1913, 4 Sept. 1913; Transvaal Leader, 22 Sept. 1913, statement by L. Phillips.

33. Union Statutes, 1924, Act No. 11.

34. Transvaal Statutes, 1907, Act No. 36; Bernberg, H.D. ... Workmen's Compensation (Johannesburg, 1912), p. 15;

35. Ibid., p. 14.

36. Ibid; Final Report of the Mining Regulations Commission, 1910, v. 1, p.244, par. 246.

37. A.S.E.J., Feb. 1912, p. 4.

38. Bernberg, op. cit., p. 15.

39. A.S.E.J. Oct. 1912, p. 4.

40. Ibid., Nov. 1912, p. 4.

41. Union Statutes, 1914, Act No. 25.

42. U.G. 12, 1914, p. 34, par. 46.

43. Union Statutes, 1914 Act No. 14.

44. U.G. 12, 1914, p. 23, par. 25. See also T.G. 2 1908, pt. 11, p. 702, statement of W. Andrews.

45. S.A.T.J. April 1912, p. 8, Aug. 1913, p. 7.

46. Union Statutes, 1918, Act No. 28

47. Worker, 25 Sept. 1913, statement by T. Boydell.

48. A.S.E.J., April 1914, p. 8-10, 'Economic Commission'.

49. Ibid.

50. Ibid., April 1911, pp. 4 - 5.

51. U.G. 12, 1914, p. 64, par. 118

52. T.A.S. 1, 1908, pp. xxv - xxvi; S.A.T.J., Sept. 1908, pp 8 - 10

53. S.A.T.J., Oct. 1911, p. 21, April 1912, p. 8.

54. U.G. 43, 1913, pp. 9 - 10, report of R. Shanks; Rand Daily Mail, 26 May 1913, statement by Mrs. K. Wybergh. See also Final Report of the Mining Regulations Commission, 1910, v. 1, p. 92, for details of the Shop Hours Act.

55. U.G. 12, 1914, p. 63, par. 116.

56. Ibid., pp. 66-67, par. 122-124.

57. Ibid., p. 64, par. 118.

58. Ibid., p. 70, par. 131 (7) (8) (9) (10); S.A.T.J., Oct. 1911, p. 21, April 1912, p. 18; Johannesburg branch minutes of the S.A.T.U, 12 Aug. 1913.

59. T.G. 2, 1908, pt. 11, pp. 314, 324, 428, 455, 516-517, qq. 2 946, 3 092 - 3 097, 4 570- 4 571, 5 012, 6 034, 6 049, evidence of S. Crowle, T. Mathews and E. Moore.

60. Ibid., pts. 11, 111, pp. 372 - 374, 455, 479, 461, qq. 3 810 - 3 847, 5 011, 5 322, 8 879, evidence of T. Willis, T. Mathews, D. Hadenfeld and F. Crean

61. Final Report of the Mining Regulations Commission, 1910, v. 1, p. 255, par. 24.

62. Ibid., p. 46, par. 4, and pp. 234 - 244; U.G. 12, 1914, p. 38, par. 47.

63. Union Statutes, 1911, Act. No. 9, section 9 (1).

64. U.G. 55, 1912, p. 4, par. 6; U.G. 19, 1912, p. 17, par. 38

65. U.G. 55, 1912, p. 4, par 6; Merriman Papers, 1914 correspondence, R. Barry to J.X.M., 10 Sept. 1914.

66. U.G. 12, 1914, p. 25, par. 36.

67. Ibid; Final Report of the Mining Regulations Commission, 1910, v. 1, p. 255, par. 28.

68. Merriman Papers, 1914 correspondence, R. Barry to J.X.M., 21 May 1914

69. Ibid, 1911 correspondence, R. Barry to J.X.M., 15 Dec. 1911.

70. Worker, 25 Dec. 1913.

71. Merriman Papers, 1913 correspondence, R. Barry to J.X.M., 10 Sept. 1913.

72. Worker, 18 Dec. 1913

73. S.C. 4, 1914, p. 21, q. 109, evidence of B. de Witt Hamer.

74. U.G. 19, 1912, p. 18, par. 43.

75. Mines and Works Regulations, 1911, section 145; Final Report of the Mining Regulations Commission, 1910, v. 1, pp. 92-93.

76. Merriman Papers, 1913 correspondence, R. Barry to J.X.M., 5 July 1913.

77. Ibid., 1913 correspondence, R. Barry to J.X.M., 11 Dec. 1913

78. Corner House archives, White Labour File, extract from a letter dated 14 Feb. 1912, sent by H. Eckstein and Company to the president of the Chanber of Mines; U.G. 12, 1914, p. 65, par. 120-121.

79. Worker, 31 July 1913; Union Statutes, 1912, Act No. 19, section 21.

80. Union Statutes, 1912, Act No. 19, section 26; S.C. 4, 1914, pp. 11, 91, 95, qq. 47, 540, 546, evidence of J. Hindman and H. Warrington Smyth, and minority report of F. Creswell.

81. Worker, 18 Dec. 1913; S.C. 4, 1914. pp. 4 - 5, qq. 20 - 21, evidence of H. Warrington Smyth.

82. Phillips Diary, v. 1, p. 1; Merriman Papers, 1913 correspondence, F.D.P. Chaplin to J.X.M., 25 Nov. 1913; T.G. 2, 1908, pts. 11, 111, pp. 350, 435, 490-491, 499, 694, 785, qq. 3 460, 4 703, 5 573 - 5 579, 5 733, 8 943 evidence of C. Smith, T. Mathews, J. Coward, J. Bridgman, F. Cream and C.Lock.

83. T.G. 2, 1908, pt 11 pp. 993-994, 998 statement and evidence of G. Somers; Transvaal Leader, 27 May, 1907

84. T.G. 2, 1907, pt. 11, pp. 458, 469, qq. 5 061 - 5 068, 5 239 - 5 241, evidence of T. Mathews and D. Hadenfeld; S.C. 4, 1914, p. 304, qq. 1 678 - 1 681, evidence of R.N. Kotze.

85. S.C. 9, 1913, p. 576, q. 4 077, evidence of R. Waterston.

86. Merriman Papers, 1914 correspondence, No. 274, 'Annexure C', gives a detailed account of this case. See also Phillips Diary, v. 1, p. 25, extract quoted from the Worker, 4 May 1912: and Mines and Works [illegible] Sec.

87. T.G. 2, 1908, pt. 11, p. 457, qq. 5 045 - 5 051, evidence of T. Mathews.

88. Transvaal Leader, 29 Sept. 1913, report of speech by F.S. Malan.

89. Merriman Papers, 1913 correspondence, S. Evans to J.X.M., 7 Aug. 1913.

90. T.G. 2, 1908, pts. 11, 111, pp. 385, 447, 492-493, 527, qq. 4 053 - 4 055, 4 906, 5 067, 5 633 - 5 636, 6 226 - 6 228, evidence of T. Willis, T. Mathews, J Coward and E. Moore.

91. S.C. 9, 1913, pp. 398, 568 - 569, qq. 2 870, 4 024 - 4 025, evidence of R. Shanks and R. Waterston; A.S.E.J., Sept. 1910, p. 4.

92. U.G. 12, 1914, p. 29, par. 38.

93. S.C. 9, 1913, pp. 398 - 399, 408, qq. 2 871, 2 945, evidence of R. Shanks; U.G. 12, 1914, p. 30, par. 40; A.S.E.J., Dec. 1910, p. 4.

94. Union Statutes, 1911, Act No. 12, 6 (a) (b) (c) (d); U.G. 58, 1913, p.1.

95. A.S.E.J., April 1914, pp. 9 - 14 'Economic Commission'; T.G. 2, 1908, pts. 11, 111, pp. 450, 702, qq. 4 934 - 4 936, evidence of T. Mathews and statement of W. Andrews.

96. U.G. 58, 1913, par. 7, 8, 16, 106 - 134.

97. A.S.E.J., April 1911, pp. 4 - 5.

98. Merriman Papers, 1913 correspondence, R. Barry to J.X.M., 11 Dec. 1913.

99. U.G. 12, 1914, p. 54, table xx.

100. For a detailed description of the contract system, see S.C. 9, 1913, p. 29, qq. 301 - 303, evidence of H. Ross-Skinner.

101. U.G. 12, 1914, pp. 52 - 61; Merriman Papers, 1913 correspondence, R. Barry to J.X.M., 1 Sept. 1913.

102. U.G. 12, 1914, p. 62, par. 113; Merriman Papers, 1913 correspondence, Sir B. Berry to J.X.M., 1 Sept. 1913, J.W. Wessels to J.X.M., 27 Oct. 1913.

103. Ibid., p. 27, par. 36.

104. Ibid., p. 55 par. 104 - 105.

105. S.C. 9, 1913, p. 17, q. 204, evidence of H. Ross-Skinner.

106. U.G. 12, 1914, p. 29, par. 39.

107. Ibid., p. 59, par. 110.

108. T.G. 2, 1908, pts. 11, 111, pp. 448 - 449, 703 - 704, qq. 4 925 - 4 928, evidence of T. Mathews and statement of W. Andrews; A.S.E.J., March 1909, p. 14, April 1909 pp. 11 - 12, May 1909. p. 7.

109. U. 9, 1911, p.8.

110. U.G. 12, 1914, pp. 31 - 32 par. 42. T.G. 2. 1908, pt. 111, p. 710, qq. 10 073A - 10 074, evidence of W. Andrews.

111. U. 9, 1911, p. 9; A.S.E.J., May 1910 pp. 25 - 26.

112. S.A.C. minutes, 9 April 1910.

113. U. 9, 1911, pp. 8 - 10.

114. A.S.E.J., Nov. 1912, p. 4.

115. Worker, 31 July 1913, 'The Workers' Charter', 'The Reply of the Employers'(b)

116. Ibid., 10 July 1913.

117. Merriman Papers, 1913 correspondence, W. Hosken to J.X.M., 18 July 1913.

118. S.A.T.J., Nov. 1900, p. 10; Doxey, G.V., The Industrial Colour Bar in South Africa (London, 1961), p. 24; Merriman Papers, 1913 correspondence, S. Evans to J.X.M., 7 Aug. 1913.

119. T.G. 2. 1908, pts. 11, IV, pp. 373, 431, 1 428 - 1 429 qq. 3 819, 4 619 - 4 629 20 482-20 484, evidence of T. Willis, T. Mathews and J. Riley.

120. Van der Horst, S.T., Native Labour in South Africa (London, 1942), p. 81

121. Ibid., pp. 163 - 166,

122. Doxey, op. cit., p. 31,

123. T.G. 2 1908, pts. 11, 111, pp. 327, 478, 480, 497, 693, qq. 3 145, 5 386, 5 397, 5 709, 8 930, evidence of S, Crowle, J. Coward, J. Bridgman and F. Crean.

124. Ibid, pt. 11, pp. 425, 482, qq. 4 533, 5 414, evidence of T. Mathews and J. Coward.

125. Ibid., pt. 11, p. 349, q. 3 445, evidence of C. Smith.

126. I have gone through the evidence of all the miners listed in the appendix of T.G. 2 1908, and have found this to be the case.

127. Ibid., pt. 111, pp. 829, 894 - 897, q. 11 987, evidence of R. Raine and R.N. Kotze.

128. Merriman Papers, 1907 correspondence, the general manager of De Beers to Col. Harris, 4 April 1907

129. T.G. 2, 1908, pts. 11, 111, pp. 427, 694, qq. 4 540 - 4 544, 8 943, evidence of T. Mathews and F. Crean.

130. Cd. 1897, 1903, p. 525, qq. 11 911 - 11 912, evidence of H. Webb, Mines and Works Regulations, 1911, Section IV, par. 285, 320.

131. Report of the Transvaal Mines Department for the six months ending December, 31st 1902, p. 3.

132. Z.A.R. Wetten, 1896, No. 12, 1897, No. 11, 1898, No. 12; executive minutes of the Transvaal Engine Drivers' and Boiler Attendants' Association, 1 May 1902.

133. Transvaal Ordinances, 1903, Nos. 50, 53 (12); Transvaal Mines, Works and Machinery Regulations, 1903, par. 153; Transvaal Rules for the Conduct of the Examination for an Engine Driver's Certificate of Competency, 1903, p. 4 (6).

134. Transvaal Government Gazette, 1906, Notice No. 173, section 11.

135. Transvaal Rules for the Conduct of the Examination for an Engine Driver's Certificate of Competency, 1903, p. 4 (6).

136. Merriman Papers, 1914 correspondence, W. Hosken to J.X.M., 8 May, 1914, enclosed memorandum.

137. Transvaal Mines Works and Machinery Regulations, 1903, par. (1).

138. Z.A.R. Wetten, 1896, No. 12, 39(m), 1897, No. 11, 39 (m); Merriman Papers, 1914 correspondence, W. Hosken to J.X.M., 8 May 1914, enclosed memorandum.

139. T.G. 2, 1908, p. 498, q. 5715, evidence of J. Bridgman.

140. S.A. News, 11 July 1903

141. Transvaal Ordinances, 1904, No. 17, schedule 1.

142. T.G. 2, 1908, pt. 11, p. 383, qq. 4 017 - 4 021, evidence of T. Willis.

143. S.A. News, 3 June, 1905

144. T.G. 2, 1908, pt. 11, p, 372, evidence of T. Willis.

145. Ibid., pt. 111, pp. 862 - 863, 891, 893, qq. 12 386 - 12 387, 12 391, 13 041, evidence of H. Johnson and W. Anderson.

146. Ibid., pt. IV, p. 1 226, qq. 17 877 - 17 890, evidence of J. Johns.

147. Rand Daily Mail, 4 Nov. 1903

148. MacDonald, J.R., What I saw in South Africa, September and October, 1902 (London, 1902), p. 108; Star, 26 Sept. 1902

149. Rand Daily Mail, 2 May 1902

150. Burt, T., A Visit to the Transvaal: Labour; White, Black and Yellow (Newcastle-upon-Tyne, 1905) p. 44.

151. Cd. 1897, 1904, pp. 403 - 404, par. 15, 21, statement of J.W.S. Langerman and nine executive committee members of the Chamber of Mines; T.G. 2, 1908 pt. IV, p. 1 462, q. 21 067, evidence of F.D.P. Chaplin.

152. T.G. 2 1908, pt. 11, p. 443, q. 4 874, evidence of T. Mathews.

153. Ibid., pt IV, p. 1 426 q. 20 477, evidence of J. Riley.

154. Ibid., pt. IV, pp. 1 408, 1 418, qq. 20 258, 20 371 - 20 373, evidence of J. Ware.

155. Ibid, pt. 11, pp. 372, 480, 511, qq. 3 800, 5 395 - 3 398, 5 995, evidence of T. Willis, J. Coward and T. Mathews.

156. Merriman Papers, 1914 correspondence, No. 274, 'Economic Commission', 'Statement 14.

157. Mines and Works Regulations, 1911 'Interpretation of Terms'.

158. Transvaal Leader, 22 Sept. 1913, report of statement made by L. Phillips; Merriman Papers, 1913 correspondence, S. Evans to J.X.M. 4 July 1913, enclosed memorandum, F.D.P. Chaplin to J.X.M., 27 Sept. 1913, L. Phillips to J.X.M., 4 Oct. 1913; Worker, 25 Sept. 1913

159. Cd. 7707, 1914, pt. 11, p. 61, q. 1 768, evidence of H. Niehaus, E. Way and W. Gemmil; S.C. 9, 1913, pp. 16, 32, qq. 189 - 191, evidence of H. Ross-Skinner; Merriman papers, 1914 correspondence, No. 274, memoranda.

160. Transvaal Leader, 27 May 1907, 'Labour Notes'.

161. Merriman Papers, 1908 correspondence, L. Botha to J.X.M., 15 Sept. 1908; U.G. 30, 1913, pt. 11, pp. 160 - 161; S.C. 9, 1913 - 194,qq. 1 413 - 1 419, evidence of Professor J.G. Lawn.

162. Cd. 7707, 1914, pt. 11, pp. 46 - 50, qq. 1 344, 1 351, 1 474 - 1 478, 1 481, evidence of R.N. Kotze; U.G. 12, 1914, pp. 25 - 26, par. 33.

163. S.C. 9, 1913, pp. 20 - 21, q 234, evidence of H. Ross-Skinner.

164. Cd. 7707, 1914, pt. 11, p. 63, evidence of H. Niehaus, E. Way and W. Gemmil.

165. Worker, 31 July 1913, 'The Workers' Charter', 'The Reply of the Employers'(d)

166. S.C. 9, 1913, pp. 191, 195 - 197, qq. 1 402 passim, evidence of Professor J.G. Lawn; Merriman Papers, 1914 correspondence, No. 274, memoranda.

167. S.C. 9, 1913, pp. 34 - 37, qq. 352 - 375, evidence of H. Ross-Skinner.

168. Ibid., p. 558, q. 3 965, evidence of R. Waterston.

169. Ibid., p. 571, q. 4 052 - 4 054, evidence of R. Waterston.

170. U.G. 12, 1914, p. 37, par. 54.

171. Ibid., p. 38, par. 55.

172. Merriman Papers, 1913 and 1914 correspondence, R. Barry to J.X.M., 2 Oct. 1913, 17 May 1914, 5 July 1914.

173. Cd. 7707, 1914, pt. 11, p. 64, statement by R. Shanks.

174. Ibid., pp. 70 - 72, evidence of T. Mathews.

175. A.S.E.J., July 1911, pp. 4 - 5; S.A.C. minutes, 5 Jan. 1910; S.A.T.J., May 1913, p. 6, June 1913, pp. 6 - 7.

176. A.S.E.J., Feb. 1908, p. 8, July 1910, pp. 11 - 12, Feb. 1912, p. 4.

177. S.A.T.J., May 1911, p. 4.

178. Ibid., April 1908, pp. 9 - 10.

179. Ibid, May 1911, p. 4; U.G. 10, 1912, p. 19, statement by B. Horne. Union Statutes, 1922, Act No. 26, See also Union Statutes 1918, Act. No. 29.

180. A.S.E.J., April 1914, pp. 8 - 9

181. Ibid., Dec. 1910, p. 5.

182. Ibid, April 1914, p. 13.

183. U.G. 12, 1914, pp. 41 - 42, par. 67, U.G. 10, 1912, p. 17.

184. U.G. 12, 1914, pp. 41 - 42, par. 67.

185. Worker, 31 July 1913, 'The Workers' Charter', 'The Reply of the Employers'(d)., S.C. 9, 1913, p. 130, q. 966, evidence of Dr. L. Irvine.

186. U.G. 12, 1914, p. 69, par. 130 (4).

187. Ibid., pp. 41, 54, par, 65, 103, table xx

188. Ibid., p. 26, par. 33; A.S.E.J. Jan. 1913, p. 3; S.A.T.J., June 1913, p. 9.

189. S.C. 9, 1913, p. 523, q. 3 788, evidence of J. Bain.

190. Ibid, p. 522, q. 3 785, evidence of J. BAin.

191. A.S.E.J., Jan. 1912, pp. 6 - 7, letter by C. Mussared.

192. Ibid., Oct. 1912, p. 4, organiser's report, April, 1913, secretary's report.