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Reports of the Native Affairs Commission for the years 1921-1926

South Africa. Native Affairs Commission

1927
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of the subjects to be discussed and the constitution of the proposed conference it is felt that the Government and the Commission should hold themselves free to discuss any resolution adopted by the Conference. This they could not do if they were present as delegates or took part in the proceedings—although it is noted that any resolution is not to be regarded as binding upon any individual or body.

"Mr. Malan, therefore, regrets that he will be unable to take part in the proceedings of the Conference. He wishes me to state for your information that a formal Native Conference is being summoned by the Governor-General under the Native Affairs Act, 1920, to meet at Pretoria on the 24th September, 1923, to meet the Native Affairs Commission and it is not improbable that this Conference will extend beyond the 27th idem. He understands that if the Native Conference finishes its deliberations before your proposed Conference concludes the appointed members of the Native Affairs Commission might be prepared, if invited, to be present at, but to take no part in, the proceedings on one or more of the days of session."

Two members present.

39. Two of the appointed members attended the Conference in their private capacities and were present at nearly all the discussions.

BANTU PRESBYTERIAN CHURCH OF SOUTH AFRICA.

Dr. Roberts' attendance.

40. A representative of the Commission was invited to attend the First General Assembly of the new Native Church which was constituted at Lovedale in July, and Dr. Roberts attended on the Commission's behalf.

Policy of Church.

41. This important event in South African history is due to the United Free Church of Scotland adopting in the Union the initiation of a policy similar to that which it has followed for some time in India which aims at the devolution upon the Native Church of as much freedom of control as possible and at replacing European missionaries by Natives in marked Native areas.

Result of Church's decision.

42. The immediate result is that the Mother Church has approved of the missions and the missionaries under her control forming themselves into a "Bantu Presbyterian Church of South Africa" affiliated to, but not under the jurisdiction of, the Assembly of the parent Church. The same applies to a considerable portion of the Missions and Missionaries of the Presbyterian Church of South Africa.

Position of European Missionaries.

43. The Bantu Church as now constituted will have on its roll of Assembly all European missionaries as members of equal standing with Native ministers and elders. The agents of the Mother Church are ecclesiastically under the Bantu Church. The salaries of European missionaries will for a

time be paid from Edinburgh, but the agents will be subject to the discipline of the Presbyterion Church of South Africa.

Property.

44. The Mother Church will retain for a time its mission properties, but, it is understood that these will be handed over to the South African Church when there is unquestionable evidence that the latter Church can control them satisfactorily.

Control of Educational Institutions.

45. The Bantu Church will not have any form of control over the educational institutions of the Mother Church other than representation on the Lovedale and Blythswood Councils. The ordained missionaries of those institutions will be members of the new Church and will have a seat on the courts of the new Church.

46. No doubt the other European Churches carrying on missionary work in South Africa will watch this development with interest.

CHURCH MISSIONARY CONFERENCE.

Education.

47. In October the Commission attended the Church Missionary Conference at Pietersburg consisting of European and Native priests as well as a number of Native delegates. The Commission discussed education matters with the Conference.

NATIVE EDUCATION.

Act 5 of 1922.

48. Native education has been kept prominently before the Commission during the year, not only on account of its intrinsic importance but also on account of the effect of the Financial Relations (Fourth Extension) Act, 1922.

Effect of Act.

49. Three important changes result from the Act, namely:—

(*a*) Provincial Councils are debarred from imposing direct taxation on the persons, habitations or land of Natives;

(*b*) Provincial Councils are required to provide funds for Native education, not less, proportionately to the whole sum spent on all education, than was spent in 1921-22; and

(*c*) The Governor-General is empowered to make grants (from the revenue derived from the direct taxation of the persons, lands and habitations of Natives) for the "extension and improvement of educational facilities amongst Natives and for the adjustment of salaries of Native teachers subject to such conditions as to standards of education, qualifications, scales of pay and conditions of employment of teachers as the Governor-General after consultation with the Administrator concerned may from time to time prescribe."

Anomalous position created.

50. The position thus created appears to be somewhat anomalous inasmuch as Provincial Councils are responsible for Native education, while the Union Government has accepted the duty of being responsible for any extension by

providing money, and indirectly controlling the expenditure of such moneys under conditions imposed by the Governor-General.

Necessity for co-operation.

51. The Union Government must therefore be brought into much closer touch with the provincial authorities dealing with Native education, and the situation needs careful handling as well as full and sympathetic co-operation between the various Departments of Education and the Government.

Commission recommends a Conference

52. In considering the situation, the Commission as a first step decided that a Conference between itself and the heads of the several Education Departments was most desirable, and, in agreeing to such Conference the Government made it clear that it would only be able to provide an amount of £60,000 out of *existing sources* of revenue from Natives to be distributed amongst the four Provinces for adjusting teachers' salaries.

Conference agreed to.

53. The Administrators were then asked to agree to the heads or representatives of the Education Departments attending the Conference, and they agreed to such a Conference.

Conference held in March.

54. The meeting took place at Cape Town on the 22nd and 23rd March, the delegates being welcomed by the Minister in charge of Native Affairs.

Personnel of Conference.

55. The following took part in the deliberations:—

Col. G. A. Godley, Acting Secretary for Native Affairs; the three appointed members of the Native Affairs Commission; Dr. W. J. Viljoen, Superintendent-General of Education, Cape, (who was accompanied by Mr. W. G. Bennie, Chief Inspector of Native Education and other advisers); Mr. M. Bryan, Superintendent of Education, Natal; Mr. H. S. Scott, Secretary to the Transvaal Education Department; and Mr. J. Gray, Secretary to the Orange Free State Education Department.

Scales of pay.

56. The first matter debated was whether it is possible for the Provinces to have uniform scales of pay and uniform standards (or inter-provincial recognition of existing standards).

Difficulties in the way of uniformity.

57. The debate showed the difficulty of classifying teachers in the several Provinces on a common basis as different factors were taken into account: the systems varied: there was free education in the Cape and not in the other Provinces: there were different kinds of schools, purely Government schools, Government-aided schools and Missionary schools: the vernacular was insisted upon in Natal and the Cape, but not in the other Provinces: Natal and the Transvaal had a special corps of Native School Inspectors which did not exist in the Cape.

Lack of funds.

58. The Conference found that as they would only have £60,000 available the scales of pay which the Commission had drawn up to form the basis of duscussion might be accepted as one to work up to, and to be fully applied in three years' time, but it could not be applied immediately, as the

whole of the available money would be absorbed and none be left for much needed development.

Temporary scale fixed.

59. The following scale was therefore adopted temporarily:—

Cape.	Natal.	Transvaal and O.F.S.	Men.	Women.
Uncertificated	Uncertificated ..	Uncertificated ..	£ 36	£ 24
P.T.1 ..	3rd Grade	—	42–6–60	36–3–48
P.T.2 ..	2nd Grade	T.3 Prov.	54–6–72	42–3–60
		T.3 Fin. ..	66–6–78	54–3–66
T.3 Junior ..	1st Grade	—	66–6–96	54–3–84
T.3 Senior ..	—	—	90–6–120	78–3–108

Special allowances for Head Teachers.

Up to 49 pupils	£6 per annum.
50 to 99 pupils	£12 „
100 to 299 pupils	£18 „
Over 299 pupils	£24 „

In purely European areas teachers to receive an allowance of £6 per annum, and in large towns and places where the school inspector certified that conditions are similar to those in large towns, an additional allowance of £6 per annum.

Government's approval.

60. The Government accepted these recommendations.

Allocation of Government grant.

61. The second matter debated, was what proportion of the £60,000 should each Province receive, and after full and lengthy discussion the Conference recommended that the Cape should be granted £30,000, Natal £10,000, Transvaal £10,000 and the Orange Free State £10,000, and that as those amounts did not admit of applying the scales in full they should not be used for expansion, but for the following purposes and objects:—

(*a*) In removing anomalies;
(*b*) In improving the salaries of long service teachers;
(*c*) In working up towards a national scale of salaries.

Government's approval.

62. This recommendation was accepted by the Government.

Committee appointed.

63. The Conference recommended that a Committee comprising a representative from the Native Affairs Commission, one from the Department of Native Affairs and one from each of the Provincial Departments of Education, should go into certain questions. It may be stated here that such a Committee met in Pretoria on the 11th October, 1923.

Resolution.

64. The Conference also passed the following resolution:—

"The Conference begs leave to urge upon the Minister the importance from every point of view of

providing in the near future from the sources of revenue derived direct from the Natives, an amount enough to meet the full requirements of the case (*i.e.* the needs of Native education)."

Value of Conference.

65. All those attending the Conference were fully agreed as to the usefulness and value of such Conferences and the Government has agreed to a similar Conference being held in 1924.

NATIVE TAXATION.

Two alternatives to raise funds.

66. In the previous report (U.G. 36—'23) reference was made to the fact that there were two alternatives under consideration for obtaining from Native sources some extra money to meet the duty placed upon the Union Government by the Financial Relations (Fourth Extension) Act, 1922, of providing for the extension of Native education.

First alternative.

67. The first alternative was to impose additional taxation on the Natives in the Cape and Natal Provinces so as roughly to bring up the incidence in those Provinces to £1 per taxpayer (instead of 12s. and 14s.), leaving the Transvaal and the Orange Free State Natives as they were (£2 and £1). This alternative was at first adopted by the Commission and the Government on account of the pressing necessity of getting funds and steps were taken to notify the Natives of the proposal. But it was felt to be an unsatisfactory way of dealing with the question of Native taxation as a whole throughout the Union. The Natives in the Northern Provinces had, from the inception of the Union, been continuously pointing to the fact that there was no uniformity in taxation although they were under the same Government, and that those who paid at the highest rate received the least advantage. This complaint was being pressed more and more, and it seemed a questionable step that more taxation should be imposed on the Southern Provinces without at the same time an effort being made to see whether relief could not be extended to the Northern Provinces—or at any rate to one of them.

Result of further consideration.

68. The whole question was thereupon fully discussed with the Government and as a result it was decided that the Government would advance £60,000 for 1923-24 and the same amount in 1924-25 to meet pressing needs in regard to the adjustment of teachers' salaries—these amounts to be refunded from any additional taxation raised in 1925. But in the meantime a committee of experts from the Department of Native Affairs and the Inland Revenue Department should "enquire into existing systems of Native taxation in the Union with a view to ascertaining to what extent the existing laws can be consolidated and amended in order to secure uniformity as far as possible throughout the Union in the amount and incidence of taxation," and at the same time submit proposals for raising an amount equivalent to that

derived from the existing Native taxation as well as additional funds for the extension of Native education.

Appointment of Tax Committee.

69. Such a committee was appointed by the Government and submitted a valuable report and a draft Bill embodying the proposals.

Committee's recommendations.

70. The main principles recommended by the committee with which the Commission is in full agreement are as follows:—

Personal tax.

(*a*) The imposition of a personal tax of 15s. per annum upon every male adult Native ordinarily resident within the Union.

Location tax.

(*b*) The imposition, in addition to the personal tax, of a location tax of 10s. per annum upon the owner (or occupier) of every hut or allotment of land in a Native location (not municipal) where registration of huts or allotments is in force, but where such registration is not in force, the tax is to be paid by every adult Native male ordinarily resident in such location.

Wages tax.

(*c*) The imposition upon every Native who is liable to pay the personal tax and who earns more than £3 per month of a wages tax at the rate of threepence (3d.) on each completed ten shillings of the wages received.

Creation of Native Development Account.

(*d*) The constitution of a special Native Development Account into which will be paid:—

(1) The proceeds of the wages tax to be used for Native education.

(2) Three-quarters of the proceeds of the location tax to be disbursed in the following way:—

(i) If collected within the areas administered under the Transkeian Territories General Council, the Western Pondoland General Council, the Glen Grey District Council, the Natal Native Trust, the Zululand Native Trust (or other Native Trust in the Province of Natal), or the Eastern Pondoland Native Trust, the proceeds to be paid to the Council or Trust concerned (it being understood that the rates now being levied by those Councils will cease, although if they desire other rates may be levied).

(ii) If collected elsewhere the proceeds to be expended in the interests of Natives (and in the Cape Province towards payment to Divisional Councils of suitable amounts in lieu of the special hut tax hitherto paid by Natives to those bodies).

(*e*) The provision of machinery to allow a tribe or a community to levy and collect a special rate for a specific approved purpose.

71. If these principles are accepted the result, broadly, would be that throughout the Union the following classes of Natives would pay taxation at the following rates:— General result of recommendations if adopted.

(i) Natives in Reserves or Locations will pay a personal tax of 15s. plus a location tax of 10s., a total of 25s. per annum.

(ii) Natives in towns or on farms will pay a personal tax of 15s. per annum plus a wages tax if earning £3 or more per month.

But it will be noticed that three-quarters of the location tax, *i.e.*, 7s. 6d., will be spent on general Native interests, while the wages tax is to be spent entirely on Native education.

VISIT TO HERSCHEL, CALA AND KING WILLIAM'S TOWN.

72. The Commission visited Herschel, Cala and King William's Town in January with the object of explaining to the Natives the necessity of extra taxation being imposed on Natives, and what was then proposed. Taxation.

NATIVES LAND ACT.

73. Owing to the many misstatements which had been brought to the notice of the Department of Native Affairs and to the apparent misunderstanding regarding the policy followed in administering the Natives Land Act, 1913, the Commission recommended that the Government should prepare a statement for publication in which it should indicate clearly what steps had been taken by it since the promulgation of thatAct. Land policy.

74. This recommendation was accepted and a printed statement was issued in July by the Department of Native Affairs and widely circulated in English, Dutch, Zulu, Sechuana, Sesuto and Xosa. A copy of this statement will be found in Annexure C. Government statement.

TRANSVAAL TOUR.

75. The Commission had for some considerable time desired to become better acquainted by personal visits with the Natives of the Transvaal and the localities principally occupied by them but other duties prevented it from achieving its wish until August, when it was able to tour the Northern and Eastern Transvaal. Commission's desire to meet Transvaal natives.

76. Meetings with Natives were held at the following centres:—Graskop, Lydenburg, Schoonoord, Pokwani, Haenertsburg, Groot Spelonken, Louis Trichardt, Sibasa, Pietersburg, Potgietersrust, Nylstroom and Hamanskraal. Centres at which meetings held.

77. Before beginning the tour the Commission had asked the Government to let it be as widely known as possible amongst Natives that the Commission would be at the places mentioned on specific dates and would be glad to meet any Notification of Commission's visit.

Natives who cared to be present, but at the same time no formal summoning of Chiefs or people was intended.

Meetings representative of people.

78. The response to the notification of the Commission's visit was most gratifying. At most places large numbers of Chiefs, Indunas and people appeared and at every meeting those attending were representative of the Natives residing in the area administered from the centre selected for the meeting.

Official assistance.

79. The responsible officials at the various centres were good enough to preside at the meetings, to introduce the Commission and to afford it any information or assistance required.

Procedure at meetings.

80. The procedure followed at each meeting of this tour was as follows:—

(*a*) The introduction of the members of the Commission by the presiding official.

(*b*) Short addresses by each of the members of the Commission explaining the reasons for the meeting (*e.g.*, an opportunity of meeting the people and making their acquaintance; the functions of the Commission and its relation to the Government and the Native peoples; affording the people a chance to speak fully and freely on any matters of common importance which might be troubling them).

(*c*) Remarks by the Natives especially delegated to speak on behalf of tribes, communities, particular classes, or associations, and any one having fresh matter to bring forward being thereafter allowed to speak.

(*d*) Replies by each of the members to the points raised, such replies embodying where possible statements of fact regarding the Government's present intentions and past actions in relation to matters brought forward. Where it was not competent for the members to give a decisive reply to any particular point the Natives were informed that their representations would be placed before the Government.

(*e*) Remarks, in some cases, by the local official clearing up and explaining some purely local matter.

Four main grievances.

81. At all meetings four main grievances were brought forward, namely, Taxation, Education, Passes and Land.

Taxation.

82. As regards the question of taxation most of the speakers dwelled on the lack of uniformity in taxation in the various Provinces, pointing out the inequality of asking the Transvaal Natives to pay to the Union Government £2 per annum as against 10s. in the Cape, 14s. in Natal, and £1 in the Orange Free State. It was urged that as there was one Government this differentiation seemed to indicate a partiality on the Government's part for Natives in other Provinces. For while the Natives of the Transvaal paid the most in taxation they got no benefit from it. Speakers also emphasized the fact that they found the present rate of taxation too heavy a burden now that they had to pay dipping

fees, grazing fees and increased rentals while on the other hand their wages remained at the same level and their stock fetched little in the market. Representations were made that Chiefs should be exempt from taxation—as a mark of Government appreciation—as well as old men who had paid taxes for many years.

83. In reply to representations on this matter the Commission assured the Natives that the Government was fully alive to the present divergence in the incidence of taxation. It had as a first step prevented Provincial Councils from imposing direct taxation on Natives, and had appointed a committee to consider the whole question of Native taxation. The Natives could feel assured that whatever the committee recommended would receive the Government's careful consideration. Commission's reply.

84. As regards the question of education complaints were made that little was being done to further Native education in the Transvaal. Many speakers wanted Government schools to be established so as to abolish missionary control. A number of responsible speakers urged that industrial and agricultural education should be provided for Natives. One or two wanted free and compulsory education. From all parts it was clear that the mass of the people is awakening and demanding "education." Education.

85. In reply to the representations on this matter the Commission explained what the Government was doing—*e.g.*, a conference on education had been held in Cape Town in March, a further meeting was to be called in October to decide what better form of education could be devised and extended, the revision of Native taxation was necessary for the education to be provided, six agricultural demonstrators for the Natives had been appointed by the Government which was most sympathetic towards the desires of the people in this direction. A note of warning was sounded by the Commission in regard to the suggestion that missionary control should be abolished and purely Government schools established, reference being made to the Cape where there was not a single Government school but which the Natives had instanced as being the most progressive in Native education. Commission's reply.

86. At all meeting the Pass Law was mentioned and relief asked for. Exaggerated statements were naturally made but there seemed to be great irritation at having to take out a "special pass" for short journeys. Many speakers asked that the tax receipt should be taken to represent the owner's pass. It was alleged that the police meeting any one on the road first asked for his tax receipt and then for his special pass. Pass law.

87. The Commission explained what the Government had done in this matter—the appointment of a pass committee, the introduction of a Bill based on its report abolishing all passes in favour of one lasting a whole lifetime, the withdrawal of the Bill to enable Natives to be consulted, such Commission's reply.

consultation was taking place at every meeting held by the Commission and a final one would take place at the Native Conference to be held in September, 1923.

Land question.

88. The land question was brought forward in some shape or form at most meetings and it was represented that the Natives Land Act, 1913, as well as the policy underlying it has caused the Natives much perturbation and has been the means of concentrating Native opinion on their grievances —real or imaginary. The following points were brought forward at the meetings:—

(*a*) Objection to being cut off and separated from the whites.

(*b*) Freedom to purchase or lease wherever a man wishes and is able to do so, and not where the Government decides he may.

(*c*) Aliens have greater rights and advantages than the aboriginal inhabitants of the land.

(*d*) The policy shows distrust of the Natives which is undeserved for they have been loyal and lawabiding people.

(*e*) Natives evicted from rent paying farms should be allowed to go on to any other farm on rent paying terms—or Crown land should be provided on which they can reside on rent terms.

(*f*) The Act has brought about a form of slavery for the Native is forced by circumstances to become a farm labourer and farmers have taken advantage of the position.

(*g*) Natives are compelled by circumstances to enter into contracts with farmers under which their wives, their daughters and their sons must give labour. These conditions are regarded as a very great hardship.

(*h*) The proposed Native areas are in most cases barren and unproductive.

(*i*) Locations are overcrowded owing to the influx of evicted Native families, are overstocked and more land is required.

(*j*) Local officers have advised tribes to purchase land, but even if the Chief, his councillors and the men agree to do so by a tribal levy, there is no means of compelling recalcitrant members to meet their obligations; a suggestion was put forward that failure to pay a tribal levy should be dealt with in the same way as failure to pay poll tax.

Commission's reply.

89. The Commission replied in general terms to the various representations under this heading—admitted the loyalty of the Natives, repudiated any distrust on the part of the Government, explained the steps which the Government had taken since the passing of the Act, as well as the present intentions of the Government as regards the proposed Native areas (*vide* Annexure C), advised each Native to be loyal to his tribe and pay up levies, and said their representations

regarding the position of the farm labourer would be brought to the notice of the Government. It was pointed out that if freedom to purchase anywhere were given to Natives, the whites should be free to purchase in Reserves and Locations which at present were protected, and history had shown that not only would those Reserves get into the hands of the Europeans, but most of the land owned by the Natives.

General grievances.

90. Other matters of general interest brought forward as grievances were the enforcement of dipping; the discrimination in the Dog Tax law which allowed a European farmer to have one watch dog free from tax while a Native farmer did not have the same privilege; the non-recognition in law of marriage according to Native custom; the increase of miscegenation and the differential treatment under the law of white men and black men having immoral relations with women of opposite colour; the alleged miscarriage of justice in cases where Europeans are charged with crimes of violence against Natives.

Local complaints.

91. At many centres purely local complaints were brought to notice and need not be referred to here

Representations placed before Government.

92. On its return to Pretoria the Commission laid the matters which had been mentioned at the various meetings before the Government.

Value of tour.

93. The Commission gained very valuable experience on this tour. It enabled members to appreciate more fully how many divergences of outlook, habits and local requirements exist among the Native people of the Union.

Benefit of tours.

94. Such tours and meetings are regarded by the Commission as being of great benefit both to itself and to the Natives. They enable members to get into direct touch with the Natives and to acquire first hand knowledge of their desires and difficulties. At the same time the Natives are allowed full opportunity to voice their sentiments, to unburden their hearts and come into direct touch with a body whose first principle is to be a friend of the Natives.

NATIVE CONFERENCE.

Held at Pretoria.

95. Following the precedent created in 1922, the Governor-General convened a Conference under the Native Affairs Act, 1920, at Pretoria on the 24th September, 1923, and two following days. The number of Native delegates to that Conference was fixed at 26; 10 from the Cape Province (including 5 from the Transkeian Territories), 5 from Natal, 7 from the Transvaal and 4 from the Orange Free State.

Chairman.

96. The Right Hon. F. S. Malan opened the Conference and presided for a short time, his place being thereafter taken by Col. G. A. Godley, Acting Secretary for Native Affairs.

Matters for consideration.

97. The Conference was asked to consider the following specific matters (although other subjects were mentioned or discussed):—

(*a*) The Natives Registration and Protection Bill (A.B. 24/23) amending the Pass Laws which had been

introduced into Parliament in 1923, and from which certain provisions had been incorporated in the Natives (Urban Areas) Act, 1923.

(*b*) A draft Native Marriage Bill prepared by the Native Affairs Department to grant relief in "lobolo" claims.

(*c*) How future Conference under the Native Affairs Act, 1920, might be constituted.

Minutes of proceedings.

98. A copy of the Minutes of the Conference is attached (Annexure B)—and this gives a fairly full, though not verbatim, report of the proceedings, but the following resolutions may for convenience of reference be mentioned here:—

Resolutions dealing with the Native Registration Bill.

(1) In regard to the Natives Registration and Protection Bill:—

(*a*) That this Conference adopts the principle of registration as explained by the Chairman, namely, that it should only be extended to those areas in which a pass law is in operation.

(*b*) That this Conference recommends that every Native be furnished with a lifelong document to be called a "Registration Certificate"; that it be of parchment; that it contain full particulars of domicile and personal identity; that it bear the district serial number; that it be either signed by or be impressed with the thumb-print of the holder, or have attached to it an approved photograph provided by the holder; that it be preserved in a receptacle to be provided by the Government free of cost.

(*c*) That the age of registration be 21 years (instead of 18).

(*d*) That the registration of contracts of service between employers and Natives be made compulsory.

Resolutions dealing with the Native Marriage Bill.

(2) In connection with the Native Marriage Bill:—

(*a*) That this Conference approves of the principles laid down in the Bill.

(*b*) That the principle of registration of marriages according to Native custom be embodied in the Bill.

(*c*) That lobolo be claimable not only by the man concerned but on his death by his heir.

Resolutions dealing with Conferences under Act 23 of 1920.

(3) Dealing with the question of Native Conferences under the Native Affairs Act, 1920:—

(*a*) That this Conference of leaders and representatives of the Native population of the Union of South Africa, wishes to place on record its sense of great debt of gratitude they owe the Government for its statesmanlike foresight, recognition and concession to the Natives, of the right and freedom to participate in the discussion of the mighty Native question

on which hangs the future and destiny of this country.

(*b*) That the Minutes of the Conference should be read, confirmed and printed just as the debates of the Transkeian Territories General Council.

(*c*) That the proceedings of the Conference should be open to the press and the public.

(*d*) That it should be laid down that the Conference should be an annual one.

(*e*) That the number of delegates should be increased to 50.

(*f*) That the question of the constitution of the Conference be held over till next year.

(4) On the question of Native Taxation in the Union:— Resolution on taxation.

That this Conference recommends the principle of uniform taxation should be brought into practice and that this be done by reducing the higher tax rates and increasing the lower tax rates till a fair average be arrived at.

99. The Conference held last year at Bloemfontein was in private and the Native delegates were 20, while the Pretoria Conference was held in public, the press in attendance and the number of delegates six more. Difference between Pretoria and Bloemfontein Conferences.

100. The Government has agreed to such Conferences being annual and the members must, in terms of the Act, be selected by the Governor-General. But, as there is a desire on the part of a section of the Natives to nominate their representatives for the consideration of the Governor-General the Conference, as stated above, was asked to suggest how Conferences should be constituted in order to see whether the Government could in any way meet the wish. Desire to elect representatives.

101. The debate which took place on the subject was most interesting and a few of the views expressed were as follows: Views expressed by delegates.

Delegates must be entirely elected otherwise suspicion would be aroused in the Native mind: delegates should be partly elected by Native political associations, partly nominated by Chiefs and partly nominated by the Government: election would cause friction: the best delegates would not be obtained by popular election: delegates from the Cape should be chosen by the Native registered voters and from the other three Provinces by exempted Natives: the Government should nominate all delegates: Conferences were a new thing, therefore, let the Government carry on as in 1922 and 1923: delegates should be elected only by Natives owning landed property valued at £75 and over or earning wages of at least £50 per annum.

Difficulty due to lack of machinery.

102. The Conference seemed to realize that the absence of machinery constituted a great difficulty in allowing popular representation and as indicated above resolved that the question of the constitution of future conferences should stand over until 1924.

OFFICIAL CONFERENCE.

Attendance of Commission.

103. It is a great pleasure to record the holding in November of an official Conference of senior district officials of the Native Affairs Department at which the members of the Commission were present and which again showed how valuable such Conferences are.

Minister's remarks.

104. As the Rt. Hon. F. S. Malan aptly put the position in an address to that Conference, these meetings wiped out distinctions working as all were for the same object, led to fruitful and practical suggestions and had the effect of establishing the necessary *esprit de corps*.

Additional advantages of Conference.

105. But in addition, the advantage a responsible official, who is in charge of an area, being able to hear the experiences, views and difficulties of another responsible officer administering another area in which local conditions differ from the first is, of necessity, of the greatest value when a proposal is under consideration which may affect both areas. However lucid and valuable reports, memoranda, or official minutes may be as an aid to the consideration of a particular subject their worth is indubitably increased by the verbal expression of the views and experiences of responsible officers dealing with the subject from different aspects, under different rules and with different human factors.

District Native Advisory Board.

106. The Conference had under consideration proposals for bringing Magistrates into closer touch with the Natives under their administration and recommended the establishment of district Native Advisory Boards in areas where there is a large Native population and in which no District Council or similar body embracing all the Native residents exists.

Natives Registration Bill.

107. The Natives Registration and Protection Bill was tabled for consideration but the Conference after discussion adopted the following resolution:—

> "That this Conference recommends the appointment of a departmental committee to draw up a new Native Registration Bill, such Bill to be framed on the principle of using the Tax Receipt under the new Tax Bill as a basis of registration: that such new Registration Bill be held over until 1925 to enable it to be published, circulated, and discussed with Farmers' Associations and Natives."

Rail transport of Natives.

108. Complaints have been made from time to time regarding the conditions under which Natives travel on the railways when proceeding to and from labour centres. Such

Natives usually travel in batches at special reduced rates and are carried in a type of coach commonly known as "bombela," the meaning of "bombela" being to "crush," "crowd" or "pack" applied in a disparaging sense. During a tour in the latter portion of the year the Rt. Hon. F. S. Malan had pressing representations on the subject made to him as the overcrowding, lack of sleeping accommodation, heating and sanitary arrangements, with the result that he personally brought the matter to the notice of the Minister of Railways. On the instructions of Mr. Malan the senior district officials met the General Manager of Railways while they were attending the Conference and it may be recorded here that the Conference was satisfied that the Railway Administration is doing all that can reasonably be done at the moment. The Railway Board has approved of 200 third class saloon coaches (of which 50 were on order) being provided to supersede ultimately the "bombela" coaches. The older types of "bombela" are to be taken off as soon as practicable, while the better types are being improved by providing heating arrangements and generally making them more comfortable. Moreover it is hoped that it will be possible soon to reduce the existing rate of $\frac{2}{3}$rds of a penny per mile to what was charged prior to the war, namely, $\frac{1}{2}$d. per mile.

Native Marriage Bill.

109. The Native Marriage Bill was also considered by the official Conference which was advised of the views expressed on the Bill by the Native Conference.

Reasons for Bill.

110. As the reasons influencing the Department of Native Affairs in drafting such a measure may not be fully understood it is, perhaps, advisable to indicate why the Bill has been discussed with Natives and officials.

Advisability of recognizing Native custom.

111. Custom is strong amongst all peoples, but especially so amongst the primitive and the illiterate. It cannot be altered by an Act of Parliament and the wisest course for successful administration is to recognize its good points until changing influences break it down.

Select Committee's views.

112. This view seems to have been taken by the Select Committee of the House of Assembly which reported in 1911 (S.C. 3/11):—

> "Your Committee further recommend that legislation be introduced admitting of the recognition of such Native laws and customs as are already embodied in the law in force within certain parts of the Union."

Native marriage regarded differently in four Provinces.

113. Now the custom which lies at the root of all Native social life is the marriage as manifested by the passing of lobolo. This custom, since it permits of polygamy, is held by the Courts in the Transvaal, in the Orange Free State and in the Cape Proper to be repugnant to the laws of civilization. It follows, therefore, that in those parts lobolo is considered by the Courts an immoral consideration of which they will take no cognizance and further that the children born of such lobolo unions are illegitimate to whose

custody the father has no claim. On the other hand in the Province of Natal the custom is definitely recognized by statute while in the Transkei and British Bechuanaland the custom is fully recognized.

Hardship involved.

114. Obviously great hardships are involved by the conditions which exist in the Transvaal, the Orange Free State and the Cape Proper. Native family life is being disorganized—prostitution, once unknown in Native Reserves, and licence are increasing. The disregard of a custom which is followed by 90 per cent. of the Native population as the normal regulation of family life is believed to be a burning grievance.

Two outlooks of the law.

115. In the Transvaal a Native who has more than one wife by Native custom is required by "law," to pay an additional tax of £2 per annum to the Government; but, according to "law," he has no rights whatsoever in respect of such wife and her offspring.

Native Affairs Commission, 1903-05.

116. Passing reference may be made to the following resolution adopted by the South African Native Affairs Commission of 1903-05:—

> "That provision be made for the hearing and determination of claims arising under Native custom for restitution of "lobolo" or such portion thereof as may be deemed equitable where a husband is deserted without sufficient cause by his wife."

Bill to grant relief.

117. The object of the Bill is to grant relief in those parts Courts do not recognize "lobolo."

Conference's views.

118. Although the official Conference welcomed the Bill as an indication of a desire to afford much needed relief and suggested certain amendments it felt that the Bill (a copy of which as amended will be found in Annexure D) did not go far enough, but that Native custom should be given more recognition. This view of responsible officials, who have a wide knowledge of Native administration, was crystalized in the following unanimous resolution:—

> "The Conference recommends that the Government take into early consideration the desirability of making provision for the hearing in the Courts of the Union of causes between Natives according to Native Law and Custom."

Commission's views.

119. With this resolution the Commission is in full sympathy.

Enquiry into Native Law.

120. Another resolution arising out of the discussion was adopted by a majority and reads:—

> "That this Conference is of opinion that, in view of the fact that Native Law and Custom are codified in Natal, recognized in the Transkei and British Bechuanaland, recognized to a limited extent in the Transvaal and Ciskei, while not being recognized in the Cape Province Proper or in the Orange Free State, it is most

desirable that a Commission should be appointed to consider the difficulties, hardship and divergences which are caused by the present position; the Commission to report in what manner Native Law and Custom should be dealt with in the Courts of the Union; the Commission to be presided over by a Judge of the Supreme Court."

Taxation.

121. The official Conference also considered the proposals of the Departmental Committee on Native Taxation, and agreed with the principles recommended by it (*vide* paragraph 70). Certain amendments in the Committee's draft Bill were recommended.

LOCAL COUNCILS UNDER ACT NO. 23 OF 1920.

Benefits of local self-government.

122. At public meetings with Natives the Commission has referred to the benefits which arise from adopting a system of self-government, and urged them to discuss the question of the establishment of Councils under the Native Affairs Act, 1920.

Ratshidi Barolongs ask for a Council.

123. This was specially the case during its visit to Bechuanaland in April, with the result that the Ratshidi Barolongs of the Molopa Reserve, Mafeking, asked the Government to establish such a council, but with the proviso that:—

(*a*) The Chairman of the Council should be elected or selected from the nine Native members, wherever possible; and

(*b*) That the position of the principal (?) Chief should be secured as much as possible and by his being authorised to hear in council, offences against the council's bye-laws so far as this is consistent with the provisions of the Act.

Commission unable to recommend.

124. The provisos are in conflict with the Act, and the Commission is unable to recommend the establishment of a council for the present.

Fruitless visit to Ganesa.

125. In October as a result of a report received from the Magistrate of Vryburg, indicating that the Natives in that District seemed generally in favour of the establishment of a council, the Commission paid another visit to Ganesa Reserve. But to its great disappointment not a single Native attending the large meeting spoke in favour of a council, and those who did speak were absolutely opposed to such an idea.

Mphahlele's Tribe desire a Council.

126. Chief Mphahlele and his councillors who occupy Mphahlele's Location in the Pietersburg District, have expressed their desire for a council under the Act, and investigation is being made to ascertain whether it is possible and practicable to include certain tribally owned farms which are not, in law, areas set apart by Parliament for the occupation of Natives.

Council recommended for Witzieshoek.

127. The Commission has recommended that a local council be established in the Witzieshoek Reserve.

TYPHUS AMONGST NATIVES.

Serious position.

128. Early in the year the Department of Health brought to the notice of the Government, the serious position which existed on account of the prevalence of typhus amongst Natives, and the danger to the public health of the travelling Native as a conveyer and disseminator of the disease, which is an entirely louse-borne disease and which does not continue and spread except in lousy communities. The returns showed that the following cases and deaths have occurred annually since 1917:—

Year.	White.		Coloured.	
	Cases.	Deaths.	Cases.	Deaths.
1917	31	5	3,933	837
1918	9	3	2,699	495
1919	25	4	4,803	1,122
1920	81	12	11,195	1,791
1921	132	17	9,025	1,123
1922 (to 30 June) ..	33	6	2,559	384

Commission's recommendations.

129. The matter was referred to the Commission for its views, which were conveyed to the Government in a communication in the following terms:—

"(1) The Commission agrees with the Secretary for Public Health, that the situation as regards the spread of Typhus is very serious, and expresses appreciation of the measures taken by his Department and the Department of Native Affairs to combat the spread of the disease.

"(2) The Commission realizes that the eradication of the disease will be a troublesome business and will involve the carrying out of a long campaign of methods of prevention and extermination.

"(3) The greatest hope would seem to lie in educating Natives as to the danger of the disease and the reasons why it spreads so rapidly and easily.

"(4) Amongst the most effective methods of such education are the following:—

"(*a*) *Direct teaching on the subject in all Native Schools*: Experience shows that it is not sufficient to send circulars and other explanatory matter to Native teachers and expect that they will communicate the substance to their pupils. The subject must be put into the school syllabus, and its regular teaching must be tested by the inspector of schools, if it is to become really a part of their education.

" It is suggested that the Provincial Administrations be approached on these points, and be asked to arrange for conferences of school inspectors and teachers, which could be addressed by officials of the Public Health Department. The Commission would emphasize the need for persistent effort on the part of both Union and Provincial authorities in this matter.

" (*b*) *The use of Native Churches, Councils, Societies and gatherings of Natives*: The Commission would suggest that the Native Churches, Native Councils and organizations and meetings of Natives be invited to co-operate with the Government in the anti-typhus campaign. A rota of European and Native speakers, medical and non-medical, might be prepared and addresses on the cause and prevention of typhus be given. Indeed, it might be well to organize a group of Native propagandists to give their time and energy to this work.

" (*c*) *The use of Literature*: The Commission believes that much in the way of education would be done by propaganda in the press and by means of placards. Short striking paragraphs, and, better still, sets of illustrations telling the story of the cause and consequences of the disease might be published in the Native press, and displayed in schools, railway stations, railway carriages and all other public places.

" The Native paper ' Health ' might be encouraged to prosecute its campaign still further in co-operation with the Department of Health.

" (5) The Commission would urge the increase in the number of delousing gangs: among these gangs should be a fair number of Native sanitary inspectors such as those trained by Dr. McVicar at Lovedale. Natives listen more readily to Natives than to Europeans on such matters, but the officers in charge should be Europeans. The gangs should work under the general direction of the magistrate and all concerned should be encouraged to strive as hard to keep their districts as free from typhus as they do to keep them clear of East Coast fever. The setting up of District Councils in rivalry of say a beast to be killed at each meeting if the district is clear would serve to bring the matter to their notice and to keep it there.

" (6) The delousing gangs, sanitary inspectors and magistrates should be supplied liberally with delousing material and ingredients.

" (7) The Commission realizes the physical and economic waste caused by the ravages of the disease and would urge no relaxation in the efforts which are at present being made but rather a development of them on

the lines advocated. The necessity for a similar campaign should be urged upon the Imperial Government in the case of the Basutoland and Bechuanaland Protectorates.

"(8) The Natives should be given notice through every possible channel that the Government proposes to undertake an extensive anti-typhus campaign. Before the Government carries out its proposals with regard to any restrictions of the movement of Natives at least six months' notice should be given. Meantime instructions should be issued to stationmasters, to enforce the powers they already possess with regard to the withholding of tickets from travellers obviously verminous. In all instructions issued and published it should be made clear that the new regulations apply to both Natives and Europeans alike.

"(9) The Railway authorities might be asked to limit the number of Natives at present allowed to travel in 3rd class and "bombela" carriages and to make provision for a supply of soap and water for travelling Natives.

"(10) No attempt should be made to disinfect the persons, clothing or habitations of Natives except on the order of a magistrate. This limitation of powers of officials should be made known to the Natives."

CONGRESS OF THE S.A. AGRICULTURAL UNION.

Attendance of Commission.

130. The Commission was present during some of the discussions of the Congress of the S.A. Agricultural Union held in Pretoria in October, and two of the resolutions adopted are of interest as affecting Native administration.

Natives Registration Bill.

131. The first dealing with the Natives Registration and Protection Bill was as follows:—

"This Congress protests against the provisions in the proposed Natives Registration Bill being of opinion that they are calculated to interfere with the farmers' control of the boys and suggests the following alterations:—

"(1) That exemptions in one Province shall not hold good in another.

"(2) That exemptions be more restricted and none issued under any education test.

"(3) That the employment of Natives should be reported within 14 days of their arrival.

"(4) That it shall be necessary for a Native to obtain written permission from the owner or occupier of the farm to leave it, either to look for work, or to go visiting.

"(5) That no ticket shall be issued on the S.A. Railways unless the Native produces a written pass from the farm where he resides excepting to return to his home."

132. The second resolution affected the Commission and reads:— Advisory body to Commission.

"That this Congress urges upon the Native Affairs Commission the desirability of appointing the Executive Committee of the S.A. Agricultural Union as an advisory body on matters relating to farm labour and conditions so that a regular exchange of views may take place between the two bodies."

133. The Commission decided that while it could not accept the resolution of the Congress in so far as formally to appoint the Executive Committee as an advisory body, it would always be prepared to meet any Committee nominated by the Union and listen to any views which the Union might wish to put forward on farm labour and conditions. Commission's views.

ANNEXURE B.

MINUTES OF A NATIVE CONFERENCE SUMMONED UNDER ACT NO. 23 OF 1920, AND HELD AT THE RAADZAAL, PRETORIA, ON THE 24TH SEPTEMBER, 1923, AND THE FOLLOWING DAYS.

First Day.

24th September, 1923.

Present.

The Right Hon. F. S. Malan, Acting Prime Minister, Chairman.
Col. G. A. Godley, Acting Secretary for Native Affairs.
Senator the Hon. A. W. Roberts, General L. A. S. Lemmer and Dr. C. T. Loram, Members of the Native Affairs Commission.
Mr. R. S. Medford, Secretary to the Native Affairs Commission.

Cape Delegates.

1. Mr. David Bikitsha, Transkei.
2. Chief S. Lehana, East Griqualand.
3. Mr. S. Matoti, Tembuland.
4. Chief W. N. Bokleni, Western Pondoland.
5. Chief J. Langa, East Pondoland.
6. Prof. D. D. T. Jabavu, Victoria East.
7. Mr. M. Pelem, Queenstown.
8. Chief S. Zibi, KingWilliam's Town.
9. Dr. S. Molema, Mafeking.
10. Mr. J. G. Sikiti, Herschel.

Natal Delegates.

1. Mr. W. W. Ndhlovu, Vryheid.
2. Mr. W. Msimang, Maritzburg.
3. Rev. M. Kuzwayo, Emtonjaneni.
4. Rev. Simon G. E. Majozi, Dundee.

Transvaal Delegates.

1. Chief Mphahlele, Pietersburg.
2. Induna Takalani, Zoutpansberg.
3. Chief Moiloa, Marico.
4. Mr. S. M. Makgatho, Pretoria.
5. Mr. H. S. Msimang, Johannesburg.
6. Mr. R. V. S. Thema, Johannesburg.
7. Mrs. C. M. Maxeke, Johannesburg.

Orange Free State Delegates.

1. Mr. Z. W. Fenyang, Thaba N'chu.
2. Rev. Z. R. Mahabane, Vrede.
3. Chief Mopeli, Harrismith.
4. Mr. T. M. Mapikela, Bloemfontein.

Mr. I. Bud Mbelle of the Department of Native Affairs interpreted in the Xosa-Zulu languages, and Mr. A. S. Mbelle of the Native Affairs Commission interpreted in the Sesuto-Sechuana languages.

Chairman's Address.

The Chairman said that he had much pleasure in welcoming delegates at the second Conference under the Native Administration Act of 1920. He was glad to see that representatives of the Natives had so readily agreed to come to the congress at the invitation of the Government.

He doubted whether the importance of the Act of 1920 was generally understood, proceeded the Chairman. He explained that the Act was intended to provide means of getting into closer touch with the Native population, and to do nothing on their behalf without consultation. Parliament, he said, was responsible for the administration of affairs dealing with nearly 6,000,000 Natives, and it was therefore necessary that Parliament should know from time to time what the feelings of Natives were in regard to certain matters affecting their interests. Under the Act there were three ways in which consultation could take place. The first was by the appointment of the Native Affairs Commission, which was primarily an advisory body, which would fail in its duty if it did not get into close touch with Native feeling.

The second method was by means of Native Local Councils. The Commission and the Government had found that there was no great desire on the part of the Natives to adopt this system. One difficulty appeared to be that each tribe wanted its own Council. Others again were afraid of taxation, thinking that if they once had a Council they would be taxed. The Government felt that it was advisable not to hurry the Natives over any important matter of this kind. He trusted, however, that, with the assistance and advice of the Commission the discussions at that Conference would result in the benefits of such an institution as the Council becoming apparent.

The third method of consultation with the Natives, under the Act, was by such Conferences as the present.

Regarding the constitution of the Conference, the Chairman said that the delegates had been selected by the Government after consultation, in some cases, with representative bodies of Natives. That was also done last year, and he was glad to see in the Native press that that method was welcomed and that the Government could not have consulted a more representative and authoritative Conference than that of last year, and he was quite confident, he said, that the same favourable opinion would be formed to-day.

"I know that in certain quarters of Natives a desire has been expressed that the delegates to this Conference should be elected by the people themselves," he said, "Now the Government is not against an election, but to make the election fair and reasonable, you require two things:—

(1) You must know who your voters are and have machinery by which you will elect. When the Government thought of having the men elected they found that there was no machinery, and that there were no voters—there was no method of finding who should or should not vote.

(2) The people must understand what representative Government means. Elections are not known to the Bantu races of South Africa. Their chiefs and their councils are nominated and, as I said just now, in regard to councils, this is the beginning of giving them representative institutions. And yet the people did not desire councils. They say that they want to elect this conference, but when they had the opportunity of electing for their own councils, to work in their own areas, they say no. If the latter had already been established, they would have had the machinery for electing to the former, and would have followed the tradition of the Transkei in regard to the 'Bunga.' However, he would be pleased if the conference would assist the Commission in regard to the drafting of some scheme to obtain an elected conference it would be his privilege then to give effect to such a scheme, and to see that the conference was in every way fully representative."

He then touched upon the items on the agenda. The first subject was consideration of the Native (Urban Areas) Act as it was after it had been passed by the Bloemfontein Conference. The representations made by that Conference, he said were considered by Parliament but certain other amendments were added and he wanted the views of Conference on the latter. Then there were the proposed alterations in the Pass Laws. The Government felt that it was inadvisable to continue with the Bill on this question, introduced last session, before the Conference had had an opportunity of considering it.

The third question before Conference was that of taxation. This had two phases—firstly, uniform taxation on the Natives in the different Provinces. Taxation directly on the Natives to-day, he said, was still the same as before Union, and differed in each Province. That was not a satisfactory state of affairs. The second phase was that Parliament had decided that the Natives would be taxed for any further expansion of Native education. So that if a special levy were placed upon the Natives for educational or development purposes the revenue would be used for that. The Government wished to deal with these two phases at the same time —it would be a mistake to put a levy upon Natives already paying more than those in another Province. The Government wanted to establish uniform taxation throughout the Union. He anticipated that those Provinces paying little in taxation would not be pleased at this, but he asked them not to forget that the burden would rest evenly upon all and give all the same chances.

The last matter on the agenda was that of the marriage laws, which touched the very life of the people. It had been asked of the Government to introduce a law making the return of " lobolo " obligatory when a man did not get his wife after payment. Was that a good law? Was it right to encourage lobolo? If a man paid for a second wife, must the lobolo also be returned to him if he did not get that second wife? These were important questions and there were people who thought the other method of marriage the better one and that the system of lobolo should not be encouraged. He would be pleased to have the opinion of the Conference on this matter.

Concluding the Chairman said that delegates could attend the Conference at Johannesburg on Thursday, if they wished. He then formally declared the Conference opened, and trusted that their deliberations would be in the general interests of the Native people as a whole.

Appreciation of Government's action.

Mr. Pelem moved, as an unopposed motion, seconded by Mr. Sikiti:—

> " That this Conference of leaders and representatives of the Native population of the Union of South Africa wishes to place on record its sense of the great debt of gratitude they owe the Government for its statesmanlike foresight, recognition and concession to

the Natives of the right and freedom to participate in the discussion of the mighty Native question on which hang the future and destiny of this country."

Carried.

Mr. Jabavu moved, as an unopposed motion, seconded by Mr. Mahabane:— Vote of sympathy.

"That this Conference extends its sympathy to the Rt. Hon. J. X. Merriman and to Sir Thomas Watt in the loss they have sustained through the deaths of Mrs. Merriman and Lady Watt."

Carried, all members standing.

Mr. Jabavu, moved, seconded by Mr. Makgatho:— Report of Native Affairs Commission.

"That the Government should take into consideration the desirability of the Native Affairs Commission issuing a fuller annual report than the one for 1922."

Discussion ensued.
Carried.

Mr. Jabavu moved, seconded by Mr. Makgatho:— Separatist Churches.

"That the Government should take into consideration the question of printing the Report of the Native Church Commission."

The Chairman pointed out that the Report had not yet been completed, but the Government would take the motion into consideration if passed.
Carried.

Mr. Jabavu moved, seconded by Mr. Makgatho:— Minutes and Proceedings.

"That the Minutes of the Conference should be read, confirmed and printed just as the debates of the Transkeian Territories General Council."

The Chairman intimated that the Government would consider the question, if the motion was agreed to.
Carried.

Mr. Jabavu moved, seconded by Mr. Makgatho:—

1. That before the Chairman withdrew from the Conference some idea of the procedure to be followed should be given by him. Procedure.

2. That the proceedings of the Conference should be open to the press and public. Public proceedings.

3. That it should be laid down that the Conference should be an annual one. Annual Conference.

4. That the number of delegates should be increased to 50. No. of delegates.

5. That a three days' limit for the Conference was too short. Period of session.

Discussion ensued during which the Chairman stated:—

(*a*) That he would lay down a procedure before his withdrawal;

(*b*) that if the Conference wished the proceedings to be public he had no objection;

(*c*) that he agreed that the Conference should be an annual one;

(*d*) that the Government would consider the question of increasing the number of delegates and hoped the Conference would advise how they should be chosen;

(*e*) that it was not the intention to limit the period during which the Conference should sit so long as the business was completed.

On the motions being put all were carried.

Procedure.

The Chairman stated that during the Session of the Conference the following rules would be observed:—

1. Each delegate would be allowed to speak once on any point, but the Chairman, in his discretion, might relax the rule.

2. Any motion which a delegate might wish to bring forward must be handed to the Secretary before 2 p.m. that day and when the business for which the Conference had been summoned was concluded the motion might then be considered.

3. The hours of Session would be:—

(*a*) From 9.30 a.m. to 12.45 p.m.
(*b*) From 2 p.m. to 5 p.m., and
(*c*) From 8 p.m. to 10 p.m. unless the Conference should decide not to sit in the evening.

4. Conveyances would be provided for the delegates at the lunch hour.

The Conference adjourned at 10.50 a.m. and resumed at 11.5 a.m.

Pass Laws.

The *Chairman* stated that the first subject with which the Conference would deal was the Bill relating to the Pass Laws and called upon Colonel Godley to address the Conference.

Col. Godley: The question of the pass laws was a burning one. It was essential that something should be done at once both from the point of view of the Europeans and the Natives. Government had long realised that the Natives in the Northern Provinces are suffering from too many restrictions and must be afforded some relief. On the other hand Europeans throughout the Union were pressing Government to tighten up the pass laws. That pressure come not only from the Northern Provinces but also from the Southern portion of the Union.

It was very important that the Conference should devise some measure which, while meeting the reasonable requests