

A Thesis on the Glen Grey Act and its effects upon
the Native System of Land Tenure in Cape Colony
and the Transkeian Districts.

THE GLEN GREY ACT AND ITS EFFECTS
UPON THE NATIVE SYSTEM OF LAND
TENURE IN CAPE COLONY
AND THE TRANSKEIAN
DISTRICTS

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WIGGINS, ELLA

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A Thesis on the Glen Grey Act and its effects upon
the Native System of Land Tenure in Cape Colony
and the Transkeian Districts.

Ella Wiggins.

The first object of this essay is to trace any tendency of the Natives in the Cape Colony to modify their own communal system of land occupation in favour of any system more approximating to the Western ideal of individual tenure or ownership. The significance of any such tendency need not be emphasised. The communal occupation of land is one of the most essential bases of tribal organisation. It is closely linked up with the organisation of the family as an economic unit, as well as with the tribe in that aspect. It is, indeed, at the very roots of the Native family and tribal system.

To trace any changes from communal to individual occupation must be a part, therefore, of a larger study, viz., of the development of tribal life so as to admit of free economic action by individuals untrammelled by the bonds of tribal custom.

the Glen Grey Act. Only by attempting this larger

The second object of this thesis, then, is to trace the effects upon Native economic life of any changes in the system of land tenure and, conversely, to trace any ways in which individual tenure may have been rendered inevitable owing to changes in other aspects of tribal economic life.

The third object of this thesis will be to estimate the importance of any such changes, but especially of the change from communal to individual land tenure. At a recent meeting of the Economic Society of South Africa, Mr. Goodfellow, who had read a paper dealing with systems of Native land occupation, said, in reply to a question, that where individual tenure was introduced, the effect was much less revolutionary than is commonly supposed, that, in fact, individual tenure was introduced only into areas in which the Natives had already begun to practise something very akin to it of their own initiative. This answer, while true, leaves a bigger question untouched, namely, why had the native systems of land tenure begun to change? It is the object of this thesis to trace all tendencies in Native land tenure and not merely those brought about by, or consolidated in, the Glen Grey Act. Only by attempting this larger

estimate, can we estimate the importance of the the
Glen Grey Act. ered remnants of formerly powerful

tribes, who as refugees from Shaka's Reign of
Terror in Natal, had fled southward to across,

The Native tribes which come under
in their turn, whatever tribes lay in their course,
our consideration are those situated in the Eastern
districts of Cape Colony and in the districts col-
lectively known as the Transkei. It should be
noted, in the first place, that these tribes had
not had a long and undisturbed occupation of their
territories. They were, in ~~fact~~ colonists of al-
most as recent an origin as that of their white neigh-
bours. They had been constantly disturbed as re-
gards the occupation of their lands by their own
migrations, by conflicts among their own tribes,
and by conflicts with the white people. Large
tracts of land had, in fact, been settled with
natives only for diplomatic reasons by white sol-
diers and statesmen.

In our area there had been conflict
between three main tribes from about 1820 till the
middle sixties. These three were, first, the Ama-
Xosa who held a prescriptive right to the border-
lands of the Cape Colony by an earlier immigration.

6.3 - 1848
Mr. Lambert's evidence before the Glen Grey Commission
next page.

Secondly, there were the Fingoes and, thirdly, the Tembus, scattered remnants of formerly powerful tribes, who, as "refugees from Chaka's Reign of Terror in Natal", had fled southward to oppress, and in their turn, whatever tribes lay in their course. The Fingoes fared no better against the Xosas than they had against Chaka and they would soon have been subjugated and absorbed had they not found an uneasy saviour in the Cape Colony Government, who sometimes found them useful for strategic purposes and sometimes found the responsibility of protecting them a great inconvenience.^{XX} Eventually, they were settled down in those parts of the Transkei which are now the districts of Tsomo, Nqmaqwe and Butterworth. The Tembus had a somewhat similar, if less troublesome career and settled in Glen Grey District within the Colony. In 1865 an attempt was made to transfer them across the River Indwe into the Transkei. The tribe, as a whole, refused to move but eventually four chiefs, with their following, did so, occupying the districts of Engcobo and Umtata, whilst the remainder of the Tembus still occupied Glen Grey.^{XX} This emigra-

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G.G. Comm. 1892

Mr. Warner's evidence before the Glen Grey Commission
see next page.

tion delayed the process of overcrowding which brought the land tenure question to a crisis twenty years later. The remainder of the South Transkeian territories were retained by the Xosas and allied tribes.

In other parts, such as Pondoland, there was no security of occupation until long after the British Annexation in 1894, owing to the persistence of inter-tribal conflict.

In no part of the regions with which we are concerned had the natives had time really to settle down and consolidate their tribal economic customs. This fact is of importance in that it means that the Native customs were not deeply rooted, or, at least, not permanently adapted to life in those regions. The Natives' economic system was itself in a state of flux, as that of all colonists must be when they are adapting themselves to new conditions and trying to settle on new land. This meant that the tribal system was much more easily influenced by contact with Europeans than would have been the case otherwise.

In the second place, it should be noted

x* (Footnote to previous page)
W.M. Macmillan in "Bantu, Boer and Briton", pp 112, 242.
also Report of the Cape Colony native Laws and Customs Commission of 1883.

that, while the land in question was not of uniformly good quality, yet it was, especially in the Transkei, on the whole, good agricultural land, and sufficiently fertile to yield a good living to natives who cultivated even in a very predatory manner. The Native population, in consequence, were in possession of a reliable food supply and it was only in case of exceptionally bad drought, in congested districts, that white agricultural methods might appear to be a necessary improvement. The Natives, while they were not so securely ^{attached} bound to the soil that their customs became hide-bound, were yet sufficiently secure to be able to despise white immigrants who might try to improve their agriculture.

Following upon this security, was the important fact that the native populations were of sufficient density to make their rapid transformation impossible. In many parts of Australasia one of the effects of contact between white and black people was the more or less rapid transformation of the economic life of the latter.

* Pitt-Rivers, "The Clash of Culture" passim.

This was especially the case where the aborigines lived in small communities on sparsely occupied and infertile ground. Under these conditions, it was possible for a number of vigorous white officials to organise Native recruitment which would perceptibly thin out the number of adult males, to oblige the people to abandon their own kraaling arrangements and to live together in "villages", to conduct their agriculture under entirely new methods and with new staples, under the close supervision of white experts and to carry out many other changes which amounted to a complete reorganisation of Native life.^x

It is important to realise that all these tendencies were at work in the region with which we deal, but that, owing to the density of population and their security they could work only so slowly as to have much less results. In Australasia these changes sometimes meant that the Native Population would be materially reduced and sometimes that they would be increased. But in the Cape Colony and the Transkei, no signs are

^x Pitt-Rivers, "The Clash of Culture" passim.

apparent that the density of population was affected either way, for these changes could not be carried out by official action. The Glen Grey Act was the first real attempt to introduce such changes into the tribal life of the South African Natives.

In all of the districts with which we deal, the population was almost exclusively native. The whole of the regions east of the Kei River had been reserved by treaty expressly for Native occupation. Small grants of land had been made to missionaries and to traders, but white purchases had been made illegal. The lands were, indeed, the possession of the Crown but their sole use was guaranteed to the Natives, ^{and they were} to be administered by the Natives themselves in conformity with their tribal custom. White magistrates were stationed throughout the territories. It was their duty to preserve the peace and to administer justice in a way repugnant neither to European nor to Bantu ideas. Beyond this administration of justice, the magistrates appear to have had little or no power. The Native populations

into native life - the idea that crops might be grown, not for the consumption of the grower's own family, but for sale, so that other goods might be procured.

Yet economic forces were at work, leading to great changes. To describe these briefly, we may classify them under three headings:-

- (1) recruitment for mining work and the drift of Natives westward to take up work with white farmers and to work in towns;
- (2) the influence of white traders in the Native territories; and
- (3) the educational work of missionaries.

By 1894 the Witwatersrand mines were obtaining a steady supply of labourers from the eastern districts and the Transkei. These men were indentured for definite periods and returned bringing money with them. By means of this money a taste for European commodities was being developed, which could be satisfied by the traders. At the same time, missionary education, as well as other circumstances, was gradually showing the natives that money might also be procured by selling the produce of the land. This introduced a new factor

into native life - the idea that crops might be grown, not for the consumption of the grower's own family, but for sale, so that other goods might ultimately be procured.

We see here two changes:- but no part of (1) that a proportion of the male population was not habitually went out of the districts for lengthy periods; and just as there was no (2) that those people remaining at home began to work in different ways.

The progress from communal tenure to individual tenure is so closely bound up with these developments that their effect upon tribal economy must be fully described in this essay.

Tribal economy, as the term implies, was based upon the fact that the tribe (an indeterminate group of Natives of homogeneous blood) was the basic economic unit among the Bantu peoples, just as the Nation is amongst Western peoples. The essential factor in this organisation is that the tribe occupies a certain piece of country, known as the tribal lands. It was these tribal lands that had been guaranteed to the natives by

a new land to him, so that the other might go back the treaties of Grey and Smith and others, so that these treaties really left the kernel of tribal life intact. The lands of each tribe were the property of the people collectively, but no part of them belonged to any individual member. There was not private property in land before Western influences made themselves felt, just as there was no private property in air in Europe before the aeroplane created a new set of problems. The tribal lands were the property of the tribe and it was the chief function of the tribal government to protect them from invaders, and, what is more to our present purpose, to allocate the use of them to individual natives. On a native reaching man's estate, he would apply to the chief for his share of land; on a man's taking an extra wife, he would apply for another piece of land so as to enlarge his economic scope. Similarly, when a man found his land becoming less valuable, owing to over-cultivation or to soil erosion, or to any other cause, he would call upon the chief to allot

a new land to him, so that the other might go back to pasture or fallow. The tribal government, then, was entrusted with the care of the land but more especially with the allocation of lands to members in proportion to their claims and needs, and with the maintaining of a balance, in the whole of the tribal lands, between arable and pasture,

Important as are the functions of the tribal government, the day to day activities of the people are centred in the families. A family in native life means exactly the same as it means in European life, with the one important difference that the native family may be polygamous. The head of each family is the man, to whom the first piece of land is granted upon his marrying his first wife, and to whom a further piece will be granted with every extra wife whom he takes. Before acquiring either a wife or the contingent lands, however, each young male must serve a kind of apprenticeship or waiting or qualifying period, in which, by dint of performing various services for his elders, or merely by inheriting the personal wealth of his father, he will come to possess a number of head

of stock - the most important form of personal wealth under tribal economy. He will reach man's estate only after having achieved this ownership, because he will ~~sell~~ ^{need} cows both to "buy" his wife and to stock his land when it is allotted to him. The institution known as "lobolo" guarantees that no man shall be able to marry until he has this qualification.

*Use of interest
counters, show
that water does
not prevent women
fellows on
lobolo - but
I prefer the
phrase "buy"
his children.*

Having the wife, the stock and the land, the man now settles down to carry on his life's work. In the first place, the food supply must be seen to by the growing of grain. This is essential but not dignified work, for the only aim is to grow sufficient to carry the family through till the next season. None will be grown for sale and little or none for profitable exchange. The methods, as may be expected, are crude and unimproved. The cultivation is little more than that known as scratching the surface and is the work of the womenfolk. Then we see the first clear economic connection between polygamy and

ception of the custom does not violate any of

the giving out of lands to natives at the rate of one for each wife, for each wife is made responsible for the cultivation of one land and the more wives and lands a man has the more secure and substantial he is. In the second place, stock must be bred, or, if the word "bred" implies something of selectivity, then we must say "procured". This is the essential business, for it is by the increase of his stock that the native may best improve his economic position. Every now and again, a few head of cattle will secure another wife, and with her will come more land to cultivate, and with it the right to more pasture land, so that it will be easy to let the stock proceed to increase itself again. Thirdly, however, comes the building up of the family. This has a very direct economic aspect in that every daughter born to the man will, in time, fetch a number of cattle which when she is passed on to another, presumably, a younger man, as a wife. Much is heard of lobolo being really a trade in daughters and we may say that that crude conception of the custom does not violate any of

its economic aspects. When the man is old, he will recoup himself for the cattle which he has paid out for his wives by obtaining cattle in exchange for his daughters, so that he may die rich. As for the sons, they are brought up to display manly arts, until they are able to set up families of their own.

One important feature remains unexplained, that of inheritance. This, in addition to being an essential part of a description of the economic significance of native family organisation, is of particular importance, as will appear later in this essay, in connection with the transition to individual tenure. All civilised systems of inheritance can be broadly included under one of two kinds - primogeniture and sub-division. In native life in South Africa, however, the prevailing system appears to have been a compromise between these two, fitting in admirably with the family system as outlined above. The system avoided being primogeniture, for then the whole "estate" must have been left either to one wife, or to the

*A native man will, by calling his
parents together and explaining how
his possessions were to be divided, his
friends then felt bound to see that his
wishes were carried out after his death.*

with which they could obtain a wife and so be in
eldest son, in either case, leaving the houses of
all the other wives unprovided for, and also the
system could not be one of sub-division for then
each wife must have been left in charge of her
own house and the land attached to it, *and must have held it*, presumably
in her own right, during her lifetime, without
regard to the needs of her sons, which were the
important considerations in the eyes of the tribe.
Actually the whole of the husband's property and
rights passed to the eldest son of the "great
widow" unless he made a "will" ^x - a clear element
of primogeniture. This holding was only one in
trust, for as the sons of all the wives approached
the years of manhood they were able to claim from
this widow their share in the property and the
eldest were able to establish a claim to one of
the lands. Thus the eldest son in each house ob-
tained cattle and a right to a land which he would
substantiate by marrying, while the younger sons
would become the owners of their share of cattle,

**A Native made a will by calling his
friends together and explaining how
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with which they could obtain a wife and so be in a position to claim a land from the chief. Ultimate sub-division as required by the members of the family was the aim. ^x Having described the economic life of the Bantu tribe and family in terms necessarily somewhat "ideal", it is now our object to show in what ways this life was being altered by the three influences which we enumerated earlier and especially in what ways the scope for individual enterprise - leading to individual land tenure - was increasing. Recruitment for outside industries and appears to have had but little effect upon the tribal life but a considerable effect upon family life. The only direct effects upon tribal organisation appear to have been that there was some little danger of a loss of population through natives staying away permanently, - a danger which did not materialise - and that some adjustments were necessitated, which will appear as we describe the changes in family life. As

x On inheritance and custom see numerous references in the Reports of the Cape Colony Native Laws and Customs Commission of 1883 and the South African Native Affairs Commission of 1903.
x By the Native Grievances Enquiry of 1914. Unpublished; in the possession of Mr Goodfellow.

cannot be ascertained, but there appears to be no regards family life, we may begin by taking the case of the young man. Under the old regime, these would not have been expected to render any very direct economic service to the community. They would have waited until they could inherit some stock and then they would have become householders. The period of waiting would, doubtless, in really primitive times, have been devoted to warfare. Now, however, that period was the opportunity to earn considerable sums of money by going out to work. In practice, money was frequently never touched; the objective was cattle, and the trader and recruiter saw to it that cattle were advanced to the native and that he would work afterwards until he had paid for them. Having worked off the payments, the boy was able to claim his land and to set up his first household. The important point in this process, for our present purpose, is that the age of "manhood" was reduced so that the demand for lands would be increased by this increased economic effectiveness of a section of the population. ^x The rate at which this happened

x Evidence of Mr Cooke before the Native Grievances Enquiry of 1914. Unpublished; in the possession of Mr Goodfellow.

cannot be ascertained, but there appears to be no doubt of its being a clear tendency, and its result would be to strain the capacity of the chief to find lands for all the legitimate claimants, so that a land shortage would set in earlier than it otherwise would have done, and also a desire, ^{would arise} on the part of the natives that they should be quite secure in the tenancy of their lands and free to use them as they chose. x

The influence of the traders has been almost sufficiently indicated. The only other point to make is that the traders fostered a taste for articles which could be obtained only for money, and so kept the natives going out to work even after being married, and also taught the important fact that crop might be sold for money. xx

This, coupled with the teaching of missions, began to foster new agricultural ideas in the minds of the natives. Ploughs began to be known. This meant that cattle came to have a use as draught animals in addition to their exchange

x Evidence of Mr Jenner before the Cape Colony Native Labour Commission, 1893

xx Evidence of Mr Hargreaves before the South African Native Affairs Commission of 1903

value as universally desired objects. They could not, however, be entrusted in their field work to the womenfolk, for that was against all the ideas of the natives.^x The man thus took to ploughing and after a man had been once or twice to the mines he would look forward to continuing to make money by selling his grain. All his ideas would be somewhat revised. He would no longer have an economic reason for desiring more wives for he would have extra hut tax to pay for each one, while he would not be able to cultivate the extra land that he would be able to claim in respect of her. His cattle, having their "lobolo" value reduced, would tend more and more to be valued as draught animals and he would be willing to turn his attention to smaller stock, such as sheep, which would grow money on their backs. Instead of aiming at having many lands, with a wife in charge of each, he would tend to concentrate on one, which he would cultivate.

Here we see the tendency to individual tenure clearly indicated from the point of view of the native. The more active the man, the more he would want definite possession of his own land,

^x Evidence of Mr Mzimba before the South African Native Affairs Commission of 1903.

so as to be free to experiment without regard to his less progressive neighbours. We must mention that as population was steadily increasing, it became more and more necessary that all cultivators should be made secure, while later claimants would have to go elsewhere. It is common to attribute almost all of this tendency to a greater pressure of population. We can only point out that other regions, such as Natal, appear to have experienced an equally great pressure of population on the land, without it leading to any of these results. The fact was that the Transkei and Ciskei were fertile regions which had been penetrated thoroughly by European influence, while the bulk of the land in Natal was inaccessible pasture land.

We now come to deal with this subject as it appeared to the Europeans in Cape Colony and the other parts of South Africa. "Individual tenure" for natives had long been a favourite panacea in matters of native policy, ^x but this, like all panaceas, appears to have meant very different things to different people. All reports

^x See the debate in the Cape Legislative Assembly on the Glen Grey Bill, reported in the Cape Times of 27th July 1894 and following days. Also series of lectures reported verbatim in the same paper during May and June of that year *By Mr. Scully.*

x
on individual tenure begin by enumerating instances in which it was put into practice prior to the date of the Glen Grey Act, while in MacMillan's "Cape Colour Question" we read of cases in which it was tried on mission stations. In nearly all of these cases, however, so far as the facts are available, it appears that little resemblance can be found to the process at work in the Transkei. The measures appear to have been artificial in the extreme and generally adopted for strategic, not for economic or social purposes. They will be seen to have failed very largely because they were out of accord with the actual ideas and ways of life of the natives.

In the first place, it may be mentioned that it was a common practice for missions to attempt to settle numbers of natives on their lands on the basis of each man having a holding of his own to cultivate. These, however, were private expedients and we have no information as to their details. One thing is clear, viz., that they were nearly all artificial in the sense that the natives were separated from their tribes and away from all tribal control, for the land was the property of

x Especially the Cape Native Laws and Customs Commission of 1883 Report and Appendices, and Mr Vos's Report (U.G. 42 of 1922.)

the missions. They must be regarded as settlements for private purposes, not as developments of tribal life, and not as efforts to mould or change tribal life in any way.

The various military settlements were equally artificial. Individual tenure was given to Fingoes on the border of the Cape Colony before 1836^x, but it was tenure over farms of 200 to 300 morgen, while the average holding inside the Native territories was never over 40 morgen.

One experiment has all the appearance of having been a real attempt to bring about the economic development of the Natives on Western lines.^{xx} The Kamastone scheme in 1877 provided that some 1,879 plots, each plot about the usual size of a native's land, should be surveyed and these should be allocated to natives who should apply for them and pay rent and surveying costs. These plots were gradually taken up. It was also provided that the people should reside in huts constructed some distance away from the

^x Surveyor General's Report, 1883

^{xx} See footnote to page 25 and also Report of the South African Native Commission of 1910.

the fields, no doubt in a position at once healthy and easy to supervise. Although the good lots were taken up slowly, it seems clear that the natives simply did not see the advantage of having lands of their own, out of the Chief's jurisdiction, especially when a heavy "tax" was involved for the doubtful benefit. Still less did they see the benefits to be gained from living away from their lands on special building sites, which again cost more money, for we learn that the building sites were not taken up. This scheme has all the marks of an advanced but clumsy administrative effort. The natives were to be persuaded away from their tribal ways; they were to become peasant cultivators; they were to pay rent to the magistrate and to depend upon him for their security of tenure; they were to live in little villages, which could easily be supervised and sanitarilly inspected.

The idea that natives might be given individual tenure to land seems thus to have begun with the practical administrators, but,

after the establishing of the Witwatersrand gold mines, the idea gained force with all sections of the population. It became not merely an administrator's device but a central "plank" in a complete Native Policy.

It fitted in with the ideas of all people who aimed at "civilising the Native". Missionaries, educationists, employers, all intelligent citizens who gave thought to the problems arising out of the contact of natives and whites, took it up as one of the hopeful and practical ideas. The main point, it was thought, was to wean the native away from the tribal system. That system, it was held, prevented his attaining the status of a citizen of a civilised state. The influence of the chiefs was held to be detrimental, since it upheld all the old tribal customs and, quite correctly, it was thought the influence of the chiefs was great because it was their function to administer the land. So long as the chief could allocate and withdraw lands to and from members of the tribe, so long could he oblige them to cultivate in the same way as their

among its provisions.

neighbours, to pay lobolo as custom dictated, to stay at home under his influence; rather than to go out to work for white employers. It is probable that the influence of the chiefs was over^rated at this time, for, as we have seen, economic forces were at work with no uncertain results. Yet an active chief might hold up the action of these influences considerably should he wish to do so and the opposition of the chiefs has been one of the reasons for the failure of early experiments.^X For example, again, it seems to be an established fact that chiefs did order natives not to go out to work with the recruiters and did prevent the establishment of trading stations. The policy was, then, to deprive the chief of his power over land. Then each native would be settled on his own small farm and a progressive group of peasants would be formed in place of a population of semi-barbaric people. We know now that this idea was never carried into practice, but it must be mentioned as one of the factors in causing the Glen Grey Act to include individual tenure

X Evidence given by Mr Tillard before the Cape Native Laws and Customs Commission of 1883.

among its provisions.

It should be mentioned that it was a part of the policy of the Cape Colony Governments to replace chiefs by appointed salaried headmen whenever possible. This circumstance facilitated the success of the Glen Grey Act.

Apart from these political considerations, was the definite problem of how to increase the supply of labour for the various industries. The farmers of the Eastern Province of Cape Colony seem never to have suffered from any inadequacy in this respect, but those of the Western Province always complained of expensive labour and, worse still, of a labour supply that was irregular and which tended to become prohibitively expensive at harvest and sowing seasons. This difficulty of the Western Province farmers appears to have been accentuated whenever any other industrial development, such as railway or dock construction, was carried out in any part of Cape Colony, since the stream of Natives from the East would be diverted from the

idea of people who wanted to increase the supply of Native labour that the tribal system, which proved to

x Report of the Cape Native Labour Commission, 1893

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the farming regions. The establishment of a gold mining industry in the Transvaal, with its very effective means of drawing labour to itself, appears to have affected the Western farmers very greatly. Their complaints were loud. The Government appointed a Commission to enquire into the labour supply in 1891, which reported in 1893. It cannot be said that the report contained anything of value, beyond showing the state of mind of the various parties concerned. The main conclusion, naturally enough, was that the natives would only become effective wage earners when they had been taken out of their tribal system, and the main objection to this tribal system was that it provided the natives with land so that they could live in "idleness." Any measures to deter this should be tried, and individual tenure was advocated. Some ten years later, a Transvaal commission sat on the same question, issuing a report in almost identical terms. The South African Native Affairs Commission, again, took over the conclusions of the Transvaal Commission. It was the "fixed idea" of people who wanted to increase the supply of Native labour that the tribal system, which strove to

to have their tribal lands, or any suitable portion provide land for all members of the tribe, should of them, surveyed and cut up into pieces, each be weakened, and weakened especially in regard to of which a native would obtain title on payment of its land system.

his share of the cost of survey, and, an agreement We must point out, in passing, that to pay quitrent. The lands could be thus subdivided this idea was much more of a political panacea only at the request of, or with the consent of, than of a deliberately thought out scheme for, the whole of the natives concerned, since the lands as may have been shown already in this essay, the had been guaranteed to them by treaty. But in chief, in providing lands for his subjects, was practice, in order to give the Glen Grey Act a good quite at the mercy of any factors such as increasing start, it was decided to deal with certain districts population, land shortage, or the introduction of and assumed that the consent of the Natives had been Western ideas of agriculture. It was even dis- given. tinctly possible that the policy of individual tenure would defeat the purpose of the employers by The first step was the surveying of the land. This is assumed often to be a simple operation attaching the natives more firmly than ever to their but, in fact, it appears to have given considerable lands, while improved methods would enable the troubles at the time, and to have been one of the con- lands to carry bigger populations than before. stant factors ever since in preventing the spread But, mistaken or not, the idea was put into practice of individual tenure. In the first place, it was very quickly, for in 1894 the Glen Grey Act was expensive. The natives who took up titles had introduced into the Cape Parliament and quickly to agree to pay some £3.10.0. This was a very passed into law.^x large expense for a native to undertake and would

The Glen Grey Act provided that, whenever not be borne unless he saw some very clear return the natives wished, they might apply to the magistrate

x Act 257 of 1894

to have their tribal lands, or any suitable portion of them, surveyed and cut up into pieces, each of which a native would obtain title on payment of his share of the cost of survey, and ^{on entering into} an agreement to pay quitrent. The lands could be thus subdivided only at the request of, or with the consent of, the whole of the natives concerned, since the lands had been guaranteed to them by treaty. But in practice, in order to give the Glen Grey Act a good start, it was decided to deal with certain districts and assumed that the consent of the natives had been given.

The first step was the surveying of the land. This is assumed often to be a simple operation but, in fact, it appears to have given considerable trouble at the time, and to have been one of the constant factors ever since in preventing the spread of individual tenure: In the first place, it was expensive. The natives who took up titles had to agree to pay some £3.10.0. This was a very large expense for a native to undertake and would not be borne unless he saw some very clear return

for the money. In fact, as this essay will show, he never took the view that the title was worth equally well. But, even in the most advanced parts, those which were chosen to have the Grey Act applied to them, they indicate the difficulty of adoption of individual tenure.

Apart from the matter of cost, surveying was a device difficult to graft on to native life. In the first place, the whole of native agriculture had been based upon the circumstance that the people could shift from one part of the land to another, under the guidance of the chief, to prevent collision, as desire or convenience dictated. The land near the rivers was cultivated and allowed to go out of cultivation according as it responded to the hoe. The "fields" were shapeless, for the land was patchy as regards quality and the rivers ran in courses that were anything but straight. The pasture land was not definitely cut off from the arable, for it was part of the treatment of all arable land to himself confined to one field. Again, as we have mentioned, the rivers in the Transkei and Ciskei do not run in straight lines and the good land tends to be found in patches rather than in wide expanses, generally be taken.^x Now, as we have seen, this

x Evidence of Sir Theophilus Shepstone before the Cape Native Law and Customs Commission of 1883, and of Mr Mzimba before the South African Native Affairs Commission of 1903.

But surveyors, possibly not very expert surveyors, description would not fit all parts of the Transkei equally well. But, even in the most advanced parts, those which were chosen to have the Glen Grey Act applied to them, they indicate the difficulties that were in fact encountered. No system of surveying could have the necessary elasticity. In order to survey, it was necessary to mark off, definitely, the pasture land from the arable. This was provided for in the Act, which gave to every landholding native certain pasture rights. It was also necessary to mark off definite allotments, or gardens, which would become the holding of individuals permanently. But these holdings must be limited in extent, for more land was not available. ~~Ar~~^{average} ~~holding~~ which had been ample for a native when he had been able to have it in the form of several good patches of land, which he could change about as he wished, was much less valuable when he found himself confined to one field. Again, as we have mentioned, the rivers in the Transkei and Ciskei do not run in straight lines and the good land tends to be found in patches rather than in wide expanses.

But surveyors, possibly not very expert surveyors, were tempted to use straight lines as much as possible, with the result that the unfortunate native might find that the ^{boundaries}~~boundaries~~ of his land were technical rather than natural. It must be borne in mind that surveying was a process literally foreign to the native mind. It was also a process^{to} which the land in the native territories did not lend itself at all readily. In addition, there was a distinct shortage of skilled surveyors available for the work. In all of the earlier experiments, the surveying had been one of the points of breakdown. In the districts under the Glen Grey Act it appears that there was very considerable dissatisfaction at the time but it appears that the surveying was found to have only one especial drawback, which proved fatal,-its prohibitive cost, in return for which the benefits appeared to the native to be somewhat doubtful. It may also be mentioned that in the case of the earlier experiments, such as Kamastone and Peddie, it has been provided that special

x Report of the South African Native Affairs Commission, 1910, and Report of the Select Committee of the Cape Legislative Assembly on Glen Grey Allotments, 1895.

were no dissentients to the survey and every native residential sites should be surveyed. These had, in no case, been taken up by the natives. The Glen Grey Act, in consequence, made no provision for the survey of building ~~lots~~, though provision was made to supply natives with ~~building sites~~, ^{them} should they desire them. The natives, needless to say, chose to continue to live on their lands as before and not to undertake additional survey expenses, for the still more doubtful benefit of living away from their lands. Thus the attempt to form model villages was unsuccessful.

In all of the original Glen Grey districts population was dense and methods already far advanced towards the stage at which each man has his own small farm. This meant that the surveys, to be successful, had to confirm each man in his holding with as little change as possible. This was evidently kept in mind and is the chief reason for the Glen Grey surveys being, at any rate, less unsuccessful, than those of Kamastone and Peddie.

The land having been surveyed, the next step was the issuing of title to the holders. It was a fact that in the Glen Grey districts there

were no dissentients to the survey and every native who already held land agreed to take a holding under the Act. The first essential was that the native should pay half of his survey costs. This done, and an agreement made to pay the other half in four equal instalments, the title was issued and the native entered into his individual tenure. He was relieved of the ordinary costs of transfer, for the whole of the transfers under the Act had been put through in bulk by the Registrar of the Colony and sent to the Resident Magistrates for their disposal. The total cost of transfer was thus the cost of survey only, to the Native, although this appears to have been very high, as we have seen.

The land was to be held by the natives not in freehold but under the quitrent tenure of Cape Colony.^x The rent was fixed at a nominal sum, though in practice the areas being so small this became a considerable rent. The choice of quitrent in preference to freehold was much criticised in the Cape Parliament. It was held, on the one hand, that quitrent was an obsolete

x This was fully dealt with in the debate on the Glen Grey Bill. See footnote to page 21.

form of tenure and that there was no reason for reviving it for use in dealing with the natives; that the native should be given absolute freehold so that he would feel complete security. On the other hand, it was felt by some legislators that the native should be made to feel that the ultimate ownership of the land was not in himself. This latter view prevailed. The Government abolished the hut tax in the case of natives with individual title and took, instead, a quitrent of 15/- per annum per plot of four morgen. Theoretically too it was felt that if the natives were given the land only under quitrent it would be more easy to prevent their mortgaging the land and to exercise general control over them. Title to use of commonage was issued to a location board.

Now that the titles were issued in the districts to which the Act was first to be applied, it remained to be seen how the land provisions would actually work out. In this respect, there appears to be one consideration of deciding importance,

which was the fact that the whole of the land in this area was given out to the Natives, who already had holdings and, in consequence, no provision was made for any increase in the population. A steady increase was taking place. What was to happen to natives as they attained the status of manhood, when normally some piece of land would have been found for them? This was a question which had been fully anticipated by the framers of the Act. These young men, it was intended, would have to go out to work. It was in this way that it was hoped that the Act would contribute towards a solution of the labour shortage problem. Pressure of population was being felt in Glen Grey but the native land system was elastic; nearly all natives would, somehow, get a patch for their womenfolk to cultivate. The material welfare might be reduced owing to this overcrowding, but that might merely be borne by the natives; it would not, of itself, suggest that they should go out to work. It might actually mean that they would be more keen on staying at home, since their only chance of

x See Return of Correspondence, May 1894, A6-194.

getting a piece of land was to stay there. Given a survey, however, resulting in each holder having ~~having~~ the responsibility of a tenant at law, ~~and~~ having to pay rent, given also the cutting up of the available land into a definite number of pieces, which could not be increased, it was felt that it would become much more difficult, ultimately, if not at once, for surplus natives to be accommodated. It was fully recognised that, at first, the landholders would provide for their brothers and sons by allowing them to live on their holdings, and some gradual encroachments might be made on the commonage. But in time the holders would become more and more commercial in their outlook and less willing to maintain these encumbrances. Provision for this ^{problem} was made in the Act by means of the Labour Tax. This tax was one of 10/- per annum on each male adult who had not been out of the district at work during a year, and who could show no good reason for having failed to go out. It would fall directly upon these young men, who were craving lands of their own. Actually, owing to lack of administrative machinery, this tax was only very slightly applied.

Unfortunately, there are no statistics which throw any light on the Glen Grey Act as it affects the numbers going out to work. The evidence of eye-witnesses indicates that very little difference was made. This is supported by what we do know, namely, that the individually held land contained to support many males apart from those who held title to it. It appears that while the natives were being changed in respect of their methods of agriculture and their clothing and their food, they were not being changed nearly so quickly in more fundamental matters. They might have title to land under Cape Colony law and they might, as a matter of convenience, stay for a long time on one piece of land, yet they could not realise what property in land meant. So then land was still something to be used and to be claimed until one had the use of enough of it. But it was not something that could be owned like a man's cow. Title deeds might be a proud possession, but mainly as ornaments. If land did belong to anyone, it was to the tribe, or more probably, in these districts, the family. If only one member of

... for the widow or widows, during her life, each widow having the land which was

Evidence of Mr. Gannar before the South African Native Affairs Commission, 1903.

of a family had succeeded in getting a piece of land, it was his natural duty to provide for his relatives until more land should become available. It was the family that was thought of in connection with the economic welfare, not the individual. So, from the passing of the Glen Grey Act to the present day, the people actually living on land may correspond only distantly to those enumerated in the title deeds.

It is significant that in one respect the Act was quickly amended. The Inheritance provisions were changed by the Glen Grey Amendment Act of 1908. The original Act was passed on the assumption that the native system of succession was one of primogeniture and that, as the natives took to individualism in their landed affairs, this primogeniture would become more, rather than less, confined.^x The landed estate of a native, therefore, had to pass intact to his male heir (determined by a special table of primogeniture supposedly based upon Native custom, included in the Glen Grey Act.) In actual practice, under Native Custom, however, this property would have passed to the son, in trust only, for the widow or widows, during her life, each widow having the land which was

^x Evidence of Mr Jenner before the South African Native Affairs Commission, 1903.

apportioned to her house. It was found that the Act, by making him owner instead of trustee, was unworkable. The evidence given before the Select Committee of the Working of the Glen Grey Act of 1903^x ~~1898~~ was overwhelming in proof of this fact. The need of the Natives was that the land should be held in trust until the death of the widow and that the eldest son of that widow should come into her land at her death. In the Glen Grey District polygamy was so infrequent that no special provision had been made for it in the original Act. Even so, however, the principle of the life interest of the widow was considered essential, since only in that way could the family be held together. The native view was upheld by Parliament in this way in direct opposition to the view of the Glen Grey magistrates.^{xx} A further amendment on this point was ^{also} made in 1903, when "life interest" was changed into "interest until death or re-marriage".^{xxx}

The significance of various features of the Act will become more apparent on an examination of its application to particular districts. It was no accident that the Act ^{was} first applied ~~only~~ to the Glen Grey District. This was one in

xxx 1903 Select Committee on the Glen Grey Act. Report, and evidence of Rev. Mamba.

x See especially the evidence of Mr Brabant, Mr Tantsi, and Mr Jabavu.

xx Evidence of Mr Jenner before S.A. Native Afs. Comm. '03.

which the "land question" had become acute.^x The Resident Magistrate explained the position to the Cape Colony Labour Commission of 1893. The land was all occupied. The magistrate only just succeeded in preventing the natives from taking the law into their own hands and ploughing up commonage land. A great many natives went out to work in the mines. When they returned, many of them wished to marry, or brought back families from outside, *with* stock, and demanded lands, to which they were entitled. Other natives were growing up, also, and demanding lands. The magistrate was doing all he could to meet the demands. For seven years, *before the passing of the Act* he said, in 1898, he had been persuading the natives to adopt individual tenure, so that the land question would be reduced to more manageable proportions through simplifying his work. Then, shortly before 1893, the ~~the~~ Ndwe Railway Concession had been made. There had evidently been some flaw in the treaty rights of the natives, for it was found possible to make over some 25,000 morgen, all of it in the Glen Grey district and all densely inhabited, to the Concessionaries. The people had to be moved from this area down to the last man and had to be

^x Evidence of Mr Jenner (Resident Magistrate of the Glen Grey District), before the Cape Native Labour Comm. '93 and before the S.A. Nat. Affairs Comm. '03. Also Special return of Correspondence A6-'94.

provided for in other parts of the district, the magistrate locating on ^{his} own initiative. The situation was acute and when it was pressed upon the attention of the politicians in Cape Town, it was seen that this might be the occasion for a large scale application of the principle of individual tenure, which was then so much in people's minds. The magistrate appears to have assured people that the settling of the question would ^{have} a good effect upon the labour supply from the district. A petition from the Natives themselves was presented. ^X The Glen Grey Act was passed.

Although the Act was, at first, applied only to the district of Glen Grey, it was designed for extension as quickly as might be, to the Transkeian districts. ^{XX} The selection of this district, however, had been necessary, as we have seen, but was unfortunate from every other point of view. Glen Grey was a district in which conditions were so bad that some remedy was felt to be necessary. It was not a favourable trying out ground for a new Act. The overcrowding we have already noted.

x Evidence of Mr Kalipa before the Cape Native Labour Commission of 1893.
xx Text of the Act. Par. I.

But this overcrowding was made into a serious problem largely by the fact that the land was barren.^x Nearly all the surveyed plots were "dry" in the sense that they were not served with water except by rainfall. A succession of dry seasons was all that was needed to make the picture a very unattractive one and actually in the eight years after the passing of the Act there were only four "good" crops.

In addition to this, the disadvantages inherent in the Act itself came into evidence under these trying conditions and further disillusioned the people in the Transkei who were eagerly waiting to adopt it as a working measure.^{xx} In the first place, was dissatisfaction with the survey;^{xxx} this was inevitable, as we have already seen, and appears to have been comparatively mild. More serious was the objection evinced to the Labour Tax which was regarded as a direct measure of unfreedom.^x More serious again was the fact that the Act made provision for "beneficial occupation".^{xxx} If a native were away from his land for six months in any one year he was liable to lose his holding. This appears to be incredibly hard, as the Natives wished to go out to work for several months at a time and were actually liable to

x Report of Select Committee on the Glen Grey Act, 1903.
xx Evidence of Rev. Mamba before this Committee.

x Evidence of Mr Sweeney before S.A.Nat.Affairs Comm.'03.
xx Evidence of Mr O'Connor before Cape Labour Comm.'93.
xxx Report of S.-C. on Glen Grey Allotments, '95

a tax if they did not go out. It is not surprising that there was much discontent. In the next place, as we have seen, no special provision was made for polygamists and though it happened that these were few in numbers, ^{in Glen Grey} yet it was felt that a vital principle was involved, especially for the Transkei. ^x A further grievance was that the vote was not given to allotment holders. Added to this that the costs of obtaining tenure to which all the native holders had to commit themselves, amounted to some £3.10.0. for a four morgen holding, distinctly ^{above} ~~was then~~ the market value of the land and a very heavy burden on an impoverished people, who ^{already} ~~clearly~~ had full use of the land and it will be seen that the hopes of the exponents of the new system were certain to be somewhat dashed, as indeed they were.

After the Glen Grey district the Act was extended in the following year, 1895, to Butterworth, Nqamaque, Tsomo and Indutywa. These practically comprised the lands of the Fingo tribe. The Fingoes, as is well known, had been more influenced by Western ideas, than any other natives, and their

x Evidence of Mr Sandili before the South African Native Affairs Commission of 1903

lands in these districts were the most advanced in the ways of which we have described earlier in this essay. For many years the Fingoes had appreciated commerce in agricultural products and had gradually approached individual tenure in practice by fencing land, by planting trees and by building substantial houses;^x not to mention occasional efforts at irrigation with its complicated question of individual rights. Repeated attempts had been made by a group of ~~the~~ natives to obtain some form of private right to their lands in some such form as "tickets of occupation",^{xx} which might have been granted by the Government. Government, however, had felt it impossible to make these grants owing to the fact that the tribe, as a whole, had a general title to the land, embodied in ~~treaty~~.^{xxx} It would have been considered a breach of treaty for any private rights to have been established in land that belonged to the tribe as a whole. Such a step could only be taken by dealing with the land as a whole with the collective consent of the people and this was done in 1895.

x Mr O'Connor's evidence before the Cape Native Labour Commission, 1893.

xx Mr Buna's evidence before same commission.

xxx Same as ref.x.

This Fingo settlement was in direct contrast to the Glen Grey experiment. The Fingo districts were just those which were ready to receive the measure. They were prosperous and not overcrowded. The Labour Tax was objected to, as everywhere, but it was not collected. The survey was carried out smoothly, since much fencing had been done already and only needed to be confirmed. Moreover the survey was carried out with extreme care in these districts. ^x Even the high cost of survey did not prevent all the titles being taken up for the Fingoes were the wealthiest of the native peoples.

The intention of the framers of the Act, as we have already mentioned, was that it should be extended as and when native districts were ready to benefit by it. After the two settlements, with which we have just dealt, a long breathing space followed. It was not until 1911 the next settlement was carried out. This was in Tembuland, Encobo and Umtata. These districts are the lands of the Tembu tribe and we may refer to them as the Tembuland settlement. The Tembus were much advanced upon the raw natives surrounding them but less advanced than the Fingoes.

The progress of the settlement appears to have been
x Mr E. Gilberg Hall's evidence before the S.A. Nat. Affs. Comm. 1903

have been made, on a very small scale, probably by very slow. By 1925 the Umtata titles were only in course of preparation. ^x By this time the main features of individual tenure were well known from the other two experiments. Survey difficulties had all been overcome, ~~especially~~ ^{except} as regards the expense. The benefits of peace were now so well assured that natives who cultivated lands were never disturbed in their use of them. The individual tenure of the Glen Grey Act had become almost superfluous and in consequence the native saw no reason to undergo the troublesome and expensive process of formal survey. A similar experience was found in Xalanga, which was proclaimed under the Act in 1911, but in which the titles appear never to have been taken up. In that district, as in the others to which the Act was applied, the natives themselves had improved their agriculture and had been much in contact with white influence.

In the whole of the Transkei outside of these districts, individual tenure clauses of the act were never put in force, although a few attempts at the establishment of individual tenure appear to

have been made, on a very small scale, probably by
the local magistrates, as experiments. ^x

The economic effects of the application of the Act are difficult to determine. Its effects can be traced in the greater security of the natives ^{xx} shown by decreased law suits and appeals to the magistrates. But the effects upon productivity, upon labour supply and upon the prevention of economic overcrowding, are impossible to trace with any degree of accuracy.

In the Glen Grey district it can be definitely stated that a welcome degree of organisation was achieved by the Act. Overcrowding was prevented to the extent that it happened through outsiders drifting into the district. It must be pointed out, however, that this would have been achieved by any strong administrative measure and was not bound up with any advance towards individualism. It appears to be equally clear that the arrangements under the Act were able to do nothing to combat the lack of water and the badness of soil. Its history since

x E.G. Kentana District. See evidence of Mr THOMPSON before S.A. Native Affairs Commission, 1903.
xx Evidence of Mr E.G. Hall before same commission.

1894 has been one of steady depreciation, the recurrent droughts effectively preventing any organised efforts at improvement. It was, as has been said, an unfortunate district, in which to try out the Act, which probably did all that could be expected of it in solving the "land question".

In the Transkeian districts the conditions were very different, though the results of the Act are equally difficult to determine. There was no approach to anything that could be called overcrowding in any of the districts brought under the Act.^x It had been common for natives to cultivate farms of ten morgen, while twenty and even 40 morgen farms were not uncommon and these areas were confirmed under the Proclamation, whilst provision was made for polygamists by allowing land for extra wives.^{xx} Also these farms had been definitely cultivated by individuals, who had enjoyed long occupation of their farms, to such an extent even that they had practiced a little fencing. The effects of the Act would seem to have promoted rather than retarded the element of individual enterprise. Cultivators were now able to

x Report of Departmental Commission on Native Land Occupation 1908.

xx Proclamation 227 of 1898.

farm in precisely their own ways, and, indeed, were obliged to be progressive in order to meet the costs entailed in individual tenure. Winter crops became an economic necessity. Previously there had always been difficulties connected with them, such as the one that under the old tribal tenure it was the general practice that the cattle of all the neighbours were free to graze on a man's lands during any season when he had no crop in the ground. This had always meant the winter season. A man, however, had the right to impound his neighbours cattle should they wander on to his land during any growing season.^x When winter crops were first grown, when fencing was imperfect and doubtless objected to by the neighbours themselves, it was a constant source of trouble that cattle wandered on to lands in winter which were under winter crop and were impounded. This is a good example of the difficulties encountered by progressive peasants in breaking away from communal practice. The prob~~lem~~^{blem} was ~~caused~~^{solved} by the individual tenure of the Glen Grey Act, ~~unless~~^{after which} fencing became the rule and not the exception.

x Evidence of Mr Dick before the South African Native Affairs Commission of 1903.

We have now to examine the effects on tribal and family structure and see if possible how they correspond to the expectations of the advocates of individual tenure. In connection with the effects on tribal structure we have one definite result to show. Under the system of individual allotments as put into practice in the Transkei there existed great variety in the extent of holdings, but at the same time there was a very marked diminution in the lands of chiefs and headmen relatively to the ordinary members of the tribe.^x This fact, together with the loss of power to allocate lands to followers, greatly lessened the prestige and influence of the tribal heads, and tended to release the pressure that held individual units together, interconnected by the bonds of communal authority and custom. The tendency to individualism which was thus left free to take its course had been in the first instance created, and was now intensified by the custom of the young men of going out to work in the Colony and on the Transvaal mines. The possession of wages gave the Native wealth and standing independently of the tribal society. Thus a process of disintegration was set up, destined to end in changing

x Evidence of Rev P.J.Mzimba before the South African Native Affairs Commission of 1903.

the Natives, from members of small primitive communities to individualistic citizens of South Africa. It is difficult to say how much of this process is attributable to the system of individual tenure. The same tendencies are at work in all the Native territories of the Union and beyond, but there seems no doubt that its introduction did give matters a push on the way they were sliding.

It was expected by the legislators of the Glen Grey Act that individual tenure would attack the tribal system through the organisation of the family - that is, by reducing polygamy. But as we have seen, as soon as the Act was applied to a district where polygamy was really prevalent, it became necessary to make provision for it. Thus, though polygamy seems definitely to have decreased, we cannot attribute it to the introduction of individual tenure.

A matter which is extremely relevant in connection with detribalisation by contact with the white economy is the relationship of the Natives in the Territories to the traders. The amount of credit which was extended to the Natives is

almost the only index we have of the rate of increase of "civilised wants". The natives became largely indebted to the traders during the year, and paid them at harvest time or when their sons returned from the mines with their wages. The storekeepers giving evidence before the 1903 Commission declared that the introduction of individual tenure had enabled the Natives to obtain increased credit. The debt of an average landholder in the Territories was anything from £ 20 up to £60. At that figure, in 1903, the extent of indebtedness was beginning to reach a maximum. The individual allotment holders, the storekeepers declared, were able to obtain this large credit, not apparently owing to an increase of wealth, but to improved standing, and a sense of responsibility. It was customary for them to give their title deeds to the storekeeper as security when their debt became large. This security had only a sentimental value, as, under the terms of the Act, the allotments could not be mortgaged and were not liable to execution for debt. Cases had come up of a storekeeper arranging

to have the land sold (to another Native) and collecting the proceeds. This was a very troublesome process, however, as special permission had to be obtained from the Governor for any sale, and this was usually an effective deterrent. On this evidence, it seems that individual tenure probably did increase credit facilities to some extent. x

The questions we have just discussed were those that interested the politicians and government officials, who were faced with the problems of legislating for and administering Native affairs, and the mineowners, the farmers and the Public Works Departments who were in search of labour. To the Natives themselves individual tenure was successful or a failure according to its effects on the general prosperity in those districts in which it was applied.

In the Glen Grey district, as we have already seen, any effects the Act might have had in introducing improved methods of agriculture, and in stimulating commercial production, were blighted by a series of unfavourable seasons. We have now

x Evidence of Mr Garstin and Mr Parker before the South African Native Affairs Commission, 1903.

to find out what happened in the Transkei. For at least thirty years these fertile districts had been peaceably settled, and we have evidence to show that the material wealth of most of the landholders had been considerable during that period. Even after the rinderpest in 1896, each allotment holder possessed anything over ten head of cattle and from 150 sheep and goats up to thousands. Before that holocaust the numbers of cattle were, of course, far larger. Although cattle were largely kept for the prestige which they gave their owner, yet there was a certain export of meat to the Colony. Wool was regularly sold to the traders. The largest article of sale, however, was wheat, which, it is reported, was exported in thousands of waggons a year to Kingwilliamstown, which owed its prosperity to this trade.

We have no evidence to show that this favourable state of affairs was affected either way by the introduction of individual tenure. Opinions are given, but they are no more than opinions. They tend to estimate prosperity as less rather than

x Evidence of Rev Mamba before South African Native Affairs Commission, 1903 .

xx Evidence of Messrs Hargreaves, Tainton, and Dower before the same Commission.

more, but the land tenure clauses of the Glen Grey Act are not included amongst the conditions giving rise to the change, if it exists.

Summing up our conclusions, we find that the effects of the attempt to introduce individual tenure among the Natives amount to very little indeed. Apart from the special case of the Glen Grey district, the Act, where applied, meant hardly more than a legal confirmation of existing facts. It was not found possible to apply it where it would be more. The difficulty which led to this result was an administrative one. The officials responsible found that they could not introduce a well planned scheme from above. There was not sufficient understanding between white and black to make that possible. Moreover, the Natives were members of an organised society from which they would not willingly be prematurely weaned, and not an inchoate mass, waiting to be set in order. The result was that it was necessary to wait for, and encourage if possible, a gradual change in ideas and wants, brought about by the economic and social forces of the time. By the time they had waited for, and encouraged, the

change, their scheme was no longer needed, for its purpose had been achieved.

The figures up to 1881 only are given, because there was no important experiment between that date and 1884, when the Glen Gray Act was passed.

The larger settlements only are given. Small mission localities and other small groups of allotments, such as a cluster near King Williams town, have been omitted for the sake of clarity.

The remarks are relative to the methods and conditions of survey only and do not attempt to account in full for the results obtained. Reference to these will be found in the text of the sheets.

3 DEC 1935

EXPLANATION OF TABLE.

The figures up to 1881 only are given, because there was no important experiment between that date and 1894, when the Glen Grey Act was passed.

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The remarks are relative to the methods and conditions of survey only and do not attempt to account in full for the results obtained. Reference to these will be found in the text of the thesis.

Table compiled from lists given in Appendix F. 1883 Native Laws & Customs Commission Report. Surveys made between 1853 and 1881, in connection with individual tenure, excluding Mission Locations, etc.

Division	Total of lots surveyed	Description.		Total No. of titles issued by S.G.D.	Titles		Ti- tles can- cel- led.	Cost of Sur- vey. £. s. d.	Am- ount re- fun- ded. £. s. d.	Area of Com- Mon- age	App. Area per head of com. Mor.	Date of Sur- vey	
		Buil- ding	Gar- den.		Ta- ken up.	Not Ta- ken up.							
Peddie 1.	728	439	289	728	-	728	728	910.0.0.	-	-	-	-	1860 ^a
(Locations 2.	181	171	-	171	-	171	171	213.15.0.	-	-	-	-	1859
3.	499	264	235	499	-	499	499	623.15.0.	-	-	-	-	1860
4.	538	269	269	538	-	538	538	672.10.0.	-	-	-	-	1858
5.	120	60	60	120	38	82	82	150.0.0.	47.10.0.	-	-	-	1858
6.	62	31	31	62	42	20	20	77.10.0.	55.10.0.	-	-	-	1880 ^b
Gcaleka- land.	2745												1881 ^c
Queenstown (Tambookie S.)								921.16.3.			11753	27	1879 ^d
Wodehouse (Tambookie S.)								2231.15.1.			187659		1870 ^e
Fort Beaufort (Heald Tours)	1694	847	847	1694	754	940	940	2320.0.0.	942.10.0.	7739	9	1859 ^f	
Stockenstrom (Flat R. Settlement.)	426	-	426	426	426	-	-	1519.13.0.	1519.13.0.	89197	178	1853 ^g	
Queenstown (Oxkraal & Kamastone)	3780	1901	1879	1146	146	1000	-	5638.0.0.	220.16.0.	63019	33	1877 ^h	
K.W.Town.	15	small locations.		Largely taken up.				C.£4500.					1865 ⁱ
													1879 ^j
TOTALS (in- cluding many not men- tioned here.)	18366	9009	9357	10046	3062	4984	3087	37410.9.4.	8915.15.0.	862298	881		

- (a) Careless survey.
- (b) Only just finished.
- (c) No titles prepared.
- (d) Not sub-divided for purposes of
- (e) individual tenure.
- (f) Careless survey.
- (g) Lots all occupied before survey.
- (h) Very careful survey of those allotments who owners wanted individual tenure.
- (i) Some mission surveys under the
- (j) Kaffrarian regulations. Some surveyed by s. looking to grants for payment fairly successfully. Survey-or General recommends bona fide occupier before survey.

N.B. In accordance with a resolution of the Legislature last session the Treasury will bear one-half of the cost of survey for the future, to be included as the taking up of titles had not then stopped.

* Surveyor-General's Department.