

LAND AND LABOUR IN WEENEN COUNTY, NATAL: c.1880-1910

IAN BURTON - CLARK

A dissertation submitted in fulfillment of the requirements of
the degree, Master of Social Science. 1985

ACKNOWLEDGEMENTS

I would like to record here my thanks to the following individuals and institutions who contributed to the completion of this project. My wife, Siobhan Egan, my parents, Charles and Edith Clark; my supervisor, Dr Ari Sitas; also Jean Howard and Ronel du Trevou. Staff at the following institutions displayed great patience and provided invaluable advice: the Natal Archive Depot (Pietermaritzburg), the Standard Bank, the Don Afrikana Library (Durban), and the School of Oriental and African Studies (London). Financial assistance was provided by the Human Sciences Research Council ; the opinions expressed here are those of the author alone.

CONTENTS

ABBREVIATIONS	page
INTRODUCTION	1
PART I ~ ASPECTS OF RURAL PRODUCTION	
chapter 1: THE HOMESTEAD ECONOMY	27
chapter 2: LAND TENURE	62
chapter 3: SETTLER AGRICULTURE	88
PART II ~ THE WAGE-LABOUR FORCE	
INTRODUCTION	109
chapter 4: MIGRANT LABOUR	117
chapter 5: LABOUR-TENANCY	139
chapter 6: THE PERMANENT WORKFORCE	161
PART III ~ CONTROL IN THE COUNTRYSIDE	
chapter 7: POLICING AND "SOCIAL CONTROL"	184
chapter 8: MOVEMENT CONTROL AND LABOUR LAW	206
chapter 9: OFFICIALS, EMPLOYERS, AND CHIEFS	236
 CONCLUSION	
Tables and Graphs	
Bibliography	

ABBREVIATIONS

ANL	Administrator of Native Law
CSO	Colonial Secretaries Office (papers)
SNA	Secretary for Native Affairs (papers)
BB	Blue Book of the Colony of Natal
NABB	Blue Book for Native Affairs
RM	Resident Magistrate
JP	Justice of the Peace
GH	Government House (papers)
W	Weenen
E	Estcourt
UT	Upper Tugela (Bergville)

Introduction

The period after the mid-1970's has seen a wide ranging re-examination of the historiography of Southern Africa during the nineteenth and early twentieth centuries. Although much of this work has been concerned primarily with investigation of the developing regional economy based on mineral exploitation and manufacturing industry, a large number of studies have focused on what might be termed 'agrarian history'. Within the latter, two distinct types of study have been made. First, there is a large body of work which investigates the processes whereby independent african polities - the Pedi, Sotho, Zulu, Mpondo, etc - became progressively more integrated into the regional economy. The strength of this work has been the capacity to show how the interaction of pressures within, and external to, these societies gave rise to their economic dependence on a system of oscillating migrant-labour.(1)

Complementing these 'migrant-labour' studies, a second strand within agrarian history has investigated the relations between rural landowners and african tenants in those parts of the subcontinent where settler rule was entrenched. Perhaps the major contribution of this work has been to underline the crucial importance of african labour-power for the development of settler agriculture in Southern Africa.(2) A characteristic which both branches of agrarian history share, is the evidence they provide of regional variations in the timing and effect of trends associated with the development of capitalism in the subcontinent. Another is the scale at which they are conducted; the common unit of study is the geographical region - eg 'the Highveld maize-belt', or the territory occupied by an african polity. As this study hopes to show, reduction of the unit of study to the size of several adjacent magisterial districts provides evidence of peculiar forms of settlement, land use and labour-organisation. As a number of contributors have suggested, it is just this form of information which is required to enrich

the emerging understanding of social relations in the countryside.(3)

This study is intended as a contribution to such an understanding. It brings together insights drawn from the two strands of agrarian history, and takes as its object of study a demarcated part of the Colony of Natal. The issues that are examined arise from the character of the region itself - its distinctive ecology and patterns of settlement and landuse - with particular emphasis on the experience of its african inhabitants. The study-area is suited for this purpose because it contains both settler-owned farmland and land exclusively occupied by africans. While attention is devoted to certain aspects of the rural economy, the focus of the study is on labour-service in settler agriculture.

Following an assessment of the physical characteristics of the study area and a summary of its settlement (between c.1830 and c.1860), attention is directed to the period after 1870. In part I, two aspects of the rural economy - productive activity within the homestead, and settler agriculture - are examined in order to illustrate the pressures which shaped african participation in wage-labour. A chapter is devoted to summarising evidence concerning the range of economic activities associated with the homestead. In view of the crucial significance of land to the viability of these activities, particular attention is devoted to assessing the (changing) availability of different categories of land to local africans. Evidence concerning the population of each such category is examined, and an attempt is made to assess the associated conditions of tenure. This investigation of the rural economy is concluded with a brief sketch of settler agriculture in the County. Peculiar features of settler landuse are examined, as is the development of agriculture around the turn of the century.

This assessment of the rural economy serves (in part) as

necessary foundation to the remainder of this study - an investigation of the involvement of local africans in wage-labour. Following certain observations concerning employment in agriculture the participation of local men in migrant-labour outside the study area is assessed. It will be suggested that together with the choice of land tenure available to the Counties african population, the option of migrant-labour was a means whereby labour-service on settler owned farms might be avoided. The agricultural workforce is examined in subsequent chapters. Labour-tenancy - the predominant form of labour-organisation - is described and its significance evaluated. Particular attention is paid to the peculiar features of labour-tenancy in different parts of the study-area. Following this, the different categories of 'permanently-employed' worker are described, and an attempt is made to gauge the importance of each such category in the rural workforce.

The third part of this study is concerned with aspects of settler control over the County's african inhabitants, and the workforce in particular. Following an assessment of rural policing, the phenomenon of public beerdrinking is examined as an illustration of settler concern with the wider question of social control over local africans. A second chapter is devoted to assessing the implementation of legislation designed to restrict the movements of africans and to ensure employer control over the workforce. Finally, the role of colonial officials in assuring a supply of labour-power to employers is examined. So too is the role of employers in exercising direct control over the workforce.

Sources

This study is based on data drawn almost exclusively from official documentary sources. Non-official documentary material - chiefly the reminiscences of literate observers - has been used only where the study-area is referred to explicitly. Official sources fall into two categories. First, the published records of the colonial state: evidence heard before certain Commissions

of Enquiry, the Natal Government Gazette, annual Blue Book returns and magistrates reports, and miscellaneous publications on various subjects. Second, unpublished (or manuscript) material - chiefly commission evidence and the correspondence of local officials and the Secretary for Native Affairs - has been used to supplement published data.

Reliance on these sources imposes certain limitations on a project of this nature. As one recent observer has noted, "pre-twentieth century government officials and travellers were more concerned with what foodstuffs and primary materials existed in Africa than with the forms of social organisation used by Africans to produce these goods. Similarly, oral traditions are strongest ... when looking at political questions. Thus for most of the nineteenth century... there are few written sources that touch on social relations of production, particularly at the homestead or lineage level". (4) These omissions restrict the data-base from which an understanding of certain fundamental economic relations may be constructed. In the second place, official estimates (of production, stock-numbers, population, etc.) have only a limited use in arriving at such an understanding. Apart from the frequent omission of figures from certain series, the usefulness of official returns is undermined by periodic modification of methods of data collection and presentation.

Manuscript sources are able to compensate for the above only in a limited way. The actual returns prepared by local officials appear to have been destroyed, and the major archive series consulted - those of the Secretary for Native Affairs (SNA) department - are incomplete. (Much potentially useful material has either been transferred to other archive series, or destroyed). A third problem associated with manuscript sources is that virtually all correspondence files for the magisterial Divisions falling within Weenen County have been destroyed. The few surviving examples of such material show that these series

both complement the SNA files and contain a wealth of detailed information concerning local experience.

In view of the importance of official sources for this study, it would be as well to outline certain features of the administrative system in force at different times. The administrative system introduced into Natal after 1842 was based on a division of the territory into 10 counties. These were the basic units of land-registration, the administration of justice - each County was synonymous with a magisterial division of the colonial court - and the electoral system. In time, it became necessary to create new magistracies either within, or across, County boundaries. Day to day judicial and administrative duties within the magistracy were the responsibility of a resident magistrate (RM). Between 1875 and 1894, subordinate officers - Administrators of Native Law (ANL) - were appointed to exercise judicial and administrative authority over areas where there were concentrations of african people.

Between 1837 and 1910, the following administrative entities were in existence in the study-area. The British colonial regime placed much of the western part of the territory within Klip River Division - proclaimed in 1847. Between that date and 1854, the area was administered from Ladysmith. From 1850 to 1855, two subordinate judicial officers were stationed in the eastern and western extremities of the study area. In 1854, Weenen County was established as a separate entity, administered from the village of the same name. Five years later, the seat of the County magistrate was moved to the more centrally-located village of Estcourt.

A major reorganisation (in 1875) saw the creation of an administratorship - under an ANL - in the southwestern part of the County, recently the scene of the Langalibalele affair. A separate magistracy, incorporating much of ward 5 of the adjacent Klip River County, was established in the extreme west of the

study-area. These two entities had only a limited existence: the former was abolished in 1877, while the latter was converted to an administratorship in 1880. Three years after this date, a second administratorship was created in the eastern extremity of the County. It incorporated the low-lying thornveld region, and was based at a point overlooking the Mpofana Location. In 1894 the two administratorships were converted into magistracies, and until 1910, the study-area comprised three such entities centred on the villages of Estcourt, Weenen, and Bergville (Upper Tugela).(6)

PHYSICAL CHARACTERISTICS OF THE STUDY AREA (7)

The territory that came to be known as 'Weenen County' assumes the shape of a flattened and inverted triangle with its northern border on the Tugela River, and its south western and south eastern boundaries along the escarpments of the Drakensberg and the high country south of the Mooi river, respectively. In general, the topography of the County resembles a series of plateaux lying between the high Drakensberg in the south-west and the low-lying valleys of the Tugela and the Mooi rivers in the Northeast. Major tributaries of the Tugela flow in a northeasterly direction, following the slope of the land towards that river.

Although, in general, the climate of the County is fairly uniform, three distinct bio-climatic regions may be discerned within its borders. These include a highland region situated in the west, south and south-east, a central plain which extends to the Tugela River in the north, and a low-lying valley region to the northeast. Each of these regions is situated at a particular range in altitude, is associated with distinct climatic characteristics, and displays typical soil and vegetation types. In view of the major influence exerted on human settlement and landuse patterns by these differences, it would be as well to

examine the character of each region in some detail.

First, the central plain. This undulating peneplain lies at between 1000 and 1200 metres above sealevel, and, as its name implies, occupies the more central part of the County bordering on the Tugela river in the north. (The plain is continued to the North of that river, but has the reverse, southerly, aspect). Elsewhere, the plain is defined by the foot of an escarpment that makes up the high County situated in the west, south, and southeast. Though undulating, the plain is dissected by major tributaries of the Tugela river, and is intermittently studded with dolerite-capped hills. Mean annual rainfall figures for the plain show that nearly 730 mm are received over an average of 81 days in the year. There is marked seasonal variation in the distribution of rainfall: most occurs in the period between September and August, while less than 7% of the annual total falls in the four winter months. The bulk of annual precipitation is received in the form of violent thunderstorms (often accompanied by hail). This rainfall pattern is frequently associated with the problems of soil erosion (the consequence of heavy runoff) and pasture deterioration (during the dry season). The vegetation of the central plain (following Acocks) is predominantly 'Southern Tall Grassveld' - least 'sour' of the Tall Bushveld. (8) It is concentrated at an altitude of between 600 metres and 1400 metres, and in river-valleys extending into the highland region in the west. Below 1000 metres this grassveld is transitional to (or intermixed with) the Valley Bushveld of the north-east basin. In deep valleys, and on hillsides with a southern or an easterly aspect, patches of acacia and scrub forest are found. An important feature of this savannah vegetation is that its predominance is maintained - in the face of encroachment from bush and thornveld - only by the action of fire. Grassveld is not the climax vegetation of the region; and it is only due to the cessation of grass-burning during the twentieth century that tree species have become established. (9) The soils of the plain are predominantly

shallow, sandy, loam types based on shale bedrock. In parts, and associated with decomposing dolerite outcrops, a deeper, richer loam soil occurs. While the former soils are less fertile than the latter, they are more easily worked. The patches of dolerite loam barm are often found in association with river valleys, and constitute the most important soils for crop production. The combination of shallow topsoils and easily-eroded (because shale-related) subsoils, has resulted in the 'gulley' erosion characteristic of the area. (Such erosion is mostly subterranean, the underlying shales being susceptible to undermining and the development of sinkholes, followed by collapse of the topsoil).

The combination of climatic, soil, and vegetational conditions prescribes that large areas of the plain are suited only to cattle-raising. Apart from the deep, dolerite-based varieties, soils are poor; much fertilizer is required to ensure even moderately-successful cultivation. All the features of 'scientific' agriculture - including irrigation, contour-ploughing, the application of fertilizers - are necessary to enable this marginal soil to be used for cultivation. The characteristics of Southern Tall Grassveld in this region are such that growth and (the much longer) dormancy periods are sharply defined. "During the summer, the grasses make very rapid growth and have a high feeding value which decreases as the season advances". (10) This means that summer carrying-capacity is much higher than in winter. In order to avoid massive loss of condition (and even death) of livestock during the latter season, stock-keepers are forced to supplement the natural pasture (with artificial fodder or hay made from summer-growth), or to practise a local transhumance in search of alternative pasture. The Tall Grassveld vegetation is unsuitable for the raising of small stock (sheep and goats) for the above reasons, and because success is dependent on large-scale (and costly) replacement of the natural pasture.

A second natural region of the County incorporates the high-land situated to the west, south, and south-east. Within this region two plateaux - that of the 'little Berg', and that associated with 'Ntabamhlope' (the white mountain) - may be distinguished. (11) The Little Berg plateaux lies at an altitude of approximately 2100 metres, and stretches from the foot of the (high) Drakensberg to the edge of the sandstone escarpment that marks the 'Little Berg'. Although the plateau has a flat, open appearance, it is an area with occasional high relief. The many perennial streams - fed by seepage from porous rock - have cut deeply-incised valleys between long (sandstone) spurs. The plateau receives the highest mean annual rainfall in the County - between 760 and 1500 mm - spread over a longer period than that for the above - mentioned plain. Snowfalls are frequent in winter, and thunderstorms an almost daily occurrence during the summer. Exposed to the harsh mountain climate, vegetation on the Little Berg plateau is limited to 'Mountain Veld'. According to Pentz, this veld type is poor pasturage for stock at any time of the year. Soils are unsuitable for cultivation of any form. "This area is, however, of utmost importance to the country as a whole. The sources of the rivers, the high-lying Vleis' and sponges which ensure a steady flow of water to the rivers throughout the year", are concentrated in this (and in parts of the following) subregion. (12)

The second plateau lies at an altitude of between 1300 and 1500 metres, and occupies a narrow area situated between the foot of the escarpment which defines the little berg and the edge of another which defines the rim of the plain. In the south, the plateau widens dramatically to form the high country adjacent to the Mooi river. Apart from the Ntabamhlope - from which it takes its name - the plateau is characterised by other sandstone-capped outcrops, further-most east of which is Mhlumba Mountain (situated to the east of Weenen Village). Rainfall in this subregion is intermediate between that of the plain and the little berg plateau (at approximately 660mm per annum).

Occasional winter snowfalls are recorded. Sponges are common. The most important features of the climate are a shorter growing season than the adjacent plain, and cold, dry winters which make permanent stock-keeping a hazardous undertaking. Vegetation, consists of a short, dense grass-cover termed highland Sourveld. The characteristic feature of this veld-type is that "the growth in the summer is exceedingly rapid and while the grasses are young, they are very nutritious but they mature soon. After maturity they are unpalatable, and have very little food value". Tree and shrub cover is sparse; patches of indigenous bush are found only in association with sheltered kloofs. Soils, though deep, are loose-textured, poor in humus, and easily eroded by wind and water. In general, "soils are poor and can seldom be cropped economically for more than a few seasons. The growing season for veld or crops is very short and the dormant season is rigorous". (11) The predominance of shorter grass species does not permit small stock-keeping, but the seasonality of the grazing makes winter loss of condition inevitable unless transhumance is practised. A second important consideration - in assessing the influence of climate on patterns of human settlement and land use - is the concentration of Reserve (or 'Location') land in the western part of the County, within this highland region. In view of the above mentioned summary of soil quality, pasturage, and the growing-season in the region, it is clear that the productive activities of african pastoralist - cultivators resident on Location lands were placed under definite environmental constraints.

The third bio-climatic region of the County lies to the north east and comprises the steep-sided, broad, and low-lying valleys of the Tugela river and the lower reaches of two major tributary streams - the Bushmans, and Mooi, rivers. Most of this region lies below 900 metres in altitude, and receives a mean annual rainfall of below 375mm. Except where deep, alluvial deposits occur, soils are "very inferior, poorly developed, shallow, patchy and badly eroded". (11) In parts, there are patches where

soil cover is entirely absent. The steep hillsides are invariably boulder-strewn. Vegetation in this region is predominantly 'thornveld' comprising a combination of scrub-acacia species and (sparse) tall grasses. Due to the low rainfall, grass cover is such that 'sweet' (or late maturing) species predominate. As a consequence, stock pastured in 'the thorns' (as this region is popularly known) maintains condition well during the winter months. Despite the low carrying capacity, cattle-keeping is (and was) the major land use. Small-stock do not thrive on the tall grasses, and are disadvantaged the need to travel long distances in search of surface-water. Sheep, in particular, are liable to damage from the thorny vegetation. Crop-production is limited by the scarcity of appropriate soils and flat land, and by the volume of scrub that must be cleared before cultivation can begin. Rainfall is low and erratic; and drought is a permanent threat. Of the three regions distinguished, the 'thorns' is the most marginal in terms of productive capacity.

SETTLEMENT

The presence of Africans in the territory that was to become Weenen County was of long standing. Settlers drew attention to the ruined, stone cattle-enclosures, "thickly scattered about the country between Mooi River and Ladysmith". These structures - "rings of piled up boulders, innocent of chisel or cement, but sufficiently substantial to have withstood the wear and tear of centuries" - testified to the long history of african occupation, the large number of people concerned, and the importance of cattle-keeping to that population. (13) In 1837, however, as the evidence of early observers makes clear, there were very few people occupying the study area; scattered homesteads were reported under the Drakensberg (in the west), and in the thornveld of the northeast basin. (14)

The bulk of the territory's inhabitants had been dispersed during the disturbances surrounding the consolidation of the Zulu power. In two 'waves', peoples displaced from their homes in the north swept across the area, attacking its population. The survivors suffered one of three fates: some were induced to remove themselves from Natal altogether; others remained, in small groups and in hiding; while members of a third category left the area temporarily before returning to place themselves under the newly-established Zulu polity. Of the second category, the only clearly-established example is that of the much-depleted Zizi chiefdom, located (in 1837) around the source of the Tugela River. An unknown number of people belonging to the third grouping found refuge under chiefs appointed by the Zulu to take charge of the disorganised population settled around the junctions of the Buffalo and Mooi rivers with the Tugela. (15)

The Trekboer presence in this part of Natal broke the hold of the Zulu power over the last-mentioned people, many of whom sought the protection of trekker parties. After the encounter at Bloodriver, more of these outlying peoples abandoned the Zulu polity and crossed into the newly-established republic of Natalia (later, the Colony of Natal). Part of this influx consisted of members of the more or less compact Cunu, Thembu, Baso, and Ngwane Chiefdoms. The last-mentioned unit entered the Colony around 1842, settling in the western extremity of what was to become Weenen and Klip River Counties. The remaining entities settled in the thorncountry to the east. Although the size of these chiefdoms at this date is unknown, there is evidence that their arrival in Natal hastened the process of reconstitution and consolidation begun some time earlier. (16)

State commissions, appointed during the late 1840s to settle the land question in Natal, recommended the establishment of 'Locations' or areas reserved for exclusive occupation by africans. Two such tracts were situated in Weenen County: a triangle of land lying between the Tugela and Mooi rivers

northeast of Weenen Village, and an undefined strip lying along the High Drakensberg from Giants Castle in the south, to the source of the Tugela in the northwest.(17) The former (the Mpofana Location) would appear to have been created for reasons of expediency. According to one of the Commissioners, there was a tendency for existing African occupancy to be confirmed; and africans had "generally, . . . , fixed their abode in those parts of the country which, from their broken character, they considered would be less liable to interference from farmers". The second of these tracts, the Qathlamba Location, owed its existence to the need of settler stockholders for protection from thieves operating from the Drakensberg. First mooted in 1846, the colonial authorities settled africans as a human buffer in this Location laid out along the line of mountains.

During 1848 members of three chiefdoms - the Hlubi, the Ngwe, and the smaller 'Swazi' - entered Klip River County seeking refuge from the Zulu. These units were moved to the Quathlamba Location in the following year; thereby completing - with the Zizi and Ngwane located in the north - the belt of african occupation from the source of the Tugela to the Giants Castle in the south.(18) This marked the end of one phase in the settlement of the County by africans, subsequent additions to this population took the form of small parties of refugees. Some of these later immigrants attached themselves to chiefdoms with which they had previously been associated; others - by virtue of some claim to the status of 'independent' chiefdom - were able to preserve their separate existence. They were, however, fewer in number than the five large entities occupying Location land in the County. In view of their small size and later date of arrival, most of the people attached to these chiefdoms were excluded from the Locations, and, consequently, were obliged to take up residence on settler-owned land.(19)

RESERVES AND CROWN LAND

Location land in the study-area was situated in two localities with very different bio-climatic characteristics. In view of this difference, it seems appropriate to consider the character of such land in each of these places in turn.

Although the Quathlamba Location covered a large area - early estimates suggested as much as a quarter of a million acres - much was of limited use to its inhabitants. In 1852 the local Field Cornet described the upper limit to settlement in the Location in the following terms:

"There is an immense extent of open country extending from the back limits of these locations - [plural because each chiefdom was credited with a separate tract] - to one of the boundaries of the Colony, the Quathlamba and far beyond, but not at all adapted either for natives or cattle, being a sterile waste; no animal except wild pigs, and in summer elands are to be found there. I have seen this country embedded in snow from 3 to 10 feet deep, and know from personal experience that the cold weather there is unsupportable, alike to man and beast. Except for the timber to be found on the mountains, I would not give a farthing an acre for that tract; I do not think that the Kafirs would give 10 cows for the whole of it."

Over sixty years later a settler who had acquired land in the vicinity, described this tract as "a cold, bleak, piece of country" of no use for cultivation.(20) While human settlement was impossible above a certain altitude, the land referred to above was not entirely valueless; it was very popular grazing country for settler stockowners, and would certainly have been used for this purpose by africans resident below this upper limit to settlement.

Apart from reference to the situation of certain 'royal' homesteads, no evidence concerning the pattern of settlement in

the Quathlamba Location has been found. In the absence of such evidence, it might be presumed that the bulk of the people in question occupied detached homesteads (of various size) concentrated between the upper limit imposed by climate (in the west), and the irregular line of land-grants in the east. This meant, in effect, that Location residents were concentrated on the edge of the central plain and in river valleys extending into the mountainous region. The known situation of royal homesteads would seem to corroborate this. Langalibalele, the Hlubi chief, had his principal homestead on the edge of the plain under Draycott Hill, and another four homesteads situated higher up the Bushmans river valley. The Ngwe chief, together with the bulk of his adherents, occupied two adjacent farms immediately below (and to the northeast of) their allotted Location.(21)

Assessments of the specific locations occupied by the adherents of different chiefs are virtually nonexistent. In 1855, land allocated to the Hlubi was reported to include "some of the finest arable land in the colony", with "very fertile lowlands" and "very superior grazing". Some two years earlier, however, this Location, though deemed adequate in terms of its size (or total acreage), was held to be badly situated in that it contained very little arable land. As a result, the bulk of this chiefdoms members occupied flat land below and to the east of the Bushmans river valley - the tract to which they had been assigned.(22) This meant that they were resident on Crown lands and on land granted to settler claimants. They were, therefore, in much the same situation as the Ngwe to the northeast. In view of the underlying similarity of Location land along the foot of the Drakensberg, the experience of these chiefdoms was shared by their neighbours to the north. It might be concluded, therefore, that africans allocated to the Quathlamba Location were concentrated on the low-lying northeastern edge of this tract and the adjacent Crown and privately-owned land.

The Mpofana Location, situated in the eastern extremity of the

County, was the subject of a detailed evaluation soon after its establishment. The one-time magistrate of this Location described it (in 1852) as "a tract of sterile broken country", 'a great portion' of which was "as worthless as the sands of Arabia". He stated that he had satisfied himself "that not more than 2000 acres of the whole extent ever has been, nor, humanly speaking, ever could be available for the cultivation of the two native grain crops, and that it is unsuitable for the growth of any other - not only from the want of soil, properly so called, but from climate, and want of the means of irrigation. A few hundred acres might be brought under cultivation, in the bends of the Pafana [or Mooi river], by the construction of sluits, but only at a considerable expense. The character of the pasture is also different to that of the upper country. The small native cattle could not subsist in winter months, were they not used to browse the thorny bush, like goats. I do not think it possible to subsist the larger cattle all the year round, in this sort of country. In very few cases can a patch for cultivation be found of more than five acres contiguous extent... I found the average extent of cultivation in the Pafana Location to be three-quarters of an acre per hut - or married female. That would give about 1300 acres in all. The greater part even of this soil is so light and superficial as not to exceed three inches in depth, and can only be used alternate years, by means of an intermediate fallow. The use of manure would partially remedy this, but the use of the plough is hardly available, for the reason stated, and because it would be difficult to find a level tract sufficiently free from rock or stone, where it could be worked". Elsewhere he estimated that not more than 1% of the surface area of this Location contained soil capable of raising grain or any other crops.(23)

At the advent of the colonial period, all land in the Colony was owned by the Crown (or state). Until such land was sold to private purchasers or otherwise transferred from the Crown, it was either leased, allowed to remain derelict, or given over to

african occupation. Where - as in Weenen County for much of the colonial period - Location boundaries were only vaguely defined, africans occupied a great deal of Crown land in addition to the officially-demarcated Reserves.(24) This initial advantage - which allowed for a wider spread of economic activities - became, in time, a distinct liability to Location residents. As land values rose and the settler population increased in size, the colonial state came under pressure to reduce the size of locations and to allocate more Crown land to private landowners. The Weenen County locations did not escape these pressures.

Proclaimed as a single entity, the Qathlamba location very soon ceased to be known. Rather the land in question came to be known by the names of the chiefs to whose adherents it had been allotted (land occupied by the Ngwe chiefdom became known as the 'Putili Location', and so on). During the early 1850s (shortly after these people's had been settled on the land), it was discovered that a number of the early land grants made to settlers were situated within the limits of the tract pointed out to africans as Location land. The SNA admitted that approximately ten such grants were included in that part of the Location occupied by the Ngwane. On at least two occasions attempts by settler landowners to occupy their grants - evicting the african residents, or attempting to coerce them into agreeing to render labour-service - were resisted by force. In one incident the entire (small) Zizi chiefdom was compelled to move temporarily to the Ladysmith Townlands in order to be under the 'personal observation' of the Magistrate; while in another, the Shabalala were driven from the land they occupied in the vicinity of the Sterkspruit and banished from the Colony. Some time previous to the second of these incidents the Ngwane chief had been instructed to remove a number of his followers from Crown and private lands near the Tugela river.

Late in 1853 the magistrate stationed in the Quathlamba Location reported that he feared a clash between settlers and africans.

He noted that "the lands occupied by Putini's and Ilangalibalele's Tribes, are in whole, or in part, registered farms. Claims are made on the Natives by the legal owners of the land, the justice of which (as they were located on these lands by Government) they are unable to perceive and naturally disposed to resist".(25) The consequences of resistance - as illustrated by the experiences of the groups referred to above - would appear to have convinced local africans of the futility of such action. Official sources contain no further reference to open resistance of the authority of settler-landowners by local africans. One consequence of the disturbances of this early period, was the establishment of a block of settler-owned land, straddling the Sterkspruit, as an intrusion into the Location. In time, settler holdings in this valley were extended into the Drakensberg foothills. This development separated the 'Upper Tugela Location' (occupied by the Zizi and Ngwane chiefdoms in the northwest, and two contiguous tracts in the southeast occupied by the Hlubi and Ngwe, respectively.

PRIVATELY-OWNED LAND

The initial alienation of Crown land to private landowners took place under the two land-grant schemes of the 1840's. Conditions were extremely lenient: grantees were responsible for survey expenses (4d an acre for a 3000 acre unit, 3d an acre on 6000 acres), and were required to pay the state an annual 'Quit' rent of approximately £1 for every thousand acres held. Where a clause, relating to the resident of at least one settler on such land was not met, grant-holders were required to pay an annual 'non-occupation' tax, (around £4 per thousand acres). The choice of Quit-rent as the form of tenure is explained by the following: it was the customary form of land-holding in the eastern Cape (and was, therefore, familiar to the majority of grantees), and the low cost involved made it possible for large acreages to be held at little expense. Quit-rent tenure conferred all the

benefits of freehold - including transfer and inheritance rights - without the heavy expense of outright purchase.(26)

One hundred and eight grants, covering approximately 618 000 acres, were made in Weenen County in the period before 1850. The average size of these grants was 5720 acres, a figure slightly lower than the average for the Colony. Most were situated on the central plain; the highland region in the west, south, and southeast, and the low-lying thornveld area in the northeast, were less popular.(27)

Very little land was disposed of by the Crown during the early and mid-1850's (under the freehold scheme then in force). In 1857, the Quit-rent system was revived; land in the interior of the Colony was offered for sale, in 3000-acre units, at a cost of around £1 for every thousand acres. One hundred and twenty-two grants, covering almost 338 000 acres, were made in Weenen County. At an average of 2767 acres, these later grants were considerably smaller than those made during the 1840's. They were concentrated southeast of Weenen Village, in the high country along the middle reaches of the Mooi river, and around the source of the Tugela river in Klip River County. A number were to be found scattered among the earlier grants. In 1858 the Quit-rent system was again replaced (as the form in which Crown land was alienated) by Freehold sale. (Between that date, and 1880 - when a system involving payment by instalment was introduced - a combination of high prices and the (relative) cheapness of privately-owned land, restricted the sale of Crown land in Natal).(28)

By 1860 the system of land allocation followed by the colonial authorities had resulted in the sale of approximately 850000 acres of crown land (see table A pi). This acreage was divided into 183 units, with an average size of 4631 acres - more than twice that of the Colony as a whole. The bulk of this land was held under Quit-rent tenure in units of at least 1000 acres, with

concentrations in the 2-3000, 3-4000, and 6-7000 acre categories. There would appear to have been a clear correlation between geographical situation and unit size. A concentration of grants in excess of 7000 acres occurred along the middle reaches of the Tugela river; another of 6000 acre units was found along the middle and lower reaches of the Blaauwkraantz and Bushmans rivers. Concentrations of the 3000 acre grants made under the 1857 scheme have been noted above. Excluding Location land, two areas in the County were conspicuously vacant: the high country along the Drakensberg and around the sources of the Mooi river, and the low-lying thornveld-covered tract between Weenen village and the Mpofana Location in the northeast. The failure of the settler population to take up land in these localities underlined their marginal utility for agricultural purposes.(29)

Much of the land transferred from the Crown to private (settler) landowners during the mid-nineteenth century passed into the hands of property-speculators. The extent of land in Weenen County owned by individual speculators in 1860 has been estimated at just under 130 000 acres (or 15% of the total surface area). This land was concentrated in the northwestern extremity of the County. During the course of the following decade, speculative landholding in the County increased to around 218 000 acres. These holdings were distributed as follows: the newly-formed Natal Land and Colonisation Company (NLCC), approximately 72 000 acres; other 'land companies' and financial institutions, 38 000 acres; and individual speculators, 102 000 acres. Much of this expansion in speculative land-holding took place in the south of the County.(30)

Estimates of the population occupying such land in the study-area are extremely rare. An incomplete return of properties occupied by members of the Hlubi and Ngwe chiefdoms in 1858 includes reference to three 'farms' with abnormally large tenant populations - of 82 and 73 huts, and between two and three-hundred people, respectively. Land held for speculative purposes

by settler landowners was frequently made available to african tenants in exchange for rent-payment. From comments accompanying the above-mentioned list, it would seem that the people in question were involved in just such a relationship. Some four years later, an official return of 138 farms in the County with a population of three or more homesteads, put the number of absentee-owned properties in this category at seventeen. A further fifty-five properties are listed as owned by colonists but not permanently occupied by them (or their agents).(31)

A further category of privately-owned land to which african residents of Weenen County had access was that held by religious institutions. Although missionary activities could be carried out in virtually any situation, it became common, in Weenen County as in the rest of the Colony, for stations to be sited on tracts of land owned by the various mission societies. The first permanent missionary presence in the study-area dates from 1846. In that year the Berlin Missionary Society (BMS) - a Lutheran denomination - established a station on an unoccupied (settler) land-grant situated within the Quathlamba Location. Although the BMS was unsuccessful in its attempt to secure title to the whole of this 6000-acre tract, it was able to acquire freehold rights in a 523 acre, centrally-located, glebe. During the 1860's, the BMS established three other stations in the County: one on a 6200 acre tract situated to the northwest of Weenen village, and a further two - of 100 and 500 acres, respectively - on Location land occupied by the Ngwe and Ngwane chiefdoms. An official return of land held by mission societies in 1881, credited the BMS with 12 000 acres in Weenen County. It is probable, however, that this figure was inflated by the inclusion of the Emmaus Mission Reserve - a tract comprising the remainder of the original (disputed) land-grant.(32)

A second Lutheran body, the Hanoverian Mission Society (HMS) established its presence in the County at the time of its predecessor's expansion. Two 500 acre tracts - one at Muden on

the Mooi river, the other situated within the Mpofana Location - and a 100-acre glebe (sited a short distance from the principal homestead of the Hlubi chief) were taken up at this time. Whether owned outright by the abovementioned mission societies, or, in the case of the (disputed) Emmaus Mission Reserve, administered by an officer of one such society, land controlled by religious institutions never exceeded 16 000 acres in extent. Apart from the population of the Emmaus Mission Reserve - occupied as Location land by adherents of the Ngwane chief - very few local africans took up residence on mission controlled land. Etherington's research for the period before 1880 shows that in Weenen County (as for the remainder of the Colony) mission-station residents were drawn from outside the surrounding area. Many residents were personal 'followers' of individual missionaries; moving from station to station (and even denomination) as their religious leader transferred from place to place. Apart from two resident missionaries (and their families), the BMS station at Emmaus housed only seventeen people in 1854. Of these, only three were 'local'.(33)

Notes

1.Examples of this work can be found in Marks S and Atmore A (1980) Economy and Society in Pre-industrial South Africa.

2.The most important contributions to this literature have been made by Keegan, and Trapido. See, Keegan T (1983) 'The Sharecropping Economy on the South African Highveld in the early twentieth century'; Trapido S (1978) 'Landlord and tenant in a colonial economy: The Transvaal 1880-1910.

3.Etherington NA (1981) Black Peasants in Natal and Zululand: the agenda for research p77; Keegan T (1982) 'the Sharecropping economy, African class formation and the 1913 Natives Land Act in the Highveld maize belt' p195.

4. Harries P (1985) 'Mode of Production....' p36. A compilation of the oral traditions of one local chiefdom contains no direct reference to economic relations within that unit. See Msebenzi (1938) History of Matiwane and the Amangwane tribe.

5. This summary only reflects the most important such changes.

6. The seat of the Upper Tugela magistracy was transferred from Oliviershoek to its present site (at Bergville) after the turn of the century.

7. This summary of the physical structure and the climatic, soil, and vegetational characteristics of the study-area is based on the following: Acocks JPH (1975) Veld types of South Africa p 119, 147; Pentz JA (1945) An agro-ecological survey of Natal; West O (1950) The Vegetation of Weenen County, Natal. The last two monographs were prepared by officers attached to the Department of Agriculture research station at Ntabamhlope (near Estcourt). Although the concept of distinct 'bioclimatic' regions within the County is not articulated by these authors, it is implicit in their work.

8. 'Sour' and 'sweet' are terms used to denote grass veld-types characterised by the predominance of early, and late-maturing grass species. The relationship between rainfall, soil, and the palatability of grasses is as follows: in areas of low rainfall the soil is less subject to leaching, and, as a consequence, vegetation has a higher mineral content.

9. The vegetation of the central plain was described in the following terms c. 1837: "The pasturage is extremely rich and very healthy for large cattle and sheep. The whole face of the country is thickly studded by a great variety of grasses, growing from one to eight feet high." 'J N Boshoff's letter on his trek after the Trekboers, in Moodie DCF (1968) The History of the Battles....' p 547.

10. Pentz JA (1945) An agro-ecological survey of Natal p11
11. ibid. p8.
12. West O (1950) The vegetation of Weenen County, Natal p16.
13. Robinson J (1968) A lifetime in South Africa p154.
14. Smit E (1972) The diary of Erasmus Smit p65/6; 1883 (Cape) Native Laws Commission. Evidence of Theophilus Shepstone.
15. This paragraph is a condensed summary of events during this extremely significant period. Evidence drawn from Bryant A T (1929) Olden Times in Zululand and Natal; Wright J B and Manson A (1983) The Hlubi chiefdom in Zululand-Natal. A History p5-30; ~~Webb~~ C de B and Wright J B The James Stuart Archive vol II p11, 14, 84; Smit E (1972) The Diary of Erasmus Smit p65/6, 73; 1883 (Cape) Native Laws Commission p425.
16. Smit E (1972) The Diary... p121/2, 144; Wright J B and Manson A (1983) The Hlubi chiefdom...p32-40; Bryant A T (1929) Olden Times...p418.
17. Brookes E H and Hurwitz N (1957) The Native Reserves of Natal p5.
18. 1852 Natal Native Commission. Evidence. part III p14.
19. SNA 1.3.4 (1855) RM W Co; SNA 1.3.6 (1857) RM W Co; SNA 1.3.8 (1859) RM W Co.
20. 1852. Natal Native Commission. Evidence p574.
21. Manson A (1979) 'The Hlubi and Ngwe in a colonial society' p38; SNA 1.3.2 (1853) R M Kathlamba.

22. ~~Manson~~ A (1979) 'The Hlubi...' p50; 1852 Natal Native Commission. Evidence part I, p7.

23. 1852 Natal Native Commission. Evidence. part IV p66/7.

24. ~~These~~ Locations in Weenen County were first surveyed in 1867. ~~Location~~ boundaries were only fenced during 1897, when Rinderpest threatened the cattle holdings of residents. See NABB 1878 p11 RM UT, p16/21 RM W Co. These officers provide figures for the size of Locations (in square miles), but it is not clear from their comments whether or not these are the survey results.

25. 1852. Natal Native Commission. Evidence. part II p30, part I p9; SNA 1.3.2 (1853) RM Kathlamba.

26. Christopher A J (1969) 'Natal: a study in colonial land settlement' p65, 70-75, 44; NLCC. Volume 786 p189.

27. Christopher A J (1969) 'Natal...' p80.

28. ibid p112.

29. ibid p163.

30. ibid p189, 190, 198.

31. SNA 1.3.7 (1858) RM W Co; SNA 1.3.11 (1862) RM W Co. According to Christopher, by 1860 there were 183 individual properties in settler hands. The County magistrates return reflects conditions on 138 of these farms - approximately three quarters of the total for 1860 - and might be taken as an accurate reflection of conditions in the County as a whole.

32. NABB 1894 p39 RM W; NABB 1878 p12 RM UT, p17/8 RM W Co; Manson A (1979) 'The Hlubi...' p84; 1881 Natal Natives Commission.

port p4

3. Ether ----- NA (1978) Preachers, Peasants and Politics in
Southeast ----- p104/5

PART I

Chapter 1

THE HOMESTEAD ECONOMY

Nguni societies were structured by kinship; each person belonged to a lineage - a group of individuals descended from a common ancestor. Physically, this structure was manifested in homesteads, each under the control of an adult male homestead-head. Homesteads were created by marriage, subsequent marriages gave rise to separate segments (or 'houses') - composed of a wife and her children - within the homestead. When the eldest son of each segment married, he left the parent homestead to found his own. Within the homestead - the production community - each segment formed a production unit. "The homestead-head provided each segment with milk cows, plots of agricultural land for their own use, and a place for storage of their grain within the homestead. Meals took place within the hut of each wife. Each segment was therefore able to provide its own means of subsistence while a portion of the surplus contributed to the subsistence of the homestead-head."

Nguni society was characterised by a strict division of labour between the sexes. Men were responsible for clearing fields for cultivation, while "women laboured throughout the agricultural cycle: they prepared the land, sowed, cleaned, reaped, stripped the cobs, winnowed or shelled, stored, ground and cooked the various cereals. Men were concerned with the other major aspect of production in the farming process - stock raising. Boys herded and milked, while adult males were responsible for general supervision, veterinary work, slaughtering and the preparation of hides." The bulk of labour-power was expended in cereal and vegetable production. Gathering, care of livestock - whose chief

dietary significance lay in the provision of milk, not meat - and craft activities, accounted for the remainder. In general, each homestead was self-sufficient; what it did not produce could be obtained by barter with other homesteads. "The exception to this self-sufficiency was the fact that the homestead did not produce wives. These had to be obtained by exchanging cattle for women from other lineages, while cattle could be obtained from other lineages for daughters of the homestead". Cattle represented stored-up surplus labour-power, and, together with daughters - the principal source of labour-power - comprised the basis of social reproduction. Without access to either of these resources, a homestead could be established only by entering into a relationship of clientage with an existing homestead. Though not directly involved in production, the homestead-head oversaw these activities and drew his subsistence from the product of his families labour-power. His ability to do so was based on the power to allocate land and cattle to his dependants, and this, in turn, was dependant on his relationship with a chief.

The second characteristic of most Nguni societies was the organisation of homesteads into chiefdoms under the political authority of a chief. Chiefly power was an extension of the authority of the homestead-head, and its material base lay in the power to allocate land and other resources to homesteads. In addition to the members of his own production community, the chief was able to draw surplus from the homesteads of his adherents. This took the form of tribute labour-service, court fees and fines, and the cultivation of clientship - most commonly in the form of livestock loans to members of the chiefdom. This last-mentioned practise - ukusisa - was the means whereby men without access to the resources usually obtained through the lineage structure, could begin to accumulate the means of establishing an economically-independent homestead (and lineage).

Guy argues that in the case of the Zulu Kingdom created by Shaka, homesteads and chiefdoms were subordinated to a third entity, the

state - manifested in the person of the King. The king's authority was based on the extraction of labour-power from every homestead in the country by means of the Zulu military system. "All men in Zululand from the time they reached puberty and were recruited into an age-set "regiment" (ibutho/amabutho) until the time the King gave their regiments permission to marry - perhaps fifteen to twenty years later - laboured for the King. In his service the rigid sexual division of labour did not apply. Young recruits tended the cattle the King attached to each regiment, while older ones sowed and reaped the King's land, kept royal homesteads in good repair, served as a policing force within the country, and as an army externally... Nominally the soldiers were maintained by the King but in fact they were heavily dependant for their means of subsistence on food supplied by their own homesteads. Through the regimental system the King was able to draw on the labour-power of all Zulu men for perhaps a third of their productive lives."(1)

Very little is known concerning the social organisation of the groups of Africans who settled in Weenen County after 1830. Of the large chiefdoms that formed the bulk of this population, none had escaped involvement in the upheavals of the Mfecane. Two - the Cunu and the Ngwane - appear to have undergone a process of re-consolidation following their entry into Natal, while others - the Hlubi and the Ngwe - entered the Colony as organised units. These chiefdoms have all been associated with the system of age-regiments, a practise which was continued throughout the nineteenth-century.(2) There is, however, no evidence to suggest that the smaller chiefdoms - some under state-appointed heads - were associated with the practise. In the absence of evidence to the contrary, it might be assumed that, on entry into Natal, the social organisation of these peoples conformed to the basic model which Guy has suggested for the Nguni-speaking societies of the period.

Apart from the isolated comments of settler observers, almost

nothing is known of developments within the local homestead economy during the period before c.1870. In general terms, however, the imposition of colonial rule had the following consequences for homesteads and chiefdoms.(3)

(In the first place, restrictions were placed on the extent of land available to the homestead. While the bulk of the population was settled on Location and Crown land, a large minority of homesteads found themselves on settler-owned land. In time, as Crown land was sold to settlers, more homesteads - particularly those associated with the smaller chiefdoms - were forced into some relationship with a landlord. Second, chiefs and homestead-heads were subordinated to the colonial state, and subject to the direct control of settler officials. An annual tax of 7/ was levied on every occupied hut, and homesteads resident on Locations were made liable for periodic corvee labour-service for the state. Chiefs were prohibited from exacting tribute labour-service from their adherents, but retained the power to allocate Location land.

A third significant change was related to the control exercised by homestead-heads over young men. The imposition of taxes, and the presence of manufactured commodities on the colonial market, both raised the expenditure, and hence, income-requirements of the homestead. For those on settler-owned land, there was the additional demand of rent - in cash or in labour-service - to be met. Many young men went to work for local settlers or for employers further afield. More fortunately situated homesteads assured themselves of this income through traditional productive activities - cereal production, stock-keeping, crafts - the products of which were exchanged for the cash needed to pay taxes, rent, and to buy manufactured goods. For young men, and those without access to resources through the lineage structure, labour-service and residence on settler-owned land made possible the accumulation of these resources. Inevitably, this economic independence undermined the influence of homestead-heads and

chiefs over young men and those who, in other circumstances, would have been obliged to enter a relation of clientage. It is only after c.1870 that official sources - annual reports, magistrates correspondence, and estimates of production and stock-keeping - make available details of the homestead economy in Weenen County. What follows therefore addresses developments in this later period alone. For purposes of exposition, it would be as well to examine the constituent branches of production within the homestead-economy in turn.

First, hunting. Before the mid-1850's, the flat grasslands of Weenen and Klip River Counties formed part of the annual migration cycle of the extensive herds of buck then found in the South African interior. The earliest literate observers to visit the study-area mention the presence of other, non-migratory game species. A visitor to the Upper Tugela region noted (in 1864), that there was "no end of buck, immense herds, thousands in a herd with Quagga's, wildebeest, springbok and blesbok." In time, however, occupation of the central plain region by settler stock-keepers, and the largescale destruction of the migrating herds, significantly reduced the number and variety of species available to local africans. Later, the institution of a hunting 'season', and the protection of certain species by the colonial legislature, took this a step further. Official records show that between 1860 and 1872, licences for a total of 128 guns had been issued to members of chiefdoms occupying Location land along the Drakensburg. The significance of these - predominantly, muzzle-loading - weapons in reducing wild game numbers is unknown; but the County magistrates comment that most were "more dangerous to the handlers than the objects fired at," suggests that this was minimal. On the same occasion - in 1889 - a well-placed settler observer noted that: "It is not a great number of them who hunt a great deal. Some of them are very fond of it, and those living under the Drakensburg have more chance, as there are rock-rabbits and buck."(4)

On the other hand, official protection extended only to the larger and less numerous species - eland, bushbuck, etc. Other species, such as the rock-rabbit, were unprotected. At least one local official was censured by his superiors for prohibiting residents of the Upper Tugela Location from taking their dogs into the Drakensberg. (His plea, that dogs could not be effectively controlled by their owners and were a danger to all forms of game, fell on deaf ears). In 1905, reports on hunting in the various parts of the study-area revealed that buck were still being killed in large numbers - by means of traps, snares, and "greyhounds" - in the Upper Tugela Location and the thornveld region around Weenen village. The magistrate at Estcourt reported that there was very little game in the Drakensberg, and that "no mention of hunting ever surfaces".(5) Although it is not possible to either date or quantify the process, it would seem that game animals became increasingly scarce during the course of the century, and hence, were able to supply a decreasing proportion of the homesteads' nutritional requirements.

A second branch of the homestead economy was stock-keeping. Throughout the period under review, african-owned livestock was concentrated in two categories: cattle - principally those of Zulu (or Zebu) breed - and goats. (The Colony's "Scab" legislation discouraged africans from keeping the less-hardy woolled sheep and angora goats popular among their settler neighbours).(6) Apart from horses, local africans kept small numbers of mules, donkeys, and pigs. Horses served as a means of individual transport and, in the more inaccessible parts of Locations, as pack animals. There is no evidence of horses being used as a source of traction in cultivation. Earliest evidence of african horse-ownership is from 1855, when the Hlubi and Ngwane chiefs are described as having "Mounted attendants". Some years later, the former chiefdom was reported to be "daily acquiring horses in considerable numbers". In 1862, it was estimated that africans resident in Weenen County owned in excess of 2000 horses. By 1896, this number had risen to over 5000.(7)

In contrast to their settler neighbours, the mainstay of african pastoralism during the latter half of the nineteenth century, was cattle. Cattle were an important source of nutrition - meat and milk-products featuring prominently in african diet - and were essential for the legitimation of marriages. They also served as a source of income, being disposed of to local shopkeepers, itinerant traders, and specialist cattle-buyers. What evidence is available on the question suggests that cattle were sold with reluctance. In 1852, a local official observed that wage-labour was resorted to where this was the only alternative to disposing of livestock. This was confirmed by at least one landowner in 1882, and by officials (in their correspondence). Where possible, cattle were exchanged for cash (rather than bartered); but - as the County magistrate observed in 1880 - "in times of scarcity, ..., cattle are frequently bartered by the natives for grain, greatly to the advantage of the trader, who can sometimes procure good-sized cattle at the rate of one sack of mealies for a beast". Similar circumstances - the result of widespread crop-failure - prompted a revival of the practise towards the close of the decade.(8) Apart from cattle slaughtered by their owners, a great many were killed by poverty and disease in any year. As a consequence, hides and bones formed a part of the produce sold to traders.

Official estimates of african-owned livestock reflect several changes occurring in the period after 1870. (See graph C pIII) During the early 1870's, cattle and small-stock numbers stood at approximately 70 000 and 55 000 head respectively. The complete dispossession of two large chiefdoms during the Langalibalele affair reduced african stock-holding to around 25 000 and 10 000 head in 1873.(9) Numbers recovered steadily over the following thirty-year period to stand at around 70000 head in each category in 1894/5. Two years later, in 1897, approximately 80% of african-owned cattle were lost to Rinderpest. Losses were geographically uneven.) Figures supplied by local officials

suggest that losses ranged between two-thirds (Upper Tugela) and 90% (Weenen). The latter officer observed that the Rinderpest epidemic had "affected every individual and industry in the Division, impoverished the affluent, and beggared the poor". In Estcourt Division, members of two chiefdoms occupying part of the Bushmans River Location were almost unscathed by the disease, while their less fortunate fellows resident on the high country along the Mooi river were "pretty well cleaned out". Following a tour of inspection in 1901, the magistrate at Estcourt reported being "struck when riding up the Little Tugela valley with the number of Kraals which had no cattle at all".(10)

African cattle-holdings recovered slowly after 1897. Although settler stock-owners suffered extensive losses as a result of looting by Boer forces during 1899, the Estcourt magistrate was able to report that "the natives do not appear to have suffered much. Beyond taking a few cattle for slaughter and a few horses, in most cases in exchange for their own worn animals, the enemy has not molested them". Probable reasons for the slow increase in numbers include: the devastation of cattle-holdings throughout southern Africa; the refusal of local settlers to part with breeding stock; and, where such sale occurred, the high prices demanded. By 1907, however, officials were able to note that "the class of cattle now owned by natives is superior in breed to those possessed by them before the decimation of their herds by rinderpest; and in point of numbers it is probable that they have now, generally speaking, made good their losses of ten years ago".(11) Official estimates for 1905 - the last year for which figures are available - suggest that this last observation was probably correct.(See graph C pIII).

1907 also saw the appearance of East Coast Fever (ECF). This endemic disease spread through the County during the following years, causing losses at least as severe as Rinderpest. In 1908, Weenen Division was reported to be "practically denuded of cattle;" during the following year, "heavy losses" were reported

in all ~~magistracies~~ magistracies. Annual reports for 1910 refer to: a reversal ~~to~~ hoe culture and use of horses and donkeys in transport work. A full 15 000 (of the total 23 000) head of cattle ~~were~~ estimated to have died from ECF in Weenen Division; a further ~~5000~~ head had been "lost" as a result of the large-scale disposal of cattle (threatened by the disease) to settler buyers in other parts of the Colony.(12)

Massive cattle losses prompted a change in the estimation of small stock - particularly goats. Published official estimates suggest a spectacular increase in the number of african-owned goats in the immediate aftermath of Rinderpest - from approximately 70 000 to 135 000 head - followed by an equally spectacular decline.(13) After 1900, small stock numbers increased dramatically in each year to stand at just under 125,000 in 1904. This increase is due (largely) to the large-scale purchase of goats from the coast districts; the value of small stock apparently doubled, to stand at £1 a head in 1901.(14) Although sheep and goats (together) surpassed cattle in number from as early as 1887, the Rinderpest experience appears to have accelerated the trend in the years after 1900. (Small-stock numbers also increased at a faster rate than cattle). In view of the continuing susceptibility of cattle to ECF after 1907, it is probable that small-stock retained this predominance, and even replaced the former as the principal form of african stock-keeping in the County.

Cultivation within the homestead economy was almost exclusively of food crops, particularly the two staple cereals - maize and sorghum. Although periodic attempts were made, by the state and certain mission - societies, to encourage the cultivation of non-food crops, the only article of this description to be produced in appreciable quantities was tobacco. In addition to the two cereal staples, official estimates of production reflect the presence of small acreages of the following food crops: pumpkins, potatoes, "sweet potatoes", madombies. Occasional reference is

also made to "imfe", a variety of sugar-cane. Several other crops appear among these estimates from time to time: "dombula" (1902), melons (1904), and "ndhlubu" beans (1905).(15)

In their reports and correspondence, local officials frequently commented on the scale and technique of african cultivation. Perhaps inevitably, the bulk of this comment was negative and dismissive of what were perceived to be manifestations of african "conservatism". Officials were particularly exasperated by the following: a failure to use manure on cultivated fields, inadequate preparation of the land for ploughing, a preference for sowing maize seed broadcast - instead of in rows - and the abandonment of worked-out fields in favour of new ones. One further aspect of african cultivation to prompt official scorn, was inadequate attention to clearing the growing crop of weeds - a practise usually associated with the alleged "growing independence of women".(16)

While certain of these practises - the failure to use manure, for example - are almost certainly attributable to "customary" considerations - the cattle-enclosure was also a focus of spiritual beliefs - it is possible to see these characteristics as either adaptations to environmental conditions or a reflection of a labour-shortage within the homestead. "Shifting cultivation" - particularly in the ecologically sensitive thornveld region and in the Upper Tugela Location - was adapted to a situation in which fertiliser was either unobtainable or unavailable for 'ideological' reasons.

In 1894, one local official observed of land-preparation technique, that "harrows being too expensive cattle or goats are used, being driven over and over again until grain is trampled in. This method is resorted to when it is found necessary to replant a field. Turning fields over prior to planting to destroy weeds never enters a natives head". It is possible - even probable - that this economy of effort, and the associated

practises of sowing broadcast and failing to clear the growing crop of weeds, are symptoms of the progressively declining 'average' homestead size. In a similar context, Beinart has argued that the early attainment of economic independence by young, migrant, men prompted the earlier segmentation of homesteads, with an ensuing decline in the average size of these production communities. Although such homesteads were obliged to attempt cereal cultivation, their (relatively) reduced labour resources made elaborate procedures of soil preparation, sowing, and weeding less likely. Several officials observed that local cultivators "generally break and plough more land than they can attend to without the help of their neighbours".(17) The practise is consistent with a second characteristic outlined by Beinart, namely, an increase in the area cultivated by each homestead. This increase was made possible by the acquisition of ploughs and use of animal traction.(18)

Although it has not been possible to date the advent of plough-ownership among local africans, there is clear evidence of the popularity of these implements. (See graph B pII) In order to illustrate more clearly the expansion of plough-ownership, estimates for ploughs, huts, and the total african population have been compared for selected years in each decade. (See figure 1).

Figure 1:

	Ploughs	Huts	Ploughs/Hut	Pop.	Pl/person
1872	300	11 145	37.2	36 743	122.5
1886	1200	12 492	10.4	37 088	30.9
1894/5	2000	13 920	7	63 807	31.9
1903	4500	17 989	4	67 042	14.9

Source: Blue Book of the Colony of Natal.

Statistical Yearbook of the Colony of Natal.

In 1872 the number of african-owned ploughs in the County was estimated at 300 - an average of one plough to 37.2 huts or 122.5 head of population. Some idea of the distribution of these implements is suggested by a report (in 1873) that adherents of the Hlubi chief "had substituted the plough for the hoe in three - quarters of their cultivated fields".(19) The dispossession of the Hlubi and their neighbours, the Ngwe, during that year, reduced the number of ploughs by two-thirds - ie to around 100. After the low point of 1874, official estimates suggest a steady increase in plough numbers. In 1879, it was observed of africans in the Upper Tugela Division, that "by far the greater quantity of land used for cultivation by them is ploughed and harrowed." The following year, this same source noted that the "pick" (or hand-hoe) was used only for weeding.(20) In 1886, official estimates put the number of ploughs at 1200; these implements were distributed at the rate of one to every 10.4 huts. By 1894/5, local africans owned 2000 ploughs. Not every homestead felt the need to acquire such an implement. Seeking to account (in 1878) for the small number of ploughs, relative to the size of the african population, the County magistrate argued that "there are large tracts of country, notably in the Locations where the ground is too rugged and broken to admit of any but hand tillage".(21)

Unlike its precursor - the manufactured iron hoe - the ox-drawn plough transformed the labour-process in cultivation. The customary association of men with livestock handling meant that ploughing became a male activity. There is evidence too, of a breakdown in the rigid sexual division of labour; from Upper Tugela it was reported (in 1880) that "in all fieldwork the women are largely assisted by the men." The introduction of male labour-power into cultivation appears to have significantly reduced that expended by women. As (male) african witnesses informed the 1881 Commission, female participation in agriculture became restricted to periodic weeding of the growing crop (and

tasks associated with the harvest). In the same year, the County magistrate observed that "now-a-days a girl will frequently reject the advances of a lover until he has promised that if she marries him he will secure a plough to cultivate his land, and not throw upon her the drudgery of doing so".(22)

In the aftermath of Rinderpest, wholesale loss of animal traction forced cultivators to revert to use of the hoe. Officials from different parts of the County drew attention to the unwillingness - even, outright refusal - of women to use the implement. Although it is possible that important changes in female psychology - based on transformation of the labour-process in cultivation - had indeed occurred by this date, it is unlikely that they applied to more than a few individuals. A remark by an official at Weenen (in 1908) to the effect that "women appear to do the heavier part of the work", is probably closer to the reality of the sexual division of labour.(23)

While published official estimates are too unreliable to be used systematically, it is possible that they illustrate long-term trends in cereal production. (See graph A pI). (24) One such trend is the relative stability of production in both cereals from the early-1870's - following the Langalibalele affair - to the late-1880's. Sharply reduced by the dispossession of the Hlubi and Ngwe chiefdoms in 1873, cereal production increased only marginally over the following two decades - despite the steady acquisition of ploughs and cattle over this period. (See graphs A and B) There is no apparent explanation for this pattern except to suggest that most of these implements were acquired by newly-established homesteads. The (relatively) slow increase in production might then be attributed to falling average yields - the result of a decline in the standard of care devoted to growing crops.

After 1891 cereal production appears to have risen dramatically, but again, at a rate lower than the increase in plough numbers

over the same period would suggest. After the turn of the century, an even more marked expansion occurred in cereal cultivation. This may be traced to the large-scale acquisition of ploughs in 1902 (and 1903) - probably with the proceeds of employment with the Imperial army. (At one point during the war-years, 2000 men from Weenen Division were engaged in this service). The decline in cereal production after 1904 owed a great deal to the effects of natural disaster - especially drought.(25) Without estimates for the period after 1905, it is not possible to speculate further concerning the fortunes of african cereal cultivation.

A second trend illustrated by published official estimates is the changing relative importance of the two staple crops after 1870. Except for the thirteen-year period between 1887 and 1900, maize was of secondary importance - at least in terms of acreage - to sorghum. One probable reason for the importance of sorghum is its improved adaptation to drought. Another is the (reported) predominance of sorghum beer in the diet of local people. As Beinart has suggested, the increasing importance of maize may be attributed to the trend towards smaller-sized homesteads. One of the tasks allotted to a homesteads children was protection of the growing crop against predation by birds. With fewer children available it became necessary to cultivate crops that required little or no protection. (Unlike sorghum, the maize cob is covered by a husk that protects the seed against birds).(26) Interestingly, the expansion of maize cultivation (relative to sorghum) occurred at a point when large numbers of local men first became involved with the labour-market at the Reef.

If, as Beinart has suggested, a preference for maize is related to the labour resources available to a homestead, it is difficult to account for the apparent resurgence in the popularity of sorghum after 1900. (According to published official estimates, the acreage devoted to the latter was approximately 150% of that under maize). One possible explanation for this development lies

in the ~~share~~ increase in settler maize production over the same period. (~~See~~ graph A pl) Local africans may have found it preferable to fill a large proportion of their need for maize from this ~~source~~ - meeting the cost of purchase from the proceeds of war-time (and other) employment. Once established, this pattern may have become entrenched in the study-area, at least until ~~improved~~ communications raised the profitability of settler maize cultivation. (27)

In the period after 1870, homesteads were called upon to meet the following expenditure: During 1875, the annual hut tax was doubled - to 14/. A dog tax - 5/ per animal - was first collected in 1880, and after 1886, a fee of 10/ was payable on registration of every marriage. In 1905 a £1 poll tax was demanded of every adult male not liable for hut tax. After africans were prohibited from appearing in court or in the colonial towns in traditional dress, European-style clothing, was added to this list of imposed necessary expenditure. Other, 'self-imposed', obligations would include: the payment of bridewealth - at the official maximum of 10 head - and, depending on taste, certain manufactured commodities. According to a reliable official observer, "whatever in the use of Europeans is easy of access and inexpensive, the natives generally acquire.... You will find ploughs, pots, pannikins and paraffin lamps, at probably every Kraal in this Division. They are inexpensive and easily obtainable, and such articles as these and possibly a few others which make work easier, without trespassing on tradition, are acceptable to all. But as regards cooking, clothing, cultivating, furnishing, building, and every other branch of social or domestic living, the Natives are as conservative as ever". (28)

Apart from wage-labour, income required to match this expenditure was obtained through the exchange of produce. Trade was a long-standing feature of the local economy. The first literate visitors to the territory were met by people "each carrying a

goat or sheep skin filled with maize to be exchanged for she-goats or ewes". The barter trade became firmly established; there is evidence of settlers exchanging iron implements for honey, goats, and other produce, and of livestock being exchanged for grain. In 1856, a local missionary reported that residents of his station were selling cattle to buy ploughs, grew wheat and fruit, and traded dried fruit and timber across the Drakensberg.(29)

In time, trade became associated with specialist traders and the use of cash as preferred medium of exchange. During the late 1870's, approximately twenty settlers held trading licences in the County. The annual value of the trade passing through their hands was estimated to be in excess of £25 000. In 1878 the County magistrate observed that "the Kafir trade is chiefly a cash one; hides and grain are bought to the stores for sale, but as a rule the sellers prefer to be paid in coin for these, and then to make their purchases for coin also". According to this officer "the goods chiefly purchased are second-hand clothing (principally cast-off military garments), cotton, blankets, salemore, beads, picks and knives". In a companion report, his colleague at Upper Tugela endorsed both the preference for cash as medium of exchange and the range of articles purchased by local africans. He also noted that "at times they dispose of produce, such as grains, skins, or cattle, the latter are, however, not freely sold".(30)

Alongside this trade with storekeepers, there existed another, in which africans resident "near the villages and European farm houses sell fowls, eggs, and pumpkins, green mealies, etc.," to their settler neighbours. The main transport route between the port of Durban and the south African interior passed through the central part of the County, and until 1886 - when the rail-link from the coast reached Ladysmith - travellers provided a ready market for the same type of produce. Local people also produced, and exchanged, a range of manufactured articles. A list prepared

in 1878 refers to: "Vessels of baked clay and woven grass-mats, wooden bowls, spoons, and walking sticks, and skin petticoats for women". From Mhlumba (in 1891), came the report that "some natives make it a practise to deal in calfskins, tobacco and dagga". (11)

Apart from the perishable goods sold to settlers and the domestic articles which africans exchanged with each other, trade remained exclusively in the hands of settler storekeepers - at least until 1881. That year saw the advent of Indian itinerant traders (or "hawkers"). In contrast to their stationary settler competitors, these newcomers aggressively sought custom among local africans. They are described as moving "about the country, sometimes on foot, sometimes with carts, selling goods, both to Europeans and natives, either for cash or for hides and stock, especially in the case of natives, for goats". By 1884, the County magistrate could report that indian hawkers had taken over "a very large proportion of the Kafir trade". He cited two reasons for this: "their passing from Kraal to Kraal and underselling the European trader on the one hand, whilst on the other hand they appear to give higher prices for hides, in which article they chiefly deal". The extent of this trade is suggested by the issue of 29 trading licences to this category of applicant in the first six months of that year. One consequence of the presence of indian hawkers in the County was a rise in the volume of trade - particularly produce of the homestead economy. As a prominent settler landowner informed the 1885 Commission, "the indian hawkers have opened up a trade which was quite dormant before they came; for instance, buying skins, fowls and other articles".(32)

Although trade in the study-area was dominated by settlers, and later, indians, there is evidence of an african presence. As early as 1852, a local official drew attention to african "agents, or middle men for the mass of the population". In 1896, the magistrate at Estcourt included two africans - one an itinerant trader, the other a shopkeeper - in a return of

licenced traders in the Division. These individuals do not appear in a similar return for the following year; but of the seven stores in Upper Tugela Division, two were african-owned. Evidence of an african presence in trade is more plentiful after the turn of the century. In 1901, africans ran a butchery, 2 bakeries, and a "beershop" in Weenen village. Three years later, a return of african-owned businesses in Estcourt village included: a butcher, 2 beershops, 5 "eating-houses", and a stream-driven mill and turning-lathe. During 1905 the magistrate at this last place took action against large-scale, unlicensed, sale of sorghum beer (to men employed by the Imperial army) near Mooi River. From Bergville (in 1907) came the report of two local african artisans - a saddler, and a shoemaker - "both excellent craftsmen," doing a "lucrative" business.(33)

Observations by local officials stress the limited scale of african agriculture during the period after c.1870. Seeking (in 1880) to account for the unwillingness of africans to work for settler employers, the County magistrate argued that "the natives are a farming population in themselves. Each Kraal cultivates land for its own use, and also in prosperous years sells agricultural produce. It also owns and breeds stock of various descriptions, and such stock constitutes almost their entire wealth". Some fifteen years later, an official stationed at Upper Tugela remarked that "Natives generally cultivate sufficient for home consumption with a little to spare to barter for clothing, those on farms cultivating sufficient to pay their rent besides home consumption".(34)

The same sources also provide evidence of deliberate attempts by local people to produce a marketable surplus over subsistence. During the 1890's, the magistrate at Weenen observed that: "many Natives cultivate on a comparatively large scale, one Kraal on the Weenen Townlands, for example, annually ploughing over a hundred acres; and a large number of them dispose of their surplus crops to Europeans and Natives of other Divisions". In

1897 he noted that "many" local cultivators "were so well off as to keep two or even three spans of oxen ploughing". A decade later, it was reported from Estcourt, that although the bulk of african cultivation was "backward", "there are one or two instances where Natives have hired suitable land from farmers for the purpose of going in for agriculture on an extensive scale".(35) While it is not possible - on the basis of these observations alone - to assess the extent of this phenomenon, it is clear that there were serious limitations to such an attempt on the part of africans resident in Weenen County.

In the first place, inadequate communications - particularly within the Locations - made the cost of transporting produce prohibitively expensive. This was a general problem for all cultivators during the study-period, and was perhaps the major retarding influence on agriculture in the County. Commenting on the small number of ploughs and wagons in african ownership in 1883, the ANL at Upper Tugela observed that "there would certainly be more wagons if the road to Harrismith... were kept in order, as it would pay producers well to bring cereals, etc., to the market there, where good prices are being obtained. As there is no market and no outlet here, there is no inducement for people to produce more than they can consume". During 1895 the magistrate at Weenen drew attention to the absence of roads in the Mpopana Location. He argued that were roads to be built this would "induce the Natives to acquire vehicles for the conveyance of surplus crops, hides, etc., for trade".(36) Roads were constructed through the County's Locations only after 1897, but no evidence is available to suggest the impact of this on homestead production.(37)

A second obstacle to the expansion of homestead cultivation was related to the conditions under which africans had access to land. Given the pressures impinging on settler agriculturalists - particularly towards the close of the century - it is unlikely that any tenant homestead was able to engage in cultivation on

this scale. As the following observation (by a veteran official stationed in the adjoining, Mngeni Division) suggests, tenure on Location land imposed unique limitations on the expansion of cultivation.

"At the present time the natives cultivate in a slovenly and slipshod manner, and take no pains whatever to improve their lands, mainly because their tenure is uncertain. I have often asked natives why they do not plant trees, fence and irrigate and manure their lands, and the reply has always invariably been the same: "Why should we worry ourselves over improving lands from which we may be ejected at any moment?" "And this is quite true; no native living in a Location, unless the chief of it perhaps, feels any security in his tenure. Nominally a native is not supposed to be removed without some substantial grounds; but if he gives offense to his chief or his neighbours, they will generally find some way of making his position untenable". When local officials were asked to comment (in 1890) on a proposed scheme to allot Location land in individual plots, one ANL expressed doubt concerning its popularity. Among the reasons he advanced were that "any native doing so will incur his chiefs displeasure, . . . , as chiefs are well aware it must eventually undermine their power as chiefs".(38)

Although the imposition of colonial rule restricted the independence of chiefs, it is equally clear that where these officials occupied Location land, they were able to use the powers conferred by their position to extract surplus labour from their adherents. Nominally, chiefs were prohibited from demanding tribute labour-service from members of the chiefdom; but it is probable that the authorities were prepared to overlook infractions of this rule in order to secure chiefly support. Two references to the phenomenon have been traced: in evidence before the 1881 Commission, the Ngwane chief admitted receiving tributary (or unremunerated) labour-service from his adherents. During 1896, the Cunu chief applied to the magistrate at Weenen for permission to "call out all the boys of his tribe to weed his

gardens".(39) Both of these chiefs are known to have allocated the young men of the chiefdom to age-regiments, and it is possible that these units provided the above-mentioned labour-service.

In the second place, the power to nominate men for service under the labour-levy gave Location chiefs a means of both, enforcing obedience to their orders, and soliciting bribes. During 1894, the magistrate at Upper Tugela alleged that this power was "turned into capital by most chiefs, who release men now while still young and fit for work, from all road duties, in future, on payment of a beast - or it is used as a means of punishment, when any subject refuses to comply with any of his chiefs wishes". While opposition to the scheme was widespread among local africans, chiefs objected only to the size of the quotas to be filled. When the labour-levy was abolished in 1910, chiefs from different parts of the County complained - in the words of one official - of having been "deprived of a very valueable instrument".(40)

One other form in which chiefs (and other notables) made economic exactions on other africans, was through the medium of cattle loans. Such livestock was loaned on the understanding that the recipient enjoyed usufruct and retained some (or all) of the increase. Although the system entailed distinct benefits for the recipient, as Kimble (and others) have shown, it had two advantages for the person making the loan. By distributing livestock in this manner, the owner was able to draw on the labour-power of the receiving homestead for herding. (Dispersal also protected livestock-holdings from the effects of natural disaster).(41)

Second, receiving a loan involved the homestead in a system of patronage that might entail a variety of other forms of surplus-extraction - such as workparties. There is little direct evidence of the practise among local people: in 1890, the ANL at

Weenen reported that most livestock was held on loan from chiefs. In a report of the previous year, this official and his colleague at Upper Tugela drew attention to the practise whereby cattle loans were made against promise of bridewealth from the marriage of the recipients daughters.(42) (The relative absence of reference to the phenomenon is perhaps the strongest evidence of its prevalence; cattle-loaning was so much a part of the homestead economy that it was not considered to be worthy of mention).

Apart from the economic disparities based on this imbalance of power, there is clear evidence of a differentiation of homesteads in the County. Referring to certain difficulties associated with the recent hut-tax collection, the County magistrate drew attention (in 1889) to the phenomenon of defaulting homesteads without livestock that could be impounded (pending payment of tax) or sold to meet this obligation. In the same year, his colleague stationed near Weenen village reported that most of the cattle in the possession of local homesteads were the property of the chiefs. Earlier reports by this officer drew attention to the threat of famine in this region - a state which he attributed to the absence of livestock which might have been exchanged for cereals.(43)

On the other hand, a proportion of this population became dependent on the sale of livestock for their income. When (in 1897), the magistrate at Weenen asked a deputation of chiefs "how many of their people ever actually disposed a stock to raise rents and taxes they replied that there were many, particularly headmen whose sons had left them to work at the Gold and Diamond Fields and who did not send them home any of their earnings, and widows without young children to support them."(44)

Although settlers insisted that local africans were "pretty well off and therefore rather independent of taking work from farmers" - an independence attributed to high earnings in migrant labour

and transport riding - it is clear that for many homesteads labour-service (by at least one member) became entrenched. (In 1895, an official at Weenen observed that 'the majority' of homesteads included "a wage-earning element".) (Something of the circumstances surrounding this situation is suggested by the County Magistrate's reports for 1886 and 1887. He noted that: "There has been a great scarcity of money amongst the Natives, and they have in many instances had great difficulty in paying their rent, hut and dog taxes, and the low price of cattle made them reluctant to sell their stock, when they possessed any, in order to raise the necessary funds. In consequence of this pressure, large numbers of young men went off to work". (45)

These circumstances persisted into the following year, and were cited as primary cause of an 'exodus' of large numbers of young men to seek work. Conditions in that season were sufficiently severe to prompt a large scale (and unprecedented) search for work by 'girls' - presumably, young women of comparable age. (46) Unusual numbers of workers were reported on other occasions; notably, after locust swarms destroyed large acreages of standing crops (1894-6), in the aftermath of the Rinderpest epidemic, and when drought caused massive crop failure (1903-4).

This movement into wage-labour had a number of distinct consequences for the homestead economy. During the 1890's, officials stationed at various places in the County alleged that "men now look at ploughing as beneath them, and it is left to herdboys to do - generally only two boys". In 1907, one officer reported instances in which "the whole of the ploughing is done by women and girls". (47) Another symptom of this labour shortage was the prominence of that 'communal' form of labour-service known as the workparty. Participants in these "occasional labour groupings organised for specific economic tasks", were drawn from neighbouring homesteads. (48) Remuneration for such services invariably took the form of sorghum beer, brewed for the purpose

y the beneficiary.

Most colonial observers misunderstood the nature of workparties; in 1891 one officer remarked that, "whenever crops require weeding or harvesting, or corn is to be thrashed, they generally invite neighbouring clans to do in one day the work they are too lazy to perform themselves day by day. These neighbours get no payment for their services, but after the day's work is over they are given as much beer to drink as they can stow away". His colleague at Upper Tugela - quite oblivious to the contradiction implicit in his statement - remarked that local Africans held "beer-drinkings for no special purpose whatever - beer-drinkings for house-cleaning, for reaping, and sometimes for ploughing and hoeing". (49) Workparties were not organised solely for agricultural work; a report from Estcourt (in 1902) associated the practice with the building and repair of dwellings, and even the preparation of married women's leather 'aprons'. In circumstances where individual homesteads might experience chronic labour shortage over much of the cultivation cycle, the workparty made it possible for the labour-resources in a neighbourhood to be pooled and applied to specific tasks where speed was important. (50)

Apart from the above-mentioned general processes, there is evidence to suggest that regional bioclimatic differences exerted a strong influence on stock-keeping, cultivation, and, by extension, the economic differentiation of homesteads. The pattern established by these differences was such that people resident in the low-lying and drought-prone thornveld region around Weenen village enjoyed markedly different economic prospects to their more fortunately situated fellows located in the central and western parts of the County.

Regional climatic differences appear to have shaped the distribution of african-owned horses. The incidence of 'horsesickness' - major cause of death among this category of

livestock - was particularly common during the wet season and in the lower-lying parts of the study-area. Estimates for one year (1896), show that horses were concentrated in the higher-lying regions (where they enjoyed a relative immunity from the disease). Of the 5140 african-owned horses, only 490 (9.5%) belonged to people resident in the thornveld region encompassed by Weenen magistracy; comparable figures for Estcourt and Upper Tugela Divisions were 1700 (33%) and 2950 (57.5%), respectively.(51) This pattern was confirmed in the reports of local officials.

Figure 2:

	Males Over 15 years	Horses	Men/Horses
Upper Tugela	2 326	3 415	0.68
Estcourt	6 687	3 100	2.16
Weenen	6 643	804	8.26
Total	15 656	7319	2.14

In 1984, horsesickness killed 'hundreds' of horses in Upper Tugela Division, and 'most' of those at Weenen. The relative protection afforded horses kept in the former - where Location land included a number of 'natural paddocks' in the Drakensberg - partially explains the institutionalisation of horse-ownership within the Ngwane chiefdom. During the mid-1890's the local magistrate observed that "nearly every male Native in the Division owns a horse of some kind. They will work for a horse when nothing else will tempt them".(52) A comparison of estimates for african-owned horses (in 1903) and census figures for the number of men over the age of fifteen years (in 1904), suggests that the first part of this observation is an understatement (see figure 2). In Upper Tugela Division, the ratio of men to horses is 0.68:1 (comparable ratios for Estcourt and Weenen Divisions are 2.16 and 8.25, respectively).(53)

Although no part of the County was particularly suited to stock-keeping for climatic reasons, there is evidence to suggest that other categories of livestock were also unevenly distributed. Again, residents of the Upper Tugela Location appear to have been advantaged. This tract was composed largely of grazing land, and straddled the escarpment between the County's central plain and the highland pastures along the Drakensberg. In the words of one ANL, residents of the Location were "all more or less rich in stock" of all kinds (in 1881). The following year, this officers successor observed that "if it was not for the drawbacks of lungsickness and horsesickness the natives would become rich. As it is there are very few kraals without cattle and goats". This situation appears to have persisted; a decade later the ANL insisted that "if the natives in the Location wanted meat they have nothing to do but help themselves to other peoples goats; they are never detected the goats are so plentiful. On the slopes of the Berg goats are stolen and eaten by twenties and never missed by the owners".(54)

Direct evidence of the fortunes of african stock-keepers elsewhere in the County is less freely available. The Bushmans River and Putili Locations were ecologically similar to the Upper Tugela Location, and for this reason, may be presumed to have conferred much the same benefits on their inhabitants. Africans resident in the thornveld region, though subject to periodic loss from poverty - the consequence of prolonged drought - were fortunately situated in that grass species were predominantly 'sweet'. As one official put it: "All stock, bred in the thorns, thrives. Cattle are, to some extent, annoyed by ticked in summer, but they keep their condition better throughout the year than those farmed exclusively on the high velt, and the kafir goats and sheep breed frequently, and rear their young infinitely more successfully than Angora's and Merino's, and being fairly free from specific diseases, their increase is both rapid and certain."(55)

More significantly, however, regional ecological differences had a marked effect on cultivation in the two parts of the County. Residents of the Bushmans River and Putili Locations were able to produce a grain crop in excess of their own requirements in most years; according to the local magistrate, the latter tract was "generally looked upon as the chief grain-producing portion of the County." Their less-fortunate fellows living in the thorns were able to do so only infrequently. In a report for 1879, this official noted that "the natives in these localities have for some five years suffered severely from a shortage of grain and have had to purchase largely from other parts of the County". Predominantly composed of grazing, the Upper Tugela Location offered residents very little cultivable land. According to one veteran official, cultivation in this tract was restricted to strips of flat land along the banks of streams.(56)

Not surprisingly, this regional specialisation gave rise to an exchange of produce between people resident in the eastern and western parts of the study-area. The predominant feature of this trade was the sale of grain by occupants of the Bushmans River and Putili Locations to the inhabitants of the thornveld region around Weenen Village and (less frequently) the Upper Tugela Location. Such grain was paid for in cash or with livestock. In 1878, after years of drought, large numbers of people from the thorns were taken into the homesteads of those resident in the higher-lying parts of the County. Most of these destitute people were only able to return home three years later.(57) State famine-relief - in the form of subsidised grain - was provided for the population of the thornveld region on at least four occasions between 1879 and 1904.(58)

In an attempt to lessen this dependance on outside food supplies, the colonial state established three irrigation schemes within the Mpopana Location. The first such project was laid out (in 1896) on the lower reaches of the Mooi river.(59) With infrastructure valued at £1900, the scheme comprised 220 acres of

give up the land before the advent of the next season. The following year, his counterpart at the (recently-extended) 1700 acre project on the Mooi river reported that there were very few applicants for plots and that many current tenants were in arrears with the rent. Only a fraction of the anticipated £714 annual rent was collected in that year. There was a clear differentiation within the tenant population of this project; most of the 40 homestead-heads owing rent were the holders of single plots. Many were away working at the Reef. On the other hand, very few multiple plot-holders - who comprised around 40% of the tenant population - were in arrear with their rent.(62)

Although there is some evidence of individual success in cultivating these irrigable lots, the schemes appear to have failed in their aim of assuring the self-sufficiency of people resident in the thorns. In 1901, and again in 1903, the state was obliged to provide famine-relief to this population. During 1910, serious consideration was given to the proposed sale of the Mooi river scheme to settlers.(63)

NOTES

1. This is a summary based on Guy JJ (1978) 'Production and Exchange in the Zulu Kingdom' p 97 -102.
2. See Wright JB (1978) 'Pre - Shakan age-Group formation among Northern Nguni' p22, 26/7.
3. For details of this early period see Bundy C (1979) The Rise and Fall of the South African Peasantry; Slater H (1980) 'The changing pattern of Economic Relationships in rural Natal, 1838 - 1914'; Etherington N (1978) Preachers, Peasants and Politics in Southeast Africa, 1835 - 1880. African Christian Communities in Natal, Pondoland and Zululand. For Weenen County, see Manson A H (1979) 'The

irrigable land divided into 41 five-acre lots. An annual rent of 5/ per acre was levied on this land. Most plots were taken up almost immediately; so intense was the demand for irrigable land that the furrow was extended and a further 80 acres (comprising 19 lots) was brought under irrigation. In 1898 the original acreage was held by 22 homestead-heads. Although there was some 'collective' landholding - eg. three men with 9 lots held jointly - individual tenure was the norm. This pattern of tenancy did not, however, imply any transformation of local land-tenure. As the settler Supervisor insisted (in 1898), most applicants for irrigable lots were the original occupants of the land. Many had made little or no attempt to use the irrigation facilities, and were - in this official's opinion - unlikely to either meet the first rent payment - scheduled for that year - or renew their leases.(60)

Impressed with the apparent success of the Mooi river scheme, the colonial authorities made plans (in 1898) for a second, situated on the Tugela. This was a far more ambitious project; it covered 2400 acres and cost around £34 000. Plot-sizes ranged between two and five acres, and rents were set at between £1 and £1.10 an acre. Before work on the projects infrastructure was complete, local people had begun clearing the land of bush in preparation for cultivation. In its first year, a large acreage was reaped and the produce - maize, sorghum and beans - disposed of to people resident on the adjoining 'dry' land. One observer noted that while "all crops grown under irrigation looked remarkably well,...the gardens in close proximity, owing to the intense heat and the want of rain, were very backward, and, in places, had entirely perished". The expectations of the scheme's promoters appeared to have been realised.(61)

From the few scattered references to conditions on these projects in later years, it would seem that this early optimism was misplaced. In mid 1905, the caretaker at the Tugela scheme reported that many lot-holders had announced their intention to

Hlubi and Ngwe in a colonial society'.

4. Smit E (1972) The diary of Erasmus Smit, p65/6; Child D ed (1980) Portrait of a Pioneer. The Letters of Sidney Turner from South Africa 1864-1901, p9; 1889. Gunpowder Laws Commission Evidence p189/9, 208, 66.
5. SNA 1.1.166 no 169 (1893); SNA 1.1.327 no 2562 (1905)
6. NABB 1903 p18 RME.
7. Blue Book of the Colony of Natal, 1870-1892/3; Statistical Yearbook of the Colony of Natal, 1893/4-1905; Colenso JW (1855) Ten weeks in NATAL, p116; SNA1.3.11 (1862) RM W Co.
8. 1852. Natal Native Commission. Evidence. part 4 p6; 1881. Native Affairs Commission. Evidence taken by the Sub-commission for Weenen and Klip River counties. p351; NABB 1880 p101 RM W; SNA 1.1.121 no 1285 (1889).
9. For an assessment of this important event, see Etherington NA (1978) Why Langalibalele ran away; For a history of the Hlubi chiefdom, see Wright JB and Manson A (1982) The Hlubi Chiefdom in Zululand - Natal: A History.
10. BB 1897 p10 RM UT, p69 RM W; NABB 1901 p19 RM E.
11. BB 1899 p47 RM E; NABB 1898 p31 RM W; NABB 1901 p19 RM E; NABB 1907 p29 RM W.
12. NABB 1908 p20 RM W; NABB 1909 plviii RM W plvii RM E; NABB 1910 p146 RM W, p144, 167 RM E; UG 35/1911. Department of Justice. Annual Reports for the Calendar year, 1910. p67 RM W.
13. This figure is almost certainly incorrect. The published

estimate for Weenen Division is 100 000 head, a misprint that should read 10 000 head. (Figures for Estcourt and Upper Tugela show only slight variation between 1897 and 1898.) If the appropriate modification is made, the total smallstock figure for the County is 40 000 head - a substantial decline from 1895.

14. NABB 1898 p31 RM W; NABB 1908 p20 RM W; NABB 1901 p26 RM W.
15. Blue Book of the Colony of Natal, 1867 - 1892/3; Statistical Yearbook of the Colony of Natal, 1893/4 - 1905; SNA 1.1.463 no 1559 (1910); SNA 1.1.469 no 2526 (1910); SNA 1.1.472 no 3041 (1910).
16. See NABB 1895 p58 RM W; NABB 1894 p43 RM UT; NABB 1907 p29 RM W.
17. NABB 1894 p43 RM UT; Beinart W (1980) "Labour Migrancy and Rural Production: Pondoland c.1900-1950" p86/7; Guy JJ (1982) "The Destruction and Reconstruction of Zulu society" p189; NABB 1896 p71 RM E; NABB 1903 p18 RM E.
18. The average size of homesteads was also reduced by the cost involved in obtaining wives. In a comment on the decline of polygyny, the magistrate at Weenen observed that "a wife is becoming a luxury and no longer a slave or breadwinner". SNA 1.1.308 no 247 (1904).
19. Manson AH (1979) "A people in transition: the Hlubi in Natal, 1848-1877" p19.
20. NABB 1879 p53 ANL UT; NABB 1880 p90 ANL UT.
21. NABB 1880 p19 RM W Co.
22. NABB 1880 p90 ANL UT; 1881. Native Affairs Commission.

Evidence taken ... Counties. p324, 328, 332; NABB 1882 p229
RM W Co;

23. NABB 1897 p100 RM W, p114 RM W; NABB 1908 p18 RM W.
24. The presence (or absence) of a particular crop from the published official estimates does not necessarily mean that it was (or was not) produced in that year. Inclusion of these less-important food crops in official estimates was at the whim of the officer concerned. Figures were collected by the local Field Cornet, or later, the Natal Police. Magistrates repeatedly drew attention to the unreliable nature of these estimates; one went so far as to deride them as "palpably wretched guesswork". NABB 1897 p100 RM W.
25. NABB 1901 p25 RM W; NABB 1903 p18 RM E; p29 RM W; NABB 1904 p17 RM E, p27 RM W.
26. Beinart W (1980) "Labour migrancy ... p87; NABB 1902 p14 RM E.
27. One glaring anomaly concerning official estimates of production is the contrast between figures for 1903 and 1904, and the reports of widespread crop failure in these years.
28. NABB 1897 p103 RM W.
29. Smit E (1972) The diary of Erasmus Smit, p6516; SNA 1.3.1 (1850) RM KR; Anderson AA (1887) Twenty-five years in a wagon, Vol 1 p16; Manson A (1979) The Hlubi and Ngwe in a colonial society, p58.
30. NABB 1878 p20 RM W Co, p14 RM UT.
31. NABB 1884 p39 RM W Co; NABB 1878 p19 RM WCo; SNA 1.1.147 no 1112 (1891).

32. NABB 1881 p146 RM WCo; NABB 1884 p39 RM Co; 1885. Indian Immigrants Commission. Evidence. Meer YS (eal). Documents on Indentured Labour in Natal, 1851-1917.p432.
33. 1852. Natal Native Commission. Evidence. part iv p10; NABB 1896 p72 RM E; NABB 1897 p93 RM E; NABB 1898 p61 RM UT; NABB 1901 p26 RM W; NABB 1904 p17/8 RM E; NABB 1905 p11 RM E; NABB 1907 p50 RM B.
34. NABB 1880 p102 RM W Co; NABB 1897 p114 RM UT;
35. NABB 1895 p58 RM W; NABB 1897 p100 RM W; NABB 1908 p18 RM E.
36. NABB 1883 p17 ANL UT; NABB 1897 p54 RM W.
37. NABB 1897 p4 Report of the Secretary, Natal Native Trust; NABB 1898 p3 Report of the Secretary, Natal Native Trust; NABB 1902 p4 Report of the Secretary for Native Affairs; NABB 1904 pviii Report of the Under Secretary for Native Affairs.
38. South African Native Races Committee (1900) The Natives of South Africa, their economic and social conditions, p309; SNA 1.1.127 un-numbered minute (1890).
39. 1881. Native Affairs Commission. Evidence taken... Counties. p338; WEN file 2 n 660 (1896).
40. SNA 1.1.214 no 42 (1896); UG 35/1911. Department of Justice. Annual Reports for the Calendar year, 1910. p68 RM B.
41. See Kimble J (1982) "Labour migration in Basutoland, c1870-1885", p130.
42. SNA 1.1.121 no1265 (1890); SNA 1.1.117 unnumbered minute (1889).

43. BB 1889 ~~p57~~ RM Co; SNA 1.1.121 no1265 (1889), 1285 (1889).
44. WEN file ~~no~~ no657 (1897).
45. NABB 1881 p54 RM UT; NABB 1880 p102 RM Co; BB 1895 p100 RM W;
BB 1886 p53 RM Co.
46. BB 1887 p57 RM W Co.
47. NABB 1884 p43 RM UT; NABB 1907 p29 RM W.
48. Kucker ~~E~~ E (1985) "Organising labour forces in Mpondoland: a new perspective on workparties".
49. SNA 1.1.147 no1112 (1891); CSO 2817 (1890/1. Magistracies Commission. Evidence). The practise of offering beer to people who participated in workparties was apparently so entrenched in the locality that it was "a custom resorted to by Europeans as the only method they can adopt to get their fields cleared" of weeds.
50. NABB 1892 p14 RM E; Beinart W (1980) "Labour migrancy... p87.
51. Statistical Yearbook of the Colony of Natal, 1896.
52. NABB 1894 p43 RM UT, p41 RM W; NABB 1895 p63 RM UT.
53. Statistical Yearbook of the Colony of Natal, 1903; Census of Natal, 1904.
54. NABB 1881 p188 ANL UT; NABB 1882 p202 ANL UT; CSO 2817 (1890/1. Magistracies Commission. Evidence).
55. NABB 1898 p31 RM W.
56. NABB 1878 p22 RM W Co; NABB 1879 p40 RM W Co; NABB 1895 p60

RM UT.

57. NABB 1878 p19/20 RM W Co; NABB 1879 p40 RM W Co; NABB 1896 p84 RM UT; NABB 1882 p226 RM W Co.
58. NABB 1879 p40 RM W Co; SNA 1.1.121 no 1265 (1889); WEN file 2 no 965 (1898); NABB 1901 p26 RM W; NABB 1903 p18 RM E.
59. NABB 1895 p53 RM W; NABB 1898 p29 RM W; SNA 1.1.295 no 470 (1902).
60. NABB 1897 p3 Report of the Secretary, Natal Native Trust; SNA 1.1.266 no 2627 (1897); SNA 1.1.295 no 470 (1902).
61. SNA 1.1.282 no 2418 (1898); SNA 1.1.295 no 470 (1902); SNA 1.1.299 no 312 (1903); BB 1902 p96 RM W.
62. SNA 1.1.323 no 1756 (1905); SNA 1.1.327 no 2578 (1905); SNA 1.1.344 no 2135 (1906).
63. NABB 1901 p26 RM W; NABB 1903 p18 RM E; NABB 1904 p27 RM W; SNA 1.1.469 no 2472 (1910)

Chapter 2

LAND TENURE

In his pioneering study of economic relations in rural Natal during the colonial period, Slater has isolated three elements crucial to the continued viability of what he terms the 'homestead - based production - complex.' (or, shortly, 'the homestead'). These elements include: an adequate expanse of land (for residence, cultivation, and pasture), together with sufficient livestock, and the preservation of certain social practises (lobolo, polygyny, etc.) which assured the homesteads supply of labour - power. Loss of (or serious disruption to) one or more of these elements, Slater argues, was "likely to set off a vicious spiral at the end of which lay the demise of the homestead as the basis of socio - labour organisation."⁽¹⁾ African stock keeping and social - organisation receive attention elsewhere; what follows will focus on the 'land - tenure' aspect of this formulation.

Slater approaches the question of african land - tenure through the concept of 'opportunity - cost'. Noting that homesteads gained access to land in Natal only by entering some relationship with the colonisers, he argues that each relationship (or form of tenure) entailed a specific set of costs to the homestead, while it made possible a corresponding set of economic opportunities. In other words, homesteads enjoyed a choice when it came to their economic relationship with the settlers. Slater suggests that, "the opportunity cost of entry into such relationships differed from one category of land to another, and the balance between these changed during the course of the century."⁽²⁾

* In broad terms, the african population of colonial Natal faced a choice between four forms of tenure: One; a homestead might occupy land owned by a settler intent on success as a 'commercial

farmer' (or capitalist). Typically, this homestead would be called upon to provide the landlord - employer with a certain amount of labour - power in exchange for the cultivation and grazing privileges granted in return. In principle, this form of tenure involved the highest opportunity-cost: the work was arduous, wages were low (and uncertain), and there existed a structural tendency for the landlord to restrict the extent of land cultivated by the homestead and the quantity of its livestock. The labour-service obligations interfered with the homestead's own agricultural efforts, and prevented labourers from taking advantage of improved work opportunities elsewhere(3).

Second; access to Reserve and Crown land probably involved the lowest opportunity-cost. On Reserve land, homesteads were subject to control by traditional authority-figures, who might use the power so conferred to make economic exactions in the form of labour service (and other tribute). Homesteads located on Reserve land were also liable for corvee labour-service under the "sibalo" system (or labour-levy) instituted by the colonial state. Under this system,, chiefs resident on Location land were called upon to supply a certain number of young men from among their adherents for service on the Colony's public works. Although corvee labourers were paid for this (usually six month) period of service, the poor wages and bad working conditions made it extremely unpopular.

The situation of africans occupying Crown land, before 1886, was substantially the same as that of Location residents. Unlike the latter, Crown land occupants appear to have been excused any obligation under the labour-levy, (unless they were adherents of a chief resident on Location land). They were, however, under the immediate control of the local RM, and could be summarily evicted from Crown land on that officers order. In 1884, a £1 hut rent was imposed on Crown land residents(4). There were two drawbacks to this form of tenure: (in principle) Crown land was available for sale at any time, and when such land was disposed

of, the african occupants either became tenants of the settler landlord or were evicted (by the RM) at the owners request. In addition to the impermanence of Crown-land tenure, (such land was (in general) the least attractive for purposes of cultivation and stock-keeping.) As Crown lands were disposed of during the course of the century, this characteristic became progressively more marked.

A third form of tenure available to Natal africans was privately-owned land on which homesteads were permitted to settle in exchange for rent-payment. Typically, such land was acquired for speculative purposes, the landlord being content to raise some (rent) income from (what they hoped was) an appreciating asset. Other landlords - particularly those with limited capital resources - acquired land with the express purpose of exploiting tenants in this manner. One other sub-category of land was associated with rent-tenancy: namely, land acquired by religious institutions as the site of mission-stations. Though called upon to pay rent in exchange for cultivation and stock-keeping privileges, homesteads would (in principle) have been drawn to this form of tenure by the (relative) freedom of action it conferred. Such homesteads were able to combine the agricultural pursuits of cultivation and stock-raising with selective participation in wage-labour (either locally or abroad) in a manner denied their neighbours obliged to render labour-service to their landlord. Rent-tenancy provided an alternative for people victimised by traditional authority-figures who controlled the allocation of Reserve land.

A fourth alternative available to Natal africans was, to purchase land (as individuals, or in 'syndicates'), and to put it to the same uses as their settler neighbours: either 'commercial' agriculture (using family, and/or hired, labour-power), or the exploitation of rent-tenants. Economic constraints limited the number of people able to purchase land, and for those who did become landowners, the experience was seldom an unqualified

success.

In what follows it is proposed to assess the importance of the last three broad forms of tenure - Reserve and Crown land, rent-tenancy, and Freehold-purchase - as alternatives (to that which involved labour-service) for africans resident in the study-area. Attention will be focused on the (changing) extent of land in the different categories, and the conditions imposed on rent-tenant homesteads(5).

The initial settlement of the County during the period 1830 to 1860 has been described above. It was suggested that the Reserves - to which the bulk of this population was assigned - were situated to the strategic advantage of the County's settler inhabitants, in areas least attractive to the latter. During the 1850's, disputes arose when settlers attempted to take up residence on land, granted by the colonial state, but occupied by africans as Reserve land. Inevitably, (given the balance of power in the Colony), settler interests were protected at the expense of their african neighbours. As the century progressed, more land, effectively occupied by africans under the impression that it was part of the Reserves, was lost to settler encroachment.

The most spectacular encroachment upon Location land in the County occurred in the aftermath of the Langalibalele affair of 1873. Members of the last-mentioned two chiefdoms had their movable property confiscated and were removed from Location land altogether. While the Ngwe, and a large number of the Hlubi, were permitted to return to the locality, it was to a Location much reduced in size. A belt of 30 2000 acre lots had been surveyed on the ridge of high country separating the two valley areas occupied by the chiefdoms(6). The Ngwe, absolved of complicity in the 'rebellion', received some reparation from the authorities, and were able, in time, to extend the acreage at their disposal. The Hlubi, on the other hand, were permitted to return on condition that they join one of the smaller units (under state-appointed headmen) located in a much reduced tract known as the Bushmans River Location. Of particular significance to the latter was the loss of the large expanse of flat land on the edge of the plain; the land now available for their use was situated on the high country straddling the upper reaches of the Bushmans river. Although Location land was much in demand by the local settler population - 54 of whom petitioned the Lieutenant-Governor for the division of the Hlubi Location into farms(7) -

the belt of surveyed land was not settled until much later(8). Legally deprived of access to this (predominantly) grazing land, Location residents probably continued to use it until the turn of the century.

Members of the Ngwe chiefdom were the only group of africans to receive additional land from the state. As part of the reparation made to them following the Langalibalele affair, an amount of £12,000 - estimated to be the value of stock and other losses - was entrusted for their benefit. While much of this amount was spent on cash compensation and in purchase of livestock and agricultural implements, part was retained and used to acquire two properties situated adjacent to the Ngwe Location. The first of these, an 8000 acre tract heavily populated by members of the chiefdom, was purchased in 1877(9). The planned subdivision of this property into smallholdings and grazing commonage would appear to have fallen through (largely as a result of resistance by the africans in question). In 1893, two adjacent properties covering approximately 6000 acres were added to the lands held by the 'Putili Trust'. This latter purchase added little arable land to the above; a mere 800 acres of this flat, well-watered tract was listed as such in an inspection report(10).

The sale of approximately 290000 acres of Crown land during the two decades after 1880 sharply reduced the extent of land effectively occupied by africans (see table C piii). Much of the land sold was situated adjacent to Locations, and until surveyed and laid off in lots, had served the dual purpose of providing additional grazing and the means of accommodating a growing human population. In the north-west, residents of the Upper Tugela Location lost the use of Crown land north of the Tugela river, which they had understood to form part of the Location. In an effort to retain acces to (at least) part of this latter tract, the Ngwane chief applied to purchase land. When he was informed that he would be liable for meeting the survey expenses, this

application was withdrawn. Several of his adherents (attached to a local mission-station) organised themselves into syndicates and acquired a number of tracts of Crown land across the river in Klip River Country(11).

In the south and south-east of the County, Crown land located around the source of the Mooi river and between the Bushmans River and Putili Locations was purchased by settlers. The vast tract of Crown land situated between Weenen village and the Mpofana Location and extending north to the Tugela river were similarly disposed of.

The effect of these Crown land sales appear to have varied from place to place within the County. According to a local Justice of the Peace, Crown land purchasers in the Upper Tugela region had not forcibly evicted Africans resident on the land. Instead, they had "permitted those people who were willing to pay rent to remain". Evictees had crossed into Weenen County and found 'places' on Location and private lands there. (Later, he admitted being called upon to mediate in the "continual rows" between purchasers and tenants)(12). The bulk of Crown land sold in the south of the County consisted of highland-pasture, land very sparsely (if at all) occupied by africans. (Settler witnesses to the 1916 Land Commission were adamant that africans had never occupied this land, and could not be prevailed upon to do so)(13). The sale of this land was not likely to have affected settlement in the adjacent Locations, but it certainly reduced the extent of grazing available to local people. Some time prior to 1880, settlers resident in other, higher-lying, parts of the County, had begun buying tracts of Crown land in the thornveld-covered north east basin, in order to draw labour-power from the tenant-population(14). The easy terms on which Crown lands were sold after 1880 simply accelerated this trend. The extensive sale of Crown land during the early 1880's led to evictions on a scale sufficient to cause a (temporary) decline in the number of africans resident in the County. In his report for

1882, the magistrate observed that evictees had "in most cases voluntarily left rather than enter into labour contracts with the owners of the land"(15).

Figure 3

	acres	huts	acres/hut
Upper Tugela	245 176	1635	150
Estcourt	109 554	1773	61.8
Mpofana	107 700	3120	34.5
Total	462 430	6528	70.8

There are few reliable estimates of either the extent of the Reserves or the population inhabiting such land. (By 1906, the boundaries of Weenen County Location lands had been surveyed and fenced. An official return in that year gave the total acreage of the four tracts of Reserve land as just over 460 000 acres. The combined population of this land was set at 6528 huts.) (See figure 3) (16) There are marked differences in the (calculated) average figures of the acreage available to each hut. Residents of the Upper Tugela Location appear to have been most favourably situated (at 150 acres per hut), with occupants of the Mpofana Location least well off (34.5 acres per hut). The corresponding figure for the two tracts of Location land in Estcourt Division was 62 acres. These figures provide a distorted impression of the real situation of Location residents because in all cases, the acreage available for cultivation was restricted by topography or climate. (Much of the Upper Tugela Location - in the words of the magistrate - was "entirely useless...being uninhabitable, and, in many places, inaccessible... useless for cultivation or grazing purposes".) Locations in Estcourt Division were described in similar terms: "unoccupied by natives, and unavailable for occupation by them owing to it containing no ground suitable for agriculture." Of the Mpofana Location it was observed that "except along the river banks the soil is poor and

stony and water scarce. The country is steep, stony and precipitous, full of thorns"(17).

Figure 4

	Location	Crownland	Total C/L	County	%
1892	4013	502	4515	13441	33.6
1897	5796	317	6113	16163	38
1905	5089	335	5424	22616	24
1909	5688	276	5964	27035	22.1

Evidence concerning the size of the population accommodated on Reserve and Crown land is available for the two decades around the turn of the century. Figures summarised in figure 4 show a decline in the number of huts on Reserve and Crown land over the period 1892 to 1909(18). (If a separate estimate for 1910 - of 216 huts - is used, the decline, from 1892, is in excess of 50%)(19). Over the same period, the number of huts on Location land increased by approximately 42% (from 4013, to 5688 huts). When this is viewed against the (corresponding) increase in the number of huts in the study area as a whole, it is clear that the bulk of this latter increase was accommodated on privately-owned land, rather than the Locations. This conclusion is supported by (calculated) figures reflecting the proportion of huts on Reserve and Crown land relative to the total for the County; between 1897 and 1909, this figure declined from 38% to 22%.

A series of returns - of the distribution of homesteads among three categories of land - for the period 1905 to 1909, underlines this conclusion regarding the declining (relative) importance of Reserve and Crown lands(20). (See table B p.ii).(20) (There were increases in the number of homesteads on both Location and privately owned land; while the number on Crown land appears to have varied from year to year. Private-land accommodated an increasing proportion of the total number of homesteads, largely at the expense of Reserve land. Finally, returns of the number of huts relocated on the Locations between

1899 and 1909, suggest that the mid and later years of the decade saw a sharp rise in the demand for tenure on this land. (See table C p.iii) Most evident during 1907 and 1908, a total of 221 homesteads (incorporating 463 huts) applied for permission to enter the Weenen County Reserves between 1904 and 1909.

A prominent feature of the colonial economy was the concentration of land in the hand of speculators. Slater has traced the roots of this phenomenon to a combination of factors during the early decades of the colony existence. Hampered in their attempt to enforce a regime of rent-payment or labour-service on the africans who resided on their land-grants, many of the original settlers disposed of this land and left the Colony. Later, the failure of attempts to grow cash-crops and of large-scale immigration from Europe placed more land on the market. Much of this land was acquired by individuals and financial institutions who hoped for a reversal of Natal's economic fortunes and an accompanying rise in the value of land. They were to be disappointed; inadequate communications, the lack of markets, and the (artificial) high price of land - direct result of this concentration of ownership - retarded the development of Natal's economy till the last decade of the century(21).

Figure 5	1860	1870	1880	1890	1900	1910
Speculators	127 947	218 461	167 448	-	49 504	12 293
Churches	5 167	5 156	5 179	9 179	15 785	13 500
Africans	-	2 898	10 888	11 708	14 732	15 119

Land held by churches, africans, speculators, Weenen County.

By 1870, speculative landholding in Weenen County stood at approximately 218 000 acres. (See figure 5).(22) Of this total, individual speculators owned 120 000 acres, the Natal Land and Colonisation Company (NLCC) held 72 000 acres, and other financial institutions held the balance. Land speculation was concentrated in the northwestern and southern parts of the County.(23) Records of the NLCC show that by the early 1870's had acquired 38 properties (covering approximately 142 000 acres) concentrated in the western extremities of Weenen and Klip River Counties. (Other properties were to be found scattered across the eastern and southeastern parts of Weenen County). Over two-

thirds of this acreage had been acquired as a result of 'forced sale' by the original owners; and it would appear that the NLCC had largely replaced individual speculative land-holders. In addition to its own holdings, the NLCC served as agent for the absentee owners of a further seven properties (Covering almost 16 000 acres)(24). In 1880, speculative land-holdings in the County amounted to approximately 168 000 acres (of which almost 60% belonged to the NLCC)(25). This acreage was reduced steadily in each of the following decades; by 1910, a mere 12000 acres were held by absentee owners in Weenen County(26).

Estimates of the number of people resident on absentee-owned properties - closest approximation to the County rent-tenant population - are extremely rare. An official return (based on hut tax figures for 1891 and an enumeration of the huts on 25 absentee-owned properties) set the number of huts on land owned, but not occupied, by settler landowners at 3375. The County magistrate estimated that this population was distributed across 75 such properties. Later in 1892, an estimate of the number of huts belonging to homesteads (of three or more huts), on 'unoccupied' settler-owned land, set this figure at 4161 (huts). This amounted to approximately one-third of the total number of huts in the County, and was only marginally lower than the figure for 'occupied' land(27). If it is assumed that the settler proprietors of this land drew rent from the tenant population, then clearly, rent-tenancy was a phenomenon of importance at this time. The accuracy of this assumption is, however, extremely questionable. As a later discussion will show, the pattern of settler land use at this time was such that landowners resident in one part of the County owned, and drew labour from, property located elsewhere. The relationship between such landowners and their tenants was based on the exaction of labour-service rather than rent. It cannot, therefore, be assumed that all african occupants of land technically 'unoccupied' by the (settler) owner, were rent-tenants.

A return (in 1910) of the population resident on land owned by land-companies avoids this ambiguity, and provides an accurate estimate of the extent of rent-tenancy in the study area. The number of people occupying NLCC land in the Estcourt and Bergville Divisions stood at 630 and 800 persons, respectively; in Weenen Division, 1632 people were returned as resident on fourteen NLCC farms, with a further 1018 persons occupying three tracts (totalling 14 700 acres) belonging to other land-companies. In all, approximately 3080 people may be presumed to have occupied land in the County under conditions of rent-tenancy at this point(28). Unfortunately, the difficulties associated with arriving at an accurate assessment of the average population per hut make comparison of these sets of estimates impossible. It is therefore not possible to know whether the rent-tenant population of the study-area declined during the twenty-year period around the turn of the century. The contraction of absentee land-holding over this period (and indeed, since the 1870') suggests that such a decline took place (see figure 5).

From the records of the NLCC it would appear that the company's demands on its tenants were extremely light during the early years of its existence. There is no evidence of rent being collected on NLCC properties in Weenen County at any time during the 1860's. The company appointed its first local agent as late as 1869, and the earliest rent collection by this official would appear to have taken place in 1871. In that year an amount of £23.9 was collected on three properties - including two adjacent units adjoining the Ngwe Location and occupied by members of that chiefdom. The following year, a similar amount was collected on five properties in the County(29). The low figures (see table D piv)(30) for rent collected during the 1870's (when Company holdings were at their height) may be interpreted in two ways.(30) Either there was no concerted attempt to collect rent during this period - Slater suggests that serious rent collection began during the mid-1870s - or the company lands in Weenen County were only sparsely populated. Of the two, it is the

second which is more probable.

After 1874 (in which year 4 grazing leases totalling almost 16 000 acres, at 1d an acre, were made to both local and migrant stockkeepers), company records suggest that a large proportion of its holdings were used in this manner in any year(31). There is no indication as to whether or not these properties contained any African population, but it is unlikely that they did. In 1872 the company's agent reported that of the 23 properties for which he was responsible, 5 were unoccupied, 7 carried a population of 247 huts (an average of 35 huts each) while the boundaries of a further 10 properties - with a population of 330 huts, an average of 33 huts each - were unclear. Of the latter, four 'appeared' to be unoccupied(32). (The average acreage available per homestead on the 7 occupied properties is over 120 acres). The population of one of these, on 8000 acre tract occupied by 70 huts belonging to members of the Ngwe chiefdom, was latter estimated at approximately 600 people, occupying 153 dwellings and paying a £1 hutrent to the company(33). The average acreage available to the residents at this later date (1877) was less than half of the earlier figure. While the sale of company property (a phenomenon which accelerated after 1890), and the increasing pressure on the rent tenants elsewhere in the County, might be presumed to have led to the crowding of company land, this would appear not to have happened. In a report following a tour of inspection sometime during 1890, a company official mentions a tenant population in connection with only one of the twenty-one properties visited. He noted that this 8300 acre tract was occupied by only 20 homesteads, a number which he considered to be far below its potential capacity(34).

Rents charged by the NLCC appear to have been somewhat lower than those levied by other landlords. A reliable witness from the Upper Tugela Division set these at £1 and between £2 and £3, respectively. Company tenants were also required to pay £1 for each plough used, but it is almost certain that this condition

was also imposed on tenants resident elsewhere. The NLCC agent in Weenen County testified (on this occasion) that no more than £2 was ever charged per hut, and that 30/ was the usual rent paid(35). Extra charges were made for 'cultivation'. (One African tenant was reported to be cultivating fifty acres). Company records from this time provide evidence of two rates - 10/ and 30/ - at which hut rent was charged(36). In 1894 the RM at Estcourt noted that while the 'general rent' (that charged to labour tenants) was £2, those homesteads not supplying labour (ie rent tenants proper) were charged £5. In both cases, homestead members were able to share the 'plough charge' between the different constituent 'houses'(37). The failure to distinguish between these two categories of tenant (both of whom might pay some 'rent' to their landlords - renders useless for present purposes the figures returned under the heading 'local rents' in magistrates reports between 1894 and 1898. Comments by these offices make it clear, however, that the proportion of rent-tenants within the african population of the study-area was extremely small(38).

Conditions on land owned by landlords other than the NLCC are less easily determined. In a report on the progress of poll tax collection (in 1906), the magistrate at Estcourt noted rent arrears of £30, £60, and even £100, among the reasons why africans living south of Colenso appeared to be unable to pay such tax. Rents in this locality averaged 50/ (or £2.10) per hut. The details of a court case of 1908 suggest that rent tenants in the vicinity of Weenen village were charged a £3 hut rent. Of the 22 homesteads involved, half were of single huts, and only two larger than three huts each. None exceeded 5 huts in size.(39) In 1910, it was reported from Bergville, that "the system known as 'Kafir farming' is carried out to a considerable extent. In one instance, a wealthy Free State farmer is drawing, it is said, £600 per annum in native rents." Although it is possible, in view of the peculiar system of landholding in that part of the study area, that rent tenancy was wide-spread in the

Bergville Division at this time, the practise was under threat elsewhere. Thirty-six tenant homesteads resident on two tracts of absentee-owned land east of Colenso were evicted along with the fifty or so other homesteads removed from private land in Weenen and Estcourt divisions in 1910(40). (In time, rising land-values made the continued renting of land to African rent-tenants less profitable than putting it to more conventional agricultural use.) (Remaining rent-tenants were either evicted or pressured into changing the terms of their residence on settler-owned land to those of labour-tenancy.

The establishment of a missionary presence among the County's landowners has been noted above(41). By 1870, the two Lutheran mission-societies concerned controlled in excess of 5000 acres between them. (See figure 5). Before 1900, they were joined by a third institution, the Church of the Province of South Africa (CPSA), which held two properties (totalling 8200 acres) on the central plain(42). In 1882, the Berlin Missionary Society (BMS) acquired two 2000 acre lots of Crown land adjoining one of their glebe properties; and shortly after 1910, three small, contiguous, tracts near the Tugela river (in Bergville Division) were added to their holdings(43).

Reference to the people resident on these lands is extremely fragmentary. It is not possible to know, with any confidence, either the size of the population, or the conditions under which such land was occupied. What details are available, suggest that mission land was popular and occupied by rent-tenants. In 1902, a reliable estimate placed the tenant population of the Berlin Mission society's 500 acre glebe at Emmaus at '500 Christians', approximately 'fifty families', or the occupants of forty 'houses'. In 1916, tenants on this property were reported to be paying the BMS an annual hut-rent of 30/.(44) Residents of the Emangweni and Stendal stations (of the same Society) - estimated at 60 and 300 persons, respectively in 1894 - were reported to be paying a £3 hut rent in 1916.(45) In the case of the latter

station - located on a 6200 acre farm - this high rent was probably offset by access to a larger acreage for cultivation and pasture.

Four hundred people were reported to be living on land owned by the Hanoverian Mission Society at Empangwene during the mid-1890s. Another 40 persons were resident on a second station at Muden. In 1897, the population of the latter station had grown to 140 (including an unspecified number of German settlers).(45) A return of 1902 gave the population of Empangwene as seven homesteads (occupying 22 huts); while an estimate of 1916 - by which date the mission lands had risen to almost 11 000 acres - put it at 300 huts(46). The CPSA station at Riversdale was estimated (in 1894) to be comprised of 150 inhabitants; while a later return (for 1902) gave this population at fifteen homesteads occupying 39 huts. The local census which yielded this last figure suggests something of the structure of the population occupying three 'mission forms' in Estcourt Division (See figure 5). The twenty-five homesteads contained a total of 68 huts and ranged between one and seven huts in size. The majority of homesteads (84%) contained fewer than four huts, and a full 72% fell into the two, and three-hut, categories. In view of the missionary attitude towards polygyny, the small number (12%) of single-hut homesteads is surprising(47).

figure 6

Huts	Homest.	%	Cumulative %
1	3	12	12
2	10	40	52
3	8	32	84
4	2	8	92
6	1	4	96
7	1	4	100

25

Homesteads on three mission-owned farms, Estcourt, C1902.

African land-ownership in Weenen County appears to have been initiated some time before 1870. In that year an estimated 2900 odd acres were in African hands (see figure 5). Over the following decade this figure was increased to almost 11 000 acres(48). Nothing further is known about this land, but there is evidence of at least one (unsuccessful) attempt by local people to buy land. In 1874, shortly after being restored to their homes, members of the Ngwe chiefdom approached a state official with the request that he negotiate their purchase of part of the NLCC property on which they were then resident. The sum which they had collected for the purpose was insufficient to tempt the company, and the sale was not concluded. Africans were not slow to take advantage of the generous terms of the 1880 Crown land rules; two lots sold at the first sale of land under these rules were taken by africans(49). By 1890, african-owned land in Weenen County stood at 11 708 acres. Of this acreage it is known that an individual purchaser held a thousand acres adjacent to the Bushmans River Location, while a chief had purchased land in the vicinity of Weenen on behalf of his adherents. Two other local authority-figures had commenced negotiations, one for 2000 acres of crown land near the above-mentioned Location, the other to purchase the farm on which he was then living(50).

The largest concentration of african-owned land in the study area lay in Ward 5 of Klip River County. Several syndicates, closely associated with a local mission station, acquired tracts of crown land in this vicinity after 1880(51). African land purchase was not limited to crown land however. Over the course of the study period a considerable acreage in Ward 5 was transferred from settlers to africans. According to one estimate, african landowners held approximately 40 000 acres in that part of Upper Tugela division to the north of the Tugela river. Most of this land was held by syndicates, and, this commentator alleged, its

situation and concentration was not accidental. Rather, it formed part of a concerted attempt "to secure land in order to get power". If this witness is to be believed, local africans viewed the acquisition of land as a stepping-stone to gaining the franchise and were capable of pressuring their settler neighbours to sell land(52). This same witness was allegedly warned that if he "did not sell, there would be no white man offering to buy and they would get it at their own price". (Before this threat could be put into practise, however, most of the syndicates in the vicinity lost their land through inability to meet the annual instalments on the purchase price. In 1917 Africans owned a mere 5 000 acres in this area(53).

It is unfortunate that magistrates stationed in the study-area failed to comment specifically on the use made of this privately held land in their annual reports. While this omission could simply be due to a failure of imagination on their part, it is possible that there was little or no apparent difference between landowners and other local africans in this regard. What little evidence is available concerning conditions on this land has been drawn from the remarks of settler witnesses to various state-appointed commissions.

Approximately two years after its purchase, the local Field Cornet reported that of the three tracts acquired by Africans in Ward 5, two were unoccupied and the other, which covered 2000 acres, contained 6 houses and 70 acres of cultivated land. By 1894, this settlement was associated with a mission station and a school with an average daily attendance of 40 children(54). Evidence from a later period suggests that landowners allowed a significant number of rent-tenants to settle on their land. It was alleged, in 1906, that on certain newly-purchased farms in the upper Tugela district, the new owners had raised the hut rents paid by such tenants from £3 to £5 and taken away their cultivation privileges. A settler witness reported in 1917 that a neighbouring tract - of 8000 acres - had recently been

purchased by 22 homesteads, and contained an additional 30 tenant homesteads paying a £2 hut rent. Population pressure on this land had prompted the owners to approach him with an offer to sell his farm to them for grazing(55).

While very little is known concerning settlement and land use, the experience of two syndicates (of whose fortunes certain details have been preserved) suggests something of the nature of the process of dispossession that affected so many african landholders. First, the 'Second' syndicate. In terms of an agreement entered into in 1894, the owner sold this 2000 acre farm to a syndicate of 25 men for a sum of £2100. In early 1906, after 13 members had opted to leave the syndicate - forfeiting the £243 they had paid to date - a second agreement was entered into. The surviving members were joined by a further 23, and each shareholder undertook to pay £115 into the syndicates account in annual instalments. In early 1909, when the two trustees took legal action against defaulting shareholders - 21 of whom owed £1289 to the syndicate - a total of £1116 had been paid to the owner in interest alone. (By that date the owner had received approximately £2500 from the members of both syndicates). In addition, one of the trustees claimed £737 in expenses. The detailed accounts of the syndicate show that while certain shareholders paid instalments promptly, most were either erratic in making such payment, or had failed to meet any instalment other than the initial (qualifying) one. A consideration of the average acreage available to each purchaser - a mere 56 acres - suggests something of the limits within which african land-purchase functioned(56).

The experience of the 'Kromdraai' syndicate was equally traumatic. In early 1904, this farm was sold to a local chief and 89 of his adherents from the Weenen and Estcourt divisions, for £1100. A deposit of £200 was paid and a bond entered into for the balance. Interest on this bond was set at 6%, and capital payments were to be made in annual instalments of £500.

Resistance on the part of the RM and chiefs in the Upper Tugela division, and inability to secure the removal of the 13 homesteads resident on the land, delayed occupation by the purchasers. Only 20 of the intended 100 homesteads it had been intended should be placed on the land, had done so by late 1907. Two years later the bond-holder threatened foreclosure; the purchasers had made only two payments on the capital borrowed, and were £400 in arrear with the interest. An appeal to the state to take over the bond - and allow the purchasers to repay the debt at a reduced rate of interest - met with failure, and the syndicate lost the £4000 they had paid(57).

The request was repeated by a local attorney at around this time. Listing five properties in the Upper Tugela area whose african-purchasers were threatened with foreclosure, he alleged that settler landowners were enriching themselves through the "iniquitous practise of selling farms to native syndicates by the instalment system. The natives do not realise the obligations and vast responsibilities they undertake and in many cases are spoofed by natives promoters". In support of this last claim he cited the case of the 'Second' syndicate - whose trustees were claiming approximately £1000 in management expenses - and that of another, whose trustee had misappropriated a similar amount(58).

Notes

1. Slater H. (1980) "The changing pattern of economic relationships in rural Natal, 1838-1914". P148-154.
2. *ibid.* p155.
3. *ibid.* p160.
4. 1883. Correspondence relative to the eviction of native occupants from Crown Lands; p25.

5. An assessment of conditions on reserve and crown lands has been made above. The labour-tenant system is examined in a later chapter.
6. Manson A. (1979) "The Hlubi and Ngwe in a colonial society". p134.
7. NABB 1878 p21 RM Ulundi; GG volume 10, 1872-4 (Votes and Proceedings, 27 November 1873) p173 (in Manson op. cit. p130).
8. SNA 1.1.260 no. 2304 (1897).
9. 1877. Putile Commission Report p7, 4, 3.
10. NLCC volume 791 p439; Manson (1979) p164; SNA 1.1.178 no. 1495 (1893).
11. CSO 2773 (1886 Crown Land Commission. Evidence.) G Tatham; Msebenzi (1938) "A History of Matiwane and the Amangwane tribe". p226.
12. CSO 2773 (1886. Crown Land Commission. Evidence.) G A Coventry.
13. ibid. Field Cornets inspection report, Ward 2; UG 22/1916 (Natives Land Commission. Evidence.) p574.
14. BB 1876 p9 RM W.Co.
15. NABB 1880 p102 RM W.Co.; NABB 1881 p144 RM W Co.; NABB 1882 p229 RM W Co.
16. Department of Native Affairs. Annual Reports for the year 1906. p82.
17. NABB 1878 p11 RM UT; NABB 1880 p119 RM W Co.; NABB 1898 p39

RM W.

18. Figures in this table are drawn from the following sources: SNA 1.1.152 no.199 (1892); NABB 1897 p91 RM E, p113 RM UT, p96 RM W; Department of Native Affairs, Annual Report for the year 1909. p25. Figures for 1892 are for Weenen County proper, and exclude that part of Klip River later incorporated into Upper Tugela Division (in 1894). As there was no Location land in this tract of country side, only the "total" figure, and the (calculated) estimate of average acreage per hut, are not comparable with figures for other years. Figures for 1905 and 1909 have been calculated from a return of homesteads with the aid of the following, official ratios: Locations 3.63, Crown land 2.94. There is no indication of how these ratios were obtained.
19. SNA 1.1.477 no. 3606 (1910).
20. Department of Native Affairs: Annual Reports for the year 1910. p25. (calculated from hut figures, at fixed ratios).
21. Slater (1980) p151-154; See Slater (1975) "Land, Labour and Capital in Natal: The Natal Land and Colonization Company. 1860-1948", for an overview of the activities of one such land company.
22. Figures from Christopher (1969) p189, 198, 225, 301, 315.
23. *ibid.* p198.
24. NLCC. volume 786. p458, 476, 495-6.
25. Christopher (1969) p225-6.
26. *ibid* p315. This figure is in conflict with magistrate returns (1910) of around 15 000 annually. SNA 1.1.477 no.

3606 (1910).

27. SNA 1.1.152 no. 199 (1892). "Unoccupied" that is, by the settler owner (or their agent). The second of these estimates excludes homesteads consisting of only one or two huts.
28. SNA 1.1.477 no. 3606 (1910).
29. NLCC. Volume 786. p194-5; Volume 787.
30. NLCC. record books.
31. NLCC. Volume 788. p280.
32. NLCC. Volume 787. p95.
33. 1877. Putile Commission Report. p3.
34. NLCC. Volume 792. p130.
35. CSO 2773 (1886 Crown Land Commission. Evidence). G A Coventry, J Rálfe.
36. NLCC. Volume 790. p187.
39. SNA. 1.1.481 no. 870 (1906); SNA 1.1.413 no. 3053 (1908).
40. UG 17 (1911) (NABB 1910) RM B. p262; SNA 1.1.147 no. 2892 (1910).
41. For an overview of this experience in Natal, see Etherington N. (1978) "African Economic Experiments in Colonial Natal". Etherington N (1983) "The rise of the Kholiwa in Southeast Africa: African Christian communities in Natal, Pondoland and Zululand, 1835-1880".

42. NABB 1894 p37 RM E.
43. UG 35 (1918) (Local Natives Land Committee. Evidence). p187-8.
44. 1902. Lands Commission. Evidence. p170, 178; UG 22 (1916) (Native Lands Commission. Evidence). p603.
45. NABB 1894 p37 RME, p39 R M W; 1897 p97 RM W.
46. SNA 1.1.295 no. 292 (1902); UG 22 (1916) Native Lands Commission. Evidence. p576.
47. NABB 1894 p37 RM E; SNA 1.1.295 no. 292 (1902).
48. Christopher AJ (1969) p198, 225.
49. 1877 Putili Commission Report. p3; CSO 2773 (1886 Crown Land Commission Evidence.) GA Coventry.
50. Christopher A J (1969) p255; 1881. Natal Native Commission. Evidence for the subcommission for Weenen and Klip river counties. p334, 337, 353; CSO 2773 (Crown Land Commission. Evidence) 'Abstract of land sold in Weenen County since 1880'.
51. Msebenzi (1938) p226.
52. 1906. Native Affairs Commission. Evidence. p241.
53. UG 35 (1918) Local Natives Land Committee. Evidence. p189
54. CSO 2773 (1886. Crown Land Commission. Evidence.) GA Coventry; NABB 1894 p42 RM UT.
55. 1906. Native Affairs Commission. Evidence. p241; UG 35

(1918) Local Natives Land Committee. Evidence. p191-2.

56. SNA 1.4.20A (un-numbered minute paper, presumably of 1909.)

57. SNA 1.1.447 no. 3532 (1909).

58. SNA 1.4.20A no. 54 (1909).

Chapter 3

SETTLER AGRICULTURE

Throughout the colonial period, settler economic activity in Weenen County (as in other upland districts of Natal) was predominantly pastoral in character. Largely a consequence of ecological factors - limited rainfall threatened crop yields in most years - this dependance was also sustained by the peculiar nature of settler land-ownership, and by difficulties associated with the marketing of produce and the assurance of an adequate supply of agricultural labourers. The trekboers who settled in the County after 1837 were dependant on stock-keeping (cattle and various forms of small-stock) for their income, supplementing this by hunting the wild game that abounded in the uplands of Natal. Livestock and game provided foodstuffs and a means of trade (1). Little is known concerning the decline of wild game species in Natal, but it is unlikely that these remained a significant source of income for the settler population of Weenen County after the mid-1860's.

Like their African neighbours, these early settler stock-owners were primarily concerned with cattle-keeping. In 1855, Lung sickness (bovine-pleuropneumonia) swept through southern Africa and devastated cattle-holdings in the County. Realising that the disease - which became endemic in Natal - posed a constant threat to cattle, settler stock-keepers acquired large numbers of Merino sheep as replacement. Within a few years, sheep-keeping became the staple of the settler pastoral economy. Published official estimates (see graph D pIV) suggest that sheep numbers remained below 50,000 head until the late 1870's, before increasing sharply to a peak during the mid-1890's of around 170,000 head. Angora goats - kept for their hair - were also acquired in significant numbers. Never exceeding 30 000 head at any point during the period under review, they remained an

important element within the pastoral economy.

The keeping of small-stock, and, indeed, the entire settler pastoral economy, was intimately associated with the ecology of the study-area. Until the large-scale production of fodder crops became profitable around the turn of the century, successful stock-keeping was dependant on the capacity of stock-owners to exploit the existence of distinct bio-climatic regions, each with their specific vegetational characteristics, within the County. In short, settler stock-keeping depended on an elaborate pattern of transhumance involving the movement of livestock between different points in order to exploit seasonal variations in the vegetation. Bio-climatic conditions in the County imposed the following principle on the system of transhumance: stock was grazed at different altitudes depending on the season. Movement occurred between lower-lying parts (the central plain, the northeast 'thornveld' region) and the high pastures (located along the Drakensberg foothills and the plateau crossed by the Mooi river) during spring in order to take advantage of the early-germinating sourveld grasses. As summer progressed, these early-maturing grasses became less palatable, and stock would return to the lower-lying parts for the duration of winter. During this season stock would feed off grass-hay (cut during summer), cultivated fodder crops such as oat-hay, and what remained of the natural pasture. The concentration of slow-maturing 'sweet' grass species in the thornveld that covered the low-lying northeastern corner of the County, made this a much sought after place in which to winter cattle (2).

Transhumance took place over variable distances and was closely associated with the nature of landownership in the County. There was a tendency for local stockowners to acquire (by purchase or lease), at least two tracts of land, each situated at different altitudes. Where these properties were located in an area straddling two bio-climatic regions, this difference in altitudes might occur within a short distance. On large holdings in these

transitional zones, altitude, and hence vegetation, might vary sufficiently - between parts of the same holding - to make migration unnecessary. For the majority of local settler stock-keepers, however, the situation of their landholdings required (often long-distance) migration between the 'home farm', situated on the central plain, and the high-pastures on the western, southern, and south-eastern borders of the County.

Alongside this seasonal migration of stock owned by local residents, there developed a similar annual movement of 'wooled sheep' and angora goats between the Orange Free State part of the South African highveld and the 'upland' districts of Natal. Within the study area, this annual in-migration was concentrated in the Upper Tugela basin and the foothills of the Drakensberg. The movement of small-stock into the Colony was made necessary by the deterioration of pasture and the severe climate experienced on the highveld in winter. Unless pastured in Natal (between April and November), such stock lost condition and was susceptible to death through exposure. Loss of condition resulted in a weakness in the wool fibre that significantly reduced the profitability of the clip(3). The warmer average temperature, and the richer pasture (which attracted sheep-keepers to Natal) also necessitated the removal of such stock during the summer. If not removed from the Colony, these animals were exposed to the danger of contracting 'blue-tongue', a potentially devastating sheep disease.(4)

Although there were exceptions, settler stock-keeping was extremely rudimentary. In a report of 1877 the colonial Veterinary Surgeon noted, that

"as a rule no provision is made for winter, when the grass is dry and of little nutritive value, and in the spring and summer when the grass is luxuriant, and very often wet, no measures are adopted to prevent animals eating an immoderate quantity of it, and under both circumstances, the result is seen

in ~~dis~~ease,... The injurious effect of this system, however, is not ~~con~~fin~~ed~~ to the outbreaks of disease; they are to be seen in the ~~l~~oses of stock from poverty every winter, in the mortality among calves and lambs, the stunted growth of animals, the ~~effe~~ct on the wool,....., and many other things."(5)

If ~~n~~eglect reduced the sale value of livestock, the low production costs - amounting to little more than the remuneration of ~~h~~erds - ensured the continued existence of this branch of the pastoral economy. Slaughter stock would appear to have been dispersed of at sales held at convenient locations in the County. Apart from reference to a one time cattle-dealing centre at Weston, no direct evidence of this trade has been traced.(6)

In addition to sale as slaughter-stock, settler-owned cattle supported a local butter-making industry in the period before 1880, and were used as source of traction in the transport business so closely associated with the settler economy. Dairying was a mainstay of that economy. From very early in the colonial period. Commenting on a visit during the late 1840' to a farm situated just south of the Tugela river, a contemporary observer remarked on the "rude enclosures of thorn bushes; in which we found (the Dutch stockowner) had between 50 and 60 cows tied up milking, an operation at which the natives are very expert. The proceeds of his dairy amount to about £100 per annum."(7) Virtually the sole use for milk during this period was in butter, and, to a lesser extent, cheese-making. Figures published in 1859 suggest something of the profitability of butter-making; producers anticipated average weekly production figures of a pound of butter per milked cow, for 9 months in a year. Salted, and transported to market in Pietermaritzburg once a year, butter was sold at 1/ per pound; average output per dairy herd being in the region of 3-4000 pounds, or £200 per annum (8). Official estimates of butter production show distinct trends in the period between 1867 (when a separate estimate for the County is included for the first time) and the mid 1880', annual production

fluctuated widely, yet remained within the range of between 30 and 50,000 pounds. Just under 60,000 pounds in 1885, butter production increased steadily over the period to reach a peak in 1896 (of over 160,000 pounds).(9)

The institution of 'transport-riding' was a prominent and important feature of the settler economy at least until the completion of the rail-link to the Reef in 1895. Before this event, the ox-wagon, drawn by its 16-member span, was the sole form of long-distance transport between the South African interior and the port. Although a large part of this business was done by professionals, a significant (though unknown) share was performed 'part-time', by settler stockowners. Transport was a seasonal occupation, concentrated during spring and summer, and declining in winter when "drought, frost and grassfires destroyed the pasturage."(10) 'Amateur' transport-riders, drawn from among the settler land and stock-holding population, were able to divide their time between agriculture and transport, using the same stock for both.

Evidence of this phenomenon is not available for the period before 1878; in that year it was reported, that "many of the residents in this County combine the business of transport-riding with that of farming." The threatening Zulu war had "caused a great demand for wagons and oxen to carry the large quantities of supplies required."(11)

The importance of transport-riding in the settler economy was continued in peacetime; an observer noted (in 1884), that "the low rates of transport-riding have affected farmers many of whom are more or less dependent upon the earnings of their wagons in carrying purposes for a portion of their incomes".(12) Bank records from this time suggest that a large number of settler landowners possessed at least three or four wagons and spans; and although direct evidence of their use in transport work is absent, this number is in excess of the usual requirements of

agriculture at this time. One partnership is described in these records as having "7 spans and wagons in constant employ on the roads".(13)

The presence of the railway terminus at Estcourt in 1885 would have stimulated the entry of local stock and wagon-owners into the transport business. A year later, the discovery of gold in the southern Transvaal was reported to have "caused a considerable stir amongst the farmers in the County, most of whom also ride transport when the remuneration is sufficiently attractive; and the result will doubtless be to bring a good deal of capital into the colony." In 1888 the County magistrate was able to observe that "to a considerable extent,...., farmers have benefitted by the employment of their wagons and oxen in conveying goods from the railway terminus at Ladysmith to the various centres of the Gold Fields".(14) By 1893, however, he could report that

"transport-riding, so far as the european farmers of this County are concerned, is a thing of the past, and farmers are now looking to the produce of their farms, instead of to the perhaps greater but more uncertain profits formerly earned on the roads, and consequently, farming being their principal instead of their secondary interest is receiving that care and attention at their hands which is already reaping its reward."(15)

In the period before mineral discoveries, settler cultivation was limited to small quantities of wheat and vegetables grown for consumption. Describing settler economic activity in 1876, the magistrate at Upper Tugela observed that "the white population are chiefly engaged in stock farming, their agricultural efforts being generally confined to the cultivation of sufficient food for their families." (16) It is probable that this was broadly true of conditions elsewhere in the County, at least until a railway line was constructed through the central plain in 1883/4. Wheat, staple of the settler diet, was grown by virtually every household with access to some form of irrigation. Most was

apparently consumed locally (by the growers family and neighbours), being marketed only when this became profitable.(17) Through production was never very large, wheat was grown in the study-area at least until the turn of the century; after this point, competition from cheap, imported, flour put an end to settler wheat production.(18)

Faced with competition from their african neighbours, and confronted by the same difficulties associated with storage, settler cultivators produced relatively little maize and sorghum during the early colonial period. Able to call on the labour-power of family members and neighbours, african cultivators were able to produce an adequate supply of food (in most years) and so, to undermine the profitable production of these staple cereal foods by settlers. Official estimates of production suggest that settler cultivation of maize first exceeded 2,000 acres as late as 1883. (see graph A pI) As the County magistrate lamented in 1887, "there is plenty of produce grown and stock is thriving, but there are no markets."(19) In the same year a second well-placed observer noted that although "the District has perhaps the best class of farmers, and is one of the wealthiest in the colony," a combination of 'ample means', large land-holdings, and high stock prices, stood in the way of more intensive forms of land use.(20) A final constraint on the transformation of settler cultivation in the study area was the inability of 'commercial farmers' (as they were termed) to secure an adequate supply of agricultural labour-power. In 1876, and again in 1880, the County magistrate pointed to this factor as "the chief cause of the comparatively slow progress made in European population and in agriculture."(21)

Intended primarily as a means of increasing the number of farming units available to the settler population, large scale Crown-land sales after 1880 merely entrenched the existing pattern of land use in the County. Made available on generous conditions (most importantly, payment by instalment over a ten-year period) this

land was concentrated in three areas: Ward 5 of Klip River County, the high country along the Drakensberg and in the South and South-east of Weenen County, and in the tract of thornveld between Weenen village and the Mpofana Location. A considerable acreage was involved in these sales: figures listed in table A p.i, show that in excess of 163,000 acres - mostly in units of between 500 and 3,000 acres - were added to the area in private ownership between 1880 and 1890.

Land sold in the three above-mentioned localities would appear to have been acquired with very different intentions. In the first two, crownland was purchased by graziers for inclusion into the pastoral economy. Although there is no direct evidence in support of the contention, it is probable that land was purchased by people who had leased it in previous years, simply to secure their access to this necessary pastoral resource. In the Upper Tugela area (including ward 5) many of the 21 units purchased by 1884 had been acquired by OFS sheepkeepers. According to local evidence, this category of landowner ignored the spirit of the 1880 regulations - whose 'beneficial occupation' clauses had stipulated 1½ cultivation, the construction of a dwelling, and residence by a 'white person' for 9 months in the year - by limiting personal occupation to winter and leaving an agent or *bijwoner* to cultivate land and to complete the occupation period. (22) Much of the large acreage owned by the NLCC in the Upper Tugela area at this time consisted of land with the easterly aspect prized by migrant sheep-keepers. The bulk, (if not all) of the company's land was let in annual grazing leases. (23) Most of the Crown-land in wards 2 and 3 of Weenen County sold during the period between 1880 and 1884 would appear to have been acquired by locally-resident stockowners. The names of local residents feature prominently among the purchasers of the 47 lots sold in these two wards; and a reliable witness informed the 1884 Crownlands Commission that very little land within Weenen County was either leased to, or owned by, OFS *trekboers*. (24)

The thornveld region in the Northeast was well known for its stock-raising potential. According to a local observer, "all stock bred in the thorns thrives. Cattle are, to some extent, annoyed by ticks in summer, but they keep their condition better throughout the year than those farmed exclusively upon the high veld." (25) Sometime before the advent of the 1880 regulations, the thorn country acquired another distinctive (and enduring) characteristic. In a report of 1876 the County magistrate noted that in order to assure their labour supply it had become

"quite a regular custom now for farmers resident in the up country parts of the County, where the want of grass in winter, absence of firewood and other reasons, rends the natives averse to settle in any numbers, to purchase or rent a farm in the lower 'thorn' part of the County, for the sole purpose of drawing a supply of labour from the natives living thereon, and of whose occupancy it is made a condition that they supply a certain amount of labour in return for the advantages they enjoy." (26)

Despite the stock and labour-related advantages enjoyed by owners of 'thorn farms', private landownership in the region before the advent of the 1880 crownland regulations was not as extensive as might be supposed. Large areas - particularly the tract lying between Weenen village and the Mpopana Location - were occupied by africans subject only to the annual hut tax. (Rent was levied on african crownland occupants only after 1885). After 1880, and in view of the easy conditions and inadequate enforcement of the regulations governing the sale of crown land, large tracts of this african-occupied land was transferred to private ownership. So extensive was this process of land acquisition that by 1897 the local magistrate was able to report that virtually all crownland in the division had been sold. Apart from the 30 to 40 stock-keepers concentrated in the southeastern part - on the northeastern extremity of the Mooi river highland - at a distance of over 20 miles from Weenen village, there was no settler population to speak of. This officer was incensed at the means by which the revenue from crown lands in the division had been lost.

In a comment that conveniently summarises local land use he noted that,

"not one of these lands has been occupied or cultivated in accordance with the conditions under which they were alienated. The conditions were consistently ignored until they were altered, and they are now such as will permanently ensure these farms remaining in the occupation of natives subject either to the payment of rent or the servitude of labour to the purchases. As it is they are variously owned by high velt stock farmers and lawyers, doctors and surveyors, some of whom recoup a rent roll from the native tenants in excess of the annual instalments they pay in liquidation of the purchase price."(27)

The beginnings of a transformation of settler agriculture in Weenen County commenced during the middle years of the 1880's, and was associated with two material developments: the construction of a rail-link with the coast, and the exploitation of gold deposits on the Transvaal highveld. Improved communications and the creation of a market for produce, raised the profitability of settler agriculture, and set in motion a chain of economic pressures that increased land values and forced landowners to adopt more intensive forms of production.

Exploitation of gold deposits at the Reef (after 1886) had almost immediate consequences for the County's Settler population. Many settlers invested capital in prospecting (and other mining) syndicates, and although the initiative (temporarily) absorbed much of the local money supply, the results of this speculative activity appear to have been favourable. The year 1887 saw "fencing being carried out to a very considerable extent". The following year it was reported that local settlers had earned a good deal of income transporting goods between the rail-terminus (then at Ladysmith) and the mines. It was observed that "the prices of stock and produce in this County have also become remunerative, and altogether the farming interests look brighter"(28). One consequence of this improvement - first noticed in 1892 - was that settler stock-owners began to replace their holdings of miscellaneous 'colonial breeds' with imported varieties. Unfortunately, much of this imported bloodstock was lost almost immediately, falling victim to endemic stock diseases (against which they lacked immunity), and the poverty of their new diet(29).

The creation of an alternative labour-market at the Reef had a similar effect on the availability of agricultural labour-power. During the year following the advent of gold-mining, "large numbers" of young men were reported to have left the County to work at the Gold fields. In the following year, the size of this exodus was such as to raise the local average wage in agriculture

and affect fulfillment of quotas required under the labour-levy. Although this (often repeated) assertion of an absolute shortage of men to work in agriculture is questionable, there can be no doubt that existing patterns of labour-supply were transformed after the mid-1880's.(30)

Transformation of settler agriculture, in Weenen County as in other parts of Natal, took the form of diversified, and more intensive, land use. Almost exclusive dependence on one or more forms of pastoralism was replaced by 'mixed farming', or a concentration of resources on two or more of the following: maize cultivation, beef production, and dairying. Mixed farming made possible a reduction in the acreage required to sustain profitable (capitalist) agriculture; and the period after 1880 saw rapid changes in the number and (average) size of settler farms. (See table A pi). Between 1880 and 1890, the number of settler owned land units increased by more than 50%, while the average farm size declined by some 950 acres. Both trends continued over the course of the following two decades.

There is further evidence of the intensification of settler agriculture. First; wooled-sheep numbers fell steadily between the mid-1890's and 1905 (the last year for which official estimates are available). (This followed an equally dramatic rise, over the fifteen-year period after the late 1870's, to a peak of 170,000 head - see graph D pIV). A similar decline took place in the number of angora goats owned by the County's settler stockowners. Much of this small-stock was relocated in the northern districts of Natal (where land-values remained relatively low) in the decades after the turn of the century(31).

Second; over a similar period of time there was a corresponding increase in the number of settler-owned cattle in the study-area. Overshadowed by small-stock - particularly wooled-sheep - during the middle and later parts of the nineteenth century, cattle numbers stood at more than 50,000 head in 1896. Reduced by almost

half this number as a result of the Rinderpest epidemic of the following year, settler-owned cattle increased steadily till 1903 (when the pre-Rindepest total was regained)(32). Although there was a sharp decrease in numbers over the two-year period to 1905 (last year for which figures in this series have been traced), and despite wholesale losses due to East Coast Fever after 1908, settler-owned cattle increased dramatically to stand at 150,000 head in 1923(33). This level of increase reflected the success of more intensive techniques based on dairying and beef-rearing. Improved pasture management, the availability of artificial fodder (grown under irrigation), and advances in maize production were the most important of these techniques. In 1915 it was reported that, at 10/ per bag (the local price) stockowners could afford to feed beef cattle on locally-produced maize for six months of the year. (At an average consumption of 1.5 bags per month, this amounted to an annual cost of £4.10 per head)(34).

Third; as official estimates suggest, settler production of maize expanded steadily during the period after the early 1880's. (See graph A pI). Production was undermined in the aftermath of Rinderpest, and prevented altogether during 1899 (when the County was occupied by an invading army)(35). After the turn of the century settler maize production increased dramatically to a peak (in 1904) of 16 500 acres. After an unexplained decline in the acreage devoted to maize between 1905 and 1907, production appears to have recovered after 1908. Further expansion of settler maize production in the study area occurred in the decades after 1910, when the construction of branch railway-lines reduced transport costs - the most persistent 'drag' on profitability(36). The increasing importance of cultivation is reflected in figures for settler-owned cattle in the decade after the turn of the century. (see figure 7). Between 1900 and 1905, the proportion of working-oxen within the cattle population as a whole increased from 14% to 30%. (It is interesting to note the corresponding decline in the number of working-oxen and the acreage devoted to maize during the middle years of this decade).

Figure 7

	Total	Oxen	%
1900	45 607	6 366	14
1	43 088	6 055	14.1
2	52 814	9 175	17.4
3	56 642	15 904	28.1
4	50 087	10 061	20.1
5	37 643	11 349	30.1
6	-	9 337	-
7	-	9 305	-

Working Oxen as proportion of total cattle holdings 1900-07

A fourth aspect of the transformation of settler agriculture was the expansion of dairying. In 1902, the cooperative dairy at Mooi River processed more than 200,000 gallons of milk and over 90,000 lbs of butterfat. The fifty-one suppliers of milk and ninety five producers of cream were paid in excess of £22,000 for this produce(37). As was the case with maize cultivation, the first to benefit from this development were producers situated along (or within easy access of) the railway-line through the County. In 1907, land in this category was valued at more than three times the average value of land in outlying areas. A reliable observer alleged that in certain cases, milk producers had paid for their land and cattle-holdings twice over from the proceeds of milk and cream sales(38). Subsequent developments in the local dairying industry occurred outside the study-period. In 1918, a cream and milk depot was established at Estcourt, and a cheese factory - with a weekly output of 1.5 tons - was in operation at Ennersdale siding(39). With East Coast Fever a constant threat to cattle, many landowners took up pig-rearing; in 1918 a cooperative bacon factory - with a weekly capacity of 500 pigs - was established at Estcourt(40).

Among the more spectacular developments within settler

agriculture were state-initiated settlement schemes established in the County. Introduced with the aim of increasing the Colony's settler population, the first of these 'closer settlement' schemes was laid out in 1884 on 5000 acres of the Weenen Townlands. Seventeen irrigable lots, covering 700-odd acres, and averaging 40 acres in size, were surveyed 'below' an irrigation furrow leading water from the Bushmans river. The remaining 4300-odd acres were set aside as a commonage for the pasturing of the settlers stock. A combination of the restrictive conditions of sale, and the isolation of the scheme from the major transport routes, would seem to have inhibited the acquisition of these lots. Although the first settlers arrived in 1886, only 12 lots had been purchased by the late 1880's(41).

Two reports during the 1890's suggest something of conditions on the scheme and the use to which the land was put. In 1896, it was observed that although labour, grazing, and water were in ample supply, only 3 or 4 of the blockholders could be described as 'industrious'; the "majority being content to eke out a bare existence". Further factors inhibiting development of the scheme, it was suggested, included the distance from potential produce markets, and faulty selection of settler-immigrants. It appears that none of the specially recruited immigrant settlers had any agricultural experience. By 1899, most had abandoned all pretence of making a living in this manner; and a reliable observer noted that

"the true value of the holdings given them under this Immigrant-Experimental scheme, at the unreasonably generous rate of half a crown an acre, may be gauged by the price paid to them by the genuine colonist farmers who bought out their rights. The sums varied between £400 and £700.... They and not the scheme were the failure; and their successors are speedily proving the value of the immense advantages of this amply-irrigated soil by the tons of produce - principally maize, forage, potatoes and onions - which through summer and winter alike, they send out of this valley to the neighbouring market towns"(42).

In 1902 the Weenen scheme was extended by the construction of a second, higher-level furrow, and the laying out of a further 51 irrigable lots covering 2045 acres. Opened for settlement in 1903 - the year in which the last block of the first scheme was sold - the new project appears to have been an immediate success. Thirty-three lots, covering 1329 acres were taken in the first year, and a further 7 (covering 242 acres) in the second. Prices ranged from £8 to £21 per acre. By 1909, 44 lots had been purchased and occupied by a settler population of 275 people(43). By the following year, a total of 60 irrigable blocks, covering 2347 acres had been sold. Fifty of these - including five owned by local landowners - were in use. In 1908 some 750 african labourers were reported to be employed on these schemes(44).

The most ambitious of the irrigation schemes established by the colonial state was laid out on 3 adjacent properties (covering 17491 acres) situated on the lower reaches of the Little Tugela river. Approximately 2835 acres of irrigable land was made available in 55 holdings. Unlike earlier projects, each lot also included an extent of 'dry arable' and grazing land. Prices ranged from 70/ to 105/ for irrigable land, with other categories fetching 30/ per acre. The scheme would appear to have been an almost immediate success; the first settlers arriving in 1904, with rapid expansion of settlement occurring after 1906. By 1909, 82 (of the total 142) lots had been taken up. In that year, 114 members of the County's settler population were in residence on this land. Much of the success of the Winterton and the second Weenen schemes must be attributed to the construction of branch railway lines to these places before 1906. In 1909, a total african population of 659 (including 327 men) was settled, and depended for employment, on these two projects(45).

The pace at which settler agriculture was transformed, and the evenness of development, should not be exaggerated; as late as 1902, it was alleged that the pattern of large land holdings

discouraged greater interest in cultivation and entrenched pastoralism among settler land owners(46). Apart from the irrigation settlement on the townlands, the 'thorn country' around Weenen village remained unaffected by the trends at work on the central plain (encompassed by Estcourt magistracy). The region continued to serve as an essential, seasonal, component of the settler pastoral economy. In the Upper Tugela Division too, pastoralism remained entrenched. The region remained a part of the system of small-stock transhumance associated with the Orange Free State. As one settler witness informed the Crownlands Commissioners in 1884, the absence of a market for produce (the consequence of poor communications) made it possible for land to be monopolised by graziers and the Natal Land and Colonisation Company (NLCC)(47).

With no improvement in communications, the existence of an expanding market for produce (after 1886) made little impression on this situation. In 1895 an observer noted that "the division is being gradually, but surely, deserted by Europeans, owing to want of labour, and a market, and the land is being bought up by Native syndicates(48)." There was a great deal of truth behind this assertion; between 1894/5 and 1904, the settler population of Upper Tugela Division declined by almost half; (from around 500 adults to well below 300)(49). In 1902, settler witnesses before the Lands Commission drew attention to the structural causes of the stagnation of agriculture. They argued that small-scale agriculture (or a reliance on cultivation) though feasible, was undermined by the absence of a rail-link, a shortage of labour-power, and the continued monopoly of land by graziers and the NLCC. High livestock prices accounted for the refusal of graziers to part with their pastures in Natal, and the imperative of purchasing NLCC land for cash (to avoid crippling interest charges), prevented 'small farmers' from becoming established in the region(50).

Notes

1. Slater H The changing pattern of economic relationships in rural Natal, 1838 - 1914 p151-4; Ballard CC (1981) 'The Role of trade and hunter - traders in the political economy of Natal and Zululand, 1824 - 1880.
2. Aitken RD and Gale GW (1921) Botanical Survey of Natal and Zululand; Pentz JA (1945) An agro-ecological survey of Natal.
3. Mann R (1859) The colony of Natal p117-8.
4. BB 1861 p296 RM W Co.
5. Sessional Papers 1878, unnumbered. ('Report of the colonial Veterinary Surgeon, 1877').
6. NLCC Volume 792 p101.
7. Methley JE (1850) The New Colony of Port Natal: with information for emigrants. p70.
8. Mann R (1859) p113-4.
9. Blue Book of the Colony of Natal, 1896. Estimates of production.
10. Robinson J (1900) A Lifetime in South Africa p188.
11. BB 1878 p14 RM W Co.
12. BB 1884 RM W Co.
13. Standard Bank Reports. March 1885, November 1885.

14. BB 1886 p58 RM W Co; BB 1888 p63 RM W Co.
15. BB 1892-3 p98 RM W Co.
16. BB 1876 RM UT.
17. Mann (1859) p124-5.
18. Blue Book of the Colony of Natal. Estimates of Production.
19. BB 1887 p63,67 RM W Co.
20. Standard Bank Reports. December 1887.
21. BB 1880 p112 RM W Co; BB 1876 p9 RM W Co.
22. C50 2773 (1886. Crown Land Commission Evidence) GA Coventry.
23. NLCC Volume 792 p250-272. During the mid-1890's the company owned 45068 acres in the Upper Tugela area.
24. C50 2773 (1886 Crown Land Commission Evidence) J Ralfe.
25. NABB 1898 p31 RM W.
26. BB 1876 p9 RM W Co.
27. BB 1897 p68 RM W.
28. BB 1886 p58 RM W Co; BB 1887 p63 RM W Co; BB 1888 p63 RM W Co.
29. BB 1891/2 p42 RM W Co; BB 1892-3 p98 RM W Co.
30. BB 1887 p67 RM W Co; BB 1888 p64,67 RM W Co.

31. Hurwitz N (1957) Agriculture in Natal, 1860 - 1950.
32. Settler stockowners were provided with the opportunity of inoculating their stock at an early stage of the epidemic. Africans, on the other hand, were denied the use of these facilities - provided by the colonial veterinary service - at this critical stage, and consequently suffered severe losses. Well placed observers estimated that, depending on the locality, between two-thirds and ninety percent of african owned stock perished as a result of the Rinderpeet epidemic in Weenen County. NABB 1897 p93 RM E; p100-1 RM W; p116 RM UT; BB 1898 p69 RM W.
33. UG 25 (1925) (Union Agricultural Census, 1923).
34. Standard Bank Reports. August 1915.
35. BB 1899 p47 RM E; BB 1900 p30 RM E.
36. A small-gauge rail-line was built between Weenen village and the main line in 1906. A second, (standard gauge) line; to the upper Tugela district, was completed in 1913. NABB 1905 p27 RM W; Standard Bank Reports, January 1914.
37. BB 1902 p60 RM E.
38. Standard Bank Reports. November 1907.
39. ibid June 1918.
40. ibid June 1918.
41. Christopher A J (1970) 'The Closer - settlement Movement in Natal, 1875-1910, p572,574; (1969) 'Natal: A Study in Colonial Land Settlement'p254.

42. BB 1896 p60 RM W; BB 1899 p17 RM W.
43. Christopher A J (1969) p316; Statistical yearbook of the colony of Natal, 1909. p82-3.
44. BB 1902 p94 RM W; NABB 1908 p12 RM W.
45. Christopher A J (1969) p316-7; Department of Agriculture, Natal (1905) Notes on Agriculture in Natal, p12, Statistical yearbook of the Colony of Natal, 1909. p82-3.
46. Standard Bank Reports. February 1902.
47. C50 2773 (1886 Crown Lands Commission Evidence) GA Coventry.
48. BB 1894-5 p70 RM UT; BB 1896 p43 RM UT.
49. Blue Book of the Colony of Natal. Estimates of Population.
50. 1902 Lands Commission Evidence. p158; 156-7; 175.

PART II

INTRODUCTION

Although a proportion of the County's african population - salaried chiefs, District Headmen, and some landowners - were able to subsist on the proceeds of the homestead economy, it is suggested that for the vast majority of homesteads, some involvement in wage-labour was a necessity. As Beinart (and others) have suggested, it is probable that following the introduction of colonial rule, the cessation of independent military ventures by the chiefdoms settled in Natal, produced a situation in which young men were relatively "underemployed".(1) (The advent of ox-drawn ploughs only marginally altered this state because the involvement of young men in cultivation need not have extended beyond the short ploughing season). It is therefore not surprising, that the persons most closely associated with wage-labour were young men.

One (early)settler observer insisted that labour-service was undertaken with a specific purpose in mind - "to obtain wages to pay for their fathers and mothers Kraal, and save their cattle". Apart from taxation and low stock prices, other pressures acted to ensure the presence of young men on the colonial labour market. Wage employment made possible the acquisition of cattle (and indirectly, the wives) necessary for the establishment of an independant homestead. In 1900, the veteran magistrate in charge of the Mgeni Division observed that "the class of natives who come out to work are, as a general rule, men who possess no personal property whatever". It is not possible to quantify the process, but it is clear that the dependance on wage-labour became more general (and more pronounced). By 1894 an official stationed at Weenen was able to observe that the "majority" of homesteads included "a wage-earning element".(2)

Apart from the (intermittent) returns of passes issued to local men to leave the Colony and estimates of the number of people employed locally - See table G and H pvii, viii - there is no means of quantifying this dependance on wage-labour. A rough guide to fluctuations in the number of local africans engaged in wage-labour is provided by returns of identification passes issued annually between 1902 and 1912. (See table E pv). (In terms of Act 49 (1901), any african wishing to travel beyond their place of residence was required to obtain a pass from the nearest magistrate. An unknown proportion of the figures for each year were made up of people travelling for some purpose other than work; in 1905 an official at Upper Tugela observed that large numbers of identification passes issued by his office were taken by local women making the short trip to Harrismith (in the OFS) to dispose of produce.)(3)

Not surprisingly, many workseekers chose to work further afield, where wages were generally better than those offered by local employers. Several officials observed that "many only work for a month or so, in order to earn sufficient money to pay their train fare as far as Johannesburg".(4) Settler employers - either unable or unwilling to offer higher wages and improved conditions - were, as a consequence, chronically short of labour-power for their farming operations. Yet it is clear that there was a large population of potential workers close at hand. In 1858 the County magistrate noted that "most" members of the Hlubi and Ngwe chiefdoms were resident on settler-owned land outside the Locations in which they had been settled. By 1879 a full 72% of the County's african population was resident on private land. This proportion remained remarkably stable over time; in 1905 it stood at 73% - increasing marginally over the following four years, to 75.3% (See table B pii).(5)

This population was unevenly distributed. A census of the inhabitants of 16 farms in central Weenen County (in 1858)

revealed that half the total number of huts - 343 in all - were located on 8 farms. The remainder were distributed among six farms with small populations and two with the large number of 73 and 82 huts, respectively. In 1892, a census of the 45 homesteads resident on six farms in the high-country along the middle reaches of the Mooi river showed the following distribution: three farms were home to 7 huts each, while the remainder housed 14, 20, 30, and 38 huts, respectively.(6)

It has been suggested that, during the course of the nineteenth-century, a progressive decline occurred in the average size of homesteads. In view of the absence of evidence for the early colonial period, it is not possible to offer quantitative proof of this phenomenon. It is possible, however, to suggest something of the structure of homesteads on private lands for the period around the turn of the century. A summary of the huts belonging to homesteads situated in the central part of the County, shows the following: (See table J px). Homesteads ranged between one and sixteen huts in size, and the 2447 huts were distributed among 745 homesteads - an average of 3.28 huts each. This last figure does not accurately reflect the preponderance of small homesteads in this population; almost 14% of homesteads consisted of a single hut, while a further 30% contained only two huts. There was a further concentration of homesteads in the "3-hut" category. Just over 80% of homesteads were comprised of less than five huts. Homesteads larger than five huts contained a mere 12% of the total.(7)

Assessment of these figures is made difficult by a lack of knowledge concerning living arrangements within the homestead at this time. According to official, settler, opinion, each wife shared a hut with her children; the homestead-head occupied his own, separate, hut, while another was reserved for the homesteads young men. This conception of the distribution of members within the homestead originated in the earliest years of the colonial period, and was probably an accurate reflection of conditions at

the time. Unfortunately, there is no way of knowing whether it continued to do so throughout the nineteenth century. In principle, though, it might be assumed that homesteads consisting of one or two huts were inhabited by monogamists; those of three or four huts belonging to men with two wives, and so on.

Interpretation is further complicated by the influence of the 'developmental cycle' through which every homestead was obliged to pass.(8) (This concept refers to the expansion, and later, contraction, of a homestead during the course of its existence. In principle, the 'older' the homestead, the larger its population, and hence, its size in terms of huts). It is possible that the small homesteads in the above-mentioned returns were at an early stage of their development, rather than a permanent feature of the rural population. The sheer size of this number - homesteads of three huts or less - suggests that polygyny was no longer the norm for homesteads resident on settler-owned land.

In the upland districts of nineteenth-century colonial Natal, the labour-processes of settler agriculture reflected the predominance of 'mixed farming'. Pastoralism created the need for a small number of workers employed (throughout the year), in activities related to the care of livestock, and in general maintenance tasks. Where cultivation was attempted, the seasonally-adjusted workload dictated the need for a larger and more varied workforce. Given contemporary african notions of the appropriate division of labour by age and sex, it is probable that the following pattern applied.

Tasks associated with the handling of livestock - including ploughing and sowing of the maize crop - were 'male' activities. At least two workers - one of whom could be a boy - were required to operate each plough, harrow, or planter used. Climatic conditions dictated that ploughing be done at speed, in the short period following rain-showers. It was at this point that male

labour-power was at a premium. If the growing crop was weeded mechanically, using animal traction, this would be done by the same two-man teams. (As there was little cause for haste, a single team, working continuously, would be sufficient). If hoe cultivation was preferred, groups of older girls and young women would be hired for the purpose. (After a certain point in the growth-cycle of maize, weeding could be done in this manner). Later, the labour-intensive tasks associated with the harvest created a demand for a large volume of labour-power in which age and sex were unimportant.

In Weenen County (as in other parts of Natal) these considerations gave rise to what Richards has termed, the "two-tiered" workforce. - consisting of "year-round workers and the seasonal supplement".(9) At different times during the colonial period, the year-round (or 'permanent') workforce was comprised of the following categories of worker. A small number of settler labourers (or artisans) - introduced into the Colony at state expense - were employed to do the more skilled work such as horse-breaking, the erection of fences and buildings, and the operation of machinery. In the period before c.1870, African refugees from the independent chiefdoms surrounding Natal were required to serve three-year 'apprenticeships' in the employment of local landowners. After that date, large numbers of indentured Indian labourers were introduced into the County. Finally, Africans from Location, Crown, and absentee-owned land provided a large (but unknown) proportion of the permanent element of the workforce. The second, seasonal, component was drawn either from tenant homesteads, or from the three above-mentioned categories of land in the form of day (or 'togt') labour.

Conditions of service were not uniform throughout the County, but reliable evidence suggests that, in practice, a fluctuating 'local average' standard in wages, workhours, etc., was in existence. With the obvious exception of togt labour, the

standard unit of work measurement was the calendar month. Earliest reference to conditions of employment in the County is a return (prepared by the magistrate in 1858), describing the "average monthly wages to coloured servants". These were as follows: "children of either sex 2/6; general servants whether domestic or predial 5/; wagon drivers 8/ to 10/; occasional labourers for harvest work etc. 3d per day". All employees were supplied with food when working, and domestic workers and wagon drivers - whose work brought them into close, daily, contact with the settler population - were provided with clothing. There were, in addition to the above, a "very few cases in which persons engage drivers and ploughmen who live on their farms as occasional servants, such labourers feed themselves and are paid after the rate of 1/ a day".(10)

Published estimates of the average monthly wages paid to some of these categories of worker during the period between 1869 and 1895, are summarised in table F (pvi). Figures fluctuate from year to year, but it is clear that - exceptional circumstances aside - local wage rates were relatively stable over time. The Langalibalele affair (1873) appears to have prompted a doubling in wages in at least two of the categories listed. The Zulu War period (1878/9) had a similar effect, especially for wagon-drivers and their assistants. Wage levels received a further boost as a result of rail construction through the County during 1883. Surprisingly, official estimates show no increase following the commencement of gold-mining operations in the Transvaal after 1886. Throughout the ensuing decade, wage levels fluctuated annually, but displayed a gradual upward trend. The Anglo-Boer War period saw a sharp rise in the local average wage for manual labour - to 40/ - as large numbers of local men engaged in non-combatant service with the Imperial army. At the close of the study-period, wages paid to this category of worker varied between 10/ and 20/.(11)

A more detailed impression of both the range of employment

categories, and the wage-rates which they commanded in 1891, may be constructed from reports submitted by the County's three judicial officers. Male field labourers were required to work approximately twelve hours per day - from sunrise to sunset, or between 6am and 6pm - with half an hour break for each of the two meals - breakfast and lunch - that fell within workhours. The average wage for this category of work was 10/ (Estcourt and Weenen Divisions) and between 15/ and 20/ in Upper Tugela - where labour-power was in particularly short supply. Wages paid to "boys" and herdsman - among whom younger men are likely to have been concentrated - also varied widely, ranging from 2/ to 10/. Domestic workers - presumably women - were expected to work fourteen hours a day, for between 4/ and 6/ a month. "Nurses" were slightly better paid, at between 5/ and 10/. In Weenen Division, togt workers were paid 1/ a day.(12)

It is not known whether the omission of togt work from returns for other Divisions reflects oversight on the part of the officer concerned, or the insignificance of this form of service in these localities. A report from Estcourt (in 1907) contains the observation that, "togt or job work by the day, for the farmers is becoming very much in favour with th natives, both male and female. The usual pay is 6d. for women and 1/ per diem for men".(13) Given the expansion of settler maize cultivation after the turn of the century, it is probable that togt labour-service became increasingly important in the County.

Notes.

1. For the Mpondo and Zulu, respectively. See Beinart W (1980) 'Labour Migrancy and rural production: Pondoland c1900-1950 p83; Guy J J (1982) 'The destruction and reconstruction of Zulu Society p176.
2. 1852. Natal Native Commission Evidence part IV p5; Native Races Committee (1900) The Natives of South Africa: their

economic and social condition p287; BB 1894/5 p100 RMW.

3. Act 49 (1901) Statutes of Natal, 1845-1899. Compiled by R L Hitchens and G W Sweeney.
4. NABB 1907 p20 RME.
5. SNA 1.3.7 (1858) RM W Co; NABB 1879 p38 RM W Co; NABB 1909 p25.
6. SNA 1.3.7 (1858) RM W Co; SNA 1.1.151 no 98 (1892).
7. SNA 1.1.188 no 878 (1894); SNA 1.1.274 no 3007 (1897); SNA 1.1.289 no 877 (1900; SNA 1.1.295 no 292 (902).
8. See Spiegel AD (1982) 'Spinning off the Developmental cycle...'
9. Richards A (1979) 'The Political Economy of Gutwirtschaft...' p516.
10. SNA 1.3.7 (1858) RM W Co.
11. See, BB 1878 p14 RM W Co; BB 1883 p53 RM W Co; NABB 1901 p25 RM W, p51 UT; NABB 1910 p236 RM E, p24 RM W.
12. SNA 1.1.138 no 231 (1891).
13. NABB 1907 p20 RM E.

Chapter 4

MIGRANT LABOUR (1)

Sources consulted for this study provide evidence of local africans travelling further afield in search of work from at least the second decade of the Colony's existence(2). In 1855, an observer noted that 'many' members of the Cunu Chiefdom worked for settlers resident in Durban and Pietermaritzburg for part of the year. Three years later, the County magistrate observed that "considerable numbers of the tribes of Putini and Langalibalele are in the custom of going to the Cape Colony to hire as servants". The same observer remarked (in the following year) that it was

"well known to the chiefs and people in this County that much higher rates of wages prevail in the lower than in the upper districts of the colony and considerable numbers of labourers are at the moment in service on the coastal lands, and elsewhere in the lower districts at these increased rates"(3).

A second phase in the local experience of migrant labour was inaugurated by the discovery of diamonds in the interior during 1869. From Weenen County, the Ngwane and Hlubi chiefdoms are known to have been represented at the 'Diamond Fields' during the early 1870's; the senior wife of the Hlubi chief was alleged to have kept "slaves" employed there on her own behalf(4). It has not been possible to establish the extent of local involvement with the Kimberley labour-market, but a comparison of average wage-rates (at the diamond-workings and in Weenen County) suggests that there was considerable incentive for local men to seek employment at the former place. In 1871, the average weekly wage paid to african labourers at Kimberley varied between 5/ and 7/6; by 1873 it had risen to 15/(5). By contrast, the average monthly wage offered by Weenen County employers varied between 6/ and 8/. (See table F p vi).

There is considerable evidence to suggest that the exploitation of gold deposits on the Transvaal Highveld after 1886 significantly altered the pattern of local involvement in migrant-labour. Familiar with the practises associated with a rapidly developing labour-centre, men from the study area sought employment at the Reef in "large numbers" from as early as 1887. In his report for the following year, the County magistrate observed that the size of this 'exodus' was such as to have, raised the local average wage for agricultural labour, and affected the fulfillment of quotas under the labour-levy. The supply of workers - particularly for the latter service - is described as "becoming scarce and more precarious than ever"(6). With variations, this observation became a regular feature of similar reports throughout the remainder of the study period.

Official returns of 'passes' issued to local men travelling to some place outside the Colony provide an approximate index of the extent of participation in the Reef labour-market. Unfortunately, figures are available for only short periods, and may provide an unreliable estimate even in these years(7). (See table G pvii). Considering only the figures for 'outward work' passes, it is clear that large numbers of local men left the study-area to work outside the Colony between 1894 and 1910. Evidence concerning the preferred destinations of local migrants is available for Estcourt Division in 1907. That year, 1252 out of 1338 (or 94% of all) migrant workseekers gave their intended destination as Johannesburg(8). A detailed breakdown of the destinations given by local migrants for the three year period, 1910-12 - See table I pix) - confirms the importance of the Reef labour-market; (between 51% and 78% of all migrant pass-applicants)

Until the final decade of the study period, little is known about the employment of local migrants at the Reef. It is clear, however, that until the turn of the century, Natal men were associated with service occupations, rather than underground

minework(9). A report, forwarded to the SNA by the Johannesburg Agent (of the Native Affairs Department) in 1895, refers to 'several' members of the Ngwane chiefdom working (as "policemen") at the Crown Deep Mine Compound, and to men, from chiefdoms concentrated in Weenen Division, at the Elandsfontein washing site(10). The latter were part of the Zulu washermans guild whose experiences have been documented by Van Onselen. At least four local men invested their earnings from this occupation in land situated within the study area(11). Pass returns for the period 1910-12 show that between 27% and 38% of all migrants gave the Transvaal mines as their destination. (See table I pix). During this three year period there is a marked correspondence between the migrants place of origin within the County and their choice of employment in the Transvaal. Whereas men from Estcourt Division showed a preference for minework, their neighbours from Weenen displayed a similar preference for employment in 'other' (unspecified) occupations(12).

It is a simple matter to account for the interest shown by local men in employment outside the study-area. As one informed observer argued (in 1897), men who neglected to work the agreed period of labour-service for their landlord (in terms of the labour-tenant system) were able to "earn sufficient at Johannesburg in one month to pay the penalty for (their) default on the farm for six". (At the time this penalty was commonly £5)(13). Estimates from a variety of sources suggest that the local average monthly wage for 'field labour' increased from around 5/ (in 1858) to between 10/ and 20/ after the turn of the century(14). This was the wage commanded by men in permanent (or year-round) employment. Day-labourers earned marginally more than this, while workers discharging their obligations under the labour-tenant system earned approximately half that amount(15).

Evidence heard before the South African Native Affairs Commission provides some idea of the wage-rates at the different labour-centres in southern Africa in 1903. Men engaged in (unspecified)

work at Durban earned between 12/ and 20/ per week. (50/ to 80/ a month). Dockworkers were paid 60/ per month; day labourers and riksha-pullers earned 2/6 and 8/ per working day. (At 22 working days, this amounted to 55/ and 176/ per month, respectively). Men employed in domestic service were paid between 20/ and 30/. At the Reef, men employed in mining were said to earn up to 40/ a month; those in other occupations receiving between 60/ and 80/. Depending on their length of service, men employed on the Natal coal-mines were reputed to earn similar wages. By contrast, local employers offered a wage of only 15/ a month (with board and lodging)(16).

The influence of differential wage-rates on the participation of local men in the Reef labour-market was made clear in 1903. Two prominent african landowners from the study area disputed an allegation (made by settler witnesses to the above mentioned commission) to the effect that the majority of local men refused absolutely to work for wages. Admitting that a number of men, previously engaged in migrant labour had returned from the Reef, the landowners insisted that this was due to the low wage (then) offered to mineworkers. (Wages had been sharply reduced from the prewar figure of £4 a month, with board). As one witness argued, it was

"not that they refuse this wage, but they are compelled from circumstances to refrain from working because it is of no advantage to them; they obtain no advantages from it. The Native goes out with the intention to earn sufficient to pay off his debts, his taxes, and his landlord, but he finds that that is insufficient."

His companion supported this statement, observing that "the wages received up there are similar down here". Not only did returned migrants refuse employment at the Reef, they also declined local employers offer of a similar wage. Under these conditions, they preferred to devote their energies to activities within the sphere of homestead production(17).

That they were able to do so suggests something of the resilience of the homestead economy and the marginal importance of migrant, (and indeed, any), wage-labour in securing the economic independence of homesteads. There is other evidence to suggest that (at least in the short term) men from Natal participated in distant labour-markets with a degree of discretion. It was alleged that Natal men displayed a tendency to return home from the Reef at the onset of the Highveld winter. When conditions were perceived to be dangerous they did the same; twice during 1896 - at the time of the 'Jameson Raid' and following the enforcement of harsh pass legislation - and in the prelude to the Anglo-Boer War, large numbers of Natal men abandoned Johannesburg and surroundings(18).

Although, clearly, the Reef labour-market became the major source of alternative employment for local men, the labour-centres of the period before 1886 appear to have retained some of their earlier importance. Pass returns for the period 1910-12 - See table I p.ix, figures for Cape colony - together with the observations of local judicial officers, suggest the continuing importance of the Kimberley centre(19). The significance of the colonial towns is less easily established. Intermittent returns for the period after 1894 suggest something of the number of men from Estcourt and Weenen Divisions at work elsewhere in the Colony (see table H pviii). Nothing is known of the destinations chosen by such migrants until 1911 and 1912. Approximately half of the thousand-odd men listed as working in Natal during these years gave the sugar plantations on the coast as their destination when applying for passes. As Beinart has observed of migrants from Pondoland choosing this form of employment during the early twentieth-century, work in the sugar-fields involved less physical danger, and was a good deal closer to home, than employment in mine-work at the Reef(20). Finally, the table shows the Orange Free State as a destination for migrants from the study area. Many of these workers would have been tenants,

resident in Natal, required to discharge their labour-service obligations in the OFS(21).

Although labour-recruiters (or 'touts', as they were popularly known) were active in the study-area, evidence concerning their role in shaping the extent and pattern of participation in migrant-labour is ambiguous. Reliable figures for the number of local men recruited through agents is available only for the period after 1908. Before that date, official reports refer to both the presence (and effectiveness) of recruiters and the preference of local men for "proceeding independently in search of work". (Unfortunately, the available evidence is too fragmentary to allow these contradictory assertions to be resolved).

Earliest (traced) reference to the presence of recruiters in the study-area is in 1895, when the magistrate at Estcourt ascribed the predominance of "old men and young boys" among local workseekers to "large numbers of the younger men being induced by agents and touts to leave employment here for the purpose of seeking it at the Gold Fields". (Recruiters were alleged to "amass large sums of money in this manner")(22).

Labour-recruiting was sufficiently advanced in Natal at this time to prompt the introduction of legislation to control the practise. Act 36 (1896) made provision for the issue of licences (by magistrates), and prescribed stiff penalties to discourage offenses such as 'hiding of deserters' and 'enticing servants from employment'. Touts were to gain access to potential recruits only with the written permission of landlords, or, in the case of Reserve and Crown-land through the magistrate(23). In practise, however, access to these last categories of land seems to have been determined by the secretary for native affairs (SNA); at least one labour-agent found this official unsympathetic to his request for permission to recruit a hundred labourers from the inhabitants of the Upper Tugela Location. Acting for a southern Transvaal colliery, the agent found that his assurances of £3 in wages, board, and "just treatment", were not sufficient to gain the necessary permission(24).

This first attempt to regulate the activities of labour-recruiters was evidently not adequate to the task; and in 1901, the Act was amended to prohibit recruiting in Natal for service outside the colony(25). Whatever the extent of 'touting' in Weenen County before 1901, there is evidence to suggest that these regulations severely curtailed the practise. No licenses were issued in any of the three magistracies during 1903 and 1904; but in the following year, two were issued at Estcourt. The Act was enforced on at least one occasion; in 1906 an african 'runner' (employed by a labour-agent) was imprisoned for straying over the boundary of the Division for which his employer held a license(26). This apparent decline in the activity of labour-recruiters is probably misleading. Commenting on pass returns for 1906, the under-secretary for Native Affairs argued that

"the words 'in search of employment' are, however, hardly applicable to the departure from the Colony of the Natives referred to, there being good reason to believe that the men are in many cases recruited by labour-agents...Detection of the offenders is difficult as the natives procure their own Outward Passes, and travel with an employee of the Agent or Tout, who is ostensibly one of the party merely, but is in reality its conductor"(27).

A further amendment of the Act (in 1908), removed the ban on recruiting for service outside the Colony, and made it mandatory for contracts entered into between labour-agents and recruits to be registered before a magistrate. A further stipulation was that only persons liable for payment of poll tax (or young men over the age of eighteen years) were eligible for recruitment. Both license-holders and magistrates were required to forward annual returns of the number of contracts made(28).

According to a statement prepared by staff of the Native Affairs Department, two recruiters (employing 9 runners) were active in the County during 1908. In May, one of these agents registered

two parties (of eleven men each) at Estcourt for service with 'Witwatersrand Deep Limited'. In October, three agents from outside the study area engaged a total of fifteen men, from Estcourt and Weenen Divisions, to work on mines at the Reef. Other sources refer to the recruitment (during 1908) of a further 60 men from these magistracies(29). Official figures for the period 1908 to 1912 suggest that recruiters continued to play a marginal role in the movement of local men to labour-centres outside the Colony. (See figure 8). Unfortunately there is no means of verifying the accuracy of these figures, and the same provision regarding 'disguised recruitment' (voiced in 1906) applies.

figure 8

	Est	Weenen	UT	Total
1908	40 1160	46		
1909		20 904		
1910	2 2334		0 1500	
1911	50 2795	27 1034	0 881	77 4710
1912	4 2709	0 1052	0 983	4 4744

Men proceeding to work, as recruits, and independently, 1908-12. Seeking to account for this (apparent) lack of success, the magistrate at Upper Tugela reported that, "Natives returning from the mines frequently complain of breach of faith on the part of their employers, and state that it is practically impossible for them to earn anything like the wages promised them at the time of enlistment". A more detailed account (on much the same lines) was offered by this officer's colleague at Estcourt.

"The natives are in the hands of touts for some days before they are registered, when all manner of fair promises and prospects are held out to them which they find cannot be realised. Many of them on hearing the contract read dissent, stating that the tout promised this and that. No doubt natives

are induced by the prospect of earning £3 a month (an inducement invariably held out to them) whereas that amount can only be earned after a Native has worked for three months and obtained efficiency in the ordinary class of work on a mine. The kind of work to be performed is not left to the choice of the natives, at least it cannot be guaranteed to them before they proceed to Johannesburg, hence, I think, the desire to proceed there of their own account, choose their work, and engage themselves on the spot, perhaps to a mine whose standard of efficiency is not so exacting(30)."

The practise of making advance payment of wages to recruits as an incentive to their agreeing to be contracted for service has been documented for other parts of southern Africa around the turn of the century(31). That 'advances' were an important means of mobilising mineworkers from Natal is suggested in official correspondence. During 1909, the manager of the Premier Mine informed the SNA that migrants from Natal were able to command advances significantly higher than those paid to men from other parts of the sub-continent; (as much as £20 a time). He also alleged that men in receipt of these large advances displayed little interest in their work and were liable to abscond before completion of the contract period(32).

Colonial legislation did not address the question of advances until 1908. Instead, advance payments had the legal status of loans; if a recruit failed to fulfill the terms of any agreement entered into, the labour-agent making the advance had only the usual civil redress. In terms of Law 44 (of 1887), magistrates were prohibited from making judgment in any case involving promissary notes (given by africans in lieu of rent or as security for money received) unless these had been attested in the presence of a Justice of the Peace. The amended 'touts' Act of 1908 prohibited the inclusion (within the service contract) of clauses governing deductions from wages to meet any debt owed by the recruit to the labour-agent. Instead, the Act specified that

a separate agreement might be entered into whereby any advance made to a recruit could be repaid through deductions from wages. (The maximum rate at which interest on such advances could be charged was set at 15%)(33).

The fragmentary evidence that is available, suggests that advances were paid to local men engaging themselves to labour-agents. From Weenen (in 1896) it was observed that "when a bonus is offered by labour-agents men are supplied at a moments notice". Similarly, from Estcourt it was reported (in 1910) that "most of those recruited are tempted to engage themselves by the advances obtainable from the agents". A reliable witness from the adjoining Klip River Division, informed the South African Native Affairs Commission (in 1903) that touts were obtaining recruits with the offer of a beast worth approximately £5, for six-month service-contracts. Finally, there is evidence to suggest that some recruits were able to turn to their own advantage, the willingness of agents to make advances; one such agent (based at Mooi River) complained that contracted labourers deserted from service and defrauded him of money (and goods) advanced to them.(34)

Although migrant-labour was both an important source of income and the means of acquiring new productive technology (in the form of ploughs and draught oxen), it contributed to the pressures which transformed the homestead economy over the course of the century. A major aspect of this process of transformation was the changed relationship between heads of homesteads and the young men who made up the migrant workforce. By providing young men with an income (and the opportunity to spend it as they chose), migrancy undermined the traditional economic relationship whereby the homestead-head controlled the labour-power of family-members. There is evidence of three consequences of this development.

First; many migrants either delayed their return home or

abandoned the homestead altogether, preferring to establish themselves in their new surroundings. In a report of 1887, the County magistrate spoke of men "who are absent for years at the Diamond Fields and Gold Fields, leaving their families to shift for themselves". Some years later his colleague from Upper Tugela observed that "the able-bodied men migrate to Johannesburg leaving the weak, the maimed and the women to be fostered on such produce as can be obtained from Native Trust, Crown, and private lands and in some cases by begging, borrowing or stealing, while the former spend their earnings." He insisted that this was not an isolated occurrence, but was "becoming more serious every day". Homesteads dependent on the earnings of such men were struck particularly hard by the loss of livestock (to Rinderpest) and growing crops (to locusts and drought) during the last years of the century(35).

Second; many returned migrants were able to make little, or no, contribution to the homestead's income at the end of their period of absence. In 1879, the County Magistrate observed that

"those natives who have once worked at the Diamond Fields, and there are many in this Division who seldom work elsewhere, have developed so strong a taste for the luxuries of a more civilised state of living, that in spite of the high wages they earn there, unlike their brethren who work for less wages in Natal, they return to their kraals after an absence of many months very little richer than when they left, and with appetites and tastes that they are quite unable to either gratify or control in the locations in which their kraals are situated"(36).

Some years later it was reported from Upper Tugela that,

"it is an exceptional thing for a native of this division, to bring back sufficient money to pay his taxes after being in Johannesburg six months, they return laden with second-hand clothing and even purchase horses to carry this clothing down, but little or no money. Case after case has come to my knowledge where these men have borrowed money on borders of colony so as to

have something to show on returning home".

This observer went on to note, that

"cases have frequently come to my notice where Natal natives have been drugged returning home, and what little money they had on them, taken - often by men of same tribe who had nothing to show. Chiefs and headman are always complaining - they get nothing from their sons who go to Johannesburg, over whom they lose the little influence they had, nor is it an infrequent thing for some native on returning home to produce to father a receipt for money received for certain cattle described in his kraal, sold at Johannesburg for money to purchase liquor"(37).

It was (partly) with a view to increasing the flow of earnings from migrants to their dependants in Natal that the SNA department created an agency at the Reef in 1895. The initial response of local men to the inception of remittance facilities appears to have varied according to their place of origin within the County. In 1896 - first year in which the service was in existence - "fairly large sums" were remitted by men from Weenen; the substantial increase in hut-tax collected in Estcourt Division was attributed to the existence of this facility. From Upper Tugela, however, it was reported that "little or no money, comparatively speaking, passes through this office from the Johannesburg agent". This officer suggested that the imposition of customs-duty on the large quantity of second hand clothing carried by returning migrants, would "encourage" use of the remittance facility(38). At least one migrant used this means to pay the hut-tax due for 1895, and by the middle of the following year, approximately £870 had been remitted by local men. (A full 60% of this amount was channelled through the Estcourt Magistracy). During 1897, over £3400 entered the study-area in this manner. One man sent a sum of £96 to his relatives (an amount the magistrate described as "unusually large")(39).

A third aspect of the changed relationship between migrants and

their elders was the (perceived) change in the demeanour of young men. Although the phenomenon certainly predated this time, it was, alleged in 1882, that

"there is much more of brutality, impatience, and impudence to be met with amongst a great part of the young male natives now than formerly, whereas the elderly men are polite, kindly and prudent in their usages, as they always have been... The younger men, however, go for six months, a year or even longer, to the Diamond Fields, where they board in canteens, learn drinking alcoholic liquors, and other licentiousness... They come home changed men".

In this case, association of the migrant-labour experience with a change in the customary (or possibly, idealised) relationship between youths and homestead heads was made by the elders concerned. (They ascribed the change to the magistrates leniency in issuing young men with passes to leave the Colony). On other occasions, officials made this association of their own accord. In 1896, one officer observed with alarm, that "cases of assault by son on father are becoming a frequent occurrence"(40).

If it is accepted that these (and similar) assertions are an accurate reflection of real events, then clearly, the migrant labour experience contributed to the pressures that transformed the relationship between youths and elders. As noted above, migrant labour also provided young men, obliged to render labour-service under the labour-tenant system, with the opportunity of avoiding (or delaying) such service. It also made it possible for youths from homesteads occupying reserve land to escape service under the labour-levy(41). In addition to the conflicts that arose between young men and their homestead-heads, landlords, and chiefs, the 'spirit of independence' which they displayed, often brought them into conflict with the colonial authorities. Sometime during 1895, the magistrate at Upper Tugela sentenced a number of returned migrants for displaying 'contempt of court'. Asked to account for his action, he remarked that "as this office

has to deal with men returning from Johannesburg who care for nothing and nobody, and will walk into court with hats on and pipes in their mouths if allowed, I shall be glad of your instructions on how to uphold the dignity of my court"(42).

One incident which should be mentioned here is the case of the so-called "Laita Gang", reported to be 'terrorising' the population occupying privately-owned land east of Colenso in 1907. Enquiries revealed that a group of young men (alleged to be almost thirty strong) were involved in a sequence of robberies and assaults in the locality. This was clearly not simply another case of fighting between young men from different localities, but an altogether new phenomenon (apparently) unheard of among local people. One of the few persons who could be persuaded to give evidence concerning these events informed the magistrate that traditional authority-figures, though aware of the identities of the culprits, were in fear of their lives and would not assist any investigation. Fearing the consequences of a wider enquiry - the disturbances of 1905/6 were still fresh in the minds of local people - this officer appears to have closed his investigation almost immediately. This is unfortunate because the activities and organisation of this group bore a marked similarity with those of gangs (of the same name) functioning in urban centres at this time.(43)

The prolonged absence of large numbers of young men from the homestead frequently increased the economic burden of women and children. One index of this change was the transfer of traditionally male duties such as the handling of livestock, especially during the ploughing operations, to women. First reported in 1908, the phenomenon was observed in other parts of the study area(44). More than a decade earlier, observers noted a similar change in the traditional role of children within a homestead-economy(45). The absence of youths from the homestead appears to have prompted the integration of children into the local workforce. From Estcourt, it was observed (in 1895) that

"most" workers offering their services to local employers in that year were "old men or boys - large numbers of the youngest men" being employed abroad. In the same year the magistrate at Weenen observed that workers sent in by their chiefs for registration in terms of the labour-levy, were a "poorer class of labour than here tofore, youths taking the place of men, and boys the place of youths". He ascribed this development to the 'exodus' of 'young men' to the Reef labour-market.(46)

Notes

1. In principle, anyone who works at a place some distance from their home is a 'migrant' worker. The term would therefore include any person from a homestead situated on reserve land working for a settler landowner in the County where this involved their being absent from home for extended periods. In practise, however, the term has been used to refer to people who travel beyond the limits of the study area in search of work, particularly to the major labour centres of nineteenth-century southern Africa - the colonial towns, the Diamond Fields (of Kimberley) and the Reef.
- 2 For an overview of the involvement of Natal africans in the Reef labour-market around the turn of the century, see Dhupelia U (1980) 'Frederick Robert Moor and Native Affairs in the Colony of Natal, 1893 - 1903; Dhupelia U (1982) 'African Labour in Natal: Attempts at Coercion and Control, 1892-1903.
3. Colenso JW (1855) 'Ten Weeks in Natal', pl11-2; SNA 1.3.7 (1858) RM W Co; SNA 1.3.8 (1859) RM W Co.
4. 1889 Gunpowder Laws Commission. Evidence pl19,208; Von Fintel W (1932) 'Traditions and History of the Amahlubi Tribe', p236.
5. Manson AH (1979) 'The Hlubi and Ngwe in a Colonial Society', p102.
- 6 BB 1887 p67 RM W Co; BB 1888 p64 W Co.
7. In terms of rules made under Act 48 (1884), any male african wishing to leave (or enter) the Colony for some purpose, was required to apply for a pass at the nearest

Magistrates office. Passes served as a means of identifying the holder and of limiting the period for which he might be absent from the Colony. (After 1887 a fee was charged for issuing such a pass.) Unfortunately, no trace has been found of the annual returns (of passes issued) submitted by Magistrates to the SNA department. What figures are available have been extracted from annual reports for the period 1894 to 1910. In only three of those years (1895-7) is a distinction drawn between, applicants whose stated intention (in applying for an "outward " pass) was to seek work beyond the borders of the Colony, and the broader category of applicants for "outward passes". After 1898, passes are referred to either as "outward" or "out work" passes (depending on the officer concerned). On only one occasion - for Estcourt in 1903 - are figures provided for both categories. Whatever the case in other years, figures for the period 1895-7 (in which passes issued to workseekers comprised between 60% and 70% of the total number of outward passes) suggest that most people leaving the Colony in any year did so in order to seek employment. (See table.) A second qualification to be borne in mind when examining pass figures is the possibility of misrepresentation (regarding destination) by the applicant. There was no way in which the issuing authority could be sure that the applicants stated destination was the place they intended to visit.

Figure 9

	A	B	
Year	Outward	Outwork	B % of A
1895	5506	3806	69%
1896	4837	2919	60%
1897	3512	2190	62%

Proportion of 'outwork' to 'outward' passes, 1895-7.

8. NABB 1907 p20 RM E.
9. See Van Onselen C (1982) Studies in the Social and Economic History of the Witwatersrand, 1886-1914. Vol. 2.
10. SNA 1.1.211 No.1424 (1895).
11. Van Onselen C (1982) p101.
12. It is possible however, that this difference is more apparent than real. There was no means whereby officials could check that pass applicants journeyed to their destinations.
13. NABB 1897 p104 RM W; NABB 1898 p30 RM W.
14. SNA 1.3.7 (1858) RM WCO; NABB 1903 p62 RM UT; NABB 1910 p236 RM E, p241 RM W.
15. SNA 1.6.6 no R484 (1876) RM WCO.
16. 1903-5. South African Native Affairs commission. Evidence. p462, 465, 29, 466, 673, 385; NABB 1903 p62 RM UT.
17. 1903-5. South African Native Affairs Commission. Evidence. p461-5. This resistance to employment in migrant-labour, at what they considered to be an inadequate wage, was widespread amongst South Africa's migrant workforce at this time. See Denoon DJN (1967) *The Transvaal Labour Crisis, 1901-6*; Warwick P (1978) "Black Industrial Protest on the Witwatersrand:1901-1912"; Moroney S (1978) "Mine Workers Protest on the Witwatersrand:1901-1912."
18. SNA 1.1.272 no 2968 (1897); SNA 1.1.214 no 53 (1896); SNA 1.1.232 no 1816 (1896); SNA 1.4.6 no 46 (1899).

19. NABB 1901 p18 RM E; p25 RM W; NABB 1903 p21 RM W.
20. Beinart W, (1980) Labour Migrancy and Rural Production: Pondoland c.1900 - 1950 p94-7.
21. NABB 1907 p50 RM UT.
22. BB 1895 p134 RM E.
23. Act 36, 1896. Statutes of Natal, 1845-1899. compiled by RL Hitchens and GW Sweeney.
24. SNA 1.1.236 no. 89 (1897).
25. Act 46, 1901. Acts of the Parliament of the colony of Natal, 1894-1910.
26. NABB 1905 p10 RM E; SNA 1.1.336 no.252 (1906).
27. NABB 1906 p6 Report of the Under-Secretary for Native Affairs.
28. Act 1, 1908. Acts...
29. SNA 1.1.413 no. 3151 (1908).
30. NABB 1909 plxv RMB; NABB 1908 p13 RME.
31. See Beinart W (1979) "Joyini Inkomo: Cattle Advances and the Origins of Migrancy from Pondoland".
32. SNA 1.1.471 no. 2860 (1910).
33. Law 44, 1887. Statutes... Act 1, 1908. Acts...

34. SNA 1.1.214 no. 42 (1896); NABB 1910 p236 RM E; 1903/5. South African Native Affairs Commission. Evidence. p232; SNA 1.1.461 no. 1230 (1910).
35. BB 1887 p68 RM W.Co.; SNA 1.4.2. no. 1665 (1894) enclosed in no.3 (1895) RM E.; SNA 1.4.5. no. 8 (1898) RM W.
36. NABB 1879 p54 RM W.Co.
37. SNA 1.4.2. no. 1665 (1894) enclosed in no. 3 (1895) RM UT.
38. SNA 1.1.210 no. 1320 (1895); NABB 1896 p76 RM W, p72 RM E, p85 RM UT.
39. SNA 1.1.215 no. 103 (1895); SNA 1.1.224 no. 1166 (1896); NABB 1897 p24-8.
40. NABB 1882 p202 RM UT; NABB 1896 p85 RM UT; NABB 1898 p33 RM W.
41. In 1895, the magistrate at Estcourt urged abolition of the labour-levy, arguing that "the natives look upon this duty as a hardship and often go out to service either in or out of the Colony for fear of being put on the roads". His colleague at Upper Tugela drew attention to the close relationship between migrant labour and the labour-levy with the allegation that chiefs accepted bribes (in livestock) to "overlook" migrants when filling quotas. SNA 1.1.214 no. 42 (1896).
42. SNA 1.1.202 no. 553 (1895).
43. SNA 1.1.360 no. 72 (1907); Van Onselen C (1982) p54/5.
44. NABB 1908 p18 RM W.

45. Any african below the age of 14 years was generally considered to be a "child".

46. BB 1894/5 p134 RM E; NABB 1895 RM W

Chapter 5

LABOUR-TENANCY

From the observations of local officials, it is clear that labour tenancy - or, in contemporary usage, 'labour-service in-lieu-of-rent' - was the predominant form of labour organisation in the County from as early as 1858. In that year the Weenen magistrate reported "the general agreement existing throughout this County between owners of farms and kafirs to be as follows. The right of pasture and cultivation is secured to the heads of families; who, on their side, are bound to supply labour, by their young men, at the usual wages of 5/ a month and rations. In some cases there is an understanding that married men shall, in harvest time, or on extraordinary occasions such as erecting or repairing cattle kraals, clearing out of watercourses, branding cattle or the like, give their services gratuitously. In other cases such extra services are paid for, and when so, usually after the rate of 3d a day". The continued predominance of this form of labour-service was confirmed by local officials in 1876, 1890, and well after the turn of the century. (1)

Other characteristics of the basic labour-tenant form not reflected in the above extract included the following. A first (and crucial) feature of labour-tenancy was - in the words of an official observer - that "such labour is generally paid for at a somewhat lower rate of wages than is obtainable locally, and very much lower than the rates paid in the towns and on the coast". It was customary that working labour-tenants receive a monthly wage approximately one-half the 'local average' wage paid to workers hired under other circumstances. Evidence from different parts of the County (at various times) confirm if not the generality, then at least the existence and significance of the practise. In certain cases, tenant labourers received no cash wage at all.(2)

Employer justification of this practise was based on an assessment of the 'hidden' remuneration embodied in the cultivation and stock-keeping privileges enjoyed by the tenant homestead. It is not possible, at this distance from the period under review, to determine the equivalent value in cash of these privileges. It is possible, however, that there was a tendency on the part of landlords to overestimate their value to the tenant homestead. One such estimate, by a landowner from the adjacent Klip river Division in 1906, set the monetary value of privileges at approximately 18/ per month.(3)

Excluding the occasions on which all members of the tenant homestead were called up for work, labourers were required to serve for a set period - measured in months - during the year. The period served varied according to the terms of the agreement reached between landlord and homestead-head, but by 1888, six months appears to have become 'general'. In time, the six-months system' (or, in Zulu, 'isitupha') became institutionalised in the County; tenant labourers spent equal parts of the year in and out of their landlords service. During the second six-months (or 'off') period, and depending on the agreement in force, the labourer was either free to seek work elsewhere or required to remain on hand to perform any other service that might be demanded. Official attempts to discourage the latter practise appear to have been ignored, and there is evidence that local landlords used it extensively.(4)

A third characteristic of labour-tenancy was that agreements were invariably verbal. It will be suggested elsewhere, that the refusal of tenant homestead-heads to concede to the demands of landlords for written (and attested) contracts was based on a shrewd appreciation of the relative ease with which verbal agreements could be repudiated if so desired. The capacity to refuse to enter written agreements was a reflection of the relative powerlessness of landlords in the face of the tenant

homesteads wide choice of alternative tenures and employment. The observation (made in 1907), that "most of the farmers...are content with an indefinite verbal contract only, renewed when trouble arises", probably held true throughout Weenen County for the entire colonial period.(5)

Some idea of the demands in labour-power made on tenant homesteads under the labour-tenant regime, is suggested by a detailed record of the service-periods worked by the labour-force on one settler landholding in the study-area.(6) (Records note the dates on which men reported for, and were released from, service. Togh labourers are distinguished from other workers, and an examination of the frequency with which names recur in the list, suggests that the vast majority were employed for the six-monthly periods characteristic of labour-tenancy). (See table K pxi) There is some evidence of a regular pattern in the number of workers reporting for service in the different months of the year - during April, August, October, November, and December. The last three months coincided with the onset of ploughing and sowing seasons - during which male labour-power was at a premium - and the first weeding of the growing crop. Workers commencing their service-period in December were available for employment in successive weedings throughout the growth cycle of the maize crop. Similarly, workers called up in the early months of the year were on hand for the harvest.

Apart from these (apparent) concentrations, the number of people employed varied widely between successive months and from year to year. Over the period 1891 to 1910, the number taken on in any year ranged between sixteen (1891) and thirty-seven (1907), and averaged 27.8 workers. One man - chosen at random from those appearing on the list - was employed on nine occasions in the period between 1891 and 1912. He worked a total of forty-five months, in service-periods of 5 months duration. Intervening, 'off', periods were of varying length, and ranged from five months to six years. (It is possible that he was not resident on

the farm, and hence, was not liable for labour-service, during this last mentioned time). Over the twenty-one-year period, this worker spent an average of only 2.14 months in each year working for his landlord.

Finally, it seems that labour-tenant agreements invariably contained a penalising clause which allowed the landlord to claim damages should the tenant homestead-head fail to fulfill the obligations undertaken. Such damages took the form of fines - reported, in 1898, to vary between £5 and £10 for every offense - or the collection of hut-rent from the offending homestead. In some cases, the tenancy agreement stipulated that rent would be paid only in the event of failure to render labour-service; in others, rent-tenant homesteads were permitted to 'work off' their rent obligations in the form of labour-service. A third, rent-associated, form of the basic labour-tenant agreement - reported to be popular in the central plain region of the County - was one in which both hut rent and wages (to tenant labourers) were substantially higher than usual. Rent was always collected in full, and wages were set at the "local average" paid to permanently-employed workers.(7)

The popularity of the last-mentioned practise owed much to the influence of the County magistrate. Reporting (in 1876) on his efforts to encourage its adoption by local employers, this official argued that "they should consider the advantages they enjoy in the facilities for obtaining labour by the Location of Kraals upon their farms as an equivalent for the use of the land by the natives, and offer the current rate of wages when there would be less inducement or excuse for breach of agreement on the part of the latter".(8)

It had at least one other advantage for employers. Commenting (in 1900) on the relative merits of the standard labour-tenant agreement and this variant form, an observer noted that: "although there is no or really very little difference in the two

modes of dealing with the natives, there is this to be said in favour of the latter, viz: The Native can better understand his position by seeing a larger amount of his money pass through his hands, whereas in the former he only sees the small pay he receives and cannot realise the advantages he gets by occupation of the land - land which in all probability, he and his forefathers have lived on long before it ever became the property of his present landlord". In view of the weak legitimation of settler rule among Natal africans, the importance of having tenants "realise the advantages" - chiefly cultivation and grazing privileges - accruing to them under this form of labour-organisation, is obvious. Where the tenant participated in the bi-annual process of "settling-up" with his landlord, the physical balancing and exchange of (relatively) large sums of money would have obscured the exploitative relations between parties, (and defused the tensions which this gave rise to).(9)

While it is not possible to establish the extent to which these various rent-associated conditions were included in labour-tenant agreements, there is evidence to suggest that one or more of them were popular in the central plain region encompassed by Estcourt magistracy. A return (in 1896) of the "number of farms on which rent was charged", provides an approximate index of their prevalence. (No distinction is made between rent-tenants and labour-tenants also liable for hut-rent, but by this date, the acreage available to the former was negligible - particularly in Estcourt Division. In the County as a whole, the inhabitants of almost 300 farms (covering 872 000 acres) were reported to be paying hut-rent to settler landlords. A full two-thirds of this number - covering almost three-quarters of the total acreage - lay within Estcourt magistracy.(10) In a report for 1897, the magistrate at Weenen observed that "few natives both pay rent and provide labour". Similarly, an official stationed at Upper Tugela in 1907, remarked that it was then "becoming more frequent to insist on the payment of rent irrespective of whether labour is supplied, a rebate of part of the amount being allowed in some

cases for each native who works his six months".(11)

Labour-tenancy in the Upper Tugela region was influenced by the broad characteristics of local patterns of land-ownership and labour-supply, but does not appear to have exhibited a specific, variant, form. In addition to tenants working for local employers, a large number were required to perform their service obligations on the landlords "home" farm situated in the adjacent districts of the Orange Free State. Attention was drawn to the phenomenon for the first time in 1884 - shortly after a large acreage of Crown land in the region had been sold to these "trekboers". No indication of the extent of the practise has been traced, but it persisted at least until the close of the study-period.(12)

The thornveld region around Weenen village occupied a crucial role in the organisation of labour-tenancy in the County. Sometime during the mid-1870's, settler employers based in the higher-lying parts of the County began to acquire tracts of Crown land in "the thorns" - as one official put it - "for the sole purpose of drawing a supply of labour from the natives living thereon, and of whose occupancy it is made a condition that they supply a certain amount of labour in return for the advantages they enjoy". By the turn of the century - and largely due to the weakness of regulations governing the sale of Crown land after 1880 - virtually the entire surface-area of Weenen Division had passed into the hands of settler landowners. Despite allegations that the bulk of this land had been purchased with money collected as rent from its african inhabitants, labour-tenancy predominated. Rent-tenancy was restricted to the (few) occupants of land owned by the Natal Land and Colonisation Company.(13)

Very little is known concerning the particular features (if any) of service agreements entered into by this tenant population. It was suggested (in 1905), that such agreements were more frequently reduced to writing and attested before the magistrate

than was customary elsewhere.(14) There appear to have been peculiar, though insignificant, difficulties associated with the enforcement of these labour-service agreements, but this question is more appropriately addressed elsewhere. In principle, the distance of these thornveld 'labour-farms' from the employers place of residence meant that tenant homesteads were less subject to interference by the latter. It is probable that apart from an appointed "induna" (or foreman), tenants were left unsupervised in their use of the land. The benefits of this situation would, however, have to be balanced against the following: prolonged absence from home while in service; the precarious nature of cultivation in this drought-stricken region; and the importance of these landholdings as winter grazing for the landlords own livestock.

A second peculiarity of labour-organisation in the vicinity of Weenen Village was the relationship that existed between the settler population of that place and the african inhabitants of the Townlands. Although a comparatively small number of people were involved in this system, it was unique in the experience of the Colony and merits attention for this reason alone.

In 1845 approximately 20 000 acres around Weenen village were set aside as a commonage for the use of its inhabitants. Weenen had been intended by the Trekker immigrants to be one of three administrative centres, and a substantial village (comprising 150 erven of between one and two acres each) was laid out. By 1855, a watercourse had been constructed to lead water from the nearby Bushmans river, through the village, for the use of the inhabitants. Four years after that date, the seat of the County magistrate was moved to the more favourably situated village of Estcourt. In time, the erven and houses of this isolated settlement were occupied by landless settlers, and Weenen became known as "a poor mans paradise".(15) The basis of this 'paradise' lay in the free availability of land, the water supply - assured by state maintenance of the watercourse - and the

peculiar form of labour organisation that came to be known as the 'Weenen system'.

Sometime during 1856, refugees from the Zulu country were permitted to establish themselves on the Townlands. At a public meeting chaired by the County magistrate, an agreement was reached whereby the refugees were to provide labour service to the village residents in exchange for this privilege. Such service was to be performed in-lieu-of-rent, and at local wage rates. During 1859, two other parties of refugees were settled on the Town lands.(16)

In 1884, the (apparent) tranquility of this situation was disturbed following the establishment of the Weenen Agricultural Settlement. This project involved the resumption of 5000 acres (or one-quarter) of the Townlands by the state, and the construction of an irrigation furrow to lead water from the Bushmans river to seventeen 40-acre lots. The remainder of this acreage - some 4300 acres - was set aside as a grazing commonage (known as the Reserve) for the use of intended Settlers. Under rules laid down by the Land and Immigration Board, tenants occupying irrigable land were evicted to make way for Settlers. Homesteads resident on the Reserve were given a choice between eviction and providing labour-service to the latter. (Each holder of an irrigation lot enjoyed the right to settle two homesteads on the Reserve). Although the creation of this Settlement introduced the potential for a conflict of interest between villagers and block-holders over access to the labour-power of tenant homesteads, such conflict remained dormant until the early-1890's. The chief reason for this is probably the dealy with which irrigation lots were taken up; by the late 1880's. Only twelve (of 17) had been sold. Many were not in use.(17)

In time, and as the number of employers in the immediate vicinity of Weenen Village rose, the local system of labour-allocation

came under increasing strain. Villagers accused block-holders of drawing labourers from homesteads resident on the Townlands, while the latter complained that a labour shortage undermined the viability of their farming operations. In 1891, matters came to a head and the County magistrate was forced to convene a public meeting to settle the dispute. At this meeting, an elected committee comprising representatives of both factions was appointed to oversee all future allocation of labour power drawn from homesteads resident on the two Commonages.

The meeting agreed that the following conditions would be imposed on tenants: in exchange for the privilege of residence, cultivation, and grazing, tenant homesteads were to provide villagers and block-holders with half the available labour-power (in each homestead) at a time. (Though not stated explicitly, it may be presumed that this involved tenant-labourers working six-month shifts). Workers were to be remunerated at the (fixed) rate of 8/ per month (adults), with "children" earning proportionally less. (The 'adult' wage is around half the current County average for non-labour-tenants. (See table H pviii). Tenants were protected against summary eviction; all applications for the eviction of a particular homestead were to be addressed to the County magistrate. Following investigation, this officer would either enforce or dismiss the application.(18)

Figure 10

Huts	Homesteads	£	Cumulative £
1	6	35.29	35.29
3	2	11.76	47.05
4	3	17.65	64.7
5	2	11.76	76.46
6	3	17.65	94.11
7	1	5.88	99.99

17

Homesteads on Reserve, Weenen, 1894.

Evidence concerning the size and nature of the tenant population is available for the mid-1890's. A census of the Reserve population in 1894, revealed that this tract accommodated seventeen homesteads (occupying a total of 59 huts). See figure 10. More than one-third of these homesteads comprised only a single hut; almost half were of three huts and less. The labour-power of this population was distributed among eight block-holders - an average of 2.13 homesteads (and 7.38 huts) per employer. The actual allocation of labour-power would appear to have been unequal, as the following figures for the distribution of homesteads (and huts) suggests - 6, 1, 1, :3, 4: 5: 5, 7: 6, 1: 3 :4, 1, 1, 1: 6, 5.(19).

In 1895, a census revealed the population of both commonages to be a total of 67 homesteads. If the number of homesteads occupying the Reserve during the previous year (see above) is subtracted from this total, the population of the Townlands stood at fifty homesteads.(20) Without evidence of the number of Villagers drawing labour-power from the latter, it is not possible to assess the (relative) demands placed on homesteads resident on the two commonages. That some block-holders were experiencing a real shortage of labour-power is suggested by the magistrates observation (in 1896) that several of these employers were "dependent on labour-agents in other Divisions to procure labour for them at the maximum rate of wages".(21)

Evidence for the 1890's suggests something of the conditions to which homesteads were subject. One homestead occupying part of the Reserve was alleged (in 1892), to comprise fourteen huts, to cultivate in excess of 150 acres, and to possess one hundred head of cattle and around 1500 goats. This particular homestead was the subject of an attempt by block-holders to enforce a reduction of the acreage used by tenants for cultivation and grazing. At no point in the correspondence to which this action gave rise, was it suggested that this homestead was exceptional in regard to

either the acreage cultivated or the size of its stock-holdings. It would not, however, be appropriate to assume that this homestead was typical of others on the Reserve at this time; its size and wealth are partly accounted for by the presence of the homestead-head's four adult sons, with their dependants and livestock.(22)

Evidence concerning conditions of labour service is available in some detail. In 1894, tenant labourers from the Settlements Reserve were required to work at the (alleged) "local average" wages of 10/ (men), and between 3/ and 5/ (children). Married women were excused all such obligations, but any other person, not currently in service, was subject to being called in at times when labour-requirements were at seasonal 'peaks' - chiefly ploughing, harvest, and forage-cutting. Unlike the 'general' agreement in existence between villagers and tenants on the Townlands, it seems that relations between block-holders and Reserve tenants were regulated by individual contracts. While some of the latter were in written form (and had been attested before the magistrate) most were verbal. Around this time, wages paid by Villagers to their workers, were allegedly half the "local average" of 20/ (men), 10/ (boys), and between 6/ and 8/ (girls). Both sets of tenants were thus in receipt of substantially the same wages.(23)

It is probable that the abovementioned conditions of employment (including wage-rates) were not applied uniformly throughout the tenant population at this time. This was because the agreement reached between village residents and block-holders in 1891 lasted less than a year. The collapse of this initiative meant that employers were once again in competition with one another for homesteads from which to draw labour-power. There is some evidence to suggest that, in this state of confusion, the nature of the relationship between tenants and employers may have changed. One well-placed observer later alleged that during this period, "it would sometimes happen that a European would not

require all the labour his Kraal or Kraals could give him. He would take, say, a girl, and tell the man he would excuse him from working provided he paid so much".(24) What had previously (and unambiguously) been a form of labour tenancy was combined with an element of rent tenancy to produce a relationship similar to that 'popular' in Estcourt Division. It would, however, be incorrect to see this as a feature solely of the period of confusion during the early 1890's. The possibility that this form of relationship might develop should be traced to the practise whereby employers enjoyed rights to the labour-power of particular homesteads (rather than the tenant population at large). It is therefore possible that this variant form was present at least since 1884 (when the principle of a direct link between employer and tenant homestead was introduced).

What appears to have been a final settlement of tenants' conditions of service occurred during 1896. The Secretary for Native Affairs presided over a meeting of employers at which it was decided that the local magistrate was to be in direct, personal charge of future labour allocation. This official was to ensure "fair treatment" of the tenant population. Wages were to be made competitive with the local average, and from among the tenants, an "induna" was appointed "to supervise the occupation of the lands and to report on all garden disputes or infringements of the conditions of occupation such as the cultivation of fields not duly authorised for the purpose". More important, however, was the replacement of the existing system of a direct relationship between homesteads and employers, by another, in which labourers were to be drawn from a generalised tenant population, and allocated according to some schedule. This new regime was similar to that which had existed before the establishment of the irrigation Settlement. It appears to have been chosen because (in principle) it meant a more equal allocation of labour-power among employers.(25)

Unfortunately, no details concerning the implementation of this

system have been traced. What evidence is available for the period between 1896 and the mid-1900's suggests that labour-supply was not an acute problem for villagers and block-holders alike. More pressing, for the latter (intent on success at 'commercial farming' on irrigated land), were inadequate communications between the Settlement and the main rail-line, 25 miles away. As one observer alleged of this category of landholder (in 1896) only three or four were "industrious", the "majority being content to eke out a bare existence". Of the Village residents it was alleged that although some worked and improved their plots, the majority were "poor and of no fixed occupation. Though able to work, they are too lazy to do so".(26)

The expansion of the Irrigation scheme in 1902, followed by the construction of a narrow-gauge rail-line between Weenen and Estcourt (in 1903), prompted a revival of the labour-supply problems of a decade earlier. Of the 51 irrigable lots opened for settlement in 1903, forty had been sold by late 1904. Although not all were in use at that date, there were enough new prospective employers in the vicinity of Weenen to provoke a fresh round of disputes over right of access to the labour-power of the tenant populations. It appears that the essentials of the 'Weenen system' - compulsory labour-service at lower-than-average wages - were intact, but that new Settlers were denied access to this labour-force. Instead, they were obliged to hire 'togt' or day-labourers, many of whom were drawn from the farms surrounding Weenen - including a number owned by the NLCC. Most of these workers were young women contracting (in groups) to perform specified tasks or work by the day. As the majority were resident on 'thorn farms', and were obliged to render labour-service to landlords, they were subject to frequent police harassment for contravention of the identification pass Act. They were, therefore, an unreliable workforce, and of limited use to the hard-pressed Settlers. A similar complaint (in 1907) included the allegation that the latter were forced to offer

employees a minimum of 30/ a month - a figure three times that paid to tenants resident on the commonages.(27)

Broadly speaking, the development of labour tenancy should be traced to the peculiar circumstances of nineteenth - century Natal. At least initially settler land -holdings were of a size which permitted the accommodation of a large, farming, tenant population.(28) The concessions that tenants were able to extract from landlords were directly related to the existence of alternative forms of land tenure (locally) and other avenues of employment (at a distance). Labour-tenancy represented a compromise between the land hunger of african homesteads and the demand for labour-power of settler landlords. The system conferred several distinct benefits on the latter.

By having all or part of the workers' remuneration take the form of cultivation and grazing privileges, labour-tenancy preserved the cash resources of employers. The latter were able to use these resources in the hire of labour-power in other forms and the acquisition of capital goods - land, livestock, and implements - necessary for the expansion of stock-keeping and cultivation.(29) By granting the tenant homestead cultivation and grazing privileges, landlords were able to pass much (if not all) of the burden of assuring the workers' subsistence onto the work force itself. This form of remuneration remained profitable (to the employer) at least until the scale of the tenants' agricultural activities began to encroach on those of the landlord. In practise, however, it is probable that the value of these privileges to the tenant, were significantly less than their cost to the landlord; tenant homesteads were invariably situated in the agriculturally marginal parts of the estate. Inadequate remuneration of tenant workers encouraged the practise whereby landlords made loans or advance payment of wages to the former. There is evidence to suggest that institutionalised indebtedness became a key factor in assuring both the supply and

control of African workers.

A tenant's presence on a landlord's property was at the whim of the latter; this constituted the strongest guarantee of 'good behaviour' on the part of the former. Not only was the homestead's housing 'tied' - in the manner of agricultural workers in other parts of the world - but its means of subsistence was similarly dependant on continued employment. Where tenant workers performed their labour-service obligations on the same tract of land on which they resided, they were less likely to be distracted by home and family considerations than their colleagues drawn from further afield.

Yet another advantage conferred on employers by the labour - tenant system was that - with the exclusion, in certain seasons, of married women - it gave them access to the labour - power of the entire homestead.(30) This workforce was available to the landlord 'on demand', and constituted a personal reserve army of labour. Although the practise was prescribed after 1871 - in terms of Law 15 - tenant labourers were often prevented from seeking alternative employment during the 'off' period. There is evidence too, of tenants being "prevented from going away to work owing to their landlord not having work available when the Natives want to do their six months farm service, and they are kept loafing about the Kraals until the landlord requires their labour".(31) Where employers were in a relatively strong position (vis a vis their tenants), it is probable that the verbal character of agreements made it possible to expand the volume of labour - power beyond that which had been agreed on.

Both settler and African commentators were unanimous that the form of tenancy preferred by local people was that which involved rent payment, rather than labour - service. The chief reason for this preference was the freedom - as one official put it - "to work where and when they please". Rent - tenant homesteads were able to direct a greater part of their labour resources to the

more remunerative migrant labour, than their labour-tenant neighbours. Why then were homestead - heads persuaded to enter the latter form of tenancy?(32) Apart from attachment to a particular locality for sentimental reasons, the following practical considerations should be borne in mind.

In the first place, for men denied access to the locations - either because they had offended their chief, or because this official was not in a position to place his adherents on Location land - tenancy was the only means whereby the land resources essential for the establishment of a homestead could be secured. It is possible that for a proportion of homesteads, labour - tenancy was associated with the earliest stage of its developmental cycle. Whatever the merits of these suggestions, it is clear that towards the close of the century, labour - tenancy was embraced primarily as a means of avoiding landlessness (and permanent proletarianisation). As the Locations became crowded, and the extent of absentee landownership contracted, there was little alternative but to enter a labour-tenancy. Although labour-service for the landlord invariably undermined the homestead's own productive activities, the relationship was often (and increasingly) the only means to secure access to some land, and subsistence. Tenancy also made it possible for homesteads to ignore the economic exactions of chiefs and the inconvenience of service under the labour-levy - both associated with residence on Location land. There is ample evidence of the unpopular nature of the latter institution among local africans; settler officials frequently drew attention to the relationship between the labour-levy and the number of workseekers from Locations.(33)

A further consideration is that for some tenant homesteads, there appear to have been considerable advantages to such tenure. In 1880, one homestead occupying land on the County's southern border was able to keep 70 head of cattle, 200 goats, and 25 horses, in exchange for an annual rent of £4 per hut and the

services of one 'boy' - paid 11/ for every month worked. A second homestead on this property (with similar stock holdings) was able to engage in transport - riding on its own behalf while providing the landlord with labour service at points in the cultivation cycle.(34)

There is strong evidence too, of the relative ease with which the landlord's authority could be defied. Tenant homesteads were able to secure tenure for the duration of the agricultural season by delaying a decision until after they had planted a crop. Defiance was facilitated by the absence of written agreements - less easily repudiated in court - and the alternative avenues of employment - at higher wages - that made possible the payment of fines and rents. In 1897, the magistrate at Weenan alleged that a migrant worker at the Reef could earn, in one month, the cash necessary "to pay the penalty for his default on the farm for six".(35)

Finally, as Crush has argued in a study of colonial Swaziland, the landlord's demand for child and female labour - power complemented the tenant homestead - heads efforts to allocate labour resources in the most advantageous way. While women and children provided the labour - power that earned a homestead its access to grazing and land for cultivation, young men could be directed to migrant labour for all or part of the year. The former, unlike the latter, were not subject to the pressures of alternative employment outside the locality, and were more easily controlled by the homestead-head. The homestead was therefore assured of residence and (at least part of its) subsistence in the event of desertion by the migrant. There is some evidence to suggest that child - labour was particularly sought after by settler employers. Following the disturbances of 1906, large numbers of local employers applied (to the SNA) for the services of orphans and other destitute people. Most applicants were as one put it, for "young boys and girls say from 14 years of age and upwards; or families containing youngsters fit for

labour". (36)

Apart from objections concerning the combined exaction of rent and labour - service, evidence of African dissatisfaction with the labour tenant system is limited to complaints concerning the restriction of tenant's stock - holdings by landlords. In 1906 a chief from Estcourt Division alleged that local landlords had established an informal agreement among themselves to limit tenant stock - holdings to four head of cattle each. This allegation was quite probably true, but an isolated return of the stock owned by 16 homesteads occupying private lands near the Bushmans River Location (in 1902), suggests that restrictions were not uniformly implemented. While four homesteads had no stock, the remaining twelve had an average of 7.66 cattle, 12 small stock, and 2.16 horses each. (See figure 11)(37)

Figure 11

	Cattle	Smallstock	horses
1	16	12	7
2	3	6	-
3	8	10	3
4	10	22	4
5	9	15	2
6	10	23	1
7	7	7	2
8	-	-	1
9	4	-	3
10	7	6	-
11	-	18	-
12	18	25	3
	92	144	26

Stock-holdings of 12 homesteads, 1902

Although there is no direct evidence of this, it might be presumed that the period around the turn of the century saw

increasing pressure (by landlords) on tenants to reduce their stock - holdings and the acreage cultivated. As settler cultivation expanded, so the demand for labour - power - in all its forms - and cultivable land placed greater pressure on the tenant homesteads. An index of these changes is the large - scale eviction of the latter from settler - owned lands at the close of the study period; for many tenants, such pressures were unacceptable.(38)

Notes

1. SNA 1.3.7 (1858) RM W Co; SNA 1.6.6 no R 484 (1876); SNA 1.1.140 no 806 (1890); NABB 1908 p15 RM E; NABB 1910 p233 RM B.
2. SNA 1.6.6 no R 484 (1876); NABB 1908 p15 RM E.
3. 1906. Natal Native Affairs Commission. Evidence. p252
4. BB 1888 p67 RM WCo; NABB 1909 plv RM B.
5. NABB 1907 p 29 RM W.
6. Carter Farm Records.
7. NABB 1898 p30 RM W; NABB 1908 p17 RM W; 1881. Native Affairs Commission. Evidence taken by the sub commission for Weenen and Klip River County's p351
8. BB 1876 p9 RM W Co.
9. BB 1900 p32 RM E; NABB 1907 p21 RM E.
10. NABB 1896 p70 RM E, p73 RM W, p83 RM UT.

11. NABB 1897 p97 RM W; NABB 1907 p89 RM UT.
12. CSO 2773 (1884. Crown Lands Commission. Evidence.) RM KR;
NABB 1907 p50 RM UT.
13. BB 1876 p9 RM W Co; BB 1897 p68 RM W; BB 1899 p17 RM W;
NABB 1897 p97 RM W.
14. NABB 1905 p 23/4 RM W.
15. SNA 1.1.189 no 916 (1894); Haswell RF (1980) 'The
Voortrekker Dorps of Natal'; Webb C de B and Wright JB (eds)
The James Stuart Archive Volume I p80; BB 1897 p69 RM W.
16. SNA 1.1.156 no 581 (1892); SNA 1.1.165 no 8 (1893).
17. SNA 1.1.189 no 913 (1891); Christopher AJ (1969) Natal: a
study in colonial land settlement p254.
18. SNA 1.1.189 no 913 (1891).
19. SNA 1.1.189 no 916 (1891)
20. SNA 1.1.295 no 804 (1902)
21. BB 1896 p51 RM W.
22. SNA 1.1.261 no 5719 (1892)
23. SNA 1.1.189 no 916 (1894); SNA 1.1.295 no 804 (1902).
24. Webb C de B and Wright JB (eds) The James Stuart Archive p81.
25. SNA 1.1.330 no 3164 (1905)
26. BB 1896 p50, 49, 51 RM W.

27. SNA 1.1.314 no 2143 (1904); SNA 1.1.372 no 1961 (1907).
28. See Trapido S (1978) 'Landlord and Tenant in a Colonial Economy..' p28.
29. See Cooper F (1983) 'The State and Agricultural Labour: Zanzibar after Slavery' p8; Richards A (1979) 'The Political Economy of Gutwirtschaft....' p511.
30. Morris M (1976) 'The development of Capitalism in south african agriculture: class struggle in the countryside ' p298.
31. Law 15 (1871) Statutes of Natal, 1845 - 1899; NABB 1909 plv RM B.
32. The various 'rent associated' forms of labour - tenancy were not popular among (some) local africans. Two appointed chiefs, whose adherents were concentrated on settler - owned land near Estcourt, informed the 1881 Commission that "we prefer the system where labour only is required, especially where we have boys to work. We find it hard that we have to pay rent and also find labour. As a rule there is little difficulty in getting the boys to work when no rent is exacted, but there is a difficulty where rent is paid." Unfortunately, the basis of this preference is not mentioned. 1881. Native Affairs Commission. Evidence taken by... p334, 337.
33. See NABB 1895 p54 RM W; SNA 1.1.214 no 42 (1896).
34. Child D (ed) (1973) Charles Smythe, Pioneer, Premier and Administrator of Natal p99.
35. NABB 1897 pl04 RM W.

36. Crush J (1985) 'Landlords, Tenants and Colonial Social Engineers:.....' p254; SNA 1.1.346 no 2361 (1906).
37. 1906. Natal Native Affairs Commission. Evidence. p720; SNA 1.1.297 no 3341 (1902).
38. SNA 1.1.461 no 1349 (1910); SNA 1.1.471 no 2892 (1910)

Chapter 6

THE PERMANENT WORKFORCE

If, as is argued elsewhere, labour-tenancy can be considered to be a form of seasonal labour-service, what of that element in the workforce in permanent (or year-round) employment. What evidence there is on this question points to the existence of four distinct categories of permanent worker in the local labour-force at different times during the period after 1840.

First of these categories encompasses workers (of both sexes) from homesteads resident on Location, Crown, and even privately-owned, land engaged to work for local employers on the understanding that this service would be permanent (or open-ended). Unfortunately, there is little specific reference to this category of worker in the sources. Their importance in the workforce may, however, be gauged indirectly; it was these workers who set the 'local average' wage against which other wage rates were measured. It is probable that this category of worker occupied more responsible (and highly-paid) positions, such as wagon-driver (see table F pvi) and foreman (or farm 'induna').

Evidence concerning three other categories of 'permanent worker' is more freely available. It will be suggested that during the early decades of the colony's existence, settler employers were reliant on a 'captive' workforce composed of so-called 'refugees' to supplement the labour-power drawn from tenant homesteads. Similarly, it will be argued that the expansion of settler agriculture after the mid-1880's was made possible by the presence of indentured (and other) Indian labourers among the County's workforce. Throughout this same period there is evidence that a proportion of the settler population was employed, as labourers, in agriculture. In what follows, evidence relating to the experience of these three last-mentioned

categories of permanently-employed worker is examined in an attempt to gauge the importance of each within the County workforce at different times.

Although the origins of the practise are obscure, it seems that by the mid - 1850's there existed in Natal a system whereby people entering the Colony (from Zulu country and elsewhere), were required to to serve a period of three years in the employ of some settler as a condition of their being permitted to remain.

All such refugees were required to report to the nearest RM immediately following their entry into the Colony. Failure to do so, or, in the case of established residents, failure to report the presence of refugees, was a punishable offence. Once registered, refugee labourers (with or without their dependants) were allocated among settler applicants. Little is known of the conditions of service associated with the scheme, but it would appear that labourers received some sort of wage after 1854. Late in that year, the SNA instructed magistrates to advise prospective employers of refugees that this was a condition of service. There is also evidence of refugee labourers receiving remuneration in the form of livestock.(1)

In one sense, the vast majority of Africans then resident in Weenen County were refugees; none of the large chiefdoms settled in this territory during the 1840's were among its original inhabitants. By 1850, however, the term 'refugee' appears to have been applied to the individuals and small groups of people seeking refuge from conditions in neighbouring independent African chiefdoms. Apart from the large, organised parties arriving in the County from Zululand (in 1855), there was a more or less constant stream of smaller groups (and individuals) throughout the period before 1870.(2)

Refugees fell into two, broad, categories. First, there were those who, at some point in the recent past, had become separated from the chiefdoms now settled in Weenen County, and who were attempting to re - establish their traditional associations. The young Ngwane chief is alleged to have sent messengers as far south as the eastern Cape to inform detached, one - time members of the chiefdom of its consolidation. The magistrate of the Qathlamba Location reported to his superiors (in 1855) that "it was obvious that Balele and his whole tribe [- the Hlubi -] are leagued to give every possible assistance to the arrival and settlement of refugees". On occasion, groups of refugees specifically requested to be allowed to occupy Location land

under one of the established chiefs. Although there is only indirect evidence for this, it seems that the dependant members of such homesteads were permitted to take up residence on Location land; only the labourers - invariably the younger men - being required to live on the employers property during the period of service.(3)

A second category of refugee, those belonging to smaller chiefdoms, or members of homesteads unattached to chiefdoms, seem to have been allocated as homesteads. It is clear from official records that the separation of workers and dependants was discouraged - if only for pragmatic reasons.(4) Some groups of refugees were settled together; in 1859, 527 people were located on the Weenen Townlands. As the smaller chiefdoms were not able to gain access to Location land in the County, their members remained resident on private land (after the period of labour - service had been completed. In accordance with administrative policy, all unattached homesteads and individuals were directed to associate themselves with one of the (officially) recognised local chiefs.(5)

Despite the risk involved, many refugees attempted to avoid this form of bonded labour - service. It is clear that many, particularly those associated with the larger, established, chiefdoms, succeeded in this attempt. In reports for 1855, officials drew attention to this phenomenon. From the Quathlamba Location the magistrate lamented that he was unable to prevent members of local chiefdoms from 'harbouring' refugees, "notwithstanding the most diligent search and watchfulness." Oblivious of the significance of these events, he blamed customary african hospitality and "the great facility of concealment", enjoyed by refugees who approached chiefs for assistance. His immediate superior, the RM at Ladysmith observed of refugees, that:

"nearly all have friends and relatives in the County, who, before they come in make arrangements for receiving them, and after they

have once entered, do all in their power to conceal them - nor does the fear of punishment viz. forfeiture of cattle, seem to have any very desirable effect in aiding the detection of refugees either because it is a custom among the natives never to turn informer, or because the hope of gain for assisting the refugees counterbalances the fear of loss. Even after refugees have been apprenticed by me I cannot prevent their escaping to their friends, and in fact the facilities for doing so seem then to be increased, since the absence of cattle permits of their disappearing unnoticed and without any chance of being retaken, for they cannot be traced... When this system was first adopted the inhabitants of my County rejoiced as they hoped that by these means there would be no lack of constant Kafir labour, but that hope was soon dispelled for more than half of these apprenticed made their escape within the first month, and have not been heard of since, notwithstanding all my efforts to retake them."(6)

Given the limited manpower at the disposal of these officers, it is likely that this state of affairs persisted.

Though clearly not the captive workforce its settler employers would have preferred, there is strong evidence of the popularity of refugee labourers among the former. Landowners were quick to recognise the vulnerability of (some) refugees. One local witness informed the 1852 Commission that "the ruined Amaswazi natives" should be permitted to enter the Colony as they were "more serviceable from their poverty than those we have now." In the second place, it was customary, then as later, for employers to draw on the labour - power of all members of the homestead whenever it was seasonally necessary to do so. The attraction of refugee homesteads was no different. During 1857, the County magistrate reported having received applications for over 200 refugee labourers from local employers. This was far greater than the number available for allocation, but, he continued, "every farmer is desirous of having whole families settled on his farm."(7)

Apart from reference to the arrival of large parties - often in excess of 500 people - official sources provide little indication of the extent of this refugee population. A return of 1860 suggests something of the structure of 103 such homesteads. The 237 workers available for allotment, were attached to only 81 (of the 103) homesteads - 22 had no labourers. Twenty - seven percent of homesteads had only a single 'working' number, while a further 20% had two such members. Despite this high ratio of workers to 'dependants', the County magistrate was able to report that he had received applications for six times the number of homesteads with members of working age.(8)

Just as the origins of the scheme are unclear, little has been discovered concerning its history after the early 1860's. It might be presumed, however, that as the number of people seeking asylum in Natal diminished after this date, so the system of allocating refugee labourers (necessarily) declined. This form of bonded (or 'apprenticed') labour - service was revived on at least four occasions after 1870. In the aftermath of the Langalibalele affair (of 1873), the male members of the Hlubi and Ngwe chiefdoms were allotted to colonial employers. Many of the 179 men apportioned among local settlers were granted amnesty and freed from the obligation to perform this labour - service before the end of 1874. Others continued to be so bound until the following year.(9)

In 1878, local magistrates were instructed to prepare for the anticipated influx of refugees from Zululand in the event of war breaking out between the Zulu and Imperial authorities. Provision was made to receive 3000 people in the study area; those who were able to support themselves were to be 'placed' with local chiefdoms - presumably on Location land - while the indigent were to be allocated to labour either, on public works, or for settler employers. Officials were to negotiate employment for a period of six months, with food and accomodation for

workers and their immediate families. No indication of the number of people subsequently involved in this scheme has been traced but the County magistrate observed in his annual report for that year, that "a few Zulu refugees" constituted the entire permanently employed workforce in the territory. The 300 - odd local men he estimated to be in service were all working only intermittently. (10)

A similar scheme was set up to cope with an influx of refugees from the Orange Free State in 1901. Driven from their homes by the 'scorched - earth' policy of the Imperial Army, many hundreds of people from the adjoining Harrismith district were settled, temporarily, in the Upper Tugela (and Klip River) Divisions. Local employers derived little benefit from their presence, however; most able - bodied men from this population were in service with the Imperial army throughout the period in which their dependants remained in Natal. Finally, following the disturbances in 1906, a large number of local settlers made application for the services of orphans or other destitute people. There is, however, no indication that any scheme of orphan allocation was ever in existence. (11)

While the dependence of the Colony's sugar plantations on the labour - power of indentured Indian immigrants has been recognised and documented, little attention has been paid to the role of this category of worker in the development of agriculture elsewhere in Natal. (12) Official sources suggest that indentured and (to a lesser extent) 'time - expired' Indian workers provided local settlers with a substantial part of the indispensable full-time workforce required to sustain profitable agricultural production in the period after the mid-1880's. It is possible that indentured workers were introduced into the study area at a time when the number of refugees available for allocation to settler employers had become insignificant. It is certain however, that by their presence in the County, these workers

compensated for the labour power of local Africans who flocked to the reef labour-market in increasing numbers during the period after 1886.

Official population estimates show that very few Indians were to be found in the Natal countryside away from the coast districts before 1870.(13) In that year, Indians first appeared as a distinct category of resident in Weenen County - three men being enumerated. It was, however, only towards the end of the decade that Indians became a regular feature of the annual population estimates. In 1880, the Indian population of the County stood at 28 (16 men and 12 women); a figure which increased sharply over the following two years to stand at 192 people (135 men and 57 women). Largely due to the employment of indentured labourers on railworks in the County, the Indian population stood at 625 people (of both sexes) in 1886. After a period of decline during the late 1880's (as rail construction moved north to Klip River County), figures for this category of resident resumed the pattern of steady increase that was to result in a peak of 1833 people (1341 men and 492 women) in 1908.(14)

Earliest reference to the presence of indentured labourers in the study area is in the County magistrate's report for 1880. Commenting on the scarcity of african labour, this official noted that "some of our farmers are endeavouring to meet their wants by obtaining coolie labour, but there seems to be great difficulties in the way of supplying their needs". Whatever these 'difficulties' were, they appear to have been overcome; two years after this initial remark, the RM was able to report that "considerable numbers of Indian immigrants have been indentured to farmers in the County" Not all of the increasing number of indians were indentured people. In 1885, this officer noted that "a good many free indians are now seeking service both in the villages and on the farms, and as a rule they seem to be fairly satisfactory - they are at any rate more intelligent than the general run of native servants".(15)

figure 12

	Free			Indentured			total	% indentured
	M	F	total	M	F	total		
1906	76	18	94	503	86	589	683	86.2
7	70	20	90	521	108	629	719	87.5
8	68	19	87	544	119	663	750	88.4
9	76	9	85	434	115	549	634	86.6

Indian Farm workers 1906-9, study area.

Except for the period 1906 - 9, official estimates of the Indian population ignore the important distinction between indentured, and free, labourers. From figures summarised above, it is clear that in these four years, the vast majority of Indians in the County were indentured workers (between 86% and 88%).(16) Isolated returns at earlier dates offer contradictory evidence on this point. In 1885, the 179 indentured workers accounted for in a return prepared for the Indian Immigrants Commission, formed only 32% of the total population (as reflected in official estimates). If the population estimate for 1890/1 (of 75 'free' Indians) is compared with that for the following year (for the total population), indentured people make up a full 89%. In 1895, the 239 indentured labourers in service with local employers constitute only 28% of the estimated total population.(17) Despite this contradictory evidence, it might be concluded that the indentured labourers comprised a large majority of the total number of indians resident in the country in any year.

In addition to the Master and Servant Ordinance 2 of 1850 indentured indians workers were subject to special legislation which regulated their introduction into, and working life within, the Colony. This ensured that the experience of indenture was significantly different to that of 'servitude' (under the ordinance). By the time indentured people became a regular feature of the County's workforce, this legislation may be

summarised as follows. Indentured labourers were introduced into the Colony at the expense of the colonial state, and were obliged to remain there for a period of ten years 'industrial residence'. They were required to work, under conditions of indenture, for five years. During this period they were paid a wage of 10/ per month with food, shelter and medical attention provided free of charge. Who their employer might be was determined by the state. At the end of this period, the 'time-expired' person was to account for the remainder of the term of industrial residence in one of two ways. They might re-engage themselves as indentured workers (under contracts of one year's duration) or they might sell their labour-power outside the system of indenture. On completion of the period of ten years industrial residence, Indian immigrants became eligible for either, a (free) return-passage to India or a grant of State land equivalent in value to cost of such a passage.

Close control of indentured labourers by their employers was achieved through a complex system involving deductions from wages paid to the former. Offences included desertion from service (by two days wages for each day absent); any loss sustained by the employer resulting from the employees negligence or misconduct; being more than two miles from the employer's residence, etc.,. Contracts entered into by indentured people were identical, and specified a six day working week with a 9 hour work day. In principal, workers could not be flogged for transgressing the terms of the contract, and had access to both the Protector (of Indian Immigrants) and local judicial officers. All indians - both indentured and 'free' - were obliged to produce written proof of either, their having completed the period of industrial residence, freedom from indenture, or permission to be absent from their employers property, when ever this might be demanded by some state official.(18)

The coercive nature of this legislation is apparent. In the early, and mid 1890's a series of amendments made the Colony's

'Indian' legislation harsher still. The distance an indentured person without the necessary permission might be from their employer's residence, was reduced; penalties for most offenses were increased; and the minimum period for second (and successive) periods of indenture was raised from one, to two, years. All people introduced into Natal after 1895 were, on completion of the period of industrial residence, to choose between re-indenture, a return passage, or payment of a £3 annual 'license' (for the 'privilege' of remaining in the Colony.)(19) These amendments had the common purpose of exerting pressure on free indians to re-engage as labourers under the restrictive conditions of indenture that assured settler employers of a substantial number of 'permanent'workers.

Though strict in their application to labourers, the regulations governing indenture were flexible in that employers were able to modify certain provisions to suit customary labour practices. In certain respects, the experience of indentured labourers employed on farms in inland districts was different to that of the majority, resident near the coast. Although the contract of indenture made no provision - before 1895 - for Sunday work, it seems that the stock-keeping employers of Weenen County were able to pressure their workers into performing necessary tasks related to the care of livestock. According to the Protector, several indians in the stock-keeping districts of the Colony were able to accumulate livestock - presumably received from their employers in lieu of the prescribed cash wage. Finally, despite the regulations governing both type and quantity of food substances provided by employers, it is clear that these were often ignored. The Protector noted in his report for 1885, that the prescribed rice ration was frequently replaced by whole (or ground) maize. On the other hand, indian labourers 'almost always' received additional quantities of "milk, mutton, potato' and pumpkins".(20)

Apart from the above, there were at least four distinct

advantages that accrued to employers as a result of the presence of indentured labourers in the agricultural workforce. A crucial characteristic of indentured labour was that it was assured for five years (and longer, if the person in question could be persuaded to re-indenture). Second, indentured workers were obliged to live on the employer's estate; they were, therefore, always on hand to deal quickly with any emergency that might arise. In contrast with their African colleagues, Indian workers occupied very little space on the farm. (Although many Indians cultivated small plots of vegetables to supplement their diet, they only rarely possessed livestock). Finally, the presence of indentured Indians appears to have influenced the supply of African labour-power; as one local witness informed the 1885 Commission, "the competition of the coolie in the labour market has quickened the kafir,....[who] comes out more readily than he did."(21)

While it is relatively straight-forward to suggest the importance of indentured (and other) Indians in the County's workforce, it is more difficult to determine the extent to which local employers were dependant on these forms of labour-power. What evidence there is on the question, suggests that a minority of landowners employed Indians. A small number of these employers appear to have relied almost exclusively on indentured labour; but it was more usual for Indians to comprise only part of the farm's workforce. A return of the number of indentured people employed in the study-area (in 1885) provides some indication of their distribution at that date (see figure 13).

figure 13

Workers	employers	%	Cumulative %
1	3	7.69	7.69
2	7	17.9	25.59
3	3	7.69	33.28
4	7	17.9	51.18
5	7	17.9	69.08
6	6	15.4	84.48
7	3	7.69	92.17
9	1	2.56	94.73
10	1	2.56	94.29
14	1	2.56	99.85

39

Employers of indentured labourers, Weenen County, 1885

In Weenen County proper, 151 indentured labourers were employed by 32 landowners. A further 28 workers and 7 employers were resident in Ward 5 of Klip River County. The number of workers per employer ranged between one and fourteen, and there were an average of 4.6 workers per employer of indentured labour. The 179 labourers was distributed among 39 employers as follows: one-quarter had either one or two workers each; one-half of employers had between four and six labourers each. The three largest employers - 9, 10, and 14 workers, respectively - had only 8% of the indentured workforce. An isolated return (in 1895) put the number of indentured labourers in the study-area at 239, and the number of employers at 66 - an average of 3.62 workers each. Without evidence of the distribution of this workforce, it is not possible to know whether the pattern described above had altered over the course of the decade.(22)

figure 14

	Africans	Indians	Total	%Indian
1900	1984	350	2334	15
1	1844	480	2324	20.7
2	1967	377	2344	16.1
3	2619	551	3170	17.4
4	2344	550	2894	19
5	2255	640	2895	22.1
6	1211	683	1894	36.1
7	1543	719	2262	31.8
8	1334	750	2084	36
9	2656	634	3290	19.3

African and Indian farm workers, 1900-09

Some indication of the relative importance of Indian and African workers in the County's workforce is provided by figures for the period after the turn of the century. (See figure 14). The estimates for African workers reflect the number in service at some time in the year and not the number in permanent employment. It is clear, however, that Indian workers (both free and indentured) provided a significant proportion of the total - especially between 1906 and 1908.(23)

The importance of indentured labourers after the turn of the century, was emphasised in official reports for the early 1900's. Many local Africans took up service with the Imperial army, at higher wages, and under improved conditions. Their doing so exacerbated the perennial labour-shortage in agriculture. In his annual report for 1900, the Protector observed that in thirty-eight years experience, the demand for indentured workers by upcounty employers had never been so great. He continued:

"Almost every post brought letters from farmers and others in the upper districts of the Colony begging for the allotment of Indians. Many of the applicants stated that it was absolutely impossible to get native labour at any price for farm work, and

that unless they could possibly obtain Indian labour, they would have to give up farming altogether."

Reports by the magistrates at Estcourt and Upper Tugela, in 1901 and 1902, respectively, suggest that local employers were particularly affected in this regard. The latter officer noted that "nearly all the farmers in this district are falling back upon Indians". This state of affairs persisted for some time; in reports for 1903 and 1904, the magistrate drew attention to the continuing capacity of local africans to subsist outside wage-labour.(24)

That indentured workers were not more widely used by local employers was due (among others) to the following: indentured labour was not cheap; it cost an employer approximately £30 for each labourer they received. (This figure included: food, clothing, shelter, and the employer's contribution to the cost of passage). In evidence before the 1885 Commission, employers insisted that (as one put it) "If we could get reliable native labour, it would be preferable to the Indian". Specific complaints voiced against indentured workers by local witnesses to the Commission included the allegation that the former made 'frivolous complaints' (of mistreatment and non-compliance with the terms of the contract) against their employers. Settlers were aggrieved that they could not demand that indentured people work on Sundays. They also alleged that indian workers allotted to upcountry employers were of a 'poor quality'. (One employer informed the Commission that, of six people allotted to him as indentured labourers, two had proved to be insane, a third was 'feeble-minded', while two others had been convicted of manslaughter in India).(25)

If indentured people were a mainstay of the local agricultural workforce, what of time-expired (or 'free') indians? As noted above, official estimates suggest that people in this category were never a significant proportion of the County's indian

population. Earliest mention of their presence is in a report for 1885. Some twelve years later, the local magistrate noted that many Indians, "on completion of their period of service settled in the County as hawkers and small agriculturalists; very few take service as labourers". In his report for the following year, the Protector elaborated on this situation. He argued that "time expired Indians are a great source of annoyance to the upcountry employer, and they wander about the country on some pretext or other, sowing seeds of discontent among the Indentured Indians and inciting them to desert. They object to work for the farmers except on a very high rate of wages, and even when they get what they ask they cannot be depended upon to remain for a few weeks at a time, so that they are really as unreliable as the kafir."(26)

Freedom from the constraint of indenture meant that time-expired Indians were in substantially the same position as their African (and settler) colleagues. Free to dispose of their labour-power as they chose, avoiding labour-service altogether was dependant on the capacity to find alternative sources of income. Foremost among these options was that of engaging in trade, as 'hawkers'. In 1884, the County magistrate drew his superior's attention to the recent "influx of Indian itinerant traders" who travelled about "from kraal to kraal selling goods and trading hides and other native produce". By 1889 he was able to report that "the native trade is almost entirely in the hands of Indian storekeepers and hawkers". A number of people, unable to engage in trade on the own behalf, assisted established traders.(27)

Apart from trade, time-expired indians had the option of engaging in agricultural production on their own behalf. Land could be obtained through purchase or lease, and in the period before 1895, by State land-grant. Unfortunately, it has not been possible to corroborate the County magistrate's allusion to this as a viable (or popular) phenomenon in the study area. Though a distinct possibility, the incidence of indian landownership (and

lease) was discouraged by, among others, the prejudice of local landowners, the difficulty - if not impossibility - of conducting a viable agriculture on small, unirrigated, plots in the uplands of Natal, and, most importantly, by an inability to secure the necessary capital.

Even if the total wage earned during the 5 year period of indenture was received without deduction, and saved in its entirety - both extremely unlikely - the recently - 'freed' person would have had access to a mere £30. Arbitrary deductions by employers, remittances to relatives in India, and necessary expenditure during the period of indenture, would have made inroads into this already meagre sum. As the state land-grant was available only after 10 years, residence in the Colony, this category of person would have had little real alternative to a further period of indentured labour, or some other form of labour-service. Imposition of the £3 'non-indenture' tax on people entering the colony after 1895 would have aggravated these pressures.(28)

Indians were specifically prohibited from acquiring the small irrigable lots laid out under the various closer settlement schemes undertaken in the County and it would seem that - at least by 1910 - indians had acquired no land in the study-area. A telling indication of the difficulties associated with independent agricultural activity by time-expired indians is the virtual absence of this category of local cultivator from the published official estimates of agricultural implements in use during 1902. Of the more important categories of implement, indians owned the following: 2 ploughs, 3 harrows, one wagon, and three carts.(29)

Published official estimates of population suggest the presence of a fourth element of the permanently-employed workforce - the settler labourer. Listed as a separate category - alongside

landowners, traders, and professionals - 'labourers' remained a minority within the settler population. From 1880 to 1887, numbers fluctuated between twenty and thirty in any year. After 1885, and (presumably) under the influence of the expanding labour-market at the Reef, the number of settler labourers in the County declined steadily till the end of the decade. Between then and the turn of the century, numbers remained below twenty in every year. After 1900, the number of labourers rose steadily. (It is probable that many of these men were ex-soldiers who had returned to Southern Africa after the Anglo-Boer war).(30)

What evidence is available, suggests that settler labourers occupied a particular niche in the rural workforce. In its report for 1892, the Land and Immigration Board observed that: "Generally speaking there is not the demand for the ordinary farm labourer, in the sense that he is employed at Home, such work here being intermittent, and usually of such a nature that it can be performed by natives and coolies....there is an opening for many of this class, whose wages with board and lodgings, averages £2.10 to £4. per month. Handymen who could do any jobbing work on a farm would always find steady employment. Men who can put up fencing can always secure from 6/ to 10/ a day without, and £8 to £10 per month with board, etc. Intelligent practical farmers admit that the time is near at hand when the present primitive style of cultivation and rearing crops as usually adopted in the Colony will have to give way to the thorough cultivation and proper farming of the land, in which case European labour will be found more necessary and remunerative".(31)

As this extract suggests, settler labourers were employed as artisans (or handymen), to perform tasks associated with the expansion of capitalist agriculture in the countryside. A comparison (in 1907), of figures for the number of farms and settler labourers in the study-area, underlines this conclusion. (See figure 15). Sixty-five such workers were employed on a

total of 324 farms - a ratio of 1 in 20. In Estcourt Division - where the development of settler agriculture was most advanced at this date - the ratio between labourers and farms is 1 in 3.6. (Corresponding ratios for Weenen Division, and the predominantly pastoral Upper Tugela region, over 1 in 5, and 1 in 15, respectively).(32)

figure 15

	Estcourt	Bergville	Weenen	Total
Farms	171	89	64	324
Workers	47	6	12	65
	1:3.64	1:14.8	1:5.3	1:26

Number of farms and settler labourers, 1907

Local landowners who are known to have employed settler labourers appear to have had very different experiences. In evidence to the 1891 Crown Lands Commission, one such employer argued that labourers "must be brought out in sufficient numbers to enable the employer to get a fresh man when the first one gets too big for his boots....knowing he can get work and food anywhere, and finding life on a Natal farm dull without companionship among his own class, takes to tramping and loses all respect and is worthless. I have employed numbers of them. They can and have earned £10,£12,£15 a month and food. They seldom, however, stop more than one month". Elsewhere, this witness suggested that labourers be introduced into the Colony "in sufficient numbers to make it advisable, on their part, to be civil and be agricultural labourers, and not act like independent gentlemen". Such competition would make their service more valuable and their behaviour more steady and respectable." (On both occasions, this witness was supported in his statements by his neighbours, who were also present).(33)

At least one landowner found that employing settler labourers was crucial to the development of his farming operations. In what

was probably a unique experiment, this landed proprietor travelled to Britain and personally selected men for the 'assisted-passage' scheme, as he put it, "from behind the plough". As he informed a state Commission (in 1906), "the most profit he had ever made from his farms at Acton Homes was the result of employing white labour"; "he had experienced no difficulty in regard to white labour, except when they had to work with natives; with no natives the trouble would cease". Disatisfied with the labour-tenant system, this landowner had offered his labourers the option of leasing part of the estate at the end of their three-year period of service. Paying an annual rent of 1/an acre, and with advances of up to £300, these men had apparently prospered. Many of the leases were still in force twenty years later.(34)

NOTES

1. SNA 1.3.3 (1854) RM W Co; Spohr OH (transl.) The Natal Diaries of Dr WHI Bleek, 1855-1856 p27.
Apart from the admission of the RM at Ladysmith that he was "in the habit of procuring labour" for local settlers, there is no reference, in the 1852 Commission, to any officially-sanctioned scheme for the allocation of 'refugee' (or any other) labour to employers. Indeed, both this officer and his subordinate, stationed in the Quathlamba Location were adamant that such a scheme be introduced.
1852 Natal Native Commission....Evidence part I pl2, part III, p35.
2. SNA 1.3.6. (1857) RM W Co; SNA 1.3.4. (1855) RM W Co.
3. Msebenzi (1938) History of Matiwane and the Amangwane Tribe, p226; SNA 1.3.4 (1855) RM Kathlamba; SNA 1.3.4 (1855) RM W Co.
4. SNA 1.3.9 (1860) RM W Co; SNA 1.3.8 (1859) RM W Co.

5. SNA 1.3.8 (1859) RM W Co.
6. SNA 1.3.4 (1855) RM Kahlamba, RM Klip River.
7. 1852 Natal Native Commission Evidence part I p52; SNA 1.3.6 (1857) RM W Co.
8. SNA 1.3.9 (1860) RM W Co.
9. Manson AH (1979) 'The Hlubi and Ngwe in a colonial society', p134,147,150.
10. SNA 1.1.280 no 756 (1898); NABB 1878 p17 RM W Co.
11. SNA 1.1.292 no. 1793 (1901); SNA 1.1.293 no 2088 (1901); SNA 1.1.346 no 2361 (1906), no 2419 (1906); SNA 1.1.349 no 2933 (1906).
12. For an overview of the indenture system see: Thompson LM (1938) 'Indian Immigration into Natal, 1860-1872; Ginwala FN (1974) 'Class Consciousness and Control: Indian South Africans, 1860-1940'; Meer YS et al. (1980) Documents on Indentured Labour in Natal, 1851-1917.
13. See: Blue Book of the Colony of Natal, 1870-1892/3; Statistical Yearbook of the Colony of Natal, 1893/4-1909.
14. NABB 1883 p44 RM W Co; NABB 1884/5 p37 RM W Co.
15. BB 1880 p112 RM W Co; BB 1882 p58 RM W Co; BB 1885 p34 RM W Co.
16. Statistical Yearbook of the Colony of Natal, 1906-09.
17. Blue Book of the Colony of Natal, 1885, 1890/1, 1891/2;

- Statistical Yearbook of the Colony of Natal, 1895; 1885-7 Indian Immigrants Commission Evidence. in Meer, Y.S. et al. (1980) Documents of Indentured labour in Natal, 1851-1917, p560/1 ; Sessional Papers 1895 LA no 4.
18. Law 13, 1859; Law 2, 1870 Statutes of Natal, 1845-1899. Compiled by Hitchens RL and Sweeney GW.
19. Law 25, 1891; Act 17, 1895. Statutes of Natal, 1845-1899.
20. 1885-7. Indian Immigrants Commission Evidence in Meer Ys et al (1980) p431, 435 ; BB 1887 p22 'Report of the Protector of (Indian) Immigrants; BB 1885 p48 'Report of the Protector'.
21. Mullens ET (1907) 'The Economic Side of Agriculture in Natal' p737; 1885-7 Indian Immigrants Commission Evidence in Meer Ys et al (1980) p433.
22. 1885-7 Indian Immigrants Commission Evidence p560/1; Sessional Papers 1895. LA no4.
23. Statistical Yearbook of the Colony of Natal, 1900-09. That the majority of african workers were not in full-time employment emphasises the extent to which local employers were dependent on indians.
24. BB 1900 p36 RM W, p11 'Report of the Protector'; NABB 1901 p18 RM E; NABB 1902 p42/3 RM UT; BB 1903 p21 RM UT; BB 1904 p37 RM B.
25. Ballard CC (1978) 'Migrant Labour in Natal, 1860-1879:...'p39; 1885-7. Indian Immigrants Commission Evidence p436,432,433.
26. BB 1885 p34 W Co; BB 1892/3 p104 RM W Co; BB 1893/4 p18

'Report of the Protector'.

27. BB 1884 p93 RM W Co; BB 1889 p68 RM W Co; NABB 1894/5 p40 RM W Co.
28. Ginwala FN (1974) 'Class, Consciousness and Control' p81,177.
29. Christopher AJ (1969) 'Natal: a study in colonial land settlement', p346; Statistical Yearbook of the Colony of Natal, 1902.
30. Blue Book of the Colony of Natal, 1880-1892/3; Statistical Yearbook of the Colony of Natal, 1893/4-1909.
31. BB 1891/2 p59 'Report of the Land and Immigration Board'. The Board was the state agency responsible for administering the 'assisted passage' scheme whereby European settlers were introduced into the Colony.
32. Statistical Yearbook of the Colony of Natal, 1907.
33. 1891. Immigration and Crown Lands Commission: Experiences of Practical Farmers' p25; CSO 2775 (Trade Commission Evidence) p1042.
34. 1906 Natal Native Affairs Commission Evidence p241, 244; 1902. Lands Commission Evidence p160-2.

PART III

Chapter 7

POLICING AND 'SOCIAL CONTROL'

At the head of the rural administrative structure was the Resident Magistrate, an official combining judicial, executive, and (until 1894) police functions, within a magisterial Division. Between the mid-1880's and 1894, the Weenen County magistrate was assisted by two subordinate officers - termed Administrators of Native Law - stationed at the eastern and western extremities of the Division. While the magistrate retained administrative responsibility and criminal jurisdiction in the Division as a whole, Administrators exercised more circumscribed powers, largely restricted to the africans resident in their locality. (The Divisional magistrate exercised the powers of an ANL regarding the implementation of customary law, and in Weenen County, appears to have served as a court of appeal from decisions taken by his two subordinates). Apart from this judicial function, the ANL exercised administrative (or 'political') duties of which the following is an apt summary:

"They are the means of communication (through the Secretary for Native Affairs) between the Natives in their districts and the Governor who is ex officio the Supreme Chief. They receive all complaints, suggestions and reports of the doings of and amongst the Natives; register their marriages; apprentice and register all refugees that arrive in their districts; grant passes to all who require and are entitled to them; keep the Government informed of any feeling of disaffection that may show itself; collect the hut and Dog-taxes; promulgate all orders, regulations, laws, etc, that are issued by the Supreme Chief; overlook the locations on behalf of the Native Trust; and perform many other acts that appertain strictly to the office of a Civil

Commissioner".(1)

An essential part of the system of 'indirect rule' practised in colonial Natal was the appointment of traditional African authority-figures to subordinate positions within that structure.(2) In principle, all Natal Africans were held to be the adherents (and hence, the responsibility) of some 'chief'. While certain chiefs had hereditary claims to the position, all persons who held this title officially, did so only by appointment. Whenever it was expedient to do so, the authorities appointed someone to be chief over a section of the Colony's African population. Chiefs were assisted in their duties by District Headmen, officials appointed (by the former) to be in charge of geographically distinct sections of the chiefdom. The system extended over both Location and settler owned land; in the latter case, each significant concentration of the adherents of a particular chief would be placed under such a headman. This officer's duties included: arbitration of petty neighbourhood disputes - such as those that might arise over garden sites on Location land - and the preliminary investigation of cases later heard before the chiefs court. The judicial powers of chiefs were limited to 'civil' cases involving their own adherents. A chiefs court could impose fines of up to £2 in such cases. Any case involving criminal charges, or arising from a dispute between the adherents of different chiefs, were to be heard by an ANL. Finally, after 1878, each chief was required to appoint a certain number of Official Witnesses, officers whose duties involved the reporting of marriages to the nearest ANL.(3)

For much of the period under study, responsibility for policing the countryside lay with the local RM. Before 1880, virtually all policework was performed by African constables attached to the magistrates staff. The duties of constables included: the investigation of crimes, escort of prisoners, intelligence gathering and court-messenger work. In addition to the small staff of constables, an official known as the 'Court Induna' was

attached to each magistracy. Usually a senior constable, this officer served as intermediary between the magistrate and any african who wished to appear before the court. His principal duties involved the preliminary examination of evidence, arranging for the presence of witnesses, and the orderly presentation of cases. (In Weenen County, a large number of men who held this position were later appointed to that of chief over composite chiefdoms). After 1874 the RM had access to a further element, the paramilitary Natal Mounted Police (NMP) stationed in Pietermaritzburg. In 1880 a troop of the NMP was stationed at Estcourt; members of this force were deployed in small parties to patrol the countryside.(4)

In annual reports for the early 1880's, the County magistrate insisted that the force at his disposal was inadequate to the task. To assist this officer in the policing of a territory covering approximately 2600 square miles and containing an African population of over 40,000, there was a force of one white and seventeen African constables. Drawing attention to the recent sharp increase in the incidence of small-stock theft, the RM insisted that "the time has come when a more efficient police system should be adopted. There should be in every County or Division, a European Inspector of Police, who should be a man of intelligence and fair education, and well versed in the Zulu language, with a small force of native police under him, some of whom should be mounted, and it should be his chief duty to take up and try to trace out all serious cases of crime committed in his district and remitted to him for that purpose by the RM under whose instructions he should be placed.(5)

This recommendation was not implemented. Instead, the NMP was distributed in groups of two and three at outstations; by the close of the decade there were three such stations in the County. Others were opened and closed down as circumstance demanded. By 1886, the last african members of the NMP had been retrenched; this meant that the rural mounted police presence was composed of

young settlers, the majority of whom were recent immigrants. In 1884, however, rural magistrates had been authorised to recruit (and control) a force of african Patrol Police. As the name implies, the principal duty of this force was patrolling - on foot and for extended periods - the territory administered by their controlling magistrate. Curiously, patrol police exercised powers of arrest only in cases involving 'wilful murder', or where they had witnessed the committing of some crime.(6)

Evidence to the magistracies Commission of 1890/1 suggests something of the effectiveness of the different forms of rural police. Local landowners were unanimous in their dismissal of the NMP as a police force. By this they meant that the NMP were of little use in apprehending criminals. One resident alleged that, "if they see a native driving cattle without a pass or if they suspect he is one they will to apprehend they give him a wide berth for the reason that it gives them a lot of trouble". The same witness offered to undertake, with his knowledge of the district, (and a smaller number of constables), the policing of the locality in which he lived at a quarter of the cost (of 6 men and an officer). Settler witnesses conceded that the (settler-manned) NMP were - by virtue of their uniformed and hence, visible , presence - a useful deterrent to crime, that should not be abolished without replacement. The same witnesses praised the work of the Patrol Police, and bemoaned the small size of the force - there were only thirteen men employed in this capacity in the County.(7)

The response of local officials to the Patrol Police was mixed. Asked to comment on the effectiveness of this force one year after its formation, the County magistrate noted that they had "been of very great service"; having: "detected and reported many cases of Natives who have come to reside in the County without permission from Government, also of kraals and suspicious characters going about without any fixed place of residence, and of women who have ran away from their husbands and are living in

adultery with other men. They have also been the means of preventing many riots and breaches of the peace by dispersing parties of young men who have gone to look on at marriage dances and other festivities". They also explained the pass and game laws to the population and reported tax evaders. The magistrate lamented the withholding from these men of the power of arrest; only this, he felt, undermined the efficiency of the force. The ANL at Upper Tugela reported that patrols had not been of much use. The police had informed him that local africans distrusted them; "that after their arrival at a Kraal its population would frequently turn out in a body to go to their gardens, leaving the police to themselves". In 1890 his opinion was substantially the same; the force was principally employed in attending beer-drinking gatherings. He noted that "although they would not actively interfere in any fight that broke out", "they would report any such breach of the peace". (8)

The police system in rural Natal was reorganised in 1894. In terms of Act 1 of that year, a single centrally-organised and controlled police force was established. The separate african forces were amalgamated, and the NMP was retained as a mounted force. Natal was divided into Police Districts each of which was placed under the jurisdiction of a sub-inspector. This official controlled a staff which included african constables, mounted men, gaolers and court personnel. The RM - though nominally in charge of the local police detachment - was to requisition all manpower from the police officer. Though losing his staff of messengers, the magistrate retained a 'court Induna' (in the person of a senior policeman permanently seconded for the purpose.) Outstations were retained as the basic unit of the rural force, with the difference that the staff now included a number of african constables.(9)

Local officials were quick to find fault with this initiative. One set of criticisms concerned the alleged 'inefficiency' of the restructured force, another was based on a conviction that the

change had brought about a decline in the degree of official control exercised over the african population. Magistrates argued that it was only through their staff that they had been able to remain informed of events occurring within their jurisdiction and 'keep in touch' with the thinking of local africans. Removing, that staff, they insisted, made it impossible for them to fulfill this 'political' aspect of their duties, and undermined their official dignity as magistrates. The retinue of attendants was held to be 'customary' and expected by africans as befitting a court. As one disgruntled official noted, africans "recognised that 'the Nkosi is without a shadow' - which means that there is no weight or dignity about his court". There is probably a germ of truth in these suggestions, but it is more likely that the alleged 'losses' were exaggerated in the hope that the changes would be reversed. Invariably, the court Induna was simply transferred to the new police force, promoted to the rank of sergeant, and assigned permanently to the magistrates court.(10)

The second set of criticisms - concerning the alleged inefficiency of the new force - seem to have had a firmer basis in fact. African constables were engaged under three-year contract and paid at the rate of 20/ per month - the local 'town' rate. As the RM at Upper Tugela pointed out in reports during the mid-1890's, this wage had not changed in twenty years, and took no account of the influence of the Johannesburg labour - market on local wage rates. (The latter had more than doubled in recent years). Men who refused to engage for the 3-year period were paid only 15/ per month, while their contracted colleagues - forbidden to serve in the Division in which they were domiciled - were obliged to desert their families for much of the contract period. Under these circumstances, the magistrate argued, constables tended to be "young men of no standing". As another official put it, "the best men that formed the force resigned, and have been replaced by the camp loafer type, whilst those who remained, for want of a controlling power for the good, have

drifted into habits worse even than the newly-enlisted members". The settler members of the force - "the youthful, unmarried, three-yearly importation from Europe" - who were in charge of out-stations, came in for similar criticism.(11)

Unimpressed by the quality of policing provided by the new force, magistrates were able to rely on an alternative for the detection of crime. As one official noted in 1895, "the criminal laws of the Colony, and especially the Native Code, are carried into effect in a far larger measure by the district headmen and official witnesses than by the police...It is they and not the police who maintain law and order among the Natives. Without them very little indeed would be known of crime occurring in the County". He credited these officials with the reporting of about one third of all criminal cases. Roughly a decade earlier, the ANL at Upper Tugela had drawn attention to his reliance "in matters of intelligence and information on the official witnesses".(12) A return of District Headmen and Official Witnesses (in 1897) showed that there were 135 such officials (in roughly equal proportions) scattered across the County. Although attempts were made to have this work recognised and incorporated into the duties associated with the two offices, these appear to have been unsuccessful and official witnesses and District headmen continued to perform this (unpaid) police function. (13)

Apart from specific concerns - the detection and punishment of crime, the enforcement of labour-service agreements, etc. - settlers were concerned with the wider problem of controlling the african population of the Colony. Vastly outnumbered by an indigenous people whose access to material resources they had restricted, and whom they attempted to coerce into labour-service, this preoccupation is understandable. Its most immediate manifestations were the regular appearance of rumours alleging an imminent uprising of africans against the colonial order and the frequency with which the quite innocent activities

of their African neighbours were construed to be (actually or potentially), 'dangerous'. Settler officials were particularly disquieted by a perceived association between certain forms of behaviour and a generalised state of 'lawlessness' in the countryside. (such behaviours were held to both reflect and encourage this condition). Among these phenomena were insubordination (or 'cheek'), sabotage, and public beerdrinking.

It has been suggested elsewhere that during the course of the century, the increasing economic independence of young men contributed to the strained relationship between them and their elders. One of the forms in which this strain was manifested was in the changed demeanour of young men - particularly returned migrants - in regard to traditional authority + figures, and even officials of the colonial state. Although there is no direct evidence of this, it is probable that this was occasionally carried over into the relations between young men from tenant homesteads and their landlords.

Among the 'hidden forms of consciousness' enumerated by Cohen, is the phenomenon of sabotage (or the deliberate destruction of an employers property).(14) It is impossible to determine the extent to which sabotage was practised by local agricultural workers. Surviving official records provide details of only one such case; in 1893, a homestead-head was fined for destroying almost two miles of fencing belonging to a neighbouring landowner. In his comments on this incident the ANL observed that, to his knowledge, this was the first such case in the history of the Colony. Urging his superiors to impose so-called 'tribal responsibility' in this case, he insisted that "should it once become a method of working vengeance on farmers, the extent it can be practised without detection being so great, it will practically cripple them".(15)

Although sabotage is facilitated where the employer has invested in expensive improvements such as fencing (and machinery), it

need not always take this spectacular form. Herdsmen were ideally situated to 'work vengeance' on stock-keeping employers. Expensive livestock could be lost through deliberate neglect, or, as one local official explained, through a form of disguised theft. In a report for 1898, the magistrate at Upper Tugela noted that "among many new methods the herds have of killing goats and sheep, without leaving marks (so as to secure the meat) the one of running a long brass pin (generally used to secure their blankets) into the back of the animals head may be mentioned".(16) With no obvious cause of death, such stock would invariably be given to the herd for food. A third phenomenon regularly cited by officials as contributing to the incipient state of lawlessness among local Africans, was beerdrinking.

Sorghum beer was an important article in many spheres of African social organisation. In terms of contemporary conceptions of hospitality, a supply of this product was kept on hand for the refreshment of travellers and other guests. Beer was also consumed on ceremonial occasions - such as marriage and the attainment of puberty - and given as payment for labour-services received in the form of workparties. There is evidence to suggest that sorghum beer replaced other sources of nutrition during the course of the century. In a report to his superiors in 1903, the magistrate at Estcourt observed that:

"The adults never or very seldom use milk or 'amasi'. This used to be their chief food: it is now looked upon as a stigma for any adult to eat it, and one doing so is held up in ridicule. Quite young children are allowed to drink beer... the friends of Natives, even small boys in service, never bring them anything else but beer".(17)

In addition to the above, and from 1880 onwards, official sources refer repeatedly to a phenomenon known as the public beerdrinking gathering - or simply, 'the beerdrink'. Although such gatherings were almost certainly a feature of African social life before the early 1880's, they do not appear to have caught the attention of

settler observers until this time.(18) During 1883, the representatives of four upland farmers Associations - including two from the study area - petitioned the Lieutenant - Governor, drawing attention to the "growing evil among the Native population in the Upper districts of the Colony caused by large and frequent gatherings at beer drinkings which is increasing to such an extent to have become a public nuisance, and is fast tending to demoralise a goods and useful people...large gatherings of young men at beer drinkings is not an old native custom, but one which has come into practise during the last few years". Two years later, the County magistrate observed that it was "becoming more and more necessary that measures should be taken to check the excessive drinking bouts which are so prevalent at kafir Kraals whenever grain is at all plentiful". What these comments suggest, is that by the mid-1880's the customary beerdrinking gatherings of local Africans had been transformed from a size, form, and influence not perceived as threatening by the settler population, to an affair which produced a great deal of concern on their part.(19)

Official concern centred on the perceived threat to public order posed by such gatherings. It was an article of faith among local magistrates, that "almost all the crime in the district is attributable to beer drinkings. It is on these occasions that faction fights, breaches of the peace, assaults, and indecent assaults on Native women occur". Twelve months earlier, this officer's colleague reported from Upper Tugela that "in each instance where charges have approached anything of a serious nature, it has been the direct outcome of a beerdrink. I am of opinion the Government do not realise the extent to which this curse is being carried now by natives. It is no uncommon thing to find whole kraals, men, women and children, drunk,...Stock thefts and all offences against code are directly traceable to these debaucheries called beerdrinks, as well as majority of masters and servants troubles".(20) Apart from the alarm which settlers felt when confronted by this (alleged) mass public

drunkenness, specific concern was focused on three perceived consequences of the beerdrink.

In the first place, it was a widely-held belief among settler stock-owners that "when a native gets a good supply of beer inside him he fancies a piece of mutton". This fancy (or 'craving'), it was alleged, led to the theft of small-stock by people returning from beerdrinks. Although settlers were adamant on this score, there is little evidence to suggest that the assertion was correct. Questioned on this score (in 1890), one local chief insisted that "it is the fault of the beer; and yet it is not; because a thief is a thief when he is born, it is in his nature. Everybody drinks beer, but everybody is not a thief". Even though settler stock-keepers suffered large losses as a result of theft, beerdrinking is not likely to have played a significant part in motivating such crime. Evidence from the records of stock theft cases suggests that the distinguishing characteristics of this crime were premeditation and repetition, rather than impulse - as the settler conception implies.(21)

Second; beerdrinks posed a specific problem for settler employers. The free availability of beer meant that farmworkers were tempted to abandon work in order to attend any such gatherings held in the neighbourhood. Attendance at beerdrinks might keep labourers away from work "for days at a time", and while individual gatherings might last anything up to three days, it appears to have been possible (during certain seasons) to "go from one beerdrinking to another for weeks in succession". Even where these events were of short duration, the effect of the liquid consumed was such that attendants might be 'incapacitated' or virtually useless as labourers for days afterwards. Beerdrinking seems to have intruded into the administration of labour legislation. The County magistrate observed (in 1892), that it was "quite a usual plea now by a native servant brought before me in a magisterial capacity for absenting himself without leave. 'I went to a beerdrinking and got drunk'".(22)

During the mid-1890's beerdrinking was isolated as one of the factors undermining settler agriculture in the Upper Tugela Division. It was argued that "the question of Beer drinking is one upon which the future of the farming industry of the Colony depends and therefore one calling for immediate and firm steps. This portion of the Colony is gradually being deserted by farmers who cannot obtain labour. Young men will not work while these drinkings are going on within 10 miles; in fact it has come to my notice that farmers have taken to asking their native servants if they want leave when any Beer Drinking is going on in the neighbourhood, to prevent their going without leave, which they do up here; no matter what important work the farmer has on hand. Labour is so scarce that it is policy on their part to grin and bear it rather than prosecute as this loses them what little labour they are in command of".(23)

Predictably, labour-tenants were particularly susceptible to the temptation of attendance at beerdrinks. One employer resident in the adjoining Estcourt Division insisted that any measure designed to restrict the practice of public beerdrinks came from the state because, as he explained "if I as an individual farmer commenced placing restrictions on my tenants then they would leave and go elsewhere and I would be without my servants. It often happens that when I have my crops to reap and require a lot of labour these men want to go off to beerdrinkings and I can not compel them to stop without taking the risk of losing their services".(24) Despite the serious nature of this threat to their livelihood, rural employers were not afforded legal protection until 1899, when it became mandatory that beerdrinks might only be held on privately-owned land with the landlords prior permission.(25)

Most visibly, however, beerdrinks were associated with what were variously termed 'breaches of the peace', 'riots', and 'faction-fights'. Surprisingly, there is no trace of a distinct settler

opinion regarding the nature of this association; officials tended to reproduce certain of the explanations advanced by African notables questioned on the matter. According to the latter, fighting was invariably associated with gatherings at which large numbers of people - some of whom came from a distance - were assembled to celebrate weddings and other events (such as the 'mjonjo', or girls' puberty, celebration), of which dancing (and beerdrinking) were central features. Where violence broke out, events would seem to have followed a regular sequence;

"The fighting always takes place after the girls dance, and before the dance the beer is handed round; and the boys are given beer by the men, their friends who are at the dance. When the girls prepare to dance. When the girls prepare to dance, all the men come out of the huts where they have been drinking beer - men belonging to several chiefs - they are all well filled with beer - the girls begin to dance, and then it comes out - one says "who are those fellows" - "these old women" - "we can beat that lot" - and such bickerings - until from words they get to blows". Closer to the study-area, the Magistrate at Ladysmith was informed (by representatives, of among others, the Ngwane and Zizi chiefs) that fighting was "chiefly caused by the presence on these occasions, of a number of young girls which creates jealousy between the groups of young men from different localities - each group wishing to obtain preference from the girls and tries to do so by dancing and jumping (gwiya) to please the girls". (To 'gwiya' involves a display of athletic prowess).

African opinion was divided on what relationship there was between the presence of beer (and other intoxicants) at these gatherings, and the incidence of fighting. Echoing settler opinion, one school of thought argued that gathering should be differentiated according to their purpose. Weddings and other occasions at which dancing was the principal attraction for relatives and neighbours, should be 'dry' while at ordinary beerdrinks, where beer was made available to the general public,

dancing should be prohibited. All that would be required to achieve the latter was the exclusion of girls from attendance. Other witnesses insisted that the association of beerdrinking and fighting was merely fortuitous: young men attended these gatherings with the express purpose of provoking a disturbance. This they did by insulting their rivals through word or deed. Such quarrels, it was suggested, were frequently the result of direct incitement of the young men by their elders, either for their own amusement or as means of settling disputes by proxy.

Not surprisingly the chiefs and District Headmen responsible for these views blamed the intermingling of members of different chiefdoms for the existence of such disputes. Festive occasions held by the adherents of any one chief were - at least on private lands - invariably attended by uninvited 'lookers-on' (or 'izibukeli'), the members of different chiefdoms. Although witnesses were silent concerning the concrete motivation for such action, it seems that any of the attending groups might use the gathering as an opportunity to renew old quarrels or settle accounts for some real or imagined insult, etc.

Earliest official attempts to control the phenomenon of beerdrinking took place in 1884. In a circular of that year, the SNA instructed magistrates to summon local chiefs and inform them of regulations governing the holding of beerdrinks. Ignoring the social and ritual significance of certain gatherings, the regulations stipulated that, in future, attendance was to be restricted to neighbours. In accordance with the hierarchical conception of customary authority favoured by settler officials, the homestead-head - as the person who determined both the quantity of beer produced, and its distribution among attendants - was to be held directly responsible for any disturbance that might arise.(27)

The response of local chiefs (or their representatives), though

favourable, pointed to the inadequacy of this state initiative. Further regulations were requested which, among others, limited attendance to invited guests and to "persons actually travelling past a kraal where a beerdrink might be going on, and who should ask the permission of the headman of the Kraal to rest and drink some beer". Homestead-heads were to be given the authority to order any 'uninvited parties' to leave the premises, and, in the event of refusal, the people in question were to be punished by the ANL. African notables approved the County Magistrates suggestion that in order to check 'female drunkenness, infidelity, seduction, and non-return to homestead of residence', women were to be allowed to attend beerdrinks only in the company of some male relative. Homestead-heads who permitted the presence of unaccompanied women at gatherings under their control were to be punished.(28)

The fundamental weakness of this (and subsequent) state initiatives to control public beerdrinking in Natal, was a mistaken reliance on the increasingly outmoded and ineffective authority-structure by which the Colony's african population was governed. Based on the subordination of a homestead's members to its head, and the subordination of the latter to a chief, by the mid 1880's, this system was under severe strain. The attempt to regulate beerdrinking gatherings threw this into clear relief.

In a report for 1886, the County magistrate lamented the failure to implement the proposals made two years previously by local chiefs. He insisted that 'kraal influence' - by which he meant the ability of indigenous authority figures to command obedience - alone was inadequate for the effective control of the african population. Referring to restrictions recently placed on the jurisdiction of the ANL, this officer argued that "many offences recognised by Native law and usage" were going unpunished, and that as a consequence, africans were becoming more and more lawless and indifferent to the orders of the officers set over them, both Europeans and Native". While he was convinced that

local African authority-figures were sincere in their efforts to carry out state directives, they found (and complained) that when young men discovered (as was inevitable) that disobedience was not followed by punishment, the orders issued by these officials were ignored. Unless the state was prepared to act in support of orders issued by its african officers, the intended close supervision of the youth - which, by this date had become the central concern of administrators - would be impossible. (29)

This is not the place to address the complex question of contending legal systems in colonial Natal, but one aspect of this apparent decline in the efficacy of customary authority was associated with replacement of the chiefs' court by that of the ANL. The (alleged, 'recent') removal of chiefly jurisdiction in cases of disturbance of the peace was repeatedly cited as the prime cause of the frequency of this phenomenon by african witnesses (from outside the study area) in 1884. It was argued that whereas the chiefs court had insisted on determining the instigators of disturbances and punishing only the guilty, the court of the ANL - presumably as a matter of policy - punished both (or all) parties indiscriminately. As a consequence of this latter procedure, young men present at the outbreak of a disturbance, rationalised their participation as follows: "I may just as well fight also as it would make no difference although I take no part in it, I will be fined". (30) Although the insistence of these (chiefly) witnesses on a reversion to the jurisdiction of chiefs courts in such cases was clearly not disinterested, this does not invalidate the substance of their remarks: namely, that traditional authority figures, adequately supported by the state, were better situated than were settler officials to assure the close supervision of the rural african population desired by administrators. It was an insight acted on (in the case of beerdrinks) only in 1892.

In that year (and probably as a result of the prominence given to the phenomenon in settler evidence to the magistracies Commission

of 1890/1), revised regulations, specifically for the control of public beerdrinks, were promulgated.(31) Close supervision by african officials was the cornerstone of the regulations. Homestead-heads were to notify their chief (through the District Headman) of their intention to hold a public (or large) beerdrink. Where requested, the ANL might detail policeman to attend such gatherings to help maintain order - a fee of 2/6 being charged for the service. Persons not specifically invited to a gathering were to inform the District headman of their intention to attend, and this officer would appoint one of their number to assume responsibility for its members. (A fee of 5/ was to be levied for this service). No gathering was to persist after sunset, and the attendance of women and girls at beerdrinks was to be discouraged. Attendants were to be strictly segregated: women from men, and young men from their elders. Most importantly, however, chiefs were authorised to lay down and enforce (by fine) any further regulations concerning the holding of public beerdrinks which they saw fit to impose.(32)

The revised rules appear to have been no more successful in reducing the disruptive effect of beerdrinks. In 1895 it was reported from Upper Tugela that their implementation was "an utter failure". Chiefs complained of the failure to elicit the necessary support from District Headmen, while the latter were accused (by the reporter) of making the regulations a "means of oppression and venting petty spite". It was also alleged that Chiefs were 'lining their pockets' by inflicting heavy fines on offenders against the local regulations - (in large chiefdoms by as much as £200 p.a.) The fundamental problem remained that "the District Headmen and Kraal-heads no longer have the authority they used to enjoy - supervision over spectators or uninvited guests by District Headmen is beyond them or anyone else".(33)

This last point was reiterated by all three local magistrates three years later. These officers understood (and expressed sympathy for), the position of the homestead-head, but were

unanimous in recommending that the police presence at beerdrinks be abolished. They argued that the attendance of these officers conveyed the impression that the host was not responsible for any disturbance which might arise. The magistrate at Upper Tugela repeated his earlier recommendation that any beerdrink involving more than ten people be licensed, and that a fine be levied on uninvited guests or any host overstepping the licensed number of guests. It was felt that "by licensing large gatherings, home consumption, or small gatherings will increase, and as no harm comes from such, they should be encouraged and weddings without beer should be exempt from license". Finally, no beerdrinks should be permitted on private lands without the landowners written permission.(34)

This last recommendation was incorporated into a third set of rules published in 1899. Other innovations included a (belated) prohibition on the assembly of people of different (and even, the same), chiefdoms 'between whom old animosities were known to exist'. There was to be no public beerdrinking on Sundays. All drinking by non-inmates of the host homestead was to cease at sunset, at which point all male guests were required to leave. (Female attendants were to leave in time to reach home before sunset). For the first time, 'making insulting gestures or using language intended to produce a breach of the peace' was made a punishable offense. Assessment of these rules by local officials later in the year suggests that they were 'a dead letter'. From Upper Tugela came the report that on unoccupied private-lands, beerdrinks took place 'seven days a week'. The magistrate suggested that a similar situation existed on Location land as well - despite the claim of local chiefs to be rigorously enforcing the Rules.(35)

Notes

1. 1881, Native Affairs Commission. Report p36 (Appendix G).

2. For detailed discussion of this system, see Etherington N (1878) Preachers, Peasants and Politics in Southeast Africa, 1835-1880: African Christian Communities in Natal, Pondoland and Zululand (Chapter 1); Welsh D (1971) The Roots of Segregation: Native Policy in Colonial Natal 1845-1910.
3. 1883 (Cape) Native Laws Commission Evidence (answers to questions 240/1, 242, 1005, 1092.
4. Wood AA (1962) Natal Past and Present.
5. NABB 1880 p99 RM W Co; BB 1881 p45 RM W Co.
6. Wood AA (1962) Natal Past and Present p33; SNA 1.1.148 no 1285 (1891); SNA 1.1.142 no 636 (1891).
7. CSO 2816 (1890/1) Magistracies Commission Evidence) p663, 676; CSO 2818 (1890/1. Magistracies Commission Evidence) p130, 139, 140; SNA 1.1.130 no 1078 (1890).
8. Sessional Papers 1885 LC no 17; SNA 1.1.145 no 1056 (1886).
9. Act 1 (1894) Statutes of Natal 1845-1899 compiled by RL Hitchens and GW Sweeney.
10. SNA 1.1.305 no 3077 (1903).
11. NABB 1895 p63 RM UT; NABB 1896 p84 RM UT; NABB 1901 p15 RM KR.
12. NABB 1895 p57 RM W; Sessional Papers 1885 LC no 15.
13. NABB 1897 p93 RM E, p103 RM W, p115 RM UT; SNA 1.1.190 no

1094 (1894).

14. Cohen R (1980) 'Hidden Forms of Consciousness among African Workers' p12.
15. SNA 1.1.177 no 1331 (1893).
16. NABB 1898 p60 RM UT.
17. NABB 1902 p14 RM E.
18. Official reference to the 'beerdrink' is concentrated in the period c.1880 to 1900. Why the phenomenon assumed prominence at this time is not immediately apparent but it is significant that it coincided with attempts by settler agriculturalists to expand the scale of their activities. A necessary part of this initiative was the need to impose tighter control over tenant homesteads, and to increase the level of labour-services demanded. It is conceivable that the settler outcry over beerdrinking was merely a symptom of this struggle. That this is only a partial explanation is suggested by the following observation. In 1890, a local settler informed the magistracies Commission that "it is the same beer they have always drunk;...The difference is that in the old days they made a few small pots of beer and now they make numbers of great big pots of beer - hogsheads. Where they used to drink it by the glass formerly, now they drink it by the bucket. In the old days they had to pick with their hands and, of course, they could only grow a limited quantity of grain and make it into beer". (CSO 2816. p693). If this, and other, settler comment is to be believed, the later colonial period saw a real increase in the scale of beerdrinking by Africans. It is interesting to note that the phenomenon received no mention in the wide ranging 'Native Affairs' commissions of 1852 and

1881/2.

19. SNA 1.1.145 no 166 (1887); BB 1855 p33 RM W Co.
20. NABB 1902 p14 RM E; NABB 1901 p51 RM UT.
21. CSO 2816 (1890/1. Magistracies Commission Evidence) p38.
22. SNA 1.1.158 no 761 (1892); CSO 2816 (1890/1 Magistracies Commission Evidence). p661; CSO 2817 (1890/1 Magistracies Commission Evidence) p38.
23. BGV 4.2.1 p424.
24. CSO 2816 (1890/1 Magistracies Commission Evidence) p691.
25. Government Notice 620 (1898).
26. The bulk of what follows immediately below is drawn from the detailed report, submitted by the RM Mgeni Division, of an audience with local chiefs (or their representatives). Similar reports by officers stationed in Weenen County are less explicit, but do not suggest that the situation described was materially different. SNA 1.1.145 no 465 (1884).
27. SNA 1.1.265 no 2555 (1897). In his work on nineteenth-century Zanzibar, Cooper has argued that colonial officials made a deliberate attempt to instil a particular 'work ethic' into the working population of recently-freed slaves. Part of this policy entailed what he terms "an assault on the social complex of idleness" - suppression of popular social practices such as drinking, dancing, and 'loafing'. Despite the similarity of conditions in the two colonies, there is no evidence to suggest that officials in Natal attempted to suppress beerdrinking

altogether. As one such officer remarked in 1884, "interference is not practicable because the government is not in a position to enforce or carry out any law or order which is opposed to the feelings and sympathies of the whole population". SNA 1.1.145 no 465 (1884). Cooper F (1980) From Slaves to Squatters: Plantation Labour and Agriculture in Zanzibar and Coastal Kenya, 1890-1925 p69/70, 114.

28. SNA 1.1.145 no 1504 (1884).

29. SNA 1.1.145 no 1056 (1886).

30. SNA 1.1.145 no 465 (1884).

31. A distinction appears to have been made between 'private' and 'public' beerdrinking gatherings. A private beerdrink included gatherings attended by the immediate family, neighbours, and small parties of travellers and other (invited) guests. (The distinguishing characteristic of these gatherings being small size rather than the elements of privacy and invitation). The term, 'public beerdrink' appears to have referred to large assemblies of people - some of whom might be relatives or neighbours - for ritual and other purposes. By definition, attendance was not determined solely by invitation.

32. SNA 1.1.265 no 2555 (1897).

33. BGV 4.2.1 p424/5.

34. SNA 1.1.265 no 2555 (1897).

35. Government Notice 620 (1898); SNA 1.1.285 no 741 (1899).

Chapter 8

MOVEMENT CONTROL AND LABOUR LAW

Apart from the general question of preserving order in the countryside, settler employers were faced with two major problems concerning control of the workforce in particular. In the first place, rural employers faced strong competition from their urban counterparts for the labour-power of african workers. Either unable or unwilling to offer improved wages or conditions of tenancy, such employers were driven to seek ways in which to restrict the freedom of movement enjoyed by rural africans. The principal means chosen to effect this 'immobilisation' was a document known as the 'pass'. By requiring every african who intended to leave their place of residence (for whatever reason) to carry this document, employers hoped to both, expand the reserve army of labour resident on nearby Location, Crown, and absentee-owned land, and to prevent the workforce from escaping their labour-service obligations.(1)

Having secured the physical presence of workers in the countryside, employers faced a second problem - ensuring that any labour-service agreement entered into with such workers was fulfilled. Although, clearly, a rural proletariat had been created in the Natal countryside, the continued availability of land outside the labour-tenant relationship undermined the degree of control exerted by employers and landlords over tenants and other workers. On both these counts, however, settlers were able to rely on the intervention of the colonial state. Specific legislation was introduced to both, regulate the movements of rural africans, and enforce the conditions of labour-service agreements between the latter and their settler employers.

Movement Control

Early attempts to introduce controls regulating the movements of African workers were embodied in petitions to the colonial administration in 1849 and 1868. The petitioners called for compulsory registration of workseekers and the issue of a document to serve as means of identification and character-reference.(2) The official response to these petitions is not known, and with the exception of a single reference - from the Upper Tugela Division - there is no evidence to suggest that any official system of movement control was in existence before 1885.(3) In that year, Rules governing the issue of passes to Africans wishing to enter or leave the Colony were proclaimed for the first time.

In terms of the Rules, any African wishing to leave the Colony was required to report to the nearest ANL and obtain a 'pass' from that official. Passes were to be 'freely' given - meaning that they were not to be refused - and were to include the applicant's personal particulars, the name of their chief, the destination and purpose of the journey, and the length of time the applicant intended to be away. (Similar provision was made for the issue of passes to people wishing to enter the Colony). In 1887, a pass fee of 1/ was introduced.(4)

Although the Rules introduced the principles of registration and compulsory documentation, they were flawed by the omission of provisions to regulate the issue of passes to tenants. Specifically, the rules did not prevent tenants on private lands from obtaining outward passes by claiming to be resident on Reserve or crownland. Unless the issuing officer knew the applicant in person, there was no means of preventing this form of misrepresentation. A Select Committee report of 1888 recommended that magistrates be prohibited from issuing outward passes to private-land tenants (under contract of labour-service) without their landlords permission. This recommendation was not incorporated into an amendment of the Rules; but magistrates were instructed to warn applicants that if they were obligated to an

employer, taking a pass laid them open to prosecution.(5)

There is little direct evidence of local employers dissatisfaction with the manner in which passes were issued under these conditions (this complaint tended to be subsumed under the more general problem of enforcing the performance of labour-service obligations). In 1890, however, one employer complained of "the indiscriminate" way in which the government grants passes to Native servants of farmers to go away to the Goldfields and elsewhere." Magistrates, it was argued, should not grant passes unless sure of the applicant's freedom from labour-service. The County magistrate's recommendation that any African requiring a pass produce the written permission of their landlord (in the case of private-lands), or be accompanied by the homestead-head (in all other cases), suggests that this complaint was justified - at least, within this officer's jurisdiction.(6)

It would seem that like so many other aspects of rural law enforcement, the pass regulations were interpreted and enforced very differently in adjacent areas under the jurisdiction of different officers. Around the same time, the ANL at Upper Tugela insisted that passes were issued only with the landlord's written permission (in the case of tenants) or where the applicant was accompanied by an accredited representative of their chief (in the case of Location residents). The practise of insisting on the landlord's permission was maintained even when this person was an absentee landowner. (Just how this was achieved, is not elaborated on). Having the chiefs authorise the departure of their men had been resorted to in order to prevent men from escaping the labour-levy.(7)

The procedure in force at other centres in the study area during the mid-1890's was substantially the same. At Estcourt, applicants were granted passes only if accompanied (and identified) by "a responsible member of the tribe" - from Locations and Crownlands - or their landlord. From Weenen it was

reported that "as a general rule Natives applying for passes are required to show, if they live on locations, that they are leaving with the knowledge and sanction of their chief, and if tenants on private farms under contract of service, that they have the permission of their landlord or employer to do so". Although he did not believe this to be a common occurrence the magistrate observed that "those whose object it is to elude this enquiry doubtless quit the colony in violation of the pass rules and regulations". In 1895, the County's member of the Legislative Assembly petitioned the SNA on behalf of his constituents. In this petition it was alleged that any tenant not willing to risk travelling without a pass, could obtain such a document by posing as a resident of Reserve or Crownland. If this allegation was an accurate reflection of the situation, then clearly, the precautions taken by local officials were not infallible.(8)

In a belated attempt to address the problem, amended Rules of 1895 incorporated this restriction on the issue of 'outward' passes to private land tenants. A designated Pass Officer was to be attached to the staff of each magistracy. This officer was entitled (but not, significantly, obliged) to refuse the issue of a pass to any person liable - in terms of a registered contract - to perform labour-service for some employer. Where such a contract was in existence, an applicant might qualify for a pass only with the written consent of their employer. Certain categories of person were not obliged to take out passes. These included: employees whose service was regulated (and registered) under one of the Colony's labour laws, messengers and wagon-drivers carrying their employers written authorisation, and people driving or accompanying their own wagons. A further amendment (of 1877) required that residents on Location and Mission Reserve land prove that they were not tenants on settler-owned lands or liable for labour-service, before being issued with 'outward' passes.(9)

Only scattered evidence concerning the implementation of this system is available. In 1897, the magistrates at Estcourt and Weenen claimed that the written permission of landlords was insisted upon in the case of tenants, while Location residents were accompanied by an Official Witness or 'responsible' homestead-head. The system would appear, however, to have been less than foolproof. In his report for the following year, the former officer complained "of the facilities Natives have of getting passes to leave the colony from other than the magistrates office to which they belong and the total disregard by some of the regulations beyond the collection of 1/ per pass, which they imagine, if not the only, is the chief object of the regulations". At least one complaint in this regard was addressed to the SNA by local employers. A correspondent wrote to this official in 1897 alleging that three of his labourers were currently absent without leave and known to be in employment at the Reef.(10)

Rules governing the issue of passes to leave the Colony were amended twice during 1899. Early in the year, the SNA alleged that "any native who wants a pass can buy one for a shilling". (the official fee) Surprisingly, the amended rules which this officer introduced did not address the problem of correctly identifying pass applicants from private lands. Instead, people resident on Location and Crown were to be accompanied by their chief (or an accredited representative of that official) when applying for a pass. Magistrates were, however, granted discretionary power in over-riding the objections of chiefs). Apart from applicants whom the Pass Officer suspected to be under a current obligation to render labour-service, the following were disqualified from holding passes to leave the Colony: young men under 18 years of age - if it appeared that they intended going to work; and women not accompanied by their husband or guardian. Provision was made for the numbering of first-time applications; such numbers were to appear on all successive passes issued to that person. The Pass Officer was required to ask each applicant

whether they were liable for labour service, before issuing the document; 'making false statements in order to obtain a pass' rendered the applicant liable to prosecution. (11)

The above Rules were in force for only five months before being replaced by a second set, considerably less stringent in their formulation. The Pass Officer was again empowered (but not obliged) to insist that an applicant identify themselves. In the case of tenants, the written or verbal permission of the landlord was required. For applicants resident elsewhere, "the personal testimony of some responsible member of the tribe, approved by the magistrate", was deemed to be a sufficient identification. Finally, the blanket ban on the issue of passes to men under 18 years of age, was replaced with the more vague stipulation that no pass be issued to a "boy or umfaan" unless accompanied by his guardian. Of subsequent amendments to regulations governing the issue of passes to leave the Colony, only one is of immediate interest. In 1904, a clause was introduced excusing tenants, obliged to render labour-service to their landlords at places outside Natal, from the need to hold an 'outward' pass. They were, instead, required simply to be in possession of documentary proof of the purpose of their journey.(12)

What evidence there is concerning the enforcement of these Rules in the study-area suggests great laxity on the part of officials. In 1907, the magistrate at Weenen was asked to account for the small number of outward passes issued by his staff during the first six months of that year - a mere six passes compared with the total of 1180 for 1906. This officer explained that local migrants had apparently construed the recent abolition of the 'inward' pass to mean abolition of the outward pass as well. The misconception had only been exposed 'by accident' and the six passes referred to, had been forced on men discovered to be without them.(13) The incident suggests astonishing laxity on the part of officials at this magistracy, but whether it is an accurate reflection of conditions elsewhere in the study area is

an open question. The large number of passes issued to local workseekers after this date, suggests that it is not. (See table G pvii).

Even if the 'outward' pass rules were indifferently applied after the turn of the century, this did not imply that the primary objective of these regulations had been either abandoned or undermined. This is because the outward pass was supplanted - as the means of controlling african mobility - by a document known as the 'identification pass'. In terms of Act 49 (1901), all prospective workseekers were obliged to apply at the nearest Magistracy for a pass. This document was to carry the usual personal particulars, as well as details of any convictions on charges of theft, fraud, rape, and 'indecenty'. Passes were to be renewed annually, and if lost, might be replaced by a temporary document (valid for six months) issued by the 'home' Magistrate. Pass officers enjoyed discretionary powers regarding the issue of passes, and were entitled to refuse these to any applicant unable to prove both the correctness of particulars and their freedom from the obligation of labour-service. The officer might insist on the attendance of the applicant's homestead-head for this purpose. Specifically excluded from the aegis of the Act, were persons fulfilling labour-service obligations (incurred in lieu of rent), provided such service was performed on the landholding on which the tenant resided. Prospective employers were obliged to check the identification passes of workseekers; failure to do so, or the hiring of any person currently under such a contract, disqualified any charge which the employer might subsequently wish to bring against the employee for breach of contract. Employers were not permitted to retain the pass for any purpose. A final requirement under the Act, was that the consent of the husband or guardian was necessary before identification passes were issued to wives and children, respectively (male applicants under the age of 15 years were considered to be children).(14)

It took some time for the Act to become established in the study-area. Six months after its introduction, a report from Estcourt noted that the provisions of the Act "were at first viewed by the Natives with suspicion as an attempt to coerce them into binding themselves to work for stated periods. One instance has been brought to my notice in which the natives deserted as soon as they were informed it was necessary for them to obtain Identification Passes. The law is irksome and trying to the employer other than the farmer who is little or not at all affected by it". Similar reports from other centres some time later, stressed that while the Act was 'fairly well' observed by local africans, landowners were not conversant with its provisions. The magistrate at Weenen drew attention to the "great tendency, shown on the part of the European to employ Natives seeking work who are not in possession of the necessary pass, and prefer to run the risk of detection than put themselves to the trouble of complying with the law". By 1905, however, this officers colleagues were able to report, that the identification pass had been "useful in tracing deserters and other criminals", and that "one never hears of a native going to work without taking out a pass".(15)

From the point of view of settler employers, the identification pass system was defective in that there was no means of preventing their being lent to ineligible persons, or of punishing employers who engaged people without passes. This latter weakness was remedied by an amendment of 1904. A second innovation introduced by Act 3 of that year made provision for the recording - either on the existing pass, or on a replacement - of the period for which the bearer was liable to render labour-service. This last provision does not seem to have been much resorted to in the study-area; and in Bergville Division, was practically a 'dead letter'. (See table E pv).(16)

A final drawback to the identification pass system - particularly for the owners of 'labour-farms' in the thorn country around

Weenen - was the clause insisting that persons rendering labour-service were only exempt from the obligation of taking out passes if such service was performed on the landholding on which the tenant was resident. Employers wishing to draw labourers from labour-farms to work on land situated elsewhere, were thus forced to agree to their tenants being issued with identification passes. Once issued, such passes allowed the tenant to leave in search of employment elsewhere. Although this anomaly might have been smoothed over by a sympathetic magistrate, the officer stationed at Weenen during the early and mid-1900' was unwilling to allow a flexible reading of the Act. In 1905, after a spate of complaints by local employers to the SNA, this officer was ordered to prosecute absconding labour-tenants for desertion.(17)

It is clear from the above that although the colonial state made provision for the restriction of african mobility, this attempt was seriously flawed. Evidence from the study-area suggests that the weakness of the pass system lay less in the regulations governing the issue of such documents - flawed though these often were - than the haphazard (and often idiosyncratic) manner in which they were enforced. It would therefore not be appropriate to conclude that the pass system was a serious obstacle to the movement of local men in search of work beyond the Colony's borders or in places other than their landlords property. The obligation to carry a pass was, rather, a discouragement to these practices.

Labour Law

Early pressure for legislation to regulate the relations between colonial employers and their employees culminated in the proclamation (during 1850) of a 'Master and Servants' ordinance.(18) The Ordinance was not intended solely for the control of african employees; a 'servant' was "any person employed for hire, wages or other remuneration, to perform any handicraft, or other bodily labour, in agriculture or

manufactures, or in domestic service".(19) Contracts made between masters and servants were to endure for a maximum of one year if made orally, or three years if reduced to writing and attested before a RM. This officer was to ensure that both contracting parties understood the implications of the contracts provisions. Where no definite period was specified, such contracts were to endure for one month. Piecework contracts were to be valid for the duration of the task undertaken. In the case of monthly contracts, one month's notice was required, and where notice was given (by either party), and not acted on within fourteen days, such notice was deemed to have lapsed.

The masters consent was required for the presence of the servants dependants on the premises, but such residence did not entail any right to their services. The services of a servant's wife, or any child under the age sixteen years, were available to the master only by separate contract. (A contract for child-labour was to be negotiated by their guardian). All dependants (whether contracted or not) living on the masters premises were entitled to food and shelter at the latters expense. Remuneration was to be paid in the form specified by the contract; there was to be no substitution of cash for wages in kind (or vice versa). If a servant complained (successfully) of non-payment of the stipulated wage, the RM was empowered to fix such remuneration at the local average.

Children might be apprenticed, or have their labour contracted for, by their guardian at any age between 10 and 21 years. Those older than 16 years were entitled to make a contract on their own behalf; such contracts lasting for a maximum of five years. The contracts of children engaged in agricultural labour were to lapse automatically at 16 years of age, irrespective of the period specified in the contract. In all contracts involving children, masters were obliged to provide food, shelter, and 'instruction'. Destitute children were to be apprenticed by the RM; this officer assuming the responsibilities of guardian till

the child became of age.

Under the Ordinance, a servant committed an offense: if they refused or neglected to perform any task; if the work was performed in a negligent manner; if any damage to the employers property resulted from such negligence; for violent behaviour or insolence towards their employers; for desertion from service; and for 'scandalous immorality', drunkenness, or other 'gross misconduct'. These offenses were punishable by up to one month imprisonment, with hard labour, spare diet, and up to 12 lashes and a £5 fine (all optional). Where a servant was held to have made an unfounded, or 'vexatious complaint', they could be sentenced to fourteen days imprisonment, with hard labour and forfeiture of a months wages (optional). Clauses intended to discourage the 'combination' of servants - in order to pressure their master(s) into changing any employment practise - proscribed virtually every form of employee action except discussion of work conditions. 'Inducing a servant to desert their employment' (which included any offer of higher wages) was also a punishable offence.

The twenty-year period following the introduction of the Ordinance saw a number of successful amendments. After 1862, any contract made with a servant later convicted and imprisoned for some offense was 'preserved'; three years later, the Lieutenant-Governor was granted the authority to appoint persons other than magistrates to administer all parts of the Ordinance except provisions relating to child labour-contracts. Powers exercised by these persons were to include the issue of summons and warrants, but not that of inflicting corporal punishment. (20)

In 1870, a Supreme Court decision threw the Colony's employers of african labour into uproar. The Court held that in terms of an agreement between a homestead-head and his landlord concerning the provision of labour-service by the former, no other person, not directly party to that decision, could be forced (at law) to

perform such service. In effect, this meant that no dependant member of a labour tenant homestead could be forced to render labour-service. The outcry from settler employers was such that a state commission of enquiry was appointed to investigate 'the relations between masters and servants' in Natal.(21)

In the course of its sittings, the commission heard evidence to the effect that registered, written, agreements between rural employers and their african employees were virtually unknown in the Colony. Instead, the commission found that labour service agreements made by these parties were invariably between landlords and tenants, the latter undertaking to provide the former with a certain volume of labour-power during the year, in return for the privilege of occupying, cultivating, and depasturing livestock, on the landlords property. Referring to the Colony as a whole, the commission reported that

"these contracts appear in most cases to have been entered into by the heads of kraals on behalf of and with the consent of their dependants who had previously discussed the matter with the head of the kraal and who after this concurrence went to reside on the farm having either entered into a verbal contract with the owner or a written contract acknowledged or executed before the Magistrate mainly at the instance of the Master. Under or by what authority the Magistrate attested this contract does not appear. There is no law or ordinance bearing on the point but as contracts of service extending for a longer period than one year are required by Ord: 2 1850 to be executed before a Resident Magistrate it may be assumed that it was intended to give these contracts validity as regards that portion of them which applied to providing labour for a period exceeding a year though strictly speaking these contracts are in reality an agreement or Quasi-lease as between landlord and tenant and should be dealt with under Ord: 2, 1855."

Verbal, or written (and attested), these 'labour-tenant'

contracts appeared "to have been generally well observed on both sides, very rarely litigated, and Magistrates interference not much sought after. These contracts have been in existence for many years and their legality recognised and not disputed in the Magistrates Courts".(22)

The Commission recommended that agreements (written or verbal) for the provision of labour service in lieu of rent be recognised by the state. It was further recommended that parties to such an agreement be permitted to contract for the supply of labour-power other than their own. Where an agreement had been entered into verbally, it should be incumbent on the landlord to prove that the provisions had been explained to all persons bound by the contract. Landlords should be required to pay for all services agreed to, even if these were used for less than the stipulated period. Homestead members were to be permitted to work elsewhere when not under (immediate) obligation to the landlord, such permission not affecting the contractors obligation to provide labour-power. The latter party should be held directly responsible for any damage or loss sustained by the landlord-employer resulting from failure to supply the stipulated labour-service. Wages were to be paid to the workers, and not to the contractor. There was to be no legal action for breach of contract after three months of such breach, and any disputes arising between africans were to be heard in the court of the ANL (not the Resident Magistrate).(23) (The purpose of this last was to prevent the Supreme Court from reviewing such cases, and to reserve this power for the Supreme Chief).

With additions specifying the duration of contracts and the recovery of damages, these recommendations were incorporated into Law 15, 1871. Under the Law, verbal agreements were to be renewed annually, while written (and attested) contracts might be made for a period of up to three years. Magistrates were also empowered to order that up to £10 of any damages due to a landlord be recoverable as rent. Any amount in excess of this

sum being recovered in the form of labour-service or through civil action. Law 15 1871 made provision for two further aspects of the employer-employee relation. Magistrates were empowered to assume responsibility for functions conventionally associated with a 'labour-bureau', and to administer any 'bonus' (or advances made to labourers on commencement of service.(24)

After the defeat of attempts to assimilate certain features of the laws governing indenture to the Master and Servants ordinance, the colonial legislature introduced a replacement - with jurisdiction over Africans exclusively. Act 40, (1894) was essentially a restatement of the ordinance, but with considerably stricter provisions and a harsher schedule of punishments. Other innovations included: calculation of the contract period in thirty-day (rather than calendar) months; the insistence that people engaged under verbal contracts commence labour-service within one month of negotiating such agreement; and the specification of the period required as notice - one week for weekly contracts, and one month for those of a month, or longer.

The Act introduced harsh punishments for a range of offences relating to the Servant's conduct. If a Master paid a Servant's fine, this amount might be deducted from wages due to the latter. A servant was required to return to service immediately following imprisonment, and might be punished by repeated sentence to one month's incarceration for failure (and repeated refusal) to do so. (The extent of such punishment was, however, not to exceed a total of six successive months). The period for which a Servant was absent without leave was to be added to the length of the contract, and servants might be ordered to compensate Masters for loss or damage suffered through neglect. Youths under the age of sixteen years might be sentenced to receive a whipping of up to fifteen lashes. Control over the Servant was further enhanced by the following clauses: in the event of desertion from service, the Master could have a servant arrested simply by making a deposition to the effect that the latter was likely to abscond

(and so avoid making an appearance in court) unless so restrained. Finally, a Master might secure the presence of a Servant in court to answer charges (or, on suspicion that an offense had been committed) by personal warning to that effect. (This last provision made the issue of summons redundant).(25)

Unlike the regulation of african mobility, control of the workforce was undermined by the weakness of statute, rather than the difficulty of enforcement. From the point of view of employers, this weakness may be conceptualised as the omission of certain crucial provisions from the Colony's labour-legislation.

Perhaps the earliest such omission was the failure to insist that all labour-service agreements be reduced to writing and registered with the authorities. Ordinance 2 (1850) allowed for written contracts, but did not make this mandatory. Not surprisingly, african agricultural workers showed an overwhelming preference for avoiding the written form in favour of its oral equivalent. While the settler explanation of this preference pointed to african 'fear' or 'suspicion' of the written contract, it is, surely, more appropriate to suppose that african reluctance to be bound by the latter stemmed from an astute understanding of the different implications of verbal and written agreements.(26) Under the Master and Servant legislation, a written and attested labour-service agreement was virtually impossible to repudiate, (being an undertaking entered into by the servant in person). Written agreements between landlord and tenant (under Law 15, 1871) were, as will be suggested below, more easily repudiated by the labourer.

A second consideration which affected african willingness to be bound by written labour-service agreements, was the realisation that this "arrays the Magistrate against them by favouring an assumption that they have disregarded his injunctions should complaint be afterwards made against them". A further probable explanation for the small number of written agreements entered

into by local africans was the relative freedom with which tenants could 'step over to the next farm' whenever the pressure exerted by their current landlord became too sharp. Significantly, it was not until 1908 - by which time this 'pressure' had become more intense as a result of the development of settler agriculture - that written agreements concerning labour-service were reported to be more 'popular' among Africans in the study-area.(27)

The situation which resulted from the evident inability of employers to force their employees into written contracts, was exacerbated by the preference of local africans for labour-tenancy as the form in which labour-service was negotiated. From the point of labour-control, the crucial drawback of the labour-tenant system was the separation it effected between responsibility for seeing that the labour-service obligation was honoured, and responsibility for performance of the service itself. Instead of the straightforward relationship between employer and employee (or Master and Servant) which the Ordinance appears to have envisaged as the norm, labour-tenancy involved a three-cornered relationship between landlord, contracting homestead-head, and worker. Legally, the homestead-head (as contractor) was solely responsible for fulfillment of labour-service obligations; while the worker, not being a party to the agreement, was responsible, under customary law, to the homestead-head by virtue of his or her status as dependant.

A second, and fundamental, omission from the colonies labour legislation, was of any provision forcing such dependant labourers to honour labour-service obligations undertaken by their homestead-head. In the words of a local Magistrate in 1902: "The foundation of the labour difficulty, and the manner in which it affects the farmer, is nonfulfilment on the part of the Native of the labour contract, and the loss by the kraalhead of authority over the members of his kraal. ...It amounts to this: - A Native unless he is in actual service, cannot be

punished for any breach of contract made on his behalf by the kraal head." Where, as in this case, the labourer had not been engaged in person, and had not commenced service - which implied acceptance of its legitimacy - "the only remedy a farmer has is a civil action for damages against the kraal head. [However], owing to the manifold intricacies of the law in these cases they have to be so carefully handled that they are beyond the ordinary layman. He has to employ a lawyer, the Native immediately does the same. By the time the case is settled, in all probability in the Supreme Court, the costs are great. One of these actions as a rule is sufficient for the farmer, who, sooner than go through the former experience, allows the Native to break his contract, and clears him off his farm".(28)

Apart from civil litigation, and eviction, other legal measures existed for the settlement of disputes. On the basis of evidence drawn from the study-area, these appear to have involved attempts to assimilate disputes arising out of verbal (and, possibly nonexistent) labour-service agreements - including those made under Law 15 - to the principles of customary law (including the Code of Native Law, Law 19 of 1891), and the provisions of the Master and Servant legislation (ordinance 2,1850 and Act 40, 1894).(29)

Included among the duties and powers of homestead-heads under the Code were provisions which stipulated that all members of the homestead were to obey the orders of the head, and, being minors, were to obtain his consent when entering into contracts. The homestead-head was, in turn, responsible for the good conduct of his dependants, and enjoyed police powers (including that of arrest) within the confines of the homestead. Finally, the head was authorised to inflict corporal punishment on his dependants. (Though nominally 'dependants', adult male relatives of the homestead-head appear to have occupied an ambiguous status vis a vis the latter, and in practise, probably remained outside the range of his authority).(30)

The extent to which the homestead-heads powers over dependants were involved in the settlement of labour disputes is not known, but from surviving evidence of such use, it would seem that this was frowned on by higher authority. In 1899 the Magistrate at Estcourt was reprimanded (by the SNA) for sentencing a youth to 3 days imprisonment with hard labour for 'refusing to obey his homestead-heads order to commence service'. This officer noted, in his annual report for 1901, that "it has been ruled that the kraal head, as such, under the Native Code cannot enforce his authority over members of his family as regards their labour agreement". Some years later he confirmed that "the parents and kraal heads have power over their children and inmates of their kraal in purely Native matters under Native law" alone. A further possible use of Code powers is suggested by a case (of 1906) in which the Magistrate at Bergville was similarly reprimanded for convicting a homestead-head of 'impeding the ends of justice'. The presumed offense amounted to a failure to ensure the attendance in court of his son, an absconded labourer released into his father's custody. The SNA made this event the occasion to warn Magistrates against blurring the clear distinction between their powers under the Code, and the Master and Servants Act, respectively.(31)

A further provision to which recourse might be had was section 28 of Law 15, 1871. There can be little doubt that this provision, with its wide jurisdiction (covering disputes arising between Africans as a result of contracts under the law) was enacted specifically to cope with the difficulties associated with the homestead-heads enforcement of obedience from his dependants. Despite the report (from Estcourt in 1903) that "the majority of the farmers are not aware even of the existence of this law, and if they are, very seldom carry out its provisions", there is evidence of its use in the study-area. Sources illustrate certain weaknesses in the law. It would seem that unless a tenant labourer actually commenced service - thereby implying

acceptance of the agreement - no legal redress was possible.(32)

Second, labourers were able to escape punishment for refusal to report for labour-service on the grounds that an agreement was not properly explained to them by the landlord (whose responsibility this was). In 1908, the magistrate at Weenen refused a local employer's claim for damages against four workers - with whose homestead-heads written and attested contracts had been made - on these grounds, and it is probable that this claim formed the basic defense of tenants accused of failing to honour labour-service obligations undertaken under both written and verbal agreements. Commenting (in 1904) on the extent to which perjury was committed in his court, the magistrate at Estcourt observed that "a common proverb amongst the Natives 'Icala u umpigwa', which may be broadly interpreted 'every case or charge must be denied'".(33)

A third weakness impinged on landlords whose tenants occupied 'labour-farms' in Weenen Division and were required to render labour-service in other Divisions. In terms of Law 15, such service was to be performed on the farm on which the tenant resided, and, strictly speaking, there was no legal redress (except eviction) for landlords whose tenants refused to report for work on the 'home' farm. It would seem that local judicial officers were prepared to overlook this technicality and adhere to the 'spirit' of the Law. In 1905, however, the newly-appointed magistrate failed to honour this tacit understanding, and refused to prosecute men, who, having obtained the necessary identification pass (enabling them to leave their place of residence), sought employment elsewhere. Despite a spirited defense of the legal rights of these men, the Magistrate was instructed by his superiors to cooperate with landlords in this regard.(34)

Although there is no evidence of the practise in the study-area, the following allegation suggests that local judicial officers

were not above the assimilation of disputes which defied resolution by other means, to the more stringent sanctions of the Master and Servant legislation (with its 'criminalisation' of refusal to honour labour-service obligations). In 1906, a local lawyer alleged of the magistrates court at Ladysmith (in the adjoining Klip River Division), that

"natives under contracts for labour in lieu of rent (law 15, 1871) were dealt with under the Masters and Servant Act, 40 of 1894, being punished criminally for what were legally breaches of a civil contract [It] was altogether bewildering and inconsistent, and palpably illegal. Of course, it was a simple and convenient way, both to farmers and Magistrates, of disposing of such complaints, and as the sufferers were mostly umfaans, boys or girls, and rarely, if ever, defended, because their fathers wished to avoid the costs of employing a lawyer, the practise continued unchallenged".(35)

Mention of certain drawbacks associated with the Master and Servant Ordinance (2, 1850) has been made above. Evidence of local settler opinion concerning this legislation suggests that effective implementation varied according to the particular officer who heard the case, and the distance a plaintiff was required to travel in order to have a dispute settled. A number of employers resident in the study-area informed the Magistracies commission (of 1890) that it was only distance which prevented their making greater use of the County magistrates court to settle disputes with their servants. One of these witness stated that "if there was a court within 10 miles of me I would be in it every week till I got my kafirs put to rights". Another, more favourably located, found the presence of an ANL (empowered under Law 23, 1865 to hear cases arising out of disputes between Master and Servant) to be a "great deal of use to me in regard to petty kafir cases - boys refusing to work, running away from service".

A local attorney (giving evidence at Ladysmith), denied that distance was responsible for the small number of Master and

Servant cases brought to court. In his account he stated that "it arises in a great measure from the belief that servants are too leniently dealt with when they are brought forward. I know a great many instances where a farmer has said it is useless to bring a servant before the Magistrate".(36) Without direct evidence of the implementation and effectiveness of the Ordinance in the study-area, it would be unwise to generalise either of these points of view.

There is no evidence to suggest that Act 40, 1894 was any more effective than its predecessor in controlling agricultural workers. Although (on paper) the Act embodied more stringent controls than the Ordinance, it was criticised by local judicial officers for the leniency of its punishment clauses. Particular attention was drawn to the restriction of corporal punishment to youths under sixteen years of age. At least two of these officers called for the extension of this age-limit (to 21 and 24 years, respectively). The following observation suggests something of the attitude with which africans viewed the provisions of the Act. Noting that "there is no inherent respect, apparently, in the mind of a native for the sanctity of a pledge or a contract", the Magistrate at Weenen argued that "there is a natural attraction in free selection of employer, and higher rate of wages elsewhere, for the headmans sons; and so, risking the chance of being found by the police and brought back, or the certainty of being brought to book ultimately on his return home, a very great number of young fellows consistently disappear just when the time arrives for them to relieve a brother, and cheerfully suffer the moderate penalties of the Master and Servant (Natives) Act in due course".(37)

The following summary suggests something of the effect of two forms of punishment meted out to offenders against the Master and Servant legislation. In terms of the ordinance, magistrates were empowered to order that a servant receive - in addition to other punishment - a whipping of up to twelve strokes - usually applied

with a light cane . No age restriction was imposed. When provision was made for the appointment of officers other than Magistrates to hear cases under the Ordinance, the authority to order corporal punishment was excluded from the powers they were to exercise. In practise, though, the ANL - as these officers were termed - would seem to have inflicted the punishment of whipping on servants with the sanction of his immediate superior, the County magistrate. By the 1870's, however, corporal punishment in Master and Servant cases had, for a number of reasons, fallen into disuse.(38)

In 1885, the age limit for the infliction of whipping was set at sixteen years. Act 40, 1894 confirmed this limit and set the maximum number of strokes at fifteen. Outside the ambit of the Master and Servant legislation, a magistrate was authorised to dispense corporal punishment for offences against both customary law and the ordinary laws of the Colony. (Act 20, 1896, for example, provided for up to twenty strokes). Furthermore, the powers of the homestead-head under the code included that of corporal punishment.(39) It would seem, however, that sixteen years became the general age limit for this form of punishment.

Lamenting the restriction on whipping (to age sixteen), the magistrate at Upper Tugela noted (in 1897) that "up to that age parents can administer any correction needed, and just at the period that law should come to their assistance, it stops."(40) This (apparent) erosion of the homestead-heads power to either administer a whipping or to appeal to the ANL to do so on their behalf, meant that there was no legal measure whereby a person over the age of sixteen could be punished in this manner for some infraction of a labour-service agreement. If one bears in mind that it was precisely this category of person - older teenagers and young men - that was most in demand as labourers both in the countryside and further afield, the seriousness of this situation becomes evident. It is in this light that the above-mentioned appeals for an extension of the age-limit for coporal punishment

- to 21, and even 24, years - must be viewed.

A second form of punishment meted out to offenders under the Master and Servant legislation was imprisonment (with or without hard labour). During the study period, each rural Magistracy had its own 'lock-up'. Apart from persons awaiting trial, these gaols accommodated convicted prisoners serving sentences of six months and less. (Those sentenced to longer terms were transferred to gaols at the two major towns in the Colony). Conditions in rural gaols undoubtedly varied a great deal from place to place, and it is probable that this exerted some influence on the deterrent effect of incarceration in different localities. No evidence reflecting african perceptions of imprisonment in rural gaols have been traced, but the following comments made by local judicial officers offer two contrasting views in this regard. No attempt will be made to reconcile them as it is possible that each is an accurate reflection of circumstances in different parts of the study-area at various times.

In a report of 1878, the County magistrate argued, that "the Natives in this Division have a healthy dread of it [i.e. of imprisonment], accompanied, as it generally is, with hard labour, when the prisoner is physically capable of it; and they will, in every instance, prefer to pay even a heavy fine, it is in their power to do so; nay, if unable to pay the fine imposed at the time of conviction, they will frequently do so in order to obtain their release, even after they have undergone a considerable portion of their alternative term of imprisonment".(41) An opposing view was reflected in reports from Weenen Division towards the close of the century. Drawing attention to the large number of men accommodated in the local gaol, the Magistrate insisted that,

"a Native views a short term of imprisonment with absolute indifference. Time is no object to him and his incarceration in gaol is no sort of disgrace. His friends and relatives discuss

his absence there precisely as they would his absence elsewhere. He is fed more regularly than he would be at his kraal, and both clothed and housed more comfortably than he would be in service, and as a rule does less work too."

This officer assured his readers that "were anyone to hear the merry chaff and chatter which reaches me through my office window adjoining the gaol as I write, and see the thirty or forty merry men being ushered into their cells for the night in their clean cool clothes and well-aired brown blankets, he could not but be impressed by the happiness and contentment of convict life in a County gaol. This being so, I have no hope of diminishing the number of offences under the Masters and Servants Act, . . . , under its present penal provisions." Even if 'happiness and contentment' is an exaggeration, there is little reason to doubt the substance of this eminently reliable witnesses observation, namely, that imprisonment in a rural gaol was not always a deterrent to african contract-breakers.

As might be anticipated, the unique relationship between settlers resident in Weenen Village and on the adjoining irrigation schemes, and the tenant population of the Townlands, gave rise to particular problems of labour control. Surviving official records contain no reference to any disturbance of the labour-supply before 1884 (the year in which the first irrigation settlement was established), and it might be assumed that the relationship between parties was a relatively stable one. Control of the tenant population, and assurance of the labour-supply which this provided, when it did become a contentious issue, had two distinct facets. In addition to the conflict between employers and employees which characterised 'labour relations' elsewhere in the study-area, the Weenen system generated another, between rival groups of employers, each attempting to monopolise (or, at least obtain preference with regard to) the labour-power of the tenants.

The central problem associated with the 'Weenen system' was that the practise was not sanctioned by law. It had been instituted on the initiative of local people, and sanctioned by a cooperative County magistrate - whose term of office covered the period from the inception of the scheme until the mid-1870's. Successive magistrates - there were only three other officers to hold office between this last date and the turn of the century - appear to have maintained the peculiar state of affairs out of sympathy for the approximately "forty poor English and Dutch families, who subsist chiefly on the cultivation of their own or absentee's erven, ploughing for the Natives, transport riding to and from the railway station at Estcourt, and by doing odd-jobs in the way of building, reim-making, wood-selling, etc..." It was only towards the close of the century, and during the early 1900', that local judicial offers pointed to, and baulked at administering, what was an illegal institution.(43)

The absence of any specific legislation dealing with the situation meant that the general laws of the Colony were invoked. The difficulties associated with the implementation of this body of legislation have been addressed above; in this context they were exacerbated by the absence of a legal 'owner' of either commonage. This oversight meant that the settler employers were unable to make application for the eviction of a tenant homestead in terms of Ordinance, 2 of 1855. To make matters worse, it appeared that although tenants had been evicted from land demarcated as irrigable holdings, through an oversight, the inhabitants of what became the Reserve were not informed of the impending change in their status, and could not, therefore, be evicted for failure to render labour-service when called upon to do so. Although there is evidence of the Land and Immigration Board informing the magistrate that blockholders did enjoy the rights of landlords - over the two homesteads placed by them on the commonage - there is nothing to suggest that this official acted on this 'information'.(44)

Frustrated in their attempts to enforce compliance from the tenant population, blockholders petitioned the authorities for permission to place homesteads on the adjacent Townlands; pressured tenants with large stockholdings and large areas under cultivation to reduce these - and so make land available for the accomodation of further tenant homesteads; attempted to introduce a 'blacklist' of tenants who refused to work for the employer to whom they had been initially allocated; and, finally, made applicatin to have the commonage subdivided and distributed among themselves.(45) (This would have given them the status of landlord in relation to tenants, thereby conferring on them powers of eviction under Ordinance 2, 1855).

The SNA's appointment of the local magistrate to control the system (in 1896), though ending the administrative impasse of the earlier period, did not alter the basic illegality of the practise. Newly-appointed judicial officers pointed out that none of the legislation - including Ordinance 2, 1855; Law 15, 1871; and Act 40, 1894 - to which they had been referred by the office of the Attorney-General, was appropriate to the settlement of disputed labour-service agreements made with either category of tenant. In 1902 the SNA informed the Magistrate that the state was landlord of the commonages, and had 'delegated' the power of eviction to the individual employers. As the local agent of the state it was incumbent on the magistrate to enforce any application for the eviction of tenants. The latter, the SNA argued, were 'voluntary labourers' in that they could leave the commonages whenever they chose.(46) As no further evidence referring to this question has been traced, it might be presumed that this order was adhered to in all subsequent cases arising from the operation of the 'Weenen System'.

Notes

1. It is beyond the scope of this study to examine official

policy concerning the movement of Natal Africans in search of work within and beyond the borders of the Colony. The enduring tendency within the policies of successive administrations - at least between 1893 and 1903 - was apparently, to avoid encouraging movement out of Natal. This question is addressed in Dhupelia U (1982) 'African Labour in Natal: Attempts at coercion and control' p39, 42,47; See Slater H (1980) 'The changing pattern of economic relationships in rural Natal', 1838-1914' p163/4; Rennie J K (1978) 'White Farmers, Black Tenants and landlord legislation: Southern Rhodesia, 1890-1930'.

2. Riekert J (1983) 'The Natal Master and Servant Laws' p57; Sessional Papers 1868 (Select Committee Report).
3. In 1883, the magistrate at Upper Tugela reported being criticised by local homestead-heads for issuing 'passes' to young men proceeding to Kimberley in search of work. (They blamed his alleged 'leniency' in this regard for a marked change in the demeanour of many returned migrants. NABB 1882 p202 RM UT.
4. Government Notice 315 (1885); Law 15, 1887 Statutes of Natal, 1845-1899. Compiled by R L Hitchens and G W Sweeney.
5. Sessional Papers 1888 LC no 5. See G G 2319 (1888); CSO 2817 (1890/1. Magistracies Commission. Evidence) p12.
6. CSO 2816 (1890/1 Magistracies Commission. Evidence) p751; SNA 1.1.140 no 806 (1890). As the abovementioned incident in Upper Tugela Division suggests, homestead-heads (and chiefs) had a vested interest in official attempts to restrict the movements of young people.
7. CSO 2817 (1890/1 Magistracies Commission. Evidence) p83.

8. SNA 1.1.197 no. 199 (1895); NABB 1895 p54 RM W; SNA 1.1.202 no. 614 (1895).
9. Government Notice 489 (1895), 650 (1897).
10. SNA 1.1.241 no. 525 (1897); NABB 1898 p25 RM E; SNA 1.1.244 no. 895 (1897).
11. Government Notice 106 (1899).
12. Government Notice 363 (1899), 742 (1904).
13. SNA 1.1.367 no. 1116 (1906), SNA 1.1.368 no. 1258 (1906).
14. Act 49 (1901) Acts of the Parliament of the Colony of Natal, 1894-1910.
15. NABB 1902 p13 RME; NABB 1904 p56 RM B; NABB 1905 p10 RM E, p57 RM B.
16. SNA 1.1.305 no. 3077 (1903); NABB 1902 p21 RM W; Act 3 (1904) Acts...
17. SNA 1.1.319 no. 840 (1905).
18. See Riekert J (1983) 'The Natal Master and Servant Laws' p50, 57, 87, 90.
19. Ordinance 2 (1850) Statutes...
20. Law 18 (1862), Law 23 (1865) Statutes...
21. Riekert J (1983) 'The Natal Master and Servant Laws' p125-130.
22. G H 54 (1870/1. Master and Servants Commission. Report)

76/7, 79. Ordinance 2 (1855) gave landlords the right to summarily evict tenants from their property. Statutes....

23. Select Documents 1871 LC no. 5.
24. Law 15 (1871). Statutes...
25. Act 40 (1894) *ibid.*
26. NABB 1907 p59 RM B; NABB 1908 p15 RM E.
27. Sessional Documents 1870/1. no. 35; NABB 1908 p15 RM E, p16 RM W.
28. BB 1902 p60 RM E.
29. Law 19 (1891) Statutes...
30. SNA 1.1.285 no. 760 (1899).
31. BB 1902 p60 RM E; NABB 1904 p17 RM E; SNA 1.1.351 no 2333 (1906).
32. SNA 1.1.305 no. 3077 (1903); BGV 4.2.1 p231 (1892).
33. SNA 1.1.413 no. 3053 (1908); NABB 1904 p18 RM E.
34. SNA 1.1.319 no. 840 (1905).
35. 1906 Natal Native Affairs Commission. Evidence p240.
36. CSO 2817 (1890/1. Magistracies Commission. Evidence) p100, 32; CSO 2818 (1890/1. Magistracies Commission. Evidence) p29.
37. SNA 1.1.305 no. 3077 (1903); BB 1878 p18 RM UT; BB 1904 p18

RM E; BB 1899 p19/20 RM W.

38. Ordinance 2 (1850), Law 23 (1865) Statutes...; SNA 1.1.130 no. 994 (1890); Riekert J (1983) 'The Natal Master and Servant Laws' p144-7.
39. Law 12 (1885), Act 40 (1894), Act 20 (1896) Statutes...
40. NABB 1897 p113 RM UT.
41. NABB 1878 p19 RM W Co.
42. BB 1897 p69 RM W; NABB 1897 p98 RM W.
43. BB 1900 p34 RM W.
44. SNA 1.1.189 no. 913 (1891).
45. SNA 1.1.192 no. 1195 (1894); SNA 1.1.261 no 5719 (1892); SNA 1.1.189 no 913 (1891); SNA 1.1.190 no. 1060 (1894); SNA 1.1.200 no. 447 (1895)

Chapter 9

OFFICIALS, EMPLOYERS AND CHIEFS

In addition to policing the countryside and enforcing the Colony's labour legislation, rural officials contributed in others ways - not all of them 'official' - towards the consolidation of employer control over the workforce. There is evidence of a number of ways in which they were of service to their settler neighbours.

First, the provision of labour-power for service with local employers. In 1852, officers stationed in the study-area argued for the implementation of a scheme of 'apprenticeship'. One officer suggested that all young people between 13 and 17 years of age be bound to serve terms of between three and five years. His colleague (the RM at Ladysmith) admitted that he was 'in the habit of procuring labour', on request, for settlers. Although there is no evidence of how this scheme was organised, it does appear to have become institutionalised. In a report of 1857, the (newly-appointed) Weenen County magistrate informed the SNA that, "the feeling amongst the kafirs against Mr. Lotter is so strong that I have not been able to prevail upon a single kafir to enter his service during my term of office, and on reference to the contract book of my predecessor I find that he had been able to supply Mr. Lotter only upon two occasions."(1)

It is less clear whether this service was continued during the later period. Apart from the placement of refugees, and sanction of the Weenen system, there is no evidence to suggest that magistrates provided local employers with a service approximating that of a labour bureau. What provision there was for such a function - under Law 15, 1871 - seems not to have been implemented. (The Law provided for the voluntary registration of workseekers and prospective employers with the magistrate. This officer was obliged to inform workseekers of employment

opportunities and conditions of service. Where a discrepancy existed between the demand for, and supply of, labour-power, magistrates were authorised to arrange for the introduction of labourers from elsewhere.(2)

There is no evidence of Magistrates providing convict labour, or men called up for service under the labour-levy, for service with settlers. During the mid-1890's convict labour was, put to work on various public works projects in and around Weenen Village). The labour-levy was, however, used as a means of disciplining 'refractory' employees. Initiated by either the employer or the local judicial officer, this practise involved the registration of men who had displeased their employer, for the six-month period of service on public works projects. Strictly speaking, only Location residents were liable for this duty, but the more or less constant problem of filling quotas from this source seems to have prompted the registration of private-land residents as well. Service on public works would seem to have been regarded as a suitable punishment in view of the low wage and poor housing conditions. The extension of the Master and Servant Ordinance (with its criminal sanctions) to men employed under the labour-levy, enhanced the degree to which such workers could be controlled.(3)

At least one magistrate stationed at Weenen provided a messenger service between landlords resident elsewhere and their tenants occupying labour-farms. As instances from the year 1897 suggest, the incumbent official was prepared to summons, for trespass and outstanding rent-payment, a group of homesteads occupying land owned by a settler based in Estcourt Division. Later he complied with a request that he warn tenant labourers on this land to report for service. On both occasions these requests were made through the post, the only cost to the landlord being the messenger fee (of 2/6). From the correspondence surrounding these events it is clear that employers were making full use of the abovementioned relationship existing between rural

magistrates and the Africans living within their jurisdiction.(4) Having the magistrate's messenger deliver instructions to tenants was thus a means of ensuring compliance with the landlords wishes without risking the expense and inconvenience of a personal journey or of civil litigation.

A third way in which officials lent their support to coercion of the African workforce, was the close supervision exercised over access to Location land. There is strong evidence to suggest that throughout the period before 1907, access to Location land in the study-area was a closely guarded privilege, rather than a right, enjoyed by local africans. Although this evidence is drawn from Estcourt Division alone, there is reason to suppose that it has relevance for other parts of the County - and indeed, the Colony. Restricting access to Location land had an important disciplinary effect on tenant homesteads.

While the physical allocation of building and garden sites on Location land was the responsibility of chiefs and district Headmen, access to, (or permission to occupy) these tracts was at the discretion of the ANL. This officer served as representative of the Natal Native Trust - to whom Location land was entrusted - and exercised the powers of landlord under ordinance 2 of 1855. The records of the SNA department contain numerous reference to Administrator's summary eviction of people who occupied sites on Location land without permission or who were deemed to be 'undesirable' by chiefs. Before the mid-1890's, official intervention in the affairs of Location residents was limited to the labour-levy. When Rules for the allocation and use of Location land were introduced in 1896, this largely represented a formalising of existing practices. An innovation was the stipulation that, in future, only homesteads comprising four or more huts would be permitted to take up residence on Location land. Those under this size were required to join an established homestead.(5)

In 1896 a prominent local landowner appealed to his neighbour - the then SNA - to refuse permission for a recently-evicted homestead-head to occupy land on the adjoining Bushmans River Location. The man had, he said, been evicted three times in as many years for "defiance and not wishing to work". The landowner argued that, "if Klaas or any other chief, harbour natives who cannot get on with the farming community of this country, then the time is not very far distant (exceptional cases excepted) when the Government will have trouble dealing with these dissatisfied individuals. Further I do not think it would be fair to me, nor yet safe to my property, to have natives who knew the whole of my farm placed on the adjoining lands".(6)

There is no record of the outcome of this plea, but a decade later, the complaint was repeated by a second settler in correspondence with the Estcourt magistrate. The complainant insisted that "I can have no authority over my natives if they can always have a home in the Location close by me." Later, he argued that "if this natives application is successful he will have obtained his object in defying me, and in my opinion it is a dangerous practise for the Government to allow natives to squat on locations when they have been turned off adjoining farms for defiance of their masters." In a comment on this petition, the magistrate noted that he permitted recently-evicted homesteads onto Location land only in 'exceptional' circumstances; he added that he "did not see why the locations should be made the refuge of natives of doubtful character". This attitude received the approval of the Minister for Native Affairs, who ordered that "in future...unless a native is in a destitute condition he should not be allowed to go on to Location lands to avoid working for European landowners."(7)

The order was not to remain in effect for long. Late in 1907, the Chief Inspector of Locations recommended that "every encouragement should be given to natives to move from the farms where they are rack rented to a considerable extent on to the

several Reserves". Some months later, the 1906 Native Affairs Commission made a similar recommendation - that africans be encouraged to move from congested privately-owned land to the nearby locations. Drawing the attention of magistrates to this point, the Minister for Native Affairs ordered that "no impediment shall be put in the way of natives desiring to move from private or other lands in the colony onto Location lands. Every facility must be given to such natives to move into and reside in locations." (8) The order appears to have had an immediate and marked effect on local 'Location admission' policy. Whereas, before 1906, annual admissions to locations in the three magistracies had fluctuated around nineteen homesteads, in the following two years this number increased by almost four times. As might be expected, the increase (over the average for previous years) was most marked in Estcourt division - at around six times. (See table C piii). Many of the large number of homesteads evicted from private lands in 1910 would have been absorbed by locations in the study area. (9)

Despite the collusion of some magistrates in the extra-legal coercion of african workers, it should not be presumed that this was the only (or even, the general) pattern. There is evidence to show that several officers insisted on extending to africans the full measure of what legal protection was available to them. Surviving correspondence of the magistrate at Upper Tugela for the years 1877/8 contains a number of examples which illustrate the point. This officer warned local employers: that it was illegal to 'take over' tenant labourers from some other employer; that he would not hesitate to prosecute in the event of assault on tenants; that employers were required to produce evidence - either written or in the form of witnesses - of the existence of any labour-service agreement; and that the livestock of tenants could be impounded only where it strayed from a fenced-off portion of the farm. In another instance, the magistrate entered into a lengthy correspondence with his counterpart at Harrismith on behalf of a man whose runaway daughters (both minors) had been

'apprenticed' (without parental consent) to an employer based in that district. But one must not protest too much. Although an apparently conscientious protector of african legal rights, this particular officer had much in common with his fellow settlers. In one letter to a landlord accused by his tenants of 'wrongfully seizing their cattle for trespass', the magistrate noted that, "as is customary, any European against whom a native lays a complaint is asked to comment before being summoned." (10) It is doubtful (though not impossible) that a similar courtesy was extended to African defendants.

Even without the support of local officials, settler employers were able to effect a great deal of control over the rural workforce. Among the ways in which such control could be exercised were the threat of eviction, personal physical violence, and what might be termed 'institutionalised indebtedness'.

Where all attempts to settle disputes through alternate legal means failed, the landlord was faced with a choice between capitulation and taking steps to secure the eviction of the tenant homestead. It was highly unlikely, given contemporary settler conceptions and practices in labour matters, that a landlord would tolerate the continued presence of a successfully defiant homestead on their property, and it might safely be presumed that the latter response was both preferred, and most frequently adopted. Eviction of a tenant homestead could be secured personally - by the landlord ordering the homestead-head to remove his dependants and belongings from the farm by a certain date - or, if this was met with defiance, by obtaining an order of eviction from the magistrate. Such an order (issued in terms of Ordinance 2, 1855) could not be enforced before the expiry of any current labour-service agreement, or until any standing crops planted by the tenant had been reaped. In 1906 a landlord, resident in the study-area, was informed by the SNA

that a period of twelve months - the minimum service contract recognised by law - was also the minimum period which either party to an agreement of tenancy might give as notice either of eviction or intention to remove the homestead from the landlords property.(11) It is, however, not known to what extent (if at all) this practise was observed locally.

Where legal (and other official) redress was either impossible or unsuccessful, or where temperament made this a preference, employers resorted to personal, physical coercion of their tenants and other employees. It is impossible to determine either the extent of the practise (the scale on which it occurred), or whether physical beating of workers was restricted to any particular category of employer. Settler comment on the question was (understandably) muted; while local judicial officers (for their own reasons) made only infrequent reference to it. There is no mention, in the evidence given before any of the State Commissions by local africans, of physical abuse at the hands of settlers. The following comments, made before the Magistracies Commission of 1890, by settlers from Estcourt Division, testify to the existence of the practise.

One landlord claimed to 'settle his own affairs', and "manage without judicial interference". Another remarked that "as the saying is 'the strongest man is master', and it is on that basis most cases are dealt with in this part of the County".(12) A third witness insisted that "the administration of law in Natal absolutely compels a man to take the law into his own hands, and in nothing more than in Master and Servant cases and small thefts. No one would ever think of bringing a man into the court for taking a packet of sugar; he would punish him at once though the vindicator of the law might in turn be punished himself. But the insufficiency of the punishment given by magistrates makes farmers act in that way". 'Direct action' by employers was not restricted to physical abuse. The County magistrate informed the Commission that the great distance between outlying parts and the

seat of the Magistracy, and the infrequency of Branch Courts (in these areas), prompted a situation in which "the master takes the amount he claims out of the servants wages or in some other questionable manner".(13)

Employers were, however, able to use more subtle means of achieving a measure of control over the workforce. One such means was the encouragement of indebtedness among workers. The importance of 'advances' and loans in securing the participation of local men (as migrants) in minework, has been noted elsewhere. There is also evidence to suggest that indebtedness, achieved through advances to both, prospective employees, and those already in employment, was as important in assuring local employers of an adequate workforce. (Before proceeding with an examination of this phenomenon in the study area it is necessary to distinguish 'loans', made for the purpose of securing interest to the lender, from 'advances', or payments (in cash or in kind) in order to secure from the borrower an undertaking to perform some future labour-service. Although the same person might make both types of transaction, it is clear that the latter imposes quite different (and potentially more stringent) conditions on the recipient).

Before 1887, Africans were not distinguished from other categories of borrower. Under law 6 of 1858, no limit was placed on the rate at which interest might be charged, but where no interest rate was stipulated in the agreement, such was not to exceed 6%. Law 44 of 1887 prohibited RM from making any judgement in cases involving promissory notes given by Africans - in lieu of rent or as surety for money received - unless these had been attested before a RM or Justice of the Peace. The payment of advances, or bonuses, to labourers by their prospective employers had been sanctioned and controlled by Law 15 of 1871 - the RM receiving and administering this sum on behalf of the labourer.(14)

Evidence before the 1906 commission drew attention to the high rates of interest charged on bonus to, and the widespread indebtedness of, Natal africans. One witness - the Under-Secretary for Native Affairs - alleged that up to two and three hundred percent interest was common. Early in 1907 the Attorney-General advised RM and JP's to refuse to attest promissary notes "involving the payment of usurious charges". Under Act 41 of 1908 a distinction was drawn between advances - which the Act did not regulate - and other loans. To be legal - or recoverable in court - the latter had to be in writing, attested by a RM or JP, and at an interest rate no higher than 15%. Any proved misrepresentation on the part of the lender was to nullify the agreement. Regulation of advances in Natal was introduced only with the passing of the Native Labour Regulation Act by the Union Parliament in 1911. Under this Act a maximum advance of £3 was permitted.(15)

The sources consulted contain only isolated reference to money lending and the payment of advances to africans in the study area. Each of the two forms should be discussed separately. The earliest reference traced refers to a case (of 1896) in which two local africans were sued by their landlord for failure to honour a promissary note given in lieu of hut rent. Persuaded by their attorney to contest the matter in court, the two men in question - having lost the case - were issued with writs for £18 and £21, in costs (excluding lawyers fees). Their original debt had been £6 each.(16)

In 1904 the RM at Estcourt reported on two similar cases. Interest on promissary notes had been levied at 2/6 and 1/ in the £1 per month. In the latter case - in which a sum of £3 had been lent - the lender claimed £6.2, making the rate of interest 60% (According to a local witness to the 1906 commission, this rate was 'usual'). The claim included a 2/ in the £1 'penalty' for the two months during which the loan was outstanding. The magistrate - incensed at the high rate of interest involved -

ordered repayment of the capital sum and payment of 6 months interest, dismissing the full claim as 'extortion'. In justification of this action he insisted that african borrowers of money and issuers of promissory notes were invariably illiterate, the agreements entered into often being merely verbal in form. He made it clear that he objected to his court being made the means of extracting interest from africans, and recommended legislative protection for the latter.(17)

In 1906, it was reported from Bergville that the local interest rate stood at 60%. The District Surgeon, a landowner, and the Postmaster, were alleged to be the principal moneylenders in the area. Promissary notes in favour of the latter were presented before the local magistrate (for attestation) at the rate of between four and six a day. The service apparently occupied so much of this officers time that he had refused to perform it; and the attesting of promissary notes had devolved upon a nearby JP - who charged a 1/ fee for the service. A landowner from this region informed the 1906 Commission that africans were lent sums of up to £6 at a time, for periods of six months. They were also heavily penalised for late payment. Another argued that although africans "in the Acton Homes district are very heavily indebted to Europeans for money lent", no legislation (regulating the making of loans) was required in view of the small risk of default.(18)

Evidence of advances by employers is more difficult to come by. Part of the reason for this is the failure of contemporaries - as the above references suggest - to differentiate between advances and other loans. A second reason is the private (or 'domestic') character of the phenomenon. Generalising from the extensive records of one landowner-employer, it would seem that the typical rural loan took the form of small, regular, advances, by employers, to tenants resident on their property. In this case, advances appear to have replaced monthly wage-payments as the predominant form of remuneration for services rendered; scattered

reference to the latter involves sums negligible in comparison with those paid out in advances in any year. Although it has not been possible to analyse the entries in the detail they deserve, annual totals of the amount advanced by this employer over the period 1890 to 1910 suggest something of the scale of the practise (See Graph E pV). Amounts advanced annually ranged from £700 (in 1909) to £6700 (in 1894). Particularly large amounts - over £2000 - were advanced in 1894 and between 1896 and 1898. Annual variation in the total amount advanced was less marked after the turn of the century. During this period total advances ranged between £1000 and £2000 - averaging £1300 in any year. Unfortunately the source contains no evidence to account for this pattern. Individual payments, and monthly totals of £200 and above, are concentrated in the period between December and May - when tenants became liable for hut (and other) taxes, and food stocks were at a pre-harvest low.(19)

Other evidence of cash payment to prospective employees by employers is a report of 1907 from Bergville in which such advances are associated with contracts between Master and Servant attested before the Magistrate. The 'general' practise in these cases involved the workers agreeing, on receipt of a sum of money, to work for a specified period. Finally, advances might take forms other than cash. In 1906, the magistrate at Estcourt drew attention to:

"A practise which is becoming more common every year in this Division, viz, the advance by farmers to natives of cattle as lobolo for their wives, for which the natives have to supply labour. Some of these agreements have been signed before me for different periods up to three years. Cases have come to my notice in which the periods have extended to five years. The latter have been on verbal contract and are of course illegal. With a few exceptions, these contracts whether illegal or legal have proved fatuous and unsatisfactory. It is always the native who fails to fulfill his part of the contract. He gets tired of

working for a 'dead horse'. It ends invariably in his being punished from time to time under the Master and Servants Act and eventually the farmer has to recover the balance under civil process or the native deserts and leaves the colony and the master never sees him again. The animals advanced are valued and periods calculated at the rate of about 20/ per month which is above the usual rate paid to a labourer under a labour contract with his landlord, but less than the current wages in the colony. The practice attended the same evils mentioned above of advancing natives money to be worked out is an old one and need not be dwelt upon at any length. It exists in this division to a great extent. In some instances it is the only way a farmer is able to obtain sufficient labour."(20)

The degree of control that landlords were able to exert over the tenant workforce was enhanced by a corresponding decline in the influence of traditional authority-figures - chiefs, district Headmen, and homestead-heads - over individual homesteads, and young people, respectively. Although this latter process was evident on the Locations, it appears to have been particularly advanced among chiefdoms whose members were concentrated on settler-owned land. There is evidence to suggest that during the period under review, the institution of chiefship was significantly different among people resident on these two categories of land.

During the period in which africans were resettled in Weenen County, the following pattern was established. Three large chiefdoms were settled in Locations under the Drakensberg, and the presence of a fourth such unit was recognised by the demarcation of the Mpofana Location in the County's eastern extremity. The smaller chiefdoms that entered the area after this initial settlement were denied access to the Locations, but found places on Crown or privately-owned land. In time, as Crown land was sold, more of this population was forced into some

relationship with a settler landlord. Apart from its economic implications - the exaction of rent, or labour-service - this brought a subtle change to the relations between such homesteads and their chief.

Chiefs resident on Location land enjoyed a considerable degree of power over their adherents. In the first place, chiefs - through their District Headmen - were responsible for the allocation of building and garden sites and for regulating the use of grazing. There is evidence to show that chiefs were able to veto applications for places on Location land where they were able to convince the ANL of the 'undesirability' of an applicant. They also exercised the (considerable) power of nominating men to fill the chiefdoms annual quota under the labour-levy. In general, and subject only to the ANL, chiefs exercised a form of despotic control over the population resident on Location land.

The position of chiefs who, together with their adherents, occupied privately-owned land, was in stark contrast to this. Unless such landlord was an absentee, the chief had no control over the allocation of material resources, or even the presence of their adherents, on settler-owned land. Instead, it was the landlord who decided these things. In the second place, the members of 'private lands' chiefdoms were excused the obligation of the labour-levy, and so, escaped the special pressures which this institution allowed Location chiefs to exert on their adherents. Finally, chiefs resident on private-lands were themselves tenants, personally subordinate to a landlord in the same manner as any other member of the chiefdom.

Despite the different circumstances of people resident on Location and settler-owned lands, there is no evidence to suggest that the authorities regarded private land chiefdoms in a different light to those whose members were concentrated on Reserve land. All chiefs received official stipends, and heard cases arising out of disputes between their adherents. All were

entitled to claim the 'khonza' and 'valelisa' fees levied on homestead-heads who changed their allegiance.(21) From the evidence contained in official correspondence, however, it is clear that members of private land chiefdoms posed distinct difficulties for local officials. In a report to his superiors (in 1896) the veteran magistrate of Estcourt noted that he "had hoped that Government would ere this have laid down some different way of governing natives on private farms, than through native chiefs - the powers, rights and privileges of a native chief often clash with that of the landlord".(22)

Apart from this clash, official control over people resident on private lands encountered another major difficulty, namely that there was no regulation requiring the adherents of a particular chief to seek employment (and residence) within a specific territory. In the absence of such a restriction, homesteads moved to wherever they could secure the most advantageous conditions of tenancy - even if this meant living some distance from the chief to whom they were (nominally) responsible. Unless the chief had a District Headman resident in the same locality as these homesteads, then the latter were not within his effective control. (At least one official alleged that certain chiefs deliberately dispersed their adherents in order to expand the scope of their authority).(23)

Direct confirmation of the undermining of chiefly authority among members of private-land chiefdoms is not common. One suggestive observation was made by the County magistrate who argued (in 1890) "that native chiefs nowadays have very little real control or influence over the natives residing on private farms as such control and influence has to a great extent passed into the hands of the owners of the land and the natives find it to their interest to look to the latter rather than the former as their rulers". In 1907, the magistrate at Bergville made the following comments concerning the Ngwane, a chiefdom whose members were distributed across Location and private land in the Division, and

whose internal cohesion was proverbially strong. Attending the 1906 celebration of the 'first fruits', he was "struck with the comparatively small number of men who attended. The women outnumbered the men by..., three to one. [The chief informed him] that attendance is practically limited to the members of the tribe in this Division and the few who are just across the boundary in Estcourt Division. It is a purely voluntary affair, and only those who care to do so, attend". Elsewhere he drew attention to the

"slovenly manner in which the Ngwane presented themselves at the recent tax-collection. Instead of coming up in a body, singing, with the chief at their head, they turned up in two's and three's and sat down until a sufficient number had gathered to enable a start to be made. As each man paid, he left, instead of following the general custom of waiting until the collection of the day is over when the assembled natives again form up and after a short dance, state any grievances they may have."(24)

More pointed evidence is provided by the testimony of chiefs and other notables before the 1906 'Native Affairs' commission. A recurring complaint on this occasion was of interference by landlords in the exercise of traditional authority. It was alleged that they prevented the attendance of people summoned to appear before the chiefs court, and made it impossible to find men for the labour-levy.(25) Landlords were criticised for 'setting up nondescripts as induna's' on farms, and "allowing the people of another tribe to go on to land which was occupied by their own tribe".(26) The principal objections to these practises were, that they were done without reference to the chief, that they often meant waiving of the 'valedictory fee', and that they entailed replacement of induna's appointed by the chief who 'claimed' that farm. The Cunu chief, speaking with less circumspection than his colleagues, was reported to have made the following rhetorical observation: "Was not the Government the King? He did not know what matter he could lay

before the Government, because the great authority, in whom the chief power seemed to be vested, was, from the testimony of previous speakers, the landlord. Hence, they had really nothing to say to the Government". This shrewd assessment was echoed by a District Headman from the Upper Tugela Division, who informed the Commission that "the European landlords were the kings of the country".(27)

Although there was no official policy regarding the specific situation of private land chiefdoms, local officers appear to have taken matters into their own hands from as early as 1882. In that year the County magistrate appointed the incumbent Court Induna to head a new unit, the Abenkantolo - literally, 'the people of the office' - composed of the inhabitants of settler-owned land within a certain radius of Estcourt village.(28) According to the officer responsible for this initiative, it had become necessary to appoint someone to provide the close control lacking because there were no District headmen among this population of many chiefdoms. At least initially, the appointment was 'for tax purposes', but in time - and largely through the magistrate's patronage - this official was accorded the rank of chief and permitted to place a small number of homesteads on the Bushmans River Location. The arrangement appears to have worked smoothly, and may have encouraged the County Magistrate to extend the system - informally - to a second unit, the Mabaso.(29)

Before 1869, the Mabaso resident in Weenen County formed part of a chiefdom centred around the chief - who lived in the adjoining Klip River Division. After that date (and the death of the chief), the Weenen section of the chiefdom became progressively more separated from the parent body. In time, one of their number - an ex-Court Induna - secured the appointment of chief. When the Hlubi chiefdom was broken up in 1873, a number of homesteads transferred their allegiance to this official. Later, when the newly-appointed head of the parent chiefdom attempted to

assert his claim to the Weenen County Mabaso, the head of the latter unit was understandably opposed to the change. In support of his claim to independent status, this official alluded - without contradiction from the veteran magistrate - to his jurisdiction over certain farms in the division.(30)

In 1895, when the issue was revived, he made no objection to a transfer in allegiance on the part of certain homesteads, but insisted, in the magistrates words, that "they must leave the lands they occupy as it is his privilege to reign over the natives on these lands". A decade later, his successor in office approached the Estcourt magistrate to "hear what farms had been given to him by Government ". There is evidence - including a map - to suggest that an informal demarcation - running through the centre of the County in a north-south direction - had been established between the Mabaso and other chiefdoms. When the dispute resurfaced (in 1902), the local magistrate recommended that in view of the degree to which the adherents of four chiefs were intermingled in that locality, no action should be taken to establish an official, Mabaso, ward.(31)

An investigation conducted in 1902 showed that despite the appearance of stability, the Nkantolo ward established some two decades earlier was no more successful. Large numbers of the Abenkantolo had strayed beyond the boundaries of their chiefs jurisdiction - without, however, relinquishing their allegiance to him. Of a total of 313 homesteads in the chiefdom, 178 were resident within this area. An additional 24 homesteads, recognising the authority of other, neighbouring, chiefs, lived within the Nkantolo ward. Clearly, the claim of the veteran County magistrate, that it was his policy to demand of people moving into a locality under the jurisdiction of some other chief, that they recognise that persons authority, cannot be sustained. The investigation (of 1902) coincided with the death of the first Nkantolo chief, and the authorities took the opportunity - offered by the appointment of a successor - to

restrict the chieftdom to its original territory. People resident outside the ward were required to move to farms within its boundaries or to recognise some other chief with a following of more than fifty homesteads in the locality. Not surprisingly, most chose the latter course.(32)

Despite the (evident) enthusiasm of a succession of magistrates for the systematic implementation of a ward-structure in the County, the idea was not endorsed by central authority. In 1906, one of these officers voiced what was perhaps the major consideration underlying official hesitation. He argued that the ward system "would not meet with the approval of the farmers, as it would in all probability interfere with the tenants who supply labour in lieu of rent".(33)

Notes

1. 1852 Natal Native Commission. Evidence Part III p35, Part I pl2; SNA 1.3.6 (1857) RM W Co.
2. Law 15 (1871) Statutes of Natal, 1845-1899.
3. BB 1896 p49 RM W; WEN file 2 no. 531 (1896); BGV 4.2.1 p231 (1892); SNA 1.1.147 no. 991 (1891); SNA 1.1.117 no 922 (1889); Law 12 (1885) Statutes...
4. WEN file 2 no. 522 (1896).
5. See: NABB 1896 p27/8.
6. SNA 1.1.226 no. 1222 (1896).
7. SNA 1.1.345 un-numbered minute (1906); SNA 1.1.353 no. 3559 (1906).

8. SNA 1.1.387 no. 3753 (1907); SNA 1.1.385 no. 3612 (1907).
9. SNA 1.1.471 no. 2892 (1910).
10. BGV Volume 3 p29, 99, 199, 207, 117.
11. Ordinance 2 (1855) Statutes...; SNA 1.1.343 no. 808 (1906).
12. CSO 2817 (1890/1). Magistracies Commission. Evidence) p104, 110.
13. CSO 2816 (1890/1). Magistracies Commission. Evidence) p749, 837.
14. Law 6 (1858), Law 44 (1887), Law 15 (1871).
15. 1906. Natal Native Affairs Commission. Evidence. p15; NABB 1907 p126 (circular 26); Act 43 (1908) Acts of the Parliament of the Colony of Natal, 1894-1910.
16. SNA 1.1.215 no. 170 (1896).
17. SNA 1.1.313 no. 1990 (1904); 1906. Natal Native Affairs Commission. Evidence. p1035.
18. SNA 1.1.349 no. 2823 (1906); 1906. Natal Native Affairs Commission. Evidence. p1034, 1038.
19. Carter farm records.
20. NABB 1907 p50 RM B; SNA 1.1.367 no 1116 (1906)
21. To 'Khonza' was to recognise a chief's authority; the 'valelisa' fee - usually a beast - was by way of compensating a chief for the loss of an adherent.

22. SNA 1.1.229 no. 1578 (1896).
23. SNA 1.1.268 no. 2846 (1897).
24. SNA 1.1.129 no. 1036 (1890); SNA 1.1.387 no. 3753 (1907);
SNA 1.1.369 no. 1422 (1907).
25. It was not unknown for chiefs, who see adherents on Location land were subject to the labour-levy, to try and coerce men from private-lands into this form of service.
26. Clegg has documented this phenomenon of chiefdoms 'claiming' certain tracts of settler-owned farmland as their exclusive place of residence and employment. Clegg J (1981) 'Ukubuyisa Isidumbu - "Bringing back the body"'.
.
27. 1906. Natal Native Affairs Commission. Evidence. p721, 723, 720, 719, 724, 732.
28. The precedent for this appointment was set some time earlier. In the aftermath of the Langalibalele affair, the Hlubi were divided between certain established chiefs and four state-appointed headmen - all one-time holders of the position of Court Induna. The latter units were allowed to reoccupy the Bushmans River Location; in 1898 they comprised a total of 1354 huts - an average of 340 huts each. NABB 1898 p7-12.
29. NABB 1882 p227 RM W Co; SNA 1.1.183 no 383 (1894), no 883 (1894) no 157 (1890); SNA 1.1.286 no 1685 (1899).
30. SNA 1.1.172 no 870 (1893).
31. SNA 1.1.274 no 3007 (1897); SNA 1.1.337 no 790 (1906); SNA 1.1.289 no 877 (1900).

32. SNA 1.1.295 no 292 (1902); SNA 1.1.183 no 883 (1894).

33. SNA 1.1.337 no 790 (1906).

CONCLUSION:

During the late decades of the nineteenth century, and in common with people resident elsewhere in the subcontinent, the inhabitants of Weenen County became progressively more integrated into the regional economy centred on mineral exploitation at the Reef. This process was characterised by two central mutually-influential developments: expansion of settler agricultural production and a steady decline in those activities associated with the homestead. The development of agriculture was made possible by largescale settler encroachment on land used by Africans. Loss of access to land (and other) resources undermined the economic independence of homesteads - thereby 'freeing' labour power to be absorbed by the emerging settler-dominated economy.

The principal factor underlying the declining fortunes of the homestead was a steady reduction in the land and other material resources necessary for sustained independent production. Following the advent of colonial rule, local Africans were either assigned to reserves - situated in the agriculturally marginal parts of the County - or permitted to occupy Crown land pending its sale. As settler occupation of the Colony was consolidated, the vast acreage of Crown land that had served to cushion Africans from the earlier dispossession was sold to settlers. In time, all Africans - particularly those resident on settler-owned land - were forced into some economic relationship with the settlers.

Although other categories of land were available for settlement by local Africans, there is no evidence to suggest that they supported more than a fraction of the population. African landownership was a weakly developed and transitory phenomenon; land owned by mission stations was extremely limited in extent. Before 1890, a large acreage was owned by absentees and occupied by rent-paying tenants. It is not possible to make a reliable estimate of the extent of rent-tenancy in the County, but as the records of one land company suggest, relatively few homesteads occupied land under this form of tenure during the last decades of the century.

Long-term decline of the homestead as a self-sufficient economic unit may also be attributed to an inability to replace essential material resources such as livestock and to sustain the production of grain. Any increase in stock

numbers was undermined by low fertility levels and endemic diseases. Shortly before the turn of the century, African-owned cattle-holdings were devastated by the Rinderpest epidemic. This event inaugurated a trend towards sheep and goat-keeping by local Africans, and for some homesteads, marked the end of their economic self-sufficiency. Well before Rinderpest, however, official observers testified to the growing number of homesteads without livestock or whose few cattle were held on loan from their chief.

Although a proportion of the County's African population - salaried officials and some landowners - was able to subsist on the proceeds of the homestead economy, for the majority of homesteads, some participation in wage-labour was a necessity. Sources consulted for this study are not sufficiently detailed to allow the process to be quantified, but it is clear that this dependence on labour-service became both more general and more pronounced as the colonial period drew to a close. Labour-service was undertaken for a number of reasons. For young men, or those out of favour with their elders or denied access to resources through the lineage structure, it made possible the acquisition of livestock (and indirectly, the wives) necessary for establishing an independent homestead. Wage-labour allowed homesteads to add to their herds or replace stock lost to disease or given as lobolo. For an unknown proportion of the population, labour-service became the prime means of assuring subsistence requirements and meeting tax (and other) obligations.

Compelled to seek work as wage-labourers, many men declined the local (average) wage and travelled to the various labour centres in the sub-continent where wages were substantially higher. By the turn of the century, large numbers of men from the County worked at the mining centres - predominantly in service occupations. Up to this time, local men appear to have avoided involvement with labour recruiters, preferring to make their own travel arrangements and choosing their employer on arrival. That they were able to do so testified to the resilience of the homestead economy and the range of alternatives to service for a settler or in underground mine-work. Not all workseekers were so fortunately placed however. A small but growing number were obliged to accept the advance payment of wages offered by labour recruiters and engage as mineworkers. The years after 1900 saw a steady increase in their number.

Throughout the colonial period, settler economic activity in Weenen County was predominantly pastoral in character. Partly a consequence of ecological constraints on cultivation, this dependence was also sustained by the nature of settler landholding and by difficulties associated with the marketing of produce and assurance of an adequate supply of labour-power for agriculture. Before the mid-1880's, settler agriculture was limited to production of wool, butter, hides, slaughter stock and (some) wheat. Stock-keeping was extremely rudimentary, but low production costs, (relatively) high produce prices and depressed land values contributed to the continued profitability of the pastoral economy.

Transformation of settler agriculture in the County commenced during the mid-1880's and was closely associated with two material developments: construction of a rail link with the coast, and the exploitation of gold deposits in the interior. Improved communications and the creation of a market for produce increased the profitability of settler agriculture and set in motion a chain of economic pressures that raised land values and forced landowners to adopt more diverse and intensive forms of production. The 'mixed farming' pattern - combined stock-keeping and cultivation - that emerged in the County over the ensuing decades, was closely associated with a steady expansion of maize production and replacement of woolled sheep by specialised cattle breeds. These changes involved a large increase in the labour-power requirements of settler agriculture, particularly where cultivation was concerned.

As in other parts of the Colony, the labour process of settler agriculture created the need for a two-tier rural workforce. A small number of permanently employed workers were required for tasks associated with the care and use of livestock and for general maintenance tasks. Where cultivation was attempted, a large, seasonally-adjusted workforce of either sex and any age was required at peaks in the agricultural cycle. The differentiated labour requirements of settler agriculture combined with the land hunger of African homesteads to sustain the institution of labour-tenancy.

This system assured homesteads of access to agricultural land and landlords of workers for each tier of the workforce. In time, as settler agriculture expanded, the labour-tenant system was placed under severe strain.

Increasingly, landlords came to view the tenants' farming activities as an

inappropriate use of their land. They were also obliged to expand the labour-service demanded of tenants. These developments coincided with a marked weakening of parental authority over dependent members of the homestead. Unable to control the labour-power of young people, homestead heads defaulted their labour-service obligations and faced eviction from settler-owned land.

Despite the pressures on young men to seek wage-labour and the presence of labour-tenant homesteads on their land, the development of settler agriculture was retarded by a shortage of labour-power. (As the large number of local men working as migrants suggests, any shortfall in the rural workforce was due to inadequate wage rates in the County.) Unable (or unwilling) to offer competitive remuneration and lacking the power to comprehensively restructure African society to create a fully proletarian labour-force, employers relied on a variety of coercive measures to ensure a supply of labour-power to agriculture. In doing so they were able to rely on the support of the colonial state.

There is strong evidence of the crucial role of bonded labour in maintaining the permanently employed element within the workforce. Before 1870, so-called 'refugees' from neighbouring territories were obliged to spend three years in the service of some settler employer as condition of their being permitted to remain within the Colony. As the numbers of refugees declined they were replaced by indentured labourers imported from India. During the 1880's, indentured workers comprised up to one-third of all permanently employed labourers in the County.

Faced with competition from their urban counterparts for the labour-power of Africans, rural employers took steps to immobilise this population in the countryside. An official system of movement control based on the compulsory issue of passes to African travellers was introduced during the mid-1880's. Evidence from official sources suggests wide variation in the effectiveness of this scheme and it seems that it was not an absolute obstacle to the movement of local Africans in search of work. Similarly, attempts to ensure the enforcement of labour-service agreements was undermined by the unwillingness of Africans to be bound by the harsh conditions of Master and Servant legislation.

Despite these (or other) difficulties, evidence presented in this study shows clearly that the period between 1880 and 1910 saw a marked and irreversible change in the economic status of Weenen County's African inhabitants. From a position in which land and other resources were still (relatively) freely available, local Africans were transformed into a population more or less dependent on wage-labour for subsistence.

Sources consulted for this study have not revealed evidence of any marked difference between the experience of Weenen County's inhabitants and that of people resident elsewhere in the Colony. It is doubtful whether studies conducted at the level of the County will provide evidence to challenge the broad parameters of the emerging understanding of this important period. What such studies have to contribute to this literature is evidence of local practises that appear to have been unique in time and place. The system of labour-organisation associated with the Weenen Townlands is perhaps the clearest example of such a practise. Another is the regional variation in the structure of labour-tenancy practised in the County.

TABLE A: Privately-owned land, Weenen County: number and size of farms.

	1860		no	1870		no	1880		no	1890		no	1900		no	1910	
	no	acres		acres	acres		acres	acres		acres	acres		acres	acres			
6-50	-	-	-	-	-	-	-	-	13	568	24	913	69	2443			
50-100	-	-	-	-	-	-	-	-	3	179	7	469	22	1427			
100-200	-	-	-	-	-	-	-	-	6	1013	8	1179	17	2689			
200-500	-	-	7	1414	9	2003	11	4605	20	7991	59	30315					
500-1000	-	-	10	8341	8	6285	23	18199	38	29864	59	47528					
1-2	6	11417	29	46322	31	46857	77	118931	132	197206	175	256491					
2-3	48	130420	46	126811	50	130447	74	189759	103	259236	116	290572					
3-4	51	158578	54	170753	45	140453	46	147289	59	191815	60	198987					
4-5	6	26690	11	48939	15	67318	28	123118	35	154083	30	135046					
5-6	10	56211	22	127687	15	82344	17	94363	16	87758	/	/					
6-7	38	235517	34	211917	33	206148	35	218836	27	169152	38	232092					
7-8	9	68635	7	53802	8	60641	9	67764	/	/	/	/					
8-90	10	82455	7	60718	10	86084	8	70148	12	95561	7	53525					
10+1	5	77499	8	111606	12	151108	7	87616	6	72963	4	46048					
total	183	847422	235	968310	236	979688	357	1142388	487	1268190	655	12197163					
Average farm size	4630			4120		4151		3200		2604		1980					

Key

- "none in this category"

/ "not specified; included in the next-highest category"

Source: Christopher AJ (1969) Natal: a study in colonial land settlement
p 167, 198, 225, 253, 286, 315.

TABLE: B Homesteads occupying Location, Crown, and Privately -
owned land, three magistralcies, 1905-09

	On Locations	On Crown Land	total on Locations and Crown land	on private land	County total	Location and Crown land as proportion of County	Private-land as proportion of County
1905	1431	114	1545	4254	5799	26.6	73.4
1906	1466	141	1607	4525	6131	26.2	73.8
1907	1550	59	1609	4710	6319	25.5	74.5
1908	1508	80	1588	4978	6566	24.2	75.8
1909	1618	94	1712	5220	6932	24.7	75.3

TABLE : C Applications to enter Locations, three magistracies, 1899-1909

	Applications	Huts
1899	46	-
1900	20	-
1901	18	-
1902	-	27
1903	18	-
1904	18	30
1905	23	36
1906	19	40
1907	58	150
1908	67	138
1909	36	69

Source: NABB 1901-1905, 1907-1909.

TABLE: D Natal Land and Colonisation Company, Rent Collected by local Age**1871-1907**

	Amount Received	Arrears
1871	23.9	-
2	22.1	-
4	98.7	-
8/9	285.12	-
1881	433.10	-
2	618.19	-
3	602	-
4	770.2	-
5	722.14	26.10
6	626.17	64.10
7	748	52.17
8	730.12	69.8
9	861.13	73.17
1890	682.12	31
1	615.7	36.10
2	645	32
3	578.14	124.16
4	1145.7	41.10
5	817.11	15.10
6	943.16	127.11
7	397.19	91
8	551.2	202.14
9	309.17	-
1900	516.6	284.11
1	824.13	490.7
2	743.17	305
3	59.18	94.10
4	412.14	258.7
5	197.6	-
6	240.19	-
7	311.2	261.14

Source : NLCC Record Books.

TABLE:E Identification Passes issued, three magistracies, 1902-1912

	New Passes				Passes renewed	Annual total	issued to:		Endorsed under Section 4
	Locations	Crown land	Private land	total			boys u 15	women & girls u 15	
1902				1417*	-	1417	-	-	
1903				5818	30	5848	-	-	
1904	1304	76	2119	3499	397	3896	64	67	
1905	964	87	2318	3369	814	4183	82	195	340
1906	441	36	1330	1807	945	2752	58	80	318
1907	387	34	1030	1451	948	2399	78	150	204
1908	412	23	1267	1702	1028	2730	189	137	238
1909	326	34	798	1158	661	1819	169	71	106
1910	456	75	1346	1877	1035	2912	247	116	154
1911	255	37	1682	1974	922	2896	229	181	11
1912	265	45	1625	1935	1051	2986	219	202	4

* Weenen and Upper Tugela Divisions.

+ Figures for Upper Tugela available only for 1909.

Source: NABB 1902-1910; UG 10 (1913) Report of the
Native Affairs Department for the calendar year 1911, 1912.

TABLE F: Estimated "local average" wage paid to african workers, Weenen County, 1869-1895

	Field labourer	Wagon driver	Voorloper
1869	6	20	7
1870	6	20	7/6
1871	7	30	10
1872	8	40	10
1873	6	30	20
1874	10	60	22/6
1875	10	60	22/6
1876	7	37	15
1877	8	30	15
1878	15	100	60
1879	10	60	20
1880	15	46	20
1881	16/8	60	26/8
1882	16	55	22/6
1883	21/8	43	23/8
1884	17	40	18
1885	17/6	30	15
1886	11/8	30	12/8
1887	12	30	14
1888	12	30	14
1889	14	43	28
1890/1	15	33	26/4
1891/2	13/4	36	15
1892/3	13/4	30	16/8
1893/4	15	30	15
1894/5	15	30	15

(Wages per month, in shillings).

Source: Blue Book of the Colony of Natal, 1869-1892/3; Statistical Yearbook of the Colony of Natal, 1893/4, 1894/5.

TABLE: G Passes to leave the Colony, three Magistracies, 1894-1910

	'Outward'			'Out work'		
	E	W	UT	E	W	UT
1894				1748	1500	636
1895	1654	1787	2065	1554	1477	775
1896	437	1227	1869	1304	1027	588
1897	1369	1026	1117	1330	300	560
1898				1101		804
1899						
1900						
1901						
1902		+285				
1903	351			1776	1601	
1904				1128	881	
1905				1560	1060	875
1906					1181	
1907				1338*	791	
1908						
1909	1222	904				
1910		1356	1211	1686		

Source: NABB 1894-1910 (Magistrates report)

TABLE H: Estimated number of local africans employed within the Colony, three magistracies, 1894-1912

	E	W	UT
1894		200	0
1895	37	51	0
1896	0	308	10
1897	45	100	0
1898			
--			
1902	331		
1903	2130	1422	
1904	1285		
1905	369	805	
1906			
1907	+305	+300	
1908			
1909	2000		
1910	650	3000	189
1911	1000*		
1912	900*		

* half of these to sugar plantations

Source: NABB 1894-1910 (Magistrates reports); 10(1913), UG33(1913)
Report of the Native Affairs Department for the calendar year, 1911, 1912.

TABLE: I Passes issued to migrant workers, three magistracies, 1910-12

	Cape		Tvl		OFS		Natal	Total		Combined
	Mine	Other	Mine	Other	Mine	Other	Other	Mine	Other	Total
1910E	50	-	1550	-	-	86	650	1600	2336	3936
W	-	124	-	1175	-	35	-	-	1334	1334
B	12	3	878	19	295	-	189	1185	211	1396
total	12	127	2428	1194	295	121	839	2785	3881	6666

1911E	-	35	1752	-	-	58	1000*	1752	2845	4597
W	-	153	27	849	-	32	-	27	1034	1061
B	-	12	1	722	-	145	-	1	879	880
total	-	200	1780	1571	-	235	1000	1780	4758	6538

1912E	-	12	1714	2	-	84	900*	1714	998	2712
W	-	114	-	897	-	41	-	-	1052	1052
B	-	9	12	798	-	1	-	12	808	820
total	-	135	1726	1822	-	126	900	1726	2858	4584

* half of these to sugar plantations

Source: UG 10(1913), UG 33 (1913) Report of the Native Affairs Department for the calendar year, 1911, 1912.

TABLE J: Summary of huts occupied by members of four chiefdoms concentrated on private-lands, Weenen and Estcourt Divisions, 1894-1902

Huts	Homesteads	% of total	Cumulative %
1	103	13.83	13.83
2	218	29.26	43.09
3	181	24.30	67.39
4	96	12.89	80.28
5	59	7.92	88.20
6	35	4.70	92.90
7	18	2.42	95.32
8	12	1.61	96.93
9	9	1.21	98.14
10	1	0.13	98.27
11	6	0.81	99.08
12	1	0.13	99.21
13	3	0.4	99.61
14	1	0.13	99.74
16	2	0.26	100

745

745 homesteads

2447 huts

average number of huts per homestead: 3.28

Source: SNA 1.1.188 no 878 (1894); SNA 1.1.274 no 3007 (1897); SNA 1.1.289 no 877 (1900); SNA 1.1.295 no 292 (1902).

TABLE: K Summary of persons entering service of Carter, 1891-1910

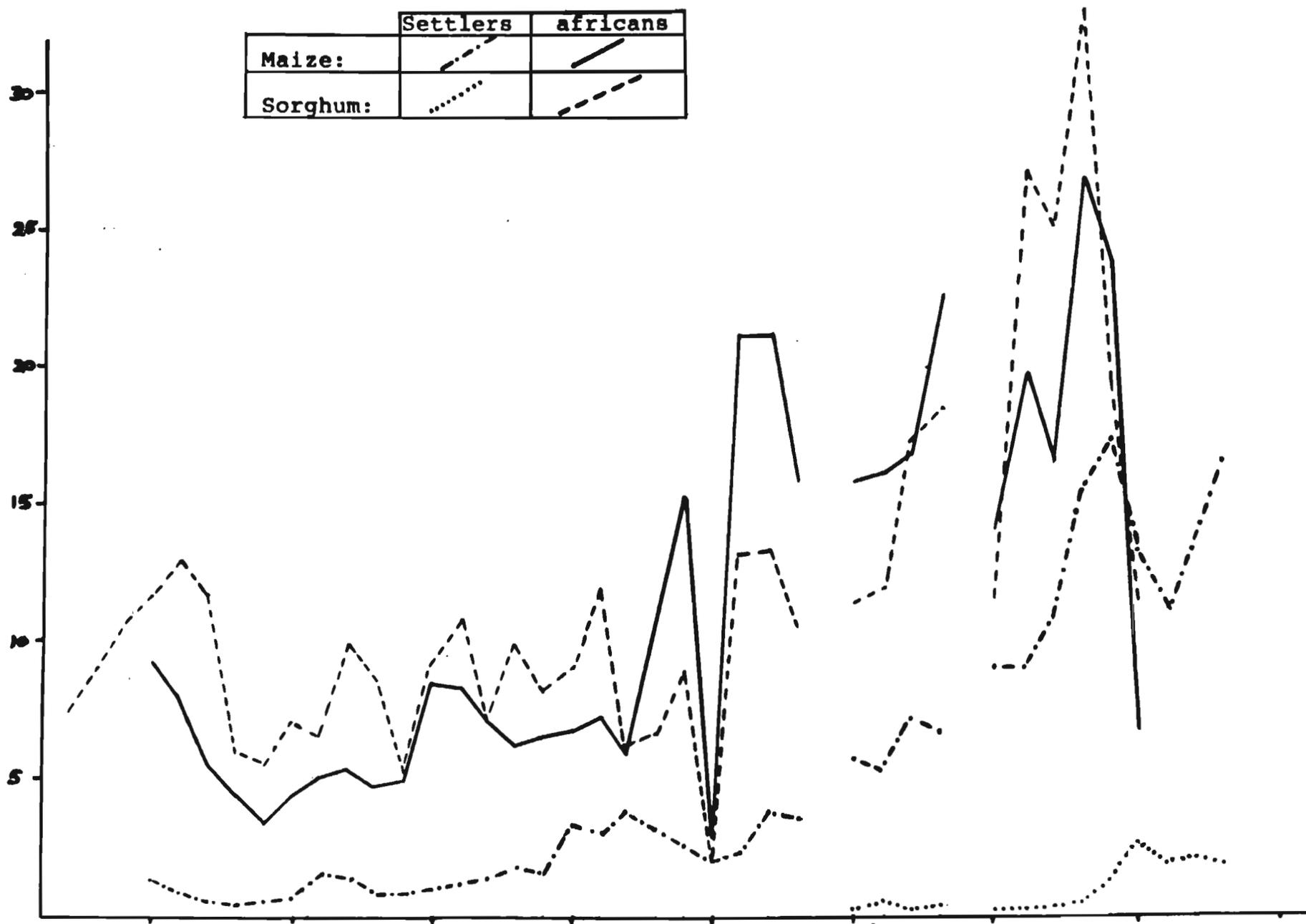
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
1891	-	1	3	-	1	1	3	1	4	-	1	1	16
1892	2	2	3	1	1	2	4	1	1	1	4	4	26
1893	4	1	2	2	2	2	4	1	1	1	5	3	28
1894	5	3	2	1	2	2	4	-	3	3	1	2	28
1895	5	2	4	2	4	-	7	2	3	3	3	4	39
1896	2	3	2	1	-	-	2	5	3	2	1	1	22
1897	1	4	1	2	1	2	-	2	-	3	6	2	24
1898	-	2	-	1	7	1	-	2	3	-	3	3	22
1899	-	1	4	3	7	-	1	3	4	5	-	-	28
1900	7	-	1	2	2	-	3	2	3	1	4	6	31
1901	4	-	4	4	-	2	3	3	5	5	4	-	34
1902	-	3	3	2	2	6	1	2	2	4	3	-	28
1903	3	1	-	3	3	1	1	2	-	3	3	3	23
1904	1	2	-	3	1	5	-	2	-	6	4	3	27
1905	1	-	-	5	2	7	2	2	1	4	1	4	29
1906	1	2	-	7	-	7	-	2	2	5	2	4	32
1907	1	3	1	3	14	4	-	2	2	2	2	3	37
1908	2	5	1	8	1	1	-	2	1	4	9	8	32
1909	4	1	8	-	1	-	-	1	1	4	3	2	26
1910	2	-	-	-	6	-	6	3	-	2	3	1	23

Source: Carter Farm Records

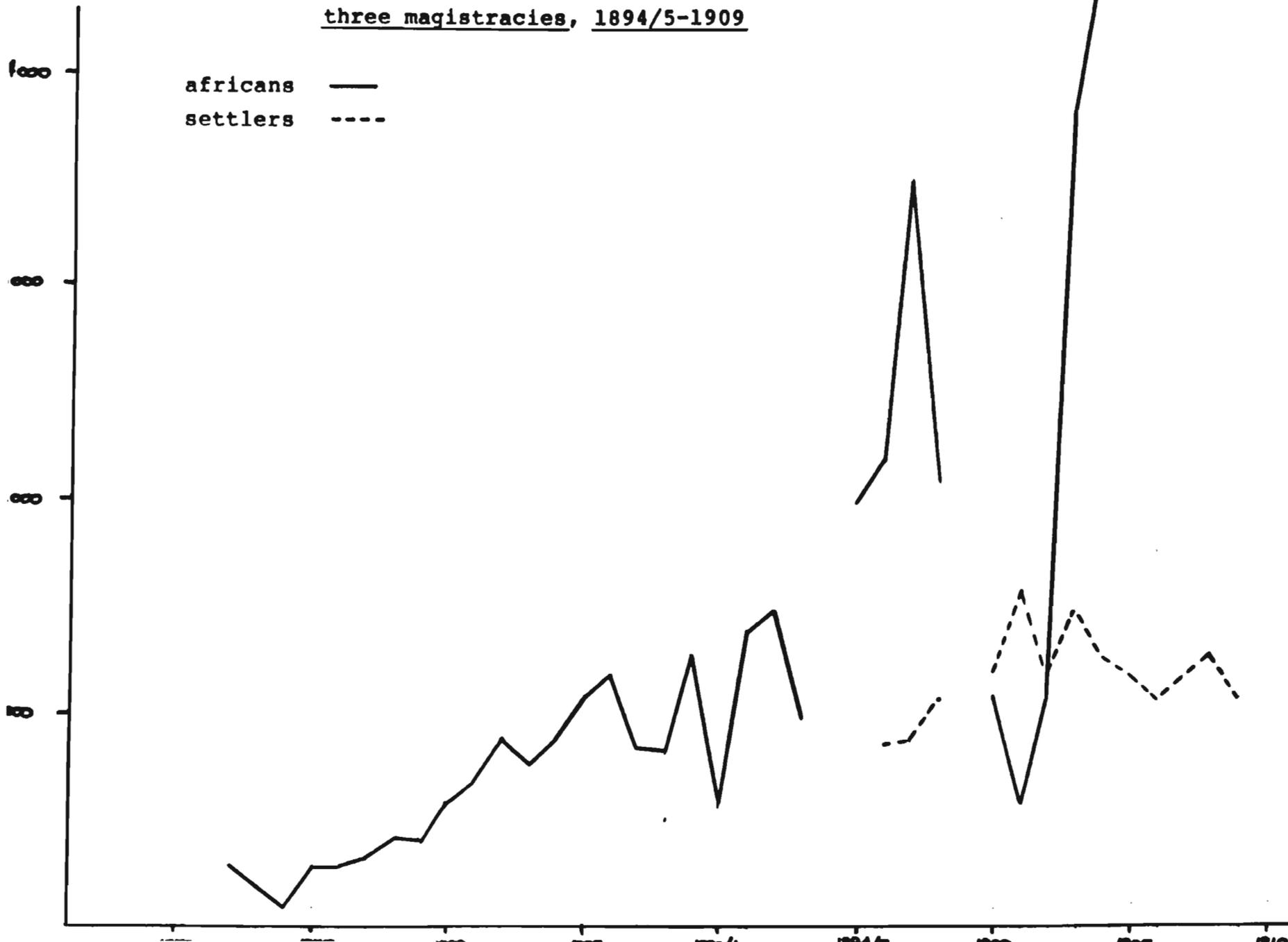
GRAPH A: Acreage reaped by africans settlers, Weenen County, 1867-1893/4

three magistracies, 1894/5-1908

	Settlers	africans
Maize:		
Sorghum:		

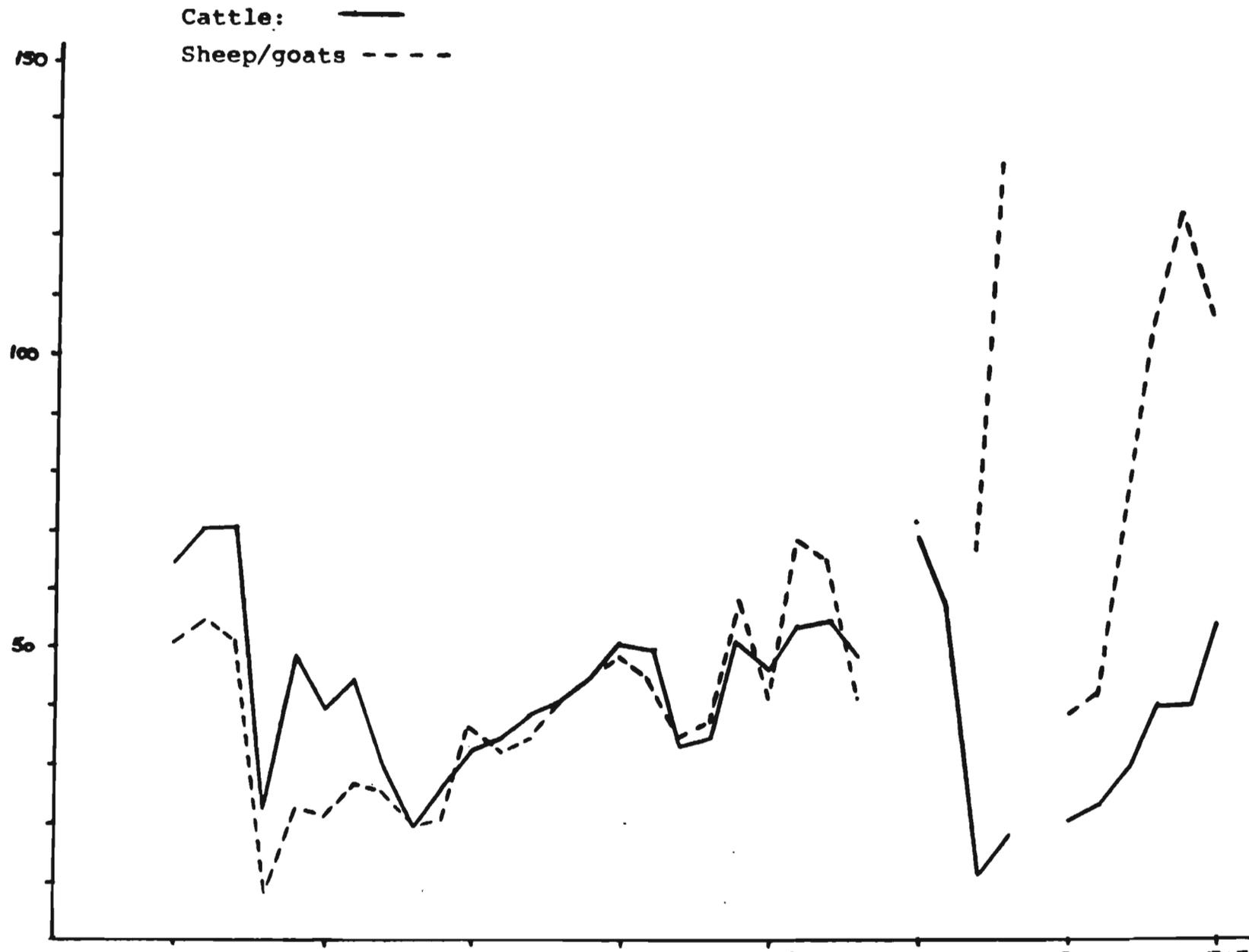


GRAPH B: Estimate of ploughs owned by africans and settlers,
Weenen County, 1872-1893/4
three magistracies, 1894/5-1909



GRAPH C: Estimated stock-holdings of africans Weenen County, 1870-1893/4

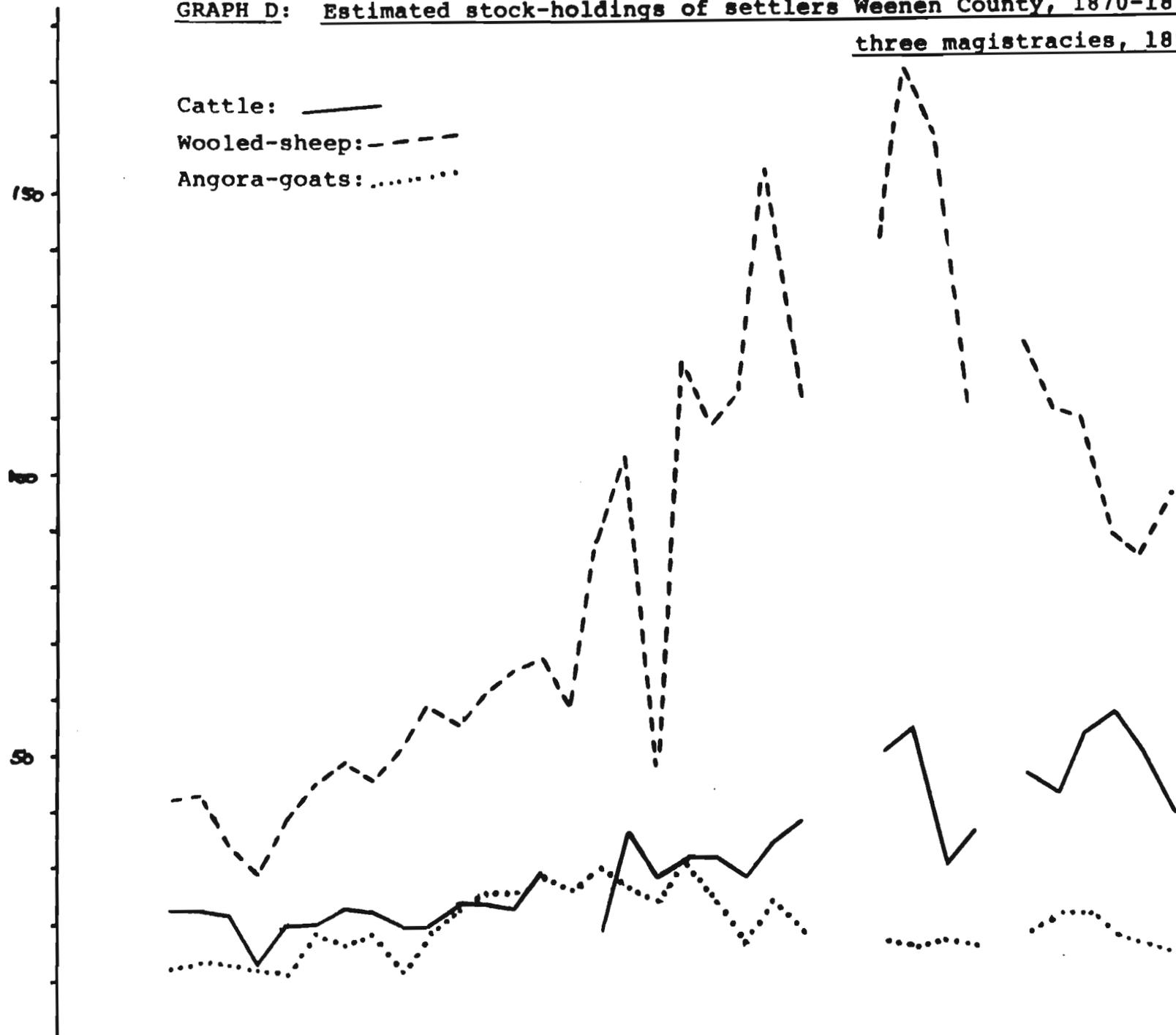
three magistracies, 1894/5-1905



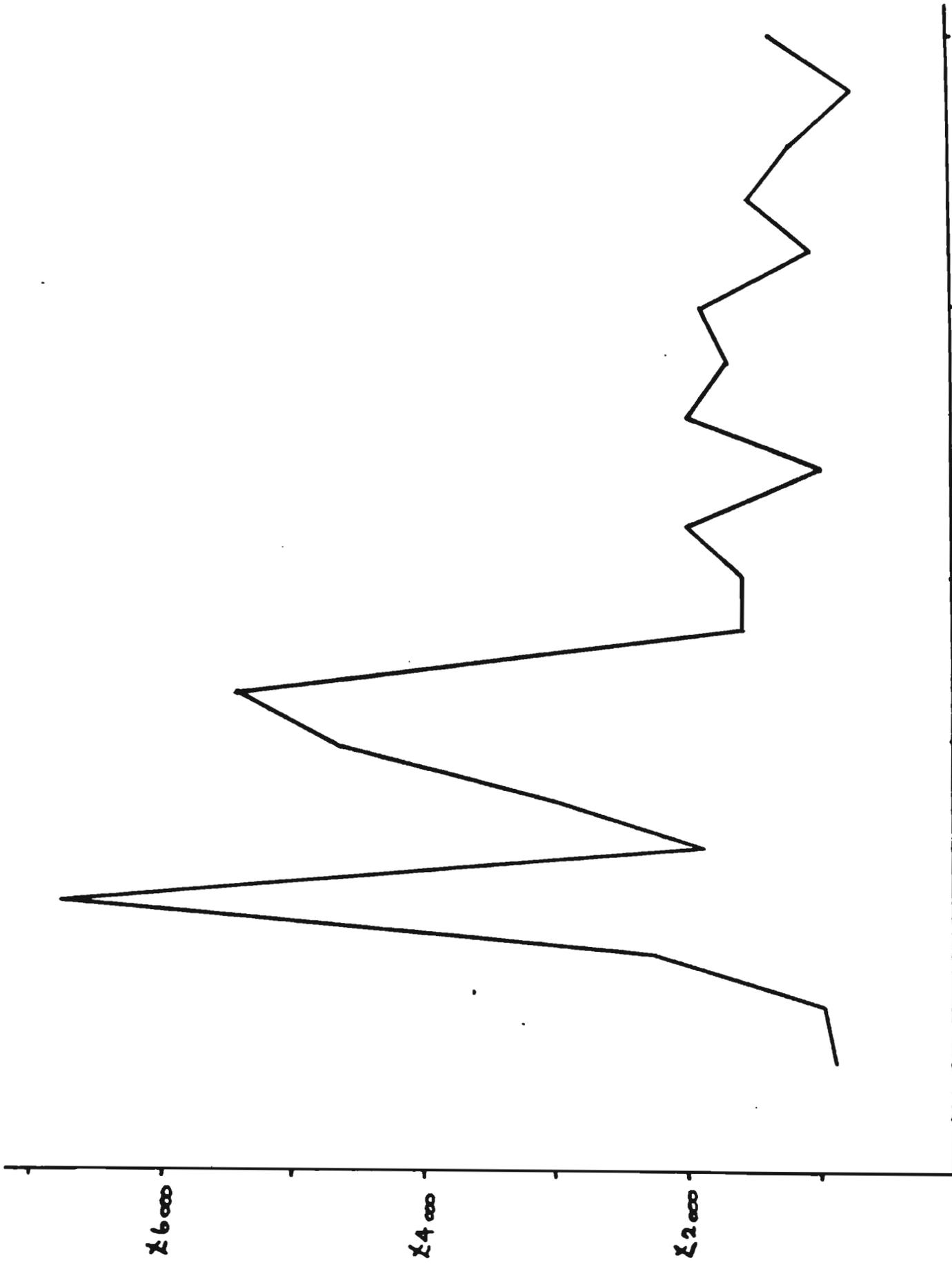
GRAPH D: Estimated stock-holdings of settlers Weenen County, 1870-1893/4

three magistracies, 1894/5-1905

Cattle: ———
Wooled-sheep: - - - -
Angora-goats:
150
80



GRAPH E: Annual loans by Carter to tenants, 1891-1910



BIBLIOGRAPHY

OFFICIAL SOURCES

1 PUBLISHED

- 1852 Proceedings of the Commission Appointed to Inquire into the Past and Present state of the Kafirs in the District of Natal 6 volumes (Pmb 1852)
- 1877 Report of the Putuli Commission (Pmb,1877)
- 1881 Report of the Natal Native Commission (Pmb,1881)
- 1881 Natal Native Commission.Evidence taken by the sub-commission for Weenen and Klip River Counties (Pmb,1882)
- 1883 Correspondence Relative to the eviction of Native occupants from Crown Lands (1883)
- 1883 Report and Proceedings of the Government Commission on Native Laws and Customs (Cape Town,1883)
- 1889 Gunpowder Laws Commission.Evidence and Annexures (Pmb,1889)
- 1891 Report of the Immigration and Crown Lands Commission (Pmb,1891)
- 1902 Lands Commission.Minutes of Evidence (Pmb,1902)
- 1903/5 South African Native Affairs Commission,volume 3 (Cape Town,1904/5)
- 1906 Natal Native Affairs Commission.Minutes of Evidence (Pmb,1907)
- Blue Book of the Colony of Natal,1867-1882
- Blue Book of the Colony of Natal,Volume II 1883-1892/3
- Departmental Reports,1893/4-1900
- Statistical Yearbook of the Colony of Natal,1893/4-1909
- Native Affairs Blue Book,1878-1884/5,1894-1904
- Department of Native Affairs.Annual Report for the year,1905-1910
- Sessional Papers 1872-1905
- UG 17(1911) Native Affairs Blue Book for the year,1910
- UG 35(1911) Department of Justice.Annual Report for the calendar year,1910
- UG 56(1912) Department of Justice.Annual Report for the calendar year,1911
- UG 10(1913) Report of the Native Affairs Department for the year, ended 31 December.1911

UG 33(1913) Report of the Native Affairs Department for the year ended 31 December, 1912

UG 22(1916) Natives Land Commission. Minutes of Evidence

UG 35(1918) Local Natives Land Committee. Minutes of Evidence

2 MANUSCRIPT (Housed at Natal Archive Depot, Pietermaritzburg)

CSO 2773 Evidence to the 1884 'Crown Lands' Commission.

CSO 2775 Evidence to the 'Trade' Commission.

CSO 2816-8 Evidence to the 1890/1 'Magistracies' Commission.

GH 54 Report of the 1871 'Masters and Servants' Commission.

SNA 1.1.112-1.1.481 ; 1.3.1-1.3.11 ; 1.4.1-1.4.22 ; 1.6.6 .

BGV Volume 3 (1877/8)

BGV 4.2.1-4.2.3 (1892-4)

WEN file 2: 'Correspondence 1896-1901'

OTHER SOURCES

1 BOOKS

Acocks JPH Veld Types of South Africa (Pretoria, 1975)

Acts of the Parliament of the Colony of Natal, 1894-1910 12 vols.
(Pietermaritzburg, 1894-1910)

Aitken RD and Gale GW Botanical Survey of Natal and Zululand
(Government Printer, Pretoria, 1921)

Anderson AA Twenty-five years in a wagon Vol.1
(Chapman and Hall, London, 1887)

Brookes EH and Hurwitz N The Native Reserves of Natal
(Oxford University Press, Cape Town, 1957)

Brookes EH and Webb C de B A History of Natal
(University of Natal Press, Pmb, 1965)

Bryant AT Olden Times in Zululand and Natal
(Longmans, London, 1929)

Bundy C The Rise and Fall of the South African Peasantry
(Heinemann, London, 1979)

Child D Charles Smythe: Pioneer, Premier, and Administrator of Natal
(Struik, Cape Town, 1973)

Child D (ed.) Portrait of a pioneer. The Letters of Sidney Turner from South Africa. 1864-1901 (Macmillan, 1900)

- Colenso JW Ten weeks in Natal (Macmillan,Cambridge,1855)
- Cooper F From Slaves to Squatters:Plantation labour and
Agriculture in Zanzibar and Coastal Kenya,1890-1925
(Yale University Press,New Haven,1980)
- Department of Agriculture,Natal Notes on Agriculture in Natal
(Government Printer,Pmb,1905)
- Etherington NA Preachers,Peasants and Politics in southeast
Africa,1835-1880. African Christian communities in
Natal,Pondoland and Zululand
(Royal Historical Society,London,1978)
- Hitchens RL and Sweeney GW (compilers) Statutes of Natal,
1845-1899 3 Vols. (Pmb, 1900-1902)
- Hurwitz N Agriculture in Natal,1860-1950
(Oxford University Press,Cape Town,1957)
- Mann RJ The Colony of Natal (Jarrold and Sons,London,1859)
- Marks S Reluctant Rebellion;the 1906-1908 disturbances in Natal
(Oxford University Press,Cape Town,1970)
- Meer YS etal. Documents on Indentured labour in Natal,1851-1917
(Institute of Black Research,Durban,1980)
- Methley JB The new Colony of Natal;with information for emigrants
(Houlston and Stoneman,Leeds,1850)
- Moodie DCF The History of the Battles and Adventures of the
British,the Boers, and the Zulus in southern Africa
(Frank Cass,London,1968)
- Msebenzi History of Matiwane and the amaNgwane tribe
(Dept. of Native Affairs Ethnological Publications,
Pretoria,1938)
- Pentz JA An Agro-ecological survey of Natal
(Government Printer, Pretoria,1945)
- Robinson JA A Lifetime in South Africa
(The State Library,Pretoria,1968)
- Smit E The Diary of Erasmus Smit (Struik,Cape Town,1972)
- South African Native Races Committee The Natives of South
Africa:their economic and social condition
(John Murray,London,1900)
- Spohr OH (transl.) The Natal Diaries of Dr WHI Bleek,1855-1856
(AA Balkema,Cape Town,1965)

- Van Onselen C Studies in the Social and Economic History of the Witwatersrand, 1886 - 1914 Vol 1: New Babylon
Vol 2: New Nineveh
(Ravan Press, Johannesburg, 1982)
- Webb C de B and Wright JB The James Stuart Archive of Recorded Oral Evidence Relating to the History of the Zulu and Neighbouring Peoples 3 Volumes.
(University of Natal Press, Pmb, 1976, 1979, 1982)
- Welsh D The Roots of Segregation, Native Policy in Colonial Natal, 1845 - 1910
(Oxford University Press, Cape Town, 1971)
- West O The Vegetation of Weenen County, Natal,
(Government Printer, Pretoria, 1950)
- Wood AA Natal Past and Present (AH Stockwell, Ilfracombe, 1962)
- Wright JB and Mason AH The Hlubi Chiefdom in Zululand - Natal.
A History
(Ladysmith Historical Society, Ladysmith, 1983)
- Wright JB Bushman Raiders of the Drakensberg, 1840 - 1870
(University of Natal Press, Pmb, 1971)

2 THESES

- Christopher AJ Natal:a study in colonial land settlement
(Ph.d,University of Natal 1969)
- Dhupelia U Frederick Robert Moor and Native Affairs in the Colony of Natal,1893-1903
(MA,University of Durban-Westville,1980)
- Ginwala FN Class Consciousness and Control:Indian South Africans, 1860-1946 (Ph.d,Oxford,1974)
- Manson AH The Hlubi and Ngwe in a colonial society
(MA,University of Natal,1979)
- Riekert J The Natal Master and Servant Laws
(Master of Laws,University of Natal 1983)
- Thompson LM Indian Immigration into Natal,1860-1872
(MA,University of South Africa,1938)

3 JOURNALS AND PAPERS

- Beinart W Joyini Inkomo:Cattle Advances and the Origins of Migrancy from Pondoland
Journal of Southern African Studies 5,2 1979
- Beinart W Migrancy and Rural Production:Pondoland c.1900-1950 in Mayer P Black Villagers in an Industrial Society
(Oxford University Press,Cape Town,1980)

- Christopher AJ The closer-settlement movement in Natal,1875-1910
Journal for Geography 3 1970
- Clegg J Ukubuyisa Isidumbu:'Bringing back the body' in Bonner P
(ed) Working Papers in Southern African Studies Vol 2
(Ravan Press,Johannesburg,1981)
- Cohen R Hidden Forms of Consciousness among African workers
Review of African Political Economy 19 1980
- Cooper F The State and Agricultural labour:Zanzibar after slavery
in Hindson DC (ed) Working Papers in Southern African
Studies Vol.3 (Ravan Press,Jhb,1983)
- Crush J Landlords,Tenants and colonial Social Engineers:the farm
labour question in early colonial Swaziland
Journal of Southern African Studies 11,2 1985
- Denoon DJN The Transvaal labour crisis,1901-6
Journal of African History 12,3 1967
- Dhupelia U African labour in Natal:attempts at Coercion and
Control,1893-1903
Journal of Natal and Zulu History V 1982
- Etherington NA Black Peasants in Natal and Zululand:the agenda for
research Journal of Natal and Zulu History IV 1981
- Etherington NA Why Langalibalele ran away
Journal of Natal and Zulu History I 1978
- Guy JJ Production and Exchange in the Zulu Kingdom Mohlomi;
Journal of Southern African Historical Studies II 1978
- Guy JJ The Destruction and Reconstruction of Zulu Society
in Marks S and Rathbone R (eds) Industrialisation and
Social Change in South Africa (Longman,London,1982)
- Harries P Modes of Production and Modes of Analysis:the South
African case
Canadian Journal of African Studies 19,1 1985
- Harris V White Farmers,African Tenants and Changing Forms of
Agricultural Labour on White-owned Farms in Northern
Natal,1910-1936 (Paper to Conference on the History
of Natal and Zululand,University of Natal July 1985)
- Haswell RF The Voortrekker Dorps of Natal Natalia 10 1980
- Keegan T The Sharecropping economy,African class formation and the
1913 Natives Land Act in the Highveld maize belt
in Marks S and Rathbone R (eds) Industrialisation
and Social Change in South Africa
(Longman,London,1982)
- Keegan T The Sharecropping economy on the South African Highveld in
the early twentieth-century
Journal of Peasant Studies 10,2/3 1983

- Kimble J Labour Migration in Basutoland c.1870-1885 in Marks S and Rathbone R (eds) Industrialisation and Social Change in South Africa (Longman, London, 1982)
- Kuckertz H Organising labour forces in Mpondoland: new perspectives on workparties Africa 55,2 1985
- Manson AH A people in transition: the Hlubi in Natal, 1848-1877 Journal of Natal and Zulu History II 1979
- Moroney S Mine workers protest on the Witwatersrand: 1901-1912 in Webster E (ed) Essays in Southern African Labour History (Ravan Press, Johannesburg, 1978)
- Morris M The Development of Capitalism in South African Agriculture: class struggle in the countryside Economy and Society 5,3 1976
- Mullens ET The economic side of agriculture in Natal Natal Agricultural Journal X 1907
- Rennie JK White farmers, Black Tenants and Landlord legislation: Southern Rhodesia, 1890-1930 Journal of Southern African Studies 5,1 1978
- Richards A The Political economy of Gutwirtschaft: a comparative analysis of East Elbian Germany, Egypt and Chile Comparative Studies in Society and History 21 1979
- Slater H Land, labour and capital in Natal: the Natal Land and Colonisation Company, 1860-1948 Journal of African History 16,2 1975
- Slater H The changing pattern of economic relationships in rural Natal, 1838-1914 in Marks S and Atmore A (eds) Economy and Society in pre-industrial South Africa (Longman, London, 1980)
- Spiegel AD Spinning off the Developmental Cycle: comments on the utility of a concept in the light of data from Matatiele, Transkei Social Dynamics 8,2 1982
- Trapido S Landlord and Tenant in a colonial economy: the Transvaal, 1880-1910 Journal of Southern African Studies 5 1978
- Von Fintel W Traditions and History of the Amahlubi tribe Native Teachers Journal 15 1932
- Warwick P Black Industrial Protest on the Witwatersrand 1901-2 in Webster E (ed) Essays in Southern African Labour History (Ravan Press, Johannesburg, 1978)
- Wright JB Pre-Shakan age-group formation among the Northern Nguni Natalia 8 1978

4 MISCELLANEOUS

Standard Bank of South Africa. Inspection Reports for the Estcourt Branch. 1883-1920. (Johannesburg)

Natal Land and Colonisation Company. Record Books, 1869-1908
(Natal Archive Depot, Pietermaritzburg)

Carter Farm Records.