

fine of five pounds in respect of any calendar year in which he has not rendered any service under a contract of service, or worked as an artisan, for not less than three months. Chiefs, headmen, ministers of religion and teachers, are excepted, also physical and mental defectives, and those who have three sons working. The Native has to prove that he is not liable. Non-payment of the tax if due is deemed to be an offence, and renders the defaulting Native liable to imprisonment without cancellation of his liability to pay.

It should further be noted that under the Colour Bar Act almost any field of labour can be shut out from the Native labourer. It is therefore evident that the intention of the Bill is to curtail the field of employment for Natives and to compel them to enter and remain in the service of European employers. This is made still more clear by the fact that Ministers have declared their intention to bring the Colour Bar Act into operation and to specify certain kinds of work which Natives shall be forbidden to perform.

The Bill as it stands affects numbers of Native students at Training Institutions, and such classes as Native lawyers and doctors are not exempt from its provisions; but although published it has not been gazetted, and possibly it will not be heard of again.

Pass Laws.

The legal position with respect to the Pass Laws of the Union is that their application can be modified or withdrawn by the Department of Native Affairs without reference to Parliament (cf. Native Administration Act, No. 38 of 1927, Sections 28 (1), 36). Furthermore, the Department favours simplification to the extent that public opinion will allow. Representations in this direction to the Government are therefore of little use, and public opinion has to be educated.

There is little room for doubt that the Pass Laws are capable of being used as a means of indirect compulsion to labour. Attention is called to the findings of the Cape Town European-Bantu Conference of 1929 (see Report,