

***(7) INDIAN PENETRATION.**

On 6th November, 1942, the Council appointed a deputation consisting of His Worship the Mayor (Councillor R. Ellis Brown, J.P.) and Councillors Barns and Harris, Town Clerk and the Town Clerk's Legal Assistant, to interview the Provincial Executive and thereafter the Minister of the Interior upon the subject of Indian Penetration. The deputation duly met the Provincial Executive Committee and thereafter in company with the Administrator, Messrs. D. E. Mitchell, M.E.C., and W. M. Power, M.E.C. interviewed the Minister of the Interior at Pretoria on 7th December, 1942. The Hon. the Minister of Public Works and of Posts and Telegraphs (Senator C. F. Clarkson) and Messrs. Frank Acutt, M.P., J. G. Derbyshire, M.P., and A. Goldberg, M.P., were also present.

On 17th December, 1942, the Secretary for the Interior advised the Town Clerk that after careful consideration of the representations made the Government had decided to investigate alleged cases of penetration by Indians since the report of the Indian Penetration Commission was issued. Since the receipt of such communication Mr. Justice Broome, K.C., has been appointed by the Hon. the Minister of the Interior as Judicial Commissioner to enquire into allegations of Indian Penetration in Durban.

The Town Clerk has reported on this matter to enable the Council to consider what arrangements it desires to make for the presentation to Mr. Justice Broome of the Council's case in the matter. The City Council was represented before the Indian Penetration Committee by its Standing Counsl, the late Mr. H. G. Mackeurtan, K.C., and the Town Clerk's Legal Assistant. In our opinion the City Council should again be represented before Mr. Justice Broome and we suggest that the City Council be represented by the Town Clerk's Legal Assistant. It will also be necessary for the City Valuator and Estates Manager to engage additional staff for the preparation of statistics and other work which may be required in connection with the Council's case to be presented to the Judicial Commissioner.

Accordingly,
Committee recommends—

(a) That the City Council be represented before Mr. Justice Broome, K.C., the Judicial Commissioner appointed by the Hon. the Minister of the Interior to enquire into allegations of Indian Penetration in Durban, by the Town Clerk's Legal Assistant.
Adopted.

(b) That the City Valuator and Estates Manager be authorised to engage such staff as may be necessary for the preparation of statistics and other work which may be required in connection with the Council's case to be submitted to the Judicial Commissioner. (Vote 16/1/2/312. £25. F.C. 16/60).
Adopted.

Section 7: INDIAN PENETRATION:

RESOLVED:

That the recommendations of the General Purposes Committee contained in Section 7 of the Report (Indian Penetration) be and they are hereby adopted. (Councillor Pettersen dissenting).