

who was originally from Cradock and this woman's husband was a teacher. We sat down and had discussions after meeting with this woman and then she afterwards suggested that we go to one Gordon Khali.

Yes? -- We were told that Khali was not home, but was at his shop, but not long thereafter he arrived. He was called home by telephone, that is how he came home from his shop. I introduced myself to this Khali. Mrs Jako also did the same. And then he asked Mrs Jako to feel at home and prepared tea because everybody of his household was not home but at (10) his shop. When he was introducing himself, he told us that he was originally from Cradock and that he left with an exit permit. We then had discussions and in these discussions he wanted to know what the conditions in the Republic of South Africa were. I told him that there had been an unrest but that conditions were better at that time. We later went to bed on that day and on the following day I told him that I had come to Botswana to get help for students. He then suggested that we go to Gaborone. We were then in Mahalape. We went to the University of Botswana where Mr Khali (20) asked for a Mr Mzamana who was originally from the Republic and who is teaching in Botswana. When Mr Khali spoke to Mr Mzamana he asked him where Professor is. I came to know this professor Mr Khali was asking about to be Dr Prah. We then went to the Holiday Inn - we went to a place near the Holiday Inn. This is where we met Dr Prah. We then sat down and had discussions. Dr Prah asked me where I had come from. I told him. He also asked me about people from the Republic who were in Botswana. He told me some were teaching and some were students studying over there. I told him that I (30) knew some of them and some of them I only heard of but did not know/...

know them personally. In the discussions we had I told him that I had gone to Botswana because of a need. Students wanted to study. And because they were boycotting the education in the Republic, they wanted to study outside the Republic. I also told this Dr Prah that to crown all their boycotts they had then done all their literature. He then said that he would call others, he also told me there was help available over there, that students do come there, get education. Some students go to other countries for education and then come back later. We had further discussions, (10) meals were prepared and then Sipho Buthelezi arrived. Dr Prah then also asked me how I came to Botswana. He wanted to know whether or not I had a passport. I told him that I had not made use of a passport. He then told me that there was a rude policeman known as Pilani and he suggested that I be taken to the police station to report my presence in Botswana. This was agreed upon. Khali later went back to his home. I overnighted there. Many other people then came, girls like Makhubane, Tshikila Makhubane's daughter, the known reporter. We had discussions with these and they also wanted to know (20) what the conditions in the Republic are. These people were keen to make me see others like ministers of religion and other people who were also in Botswana.

While you were with Dr Prah were there any other people with you and with Dr Prah? -- But I have said many other people came to Dr Prah's place though I did not know how they came to know of my presence there, especially students.

Can you mention a few names?

BY THE COURT: I am sorry, I thought you said they were at Khali's place, a whole lot of people came. -- Khali (30) returned, went back home, but I overnighted there.

MR HAASBROEK: Can you remember a few names of those students who visited you? -- Now what am I going to say what are these children's names, because one meets these children and in a few days' time you forget their names. One of them is a girl who carried - one of them is a boy who carried Petersen who was the first person or student to be shot. This is the boy whose photograph had appeared in the newspapers with Petersen on his back. After greeting this boy, I asked him if he is the one whose photograph had appeared in the newspapers with Petersen on his back and he said yes. He also said that (10) he was from Orlando West, though I have just forgotten his name now.

Was Dr Prah present? -- Yes, he was present.

Can you remember the names of any grownups, adult people who arrived there while you were with Dr Prah? -- There was one Mzamani, there was a Buthelezi, there was a man who had been a teacher there, there were two people from Uganda, there was also one from Sudan. The others I cannot remember, but most of the people were from South Africa. There were also people from Rhodesia. (20)

On how many occasions did you call on Dr Prah? -- On two occasions.

When did you see him the first time? -- In January.

And how long did you stay there? -- I did not stay long with him. I would say just for a few days and then I came back.

But while you were there at his house, how long did it take you to be there at Dr Prah's place the first time? -- I am not certain, it was about 2 or 3 days. I went to the place where April does his typing after reporting to the (30) police.

Did you go to Dr Prah for about 2 or 3 days? Were you there for about 2 to 3 days? -- I am not certain, I can no longer remember because I used to go to Dr Prah's place even while I was with April.

So April was also there? -- April was in White City where he holds his typing lessons.

And on the second occasion when you visited Dr Prah, how long were you there with him? -- Not long.

Hours or days? -- I do not know, I cannot remember because I also went to Mahalape. I went to quite a number (10) of people even in Gaborone when I went to Botswana on the second occasion.

When was that second occasion? -- It was in February.

And on what day did you cross the border? On the first occasion when you came back. -- No, I do not know.

Can't you remember the date? -- No.

You cannot give any specific date? -- No, I cannot.

My memory on many other things has rusted.

Was any money handed to you on the first occasion? --Yes.

How much money? -- Prah gave me R200 in R1 notes. (20)

For what purpose? -- When I explained the conditions over here and my condition to Dr Prah, he said well, you will no longer suffer, take, here is money.

BY THE COURT: What conditions? What did he give you the money for? -- I am now getting confused with these questions because quite a number of people gave me money. The Africans, many of them gave me money and our practice is a lot like those of the Whites. For instance one would not just at any time have meals with Whites. For an example, you Whites will never slaughter a cattle just for a person, (30) but we do it, even though a cattle is expensive, it costs about/...

about R200. We do this to entertain a person.

MR HAASBROEK: You said something about having slept in the veld. Is that correct? Did you sleep in the veld there while you were there? -- No, I do not remember that. Why would I sleep in the veld?

Didn't you say something about that it looked as if you had slept in the veld? -- This is what was said by Dr Prah. He said my appearance is that of a person who sleeps in the veld. He had also had a look at my shoes.

And was that money supposed to be for your own (10)
personal purposes to buy clothes for instance? -- Yes, and I personally used the money.

BY THE COURT: For clothes? -- Yes.

MR HAASBROEK: Only to buy clothes? -- Yes.

And on the second occasion did you receive money? -- Yes.

From whom? -- I got money from Buthelezi's group. There was also the minister of religion, Colin Collins. I had been promised more money if I go back again and this would be for use - this money which was promised to me if I would go back again to Botswana, would be for the defence and to help (20)
students in their education.

Did Prah give you any money on the second occasion? -- I was given money by Buth elezi and I had been told that I would get money from Buthelezi though I did not know from whom the money came. This is money that I had been promised by the group that made scholarships available.

What was the amount? -- Whether this money came from Whites I do not know.

What was the amount? -- It was more than R2 000. It was about R2 200 and I gave some students over there, students (30)
I had seen to be suffering, money. This is why this money
was/...

was later found to be R2 018.

When you went to Botswana for the second trip, did you want to see somebody there? -- I had said I was going to Botswana on the second occasion because I had an appointment with Dr Prah and his group. I had been promised money. There was a committee for refugees over there which consisted of people mostly from the Republic of South Africa. Some of these people were teachers.

And you saw a number of students leaving for Ghana, Nigeria, Liberia and also other names which you did not know. Is that correct? -- This is what was said when these children were going away. It was said they were going to the places you have mentioned. This was said while Dr Prah also had a list of their names. (10)

And which organisation handled their affairs or dealt with them? -- I said there was a group of people from the Republic who were in the committee for refugees over there. There was also a group of people who were also in the body that had to do with scholarships, together with ministers of religion. There were also ministers of religion from places like America. (20)

Were there people from the ANC or the PAC? -- Most of the people who were in the body for scholarships were members of the BPC. There was also a girl, Tatu Beryl from South Africa who was a member of the PAC, Harry Nengwenkhulu, Sipho Buthelezi, and others whose names I have forgotten, though I was used to them because they were originally from the Republic of South Africa. They were together with others like Teacher Mzamana. They were all in the same group. Buthelezi as well. (30)

What about Vondela? -- Which Vondela?

Victor/...

Victor. -- No, this is Odella.

Yes? -- He had nothing to do with school affairs there.

What did he do there? -- He was staying there.

BY THE COURT: Staying where? -- In Gaborone.

MR HAASBROEK: Is it the same man as Sabela Kweta? -- Victor Odella is there or was there.

BY THE COURT: This Sabela who is he?

MR HAASBROEK: Do you know him? -- I had seen him there.

BY THE COURT: Is he the same person? Victor and Sabela are they the same person? -- No, I do not understand that. (1 0

MR HAASBROEK: You do not know that? -- I do not understand that. I had seen Victor Odella.

You returned to the Republic with Ngangeliswe? -- Yes.

BY THE COURT: What time are we talking about now?

MR HAASBROEK: The second trip. When did you return with Ngangeliswe? -- On my first trip.

First trip. And you said you got a lift halfway with

Dr Prah. -- Yes.

THE COURT ADJOURNS.

THE COURT RESUMES ON THE 29th MARCH, 1979.

JOHN GANYA: still under oath:

FURTHER CROSS-EXAMINATION BY MR HAASBROEK: You said that after your first trip you returned to the Republic in the company of Ngangeliswe. -- Yes.

And you said that you got a lift from Dr Prah. -- Yes.

And you did not introduce Ngangeliswe to Dr Prah. --

It was not necessary.

Why? Can you explain that? -- I was introduced myself by other people to Dr Prah. He was supposed to have been (10) introduced by those people.

So you thought he had already been introduced? -- No, I did not even think about that because I also did not know what transpired between him and Dr Prah while I was absent from Dr Prah. Ngangeliswe himself did not bother to introduce himself, he just got into the vehicle. Now both these people, Ngangeliswe and Dr Prah could have introduced themselves to each other. None of them bothered to do that.

And back in the Republic you and Ngangeliswe did not go to No. 1's place. -- We parted company with Ngangeliswe (20) on arrival here and we did not meet again.

But you also explained that No. 1 was in detention long before we left. -- The question was: did you go together with Ngangeliswe to No. 1's place and then I said what would I have gone there to do because No. 1 had long been in detention even before I left the Republic.

Yes. How did you know that No. 1 was in detention long before you left? -- We get to know of people's arrests no matter who the person who is being arrested, is, but we get to know of the arrest. We sometimes also get to know (30) over the radio or we hear this over the radio.

Now/...

Now, it was put to Ngangeliswe on page 1 904 that he had -- that he did not accompany you to No. 1 but that you then admitted accompanying him to Silas Ntengo's place. -- I went alone to Ntengo's place.

It was put on page 1 904 that you accompanied him to Ntengo's place. -- It could have been a mistake because I went alone to Ntengo's place and on leaving his place, Ntengo accompanied me.

Anyway, you received an amount of more than R2 000 from Buthelezi. -- Yes. (10)

During your second trip. -- Yes.

Now, was the purpose of that amount to use it for the defence of certain people in the Republic? -- I was mostly determined to help students because they are the people who had been coming to me for their defence.

Was that for ordinary criminal cases? -- I do not understand you now.

For what cases did you have to use this money to defend them? -- The students were being arrested because of their involvement in their campaign. (20)

There were so many cases going on in that regard. How would it have been possible for you to distribute the money? -- Very few students came to me, about one out of a hundred of all those cases.

And what would you then have done with the balance of the money? -- I did not know that there would be money remaining behind. I was actually expecting to use all that money and I had also made arrangements before my departure from Botswana that I go back again to get more money.

Who promised you more money? -- I only asked the people (30) there to make money available. I did not say I would go back again/...

again for money.

Who promised you extra money? -- All those groups over there had promised to do their best to make money available for me.

When you received this amount of approximately R2 000 from Buthlezi, was Dr Prah present? -- He was not.

Who was present? -- I think it was Mrs Mzamana who was present and these are elderly people who were originally from the Republic of South Africa, but I have just forgotten their names because I was not used to their names, and I think (10) some of them were from Durban.

And you said that Vuyisile Gae was unknown to you? -- Yes.

And he pointed you out for the first time in the prison here at Bethal? -- Yes.

And he identified you there? -- Yes.

But it was never put to him that he identified you whilst he did not know you. -- But you must bear in mind that we were being identified down there in the absence of our Defence Counsel. I actually made mention to one of the Security Police that these people came here to identify us, after (20) having been taught and shown photographs.

But you saw your Counsel afterwards on many occasions. -- I mentioned this to my Counsel which I had also mentioned to the Security Police.

As far as Veli Maseko is concerned, you also said that he identified you and it surprised you. -- I said that I saw him together with two others in the Krugersdorp Prison. They spoke to me and Veli Maseko wanted to know if I am the person and one of the other people who was with him was Lindane Xaba and another one whose surname is Dhlamini. He also (30) - Veli - told me that the Security Police wanted me most and that/...

that they had been asked to say something about me.

Nothing was ever put to this witness by your Counsel in that regard. -- I do not know, but I made this known to him.

I know your Counsel, he would have put these things to the witnesses had he known about them.

MR PITMAN: I did put of course that he saw Ganya in prison. That was certainly put.

MR HAASBROEK: The particulars about this matter was not put. Anyway, about Vhakazi John Mdakane. You said that he was the first person to tell you in the Krugersdorp Prison that (10) the Security Branch wanted you. -- Yes, he did.

You were a most wanted person. -- He wanted to know what the trouble was with me seeing that most of the people were being told that there definitely must be something they know about me.

Did you tell your Counsel about this? -- Yes, I did. I told him that most of the people who gave evidence against me here were with me in Prison.

And referring to the evidence of Mahapa, you said something about the wedding of No. 1's daughter and that you (20) had seen Mahapa at the wedding and before that at a farewell party at Sotondoshe. -- Yes.

Did you tell this to your Counsel? -- Yes, I did.

And then there was a farewell party at Orlando East. You had gone to his place and then one rand was given to him. -- Yes.

Did you give him the R1? -- That is not what I said.

What did you say? -- I said I had returned from the Transkei and he had told me that he had got another house in Orlando East near Umhlamlankuzi, the house number is 3466. (30) And on my return from the Transkei I went looking for this number/...

number. When I got there I found him in the company of his wife and then I told him that I had just returned from the Transkei and he gave me R1.

What for? -- That question now will confuse me because we do give each other money. You people know this well and you encourage it.

I do not know that. -- When people do not donate money for their chiefs in the Transkei these people would get arrested. They would be arrested by your very government. You people know this very well. When White magistrates (10) appoint chiefs, they used to tell people to give their chiefs money whenever their chiefs wanted money. You people also know very well that people sometimes, chiefs sometimes leave their residential places, come to the cities to ask for money and they are given this money. These are chiefs from all over the Republic.

I never got the impression that you were also in the position of a chief. -- That is true, yes, but it is our practice that we give each other money. And not necessarily money only, any other thing. (20)

Was it not a donation in aid of the school children who had to be taken out of the country for military training? -- No. No, I never collected any donations from people and I will never do it.

Now, you and Mohapa were friends before your arrest. Is that correct? -- You are fond of using the word 'friends', but though I was used to this person, we were not friends. One does get used to a person and does not necessarily have to be a friend.

But you were not enemies either. -- We had had no trouble.

And you said in connection with Ester Seremane (30

that/...

that the Court had to forget about her. -- Yes, I said so.

Because when she went to identify you, she also said that it appears as though this is the man. -- That is what she said.

Are you sure about that? -- That is what she said.

Well this was never put by your Counsel.

BY THE COURT: I thought something was suggested to her that she was not quite certain. I do not say those words were specifically put, it is a long time ago and I cannot remember my notes, but I have an impression that something was (10)

suggested that she may not have been certain. Am I wrong?

MR HAASBROEK: M'Lord, I will have to look it up, but we can argue this later on during the course of our arguments.

BY THE COURT: I just have a feeling - it may have been some other, but I have a feeling that something was put. I do not say the exact words were used, please understand me. You are entitled to put that if you are certain those exact words were not put, but I just have a feeling somewhere that some doubt was thrown upon her certainty of identification.

MR PITMAN: "Did you put your hand on this (20)
person? -- Yes.

And did you say: I think this is
the man?"

MR HAASBROEK: Now, I have got the official identification parade form here, EXHIBIT EEEE. This was handed in with your Counsel's consent. And according to this document, she pointed you out without any hesitation. -- My trouble is that these identification parades are held without the presence of our Counsel. When this was done there, I told the Security Police that this is not a proper manner of holding an (30)
identification parade.

You see, you are wrong there again. The Security Police was never involved in these identification parades. -- The person who had gone down there is the elderly man who was here yesterday. He is a Security policeman here in Bethal.

BY THE COURT: I am not really concerned with all this. If that was handed in with the consent of Counsel, that is the end of it.

MR HAASBROEK: Now this Ester Seremane, she came from Bophuthatswana and she was never detained by the police.

BY THE COURT: Is that Seremane's wife? -- This is what (10) was said.

Is that what you heard from April? -- I had heard from April about her husband's arrest. April was only talking about the husband's arrest.

And then you heard that his wife visited Botswana then? -- It was said that she had gone to April and there she spoke about the arrest of her husband.

All I want to know is, is this woman Mrs Seremane? Is it the same person? -- I do not know, because I saw her for the first time when she came to identify me. (20)

Oh, I see, you did not know her? -- I had never seen her.

I just wanted to know.

MR HAASBROEK: Now surely you cannot say about this witness that she was forced to testify against you. -- I am sorry to say something which I am not going to put very clearly. Some of the witnesses was said to have gone to my relatives and told them that they had been forced to say things about me. They were given written statements and ordered to read these statements and get acquainted with the contents of the statements. I am not going to tell this Court who these (30) relatives of mine are who told me this. But I said to these people/...

people, these relatives of mine, was just that they should rather cross and go and make this known to the United Nations and I will never say who they are.

But you never heard anything about Ester Seremane? -- I do not know, but what I am saying is that some of the witnesses who gave evidence against me in this box, went to my relatives. Another thing I said to my relatives is that we are now tired of people who say things in courts against us for our conviction and afterwards come and apologise. This is what happened in 1963 . A person who had given evidence against me, (10) went to my relatives to apologise after having given such evidence against me and afterwards he came to me and asked me to forgive him, which I also did. That person is still alive now. If he can be called he will confirm this.

Anyway, was there any trouble between you and Mountain Mathebula before your arrest? -- I would not have trouble with a person I saw only twice because I actually saw him only twice. I saw him at the shop of Moane, this is where I was introduced to him and then I saw him again later. So I could not have had trouble with him. (20)

As far as I could determine the fact that you had seen him only twice, was never put by your Counsel to him. --- What did my Counsel say how many times did I see him then?

Well, I find nothing to that effect in the record. -- I do not know then because I had made known to him that I saw this man only twice; at Moane's shop and later in the street.

MR PITMAN: It was put, M'Lord, exactly like that, page 2 332.

MR HAASBROEK: Now referring to Xebe, you fetched Xebe - you fetched accused No. 6 from Xebe's home. -- Yes.

Was there any discussion after you had fetched him? (30)

-- Between who?

Between/...

Between you and accused No. 6. -- We were just talking as we were walking towards Hlatswayo's place.

Can you remember about what? -- No, I cannot lie because this happened long ago, I can no longer remember, but I think I did ask him who the person who was in his company, is and he told me it is his friend.

No. 6 testified that after the first trip to Swaziland No. 6 and Xebe returned to South Africa and you were aware of their return. -- Does that mean I was aware of the fact that they would come back or that I became of their presence after their return? (10)

Yes, the presence after their return. -- Yes.

So why did you not stop Xebe to get back to Swaziland again? -- I do not know how he went back to Swaziland. He did that without my knowledge but when I realised that he was getting used to No. 6 I spoke to No. 6, reprimanding him about that.

As far as I remember that was never put to No. 6. -- It was never put to No. 6 by?

By your Counsel, or by anybody. -- What was not put to him? (20)

Yes, we will go into that later on as far as argument is concerned. And Patrick Mpoposhe, was there any trouble between you and Patrick Mpoposhe? -- No.

And at some stage you testified he was related to Mandela and we had discussions about fights and war. -- I said these people are related to Mandela and when his people often read newspapers about the happenings in the world, he used to be present and he would be listening to these articles being read in the papers. The person who was fond of reading is his uncle, his father's brother, Jackson Nkosiana. (30)

What/...

What did you discuss about fights and wars? -- I cannot know, because whenever a newspaper article had been read and it is discussed, I cannot always know or be in a position to say what was discussed because these things that had been read were happening at different times and at different places.

Silas Ntengo, you also testified there about boys wanting a lawyer. -- These are boys I had accompanied to the SACC. They wanted a lawyer. These -- he personally saw them, he was also at the SACC.

What did they want a lawyer for? -- I had said these (10) boys got arrested when certain things were found in their possession, they were arrested by the Security Police and then they were released later on their own recognisance.

Then why was it necessary to go to the SACC? -- It is the SACC which is to help by providing lawyers for people who are in trouble.

And you said that he was also a man who had told you in the Krugersdorp Prison that he had met you on two occasions. -- This is what he said, yes.

And that he was also saying to all the people we are (20) going to be pressed by the Security Branch, about Robben Island. -- He told me he had been asked about me and then he also said a lot has been said about me, he also said that he was asked about Robben Island and did not deny having discussed politics on Robben Island because he said nothing else could be discussed there.

Did you tell all this to your Counsel? -- Yes, I told him that Ntengo said he denied having met me but that he said he met me only twice.

Now, about Jabulani Dhlamini, you said that the Court (30) had to forget about him, he had been taught to sing. -- I am

still saying it now.

How do you know that? -- What?

That he had been taught to sing. -- I said that I saw him in the Krugersdorp Prison and this information I got from him. This is what he was saying to me.

And Glenrose Mbelwa, she was also taught to sing? -- I did not deny anything about Glenrose Mbelwa because I stayed in her house, I had also asked for certain boys to be accommodated there.

Yes, but you definitely said more or less the following: This is again one of the songs. She had to satisfy the police while in detention. -- What I said is that Glenrose who had said she heard me or she overheard me when I was telling Hora that these young men are some of my soldiers. That was only one of the songs she had been taught because this is not true. (10)

But you specifically said that she had to satisfy the police while in detention. -- I said Mbelwa by saying that I had said these young men are my soldiers, was only satisfying the police. This was a song she was only singing to satisfy the police. (20)

Do you know that she was never held in detention? -- I knew that she had been in Krugersdorp but then she was released later and went back home. I knew everything about her. I am related to her.

And I accept that there was no trouble between you and her before your arrest? -- There was no trouble.

And was there also no trouble between you and Stephen Kwapeng before your arrest? -- There was no trouble.

And John Radebe? -- There was no trouble. I saw him only once and did not even talk to him. This was when we had (30)

gone to Park Station.

And you were then searched at the border by Sergeant Le Roux. Is that correct? -- Yes.

Were you ever in Tanzania? -- No, I was never in Tanzania.

According to Sergeant Le Roux, and I will read it in Afrikaans, it can be translated to you:

"No. 2 kon geen identifikasie toon nie.

No. 2 het die artikels identifiseer as syne. In sy regterbroeksak was R68,50."

Do you agree with that? -- I said I could not remember in (10) which pocket this money was because I was taken away there without having my trousers on. So I do not know where the trousers was, whether it was in a bag or not.

"Die swart reissak was op die vloer en binne-in die reissak was 'n blou-bont denim broek."

Is that correct? -- It is possible.

Why do you say it is possible? Can't you tell the Court whether it is correct or not? -- No, I do not know what I put into - I have forgotten all that. (20)

Now what about the following:

"In die regterbroeksak was 'n Tanzaniese muntstuk, 'n sjieling."

-- I do not deny that, it was in my pocket.

Where did you get it from? -- I got it in Botswana.

How did it come about? -- Dr Prah while we were in the - when he had returned from a hotel, had money from different countries with photographs of people like Nyerere. I could have got this money from him. There was also another boy whom I was used to, who was working in the President (30) Hotel. He also sometimes used to have money from different countries/...

countries outside South Africa. I could also have got this money from him. So I could have got this money here in the Republic or in Botswana. I do not know where I got it from.

Well, you did not say that to Sergeant Le Roux. -- What did I say?

According to him:

"No. 2 sê hy was op reis in Tanzanië
en het dit daar bekom."

-- He did not ask me where I got money from. He only told me that I was from Tanzania and said I had obtained training (10) and he was assaulting me. I was ordered to pull off my clothes and then on looking at my body he said he can clearly see that I had received training. And he said he can even kill me and then he put a firearm just behind my right ear, saying, telling me to look away and not to move and also threatened to shoot me if I moved. When all this was being done to me, I had looked away from him, I was not facing him.

Did you ever say to him what he had testified in court on page 70:

"Hy het my meegedeel dat hy dit op 'n (20)
reis na Tanzanië bekom het."

-- Saying this to?

To Sergeant Le Roux. -- I did not talk about Tanzania but about Botswana. He spoke to me about Tanzania. |||||

What did he say about Tanzania? -- He had seen a cigarette packet, an empty packet and told me that this cigarette packet is from Tanzania and therefore I am from Tanzania. He also had seen a piece of paper or a document, also from Tanzania and said a paper from Kenia and said he can also see that I had been to Kenia as well. He also saw a 'plane ticket, (30)
just part of a 'plane ticket, it is not a complete ticket, and
said/...

said even from that he can see that I was from Tanzania.

This was never put to him when he testified.

BY THE COURT: You do not need to go into that. The whole of the witness Le Roux's evidence was not challenged at all in cross-examination, in fact there was no cross-examination. That which is not denied in those circumstances is taken to be admitted.

MR HAASBROEK: According to Le Roux he said the following about you and this air ticket:

"Hy het my toe meegedeel dat hy die lugreis- (10)
kaartjie gebruik het op 'n vlug tussen
Botswana en Zambië en Tanzanië."

-- I did not say that. And I also made this known to my Counsel.

And in the travelling bag Sergeant Le Roux found 42 sealed and addressed letters. -- Yes, the letters were found. They were brought to me by another boy.

What is the name of that boy? -- Punky Khali.

Where did he hand it over to you? -- At Mahalape in Botswana. (20)

Did you ever have a look at those letters? -- I did not.

Why not? -- I did not read any letter.

The exhibits were available to you. -- Where would I have a look at them?

It is available here in the court. -- I was not told that I could take these letters and read them.

BY THE COURT: It is no use saying this. On two occasions last year I gave your Counsel, on two occasions, I gave your Counsel I do not know how many days because they said they wanted to go through all these exhibits with you people. (30)

-- I unfortunately did not read them, all these exhibits which had/...

had been taken down there were read by the others, I did not read them. I did not know that these were also amongst the other exhibits.

MR HAASBROEK: I wish to refer you to page 122 of EXHIBIT YY.

It is a letter dated 16th March, 1977, signed by Peter Nsibande. The address appearing at the top of the first page is: Pan Africanist Congress, P.O. Box Dar-es-Salaam, Tanzania. And I want to quote to you from the third paragraph a few lines. The letter was addressed to this person's grandmother.

(10)

"It is only that I remember you. The fact is that Themba and Titi are in Nigeria, they are learning about army aeroplanes. Mosana is in Russia learning about the firearms. Khonti and Nanci are at Ethiopia learning about the firearms. I, Peter, am going to China on the 25th March, 1977 at the present moment I am in Tanzania.."

And then the next paragraph:

(20)

"Don't panic, we will come back. The Boers have poked the snake in the hole. It is good now because it will be a rifle to a rifle, not a rifle to stones "

Then at the bottom of the page:

"We should have all written to our respective homes but now the Boers are opening the letters at the border gate. They then come home and assault everybody."

Now, could this have been written by a person who had gone out of the country for his education? -- I have heard

(30)

what you have been reading but I do not know, I have heard of something like forgery but I do not know whether the Security Police could not have taken these letters and forged them to make them have the contents of that letter, because as far as I knew about the PAC, it is an enemy of the Russians.

So your explanation is that all these letters, 42 of them were forged by the police? -- No, but what I have said is what you have just read. I do not know about the other letters. I have not heard of the other letters.

On the second page of this particular letter there (10) appears the following, in the middle paragraph:

"Be alert for it can happen any time.

The rifle is coming. Men, this is the time now, men. The dogs have excreated(?) gun-barrel to gun-barrel."

Now, he concludes the letter with the following words:

"The struggle continues. Power to the people of Azania. Long live the PAC."

-- Yes.

Now it is clear that this person was being trained (20) by the PAC to come back to South Africa to fight here. --

Does the person who wrote that letter say he is being trained?

Well, that is the effect of the letter. -- I did not know what the contents of these letters given to me is.

You carried these letters. -- Yes.

And these letters are prima facie evidence against you according to law. Do you know about that? -- I said that I did not know what the contents of the letter is, though I did receive the letters.

You did not care what they contained? -- I do not (30) know what you mean now because according to our practice, when

a person is given a letter to deliver to somebody else, that letter is not to be opened because otherwise he would be getting into that person's secrets.

But is it not a fact that you took these letters from these young people outside the Republic, to hand them over to their relatives inside the Republic? -- I was given letters and told that these letters are addressed to different places in Southern Africa but when I said I had no transport, how could I then deliver these letters, I was told to take the letters to a minister of religion, a Van der Stap. When (10) I wanted to know where I would find this minister, I was told to go to the SACC where I would find him.

Was the idea that this minister Van der Stap would distribute the letters then? -- I was only asked to take these letters to him, but I thought he will perhaps write to the relatives of these people and perhaps ask to see them.

There is another sentence on page 2 of that particular letter that I want to point out to you. It reads as follows:

"The luck on this letter is based on the point it was handed to this man who is (20) coming to Johannesburg. He is from Tanzania and is also our member. He also delivers the letters to our respective homes."

-- There is no such. I was never in Tanzania. I was in Botswana.

I wish to quote something to you from EXHIBIT ZZ, which was also found in your possession. 73 Dhlamini, something like that is written at the top of the letter. It reads as follows: (30)

"As I write this some of us will be training/...

training in China, others in some other countries. Comrade Ganya was here in Tanzania when I wrote this letter.

After training we shall come back to fight the Boers for our liberation."

-- I have said I did not know the contents of the letters. But now seeing that these letters were in the possession or have been in the possession of the Security Police, they could still write as they have typed these letters, what they wanted to be contained in the letters. And what would be (10) favourable to them.

Do you know of a comrade Ganya who was in Tanzania apart from yourself? -- I will repeat again I have never been to Tanzania, I was in Botswana.

Yes, very well. I wish to quote from another letter on page 137 of EXHIBIT YY:

"The Boers took over our great-grandfathers' country and give us bad treatment. This is now the time to get our great-grandfathers' country back. It was taken by bloodshed (20) and we must also get it back by bloodshed too. Vorster must satisfy himself for the last now because we have come, everything has its end."

Do you agree with me, this person writes about a revolution that is being planned? -- I do not know and I will not lie to you because I have already said that I received these letters in Botswana. I do not know where the person who wrote that letter was, but I received the letters in Botswana because I was in Botswana. (30)

Did you receive them from students? -- I received the letters/...

letters from a Botswana resident whose father lived in the Republic and left the Republic with an exit permit. He is also a student.

And did he say to you these letters were from students?

-- He told me he got these letters in Tanzania.

From whom? -- He just said he got these letters from South African people.

Now this letter is concluded with the following words on page 3 of the letter:

"Long live Azanian People Liberation Army. (10)

Power to the people. Our land Africa."

Now what is this Azanian People Liberation Army? -- I did not know the contents of the letter, but I did receive the letter.

Do you know anything about the Azanian People's Liberation Army, forgetting about the letter? -- No, I do not know anything about that.

There is another letter on page 144 of EXHIBIT YY of which the middle paragraph reads as follows:

"I am attending a certain study course which I won't mention in this letter for (20)
it is too sensitive just for security reasons."

Do you agree with me that the children who went out to study was just a camouflage because they were actually people who went out to receive military training? -- And who had brought that camouflage on them?

Well, you were pretending that they were only pupils who were going out for further education. -- If that was the case then I would have organised the students, but the students were coming to me, they came to me for help and besides there (30)
was no rest amongst the students over here. This is well known

to you because these students were dying like flies, they were being shot and they died in detention and if on getting to the other countries outside South Africa, they decided to change their minds and not go for education, then it is up to them.

On page 148 there appears another letter and I wish to quote the following:

"You should not suspect or be afraid of the man who will deliver this letter because I sent him."

(10)

-- Yes.

Now this refers to you again. -- Is it mentioned that the person is myself, Ganya?

Your name is not mentioned, but you were carrying these letters to the Republic. -- What would you say if this person mentioned there is a White person? What would you say if that was said in respect of a White person, because after all I am Black and these people would not be afraid of me.

BY THE COURT: That is not an answer. The Prosecutor would do his duty and draw exactly the same inference. Just answer the question. -- I do not know how to answer that question because it is said be not afraid of this person, I do not even know who this person is. (20)

MR HAASBROEK: The next line reads as follows:

"Let it be your secret alone that this very year bullets from firearms will be flying."

Do you know anything about bullets which were going to be flying? -- I do not know anything about that.

And he went on, the next line:

(30)

"You need not be scared. Be prepared

to/...

to fight alongside with us because every Black man will be fighting against the Whites. Please, please don't tell everybody because you might be arrested."

Do you agree with me that according to this letter a revolution was being planned? -- And as I have already said I did not know the contents of these letters and as I have also said that if people decided to change their minds on arriving in the other countries outside South Africa, then this was (10) beyond my control. Because they left this place, leaving unrest behind.

Were you not afraid that these students could become terrorists having left the Republic? -- I did not think of that. All I was concerned with was getting these people away because they were dying. We had to be continuously burying them. Some of them even got killed at the graveyard Doornkop. A bus(?) driver from Orlando West also died then.

On page 151 there appears the following words in that letter:

(20)

"Long live the African Revolution.

So if you wish to join me, especially

Mandla Veya, Solly Ntwa, should contact

the deliverer of this message. I am

in the PAC."

According to this people who were interested to join, had to make contact with the person who delivered this particular letter and that was you. -- If this is truly said by a person I had helped to leave this country, he may perhaps have said it because he perhaps changed his mind after leaving this (30) country.

Now, from the notes found in your possession, EXHIBIT
- there is another letter addressed to:

"Dear Buzi"

and signed:

"Your loved Mandla"

that I want to quote to you. Amongst other things:

"I decided to cross the border because
of oppressing."

And then towards the bottom of the page:

"Try to write for me just a short
letter and go there at Park Station.

(10

Look a green car, SD Swaziland. The
surname of that is Mlotha. That man
would try to post for me or go and give
one of our members there in Swaziland
to my headquarters would find my ...
(then there is a word that I cannot
make out). Makwanazi of the PAC."

-- Which word is it you cannot make out?

It is impossible to make out the word. It looks

(20

like 'smart' or something to that effect. And then later on:

"Viva Azania. Viva Azanian People's
Army. Long live the African Revolu-
tion. Viva Sobukwe. Viva Izwe Lethu.

I shall service, suffer and sacrifice,
for my land and my brothers and sisters."

What do you say about this letter? -- I again say I have
nothing to say about a person who, after having left this
country, decided to change his mind. I am saying this just
as I said in respect of the other letters you quoted and
according to me I actually wish that you would no longer ask

(30

me anything about these letters.

Why not? -- Because my answer would be the same. If a person left this country, having left it as a result of the unrest and having left it after having said to me he or she wanted to go for education, if that person changes his mind, then I have no comment or I can say nothing about his change of mind. I will be repeating the same thing.

And you knew that they - that some of them were going to change their minds when they had gone out of the country. -- No child told me that he will change his mind later. They (10) only told me they were going for education. They went to these countries and were in the care and support of people who would give them education.

How did you know that they would be in the hands of those people that you are referring to now? -- This is where we were getting to. Mlotha had said he was taking them to places of education.

Did you ever care to find out what happened to them? -- I did not, just as I said yesterday. I also said these children's parents used to go there, many children had (20) left this place, those who were under age and also girls.

There are also other letters to the effect that the pupils were undergoing training as soldiers and they indicate that they were all members of the PAC. -- Is this a letter written by a person or just letters?

Well, letters. I can refer you to a specific one as well. -- I do not understand what you mean by saying that these children were to receive military training according to those letters.

Did you ever find out that some of these children. (30) were receiving military training? -- No, I did not. This was never/...

never said to me.

There is one thing that I want you to explain. It was put by your Counsel, Mr Pitman, to Vakaliza on page 502 that if person X would leave Soweto for military training, there would be talk about him leaving, but it would never be mentioned that he was leaving for military training. -- I do not know what you mean now because I have also said the people who were leaving, never said they were leaving for military training. This was never said by them to me.

On page 512, the middle paragraph there, the following (10) was recorded:

"My instructions are that in Soweto whenever young persons leaving was discussed, they would say so and so is leaving or so and so has left, but they would never mention military training."

-- By whom will it never be mentioned that a person who is to leave, is leaving for military training? Or does that mean perhaps the person who goes to whoever will take him away, does not mention his intention to go for military training? (20)

Yes, that is as you have said. -- That is why I say nobody ever said to me he wanted to go and receive military training, because if people had told me that they wanted to go for military training, then I would not have gone even to their parents, because military training and war is completely a different thing.

But you sympathised with the children there about what was going on with them during the riots. -- I was feeling bad about the killing of the children. I was very sympathetic to them. (30)

And did you give this particular instruction to Mr Pitman which/...

which was put to Vakaliza? -- I can no longer remember.

RE-EXAMINATION BY MR PITMAN: After Dr Ntshuntsha's arrest did you or were you concerned with any more trips to Swzziland? -- No.

Was there any reason for you to go to Park Station at all after Dr Ntshuntsha's arrest? -- No, I did not do any other thing after the arrest of Dr Ntshuntsha.

You spoke in cross-examination about the woman who you said was originally from Encgobo who told you that her children were no longer going to school. -- Yes. (10)

What is her name? -- Mrs Matoti.

My Learned Friend cross-examined you about you use of the word 'escape' and I just want to ask you, was the word that you used 'cinda'? -- In what sense was it used?

BY THE COURT: I do not know. What is this about. I understood what he meant when he was using the word. He was not using it in the sense that Mr Haasbroek thought he was using it, because it was a different connotation. I know that Mr Haasbroek pressed him about that, but I felt at the time that ...

(intervenes) (20)

MR PITMAN: I merely put it because Mr Haasbroek ended up by saying you do not want to answer me.

BY THE COURT: The point is you cannot get around that in any event if there was any problem, I know what you are getting at, by asking the question about interpretation you cannot have that, but I realised at the time, you can take it from me, that the word 'escape' was not being used in the precise sense that Mr Haasbroek believed it was being used and I think that is where the confusion arose.

MR PITMAN: In that trial of yours in 1963 how many (30) accused were there? Do you remember? -- We were 18.

Now/...

Now, you said that you went to Lena Mawela's home. Is there any sort of open space, large open space near to her home? -- Yes, it is the Mofolo Park.

Is it just directly in front of her house? -- Yes.

NO FURTHER QUESTIONS.

THE COURT ADJOURNS.

THE COURT RESUMES.

REBECCA MAGGIE PITSI:

I cannot take the oath because I do not know what I am to talk about here.

BY THE COURT: Well, has she a religious objection (10)
to taking the oath? That is the main thing. Tell her it does not matter what she is going to be asked. It is just to swear that she tells the truth, the whole truth and nothing but the truth. It does not matter what she is going to be asked. If she has a religious objection to taking the oath then she can affirm. -- I thought a person has to take the oath for what he knows.

That is right. And you only have to talk about what you know. Ask her if she does not want to give evidence then she must tell me. I am worrying about if she has a religious (20)
objection to taking the oath. -- I understand, but I do not want to take the oath because I do not know anything. I was only asked to come and say whatever I can say, though I really know nothing.

Well have you told Senior Counsel that you know nothing? I do not know if you .. (intervenes)

MR WILSON: Yes, that is what I want her to say. It is what she does not know that is what we want to get. -- I understand. I am afraid to take the oath for what I do not know.

BY THE COURT: You wish me to inform her, but she has to (30)
have a good reason, I believe, for refusing to take the oath.

MR WILSON: Perhaps if Your Lordship could just inform her that she can take the oath and then if she does not know the answer to a question she just tells us: I do not know, and that is the end of it.

BY THE COURT: All Counsel wants you to do is take the oath, all I want you to do is take the oath and he is going to ask you questions or a question and if you do not know anything or you do not know what the answer is or you do not know anything of what he is talking about, you can say so. That is what he wants you to say apparently. -- I understand (10) but I do not know what to do.

Mr Wilson, the law provides -- I do not know what the Section is - do you want me to warn her?

MR WILSON: Yes, M'Lord.

BY THE COURT: I must warn you that you are obliged to take the oath, you are obliged to take the oath unless you provide a substantial and good reason for not doing so and let me say at once that just because you do not know anything, is not a good reason for failing to take the oath.

THE COURT AND MR WILSON DISCUSS THE MATTER FURTHER (20)

BY THE COURT: Anyway, will she take the oath or not? -- I do not understand.

I am not going to take up more time with this, Mr Wilson. Thank you, Mrs Pitsi, you can stand down. You do not want me to go into the rigmarole of appointing Counsel. I think the best thing in the circumstances is that you can discuss with her in due course and if you want to persuade her, as you told me you do not want me to go to the extent of ..

(intervenes)

MR WILSON: No, M'Lord. (30)

BY THE COURT: Then you can discuss it with her and she can

come back on Monday.

MR WILSON: M'Lord, she is here under subpoena and as Your Lordship can see she is seemingly reluctant. Could Your Lordship perhaps direct her that if required to, she should be back here on Monday.

BY THE COURT: Well I think that before you ask me to do that, you should first of all discuss the matter with her, she is your witness, and I am not going to say that she has to be back until you have told me that in fact she understands the position and will take the oath, because I have no (10) alternative otherwise than to say that she then has to be sent to jail for 7 days or whatever it is, subject to her being explained to by Mr Pitman about her rights or by Mr Dane or someone else.

MR WILSON: I merely ask Your Lordship, if I tell her that we require her, she should come back, if, after I have spoken to her we decide we do not want her well then she does not come back obviously.

BY THE COURT: No, I cannot leave it like that conditional, you see. I know your problems, I am very aware of them but (20) you will have to, I think, leave it to your junior Counsel or one of the others to speak to her while the next witness is called, but I cannot make a conditional order upon what you decide. This is, I know, not strictly speaking - what is it called - excuse, I mean, that is formality, but that does not assist you. It does not, we know it is a formality. I think the only way you can do it is by informing your Counsel or Mr Pitman can go outside or someone can go outside and talk to her. And if she is going to maintain the position, then you must decide what you want me to do on Monday, and (30) then if you do want her back on Monday for that purpose, then

of course I shall order that the subpoena be maintained and she come back.

THE WITNESS STANDS DOWN.

LYDIA DIKGALE: sworn states:

EXAMINATION BY MR WILSON: Are you the sister of Bennie Ntoele, accused No. 4? -- Yes, I am.

And where do you live? -- I stay in Meadowlands in Soweto.

And were you there in 1976? -- Yes, in Meadowlands.

And where were you during the Easter weekend of 1976? -- I went home to Mamelodi. (10)

Is that where Bennie lives? -- Yes.

On the Friday afternoon, Good Friday, did anybody come to the house? -- Like?

Three men, did they come to the house that afternoon? -- Yes, as far as I can remember.

Did you know any of them? -- I only recognised one of them.

And who was that? -- It was Mark.

Mark Shinnars, accused No. 3. Where was Bennie when they arrived? -- He had gone to church. (20)

Did he come home? -- Yes, he did later.

And where were they when he came home? -- They were still at home when he came home.

CROSS-EXAMINATION BY MR DANE: No questions.

CROSS-EXAMINATION BY MR SKWEYIYA: No questions.

CROSS-EXAMINATION BY MR HAASBROEK: No questions.

BY THE COURT: When were you asked first to come and testify here? -- I was asked last week and then I was told that I would be fetched, though I was not fetched.

NO FURTHER QUESTIONS. (30)

THE COURT ADJOURNS.

THE COURT RESUMES ON THE 2nd APRIL, 1979.

MAGGIE REBECCA PITSI: sworn states:

EXAMINATION BY MR SKWEYIYA:

May I please explain one thing. During last week when I was called in, I refused to take the oath. The position is I did not understand what was everything about. Now the position has been fully explained to me, I beg to ask the Court's pardon. I am sorry that happened.

Now, do you stay in Mamelodi Township in Pretoria? --

That is so. (10)

And you stay in the same house as the gentleman known as Elias Pitsi? -- Yes, that is my elder brother.

And since when have you stayed in the same house with him?

-- From the time we went to stay at Mamelodi, this was in 1960.

Now have a look at that gentleman there, accused No. 4, Bennie Ntoele. -- Yes, I see him.

Do you know that gentleman? -- I do not know him.

Have you ever seen that gentleman in the house in which you live with your brother at any time? -- I have never seen him, I do not know him. (20)

Have you ever seen Nicolaas Mohlala to your house with that gentleman in 1976 or in any other year? -- -- No, I do not know a thing about that visit or any other thing.

Have you ever opened the door for that gentleman who has just stood up in court here at the house where you live when Nicolaas was present? -- I do not know anything about this allegation.

CROSS-EXAMINATION BY MR PITMAN: No questions.

THE WITNESS STANDS DOWN.

BY THE COURT: I just wish to say something. On Thursday (30) afternoon after I had adjourned the Court, I received by way

of a card signed by all the accused, a message of condolence on the death of my mother. I appreciate the gesture, it was a gracious gesture and I thank all the accused.

GERTRUDE MATOTI: sworn states:

EXAMINATION BY MR DANE: Where do you live? -- I stay in Zola.

Your address? -- No. 1083 B in Zola North.

You yourself originally come from Umtata in the Transkei.

Is that correct? -- That is correct.

And your ex-husband does he also come from the Transkei?

-- Also from the Transkei. (10)

Whereabouts? -- In Engcobo.

Now, do you know accused No. 2 before Court, in fact he is sitting next to No. 1 - John Ganya. -- I know him.

Was he a friend of your husband's? -- Yes.

In 1975 and 1976 did he ever visit your husband or your home rather? -- Yes, he did visit us.

Now, it is common cause that after June, 1976 what became known as the June riots, the attendance of classes by school children was interfered with. -- That is so.

Do you have any grandchildren who attended school at that point of time? -- Yes, I had. (20)

Was that two girls? -- Two girls, yes.

What were these names? -- Patience and Sylvia.

Now after the riots when the school attendance was interfered with, were your two grandchildren attending school? -- They were not going to school.

Did you discuss the fact that they were not going to school with John Ganya? -- Yes, this was discussed with him.

And did you want your grandchildren to go to school? -- Yes, I wanted my grandchildren to go to school. (30)

BY THE COURT: How is all this relevant?

MR DANE: M'Lord, this is in connection with the fact that accused No. 2 sent or organised for these two people, the evidence will be that accused No. 2 organised for these two children to go out of South Africa to Swaziland and this relates to an incident which bears upon the evidence of Mlotha.

BY THE COURT: How is that relevant that he organised for these children to go out to Swaziland?

MR DANE: Well, it is our respectful submission that this will corroborate the thrust of his defence that he was organising people to go out of South Africa for the purposes of (10) scholarships. Whether the weight to be attached is something of further argument, but it is our submission that at this point of time it is relevant insofar as it corroborates his defence.

BY THE COURT: Yes, go on.

MR DANE: I think my last question was did your two grandchildren want to go to school.

BY THE COURT: No, she wanted them to continue their schooling.

MR DANE: Now did John Ganya, accused No. 2, make any proposals in regard to the education of your two grandchildren? -- (20)

Yes, John Ganya said these children could go to school in Swaziland and because of difficulties we had financially, he said they could even be educated without us paying.

And did you go along with this proposition? Did you agree with it? -- Yes, we did.

And as a result of this proposition - agreeing with this proposition were arrangements made for the actual departure of the two grandchildren? -- That is correct.

And what were these arrangements and where were the children to leave? -- The arrangements were that I was to (30) buy them clothing for school, everything that would be necessary for/...

for their school attendance, only the clothing and not the books and that it was further arranged that I bring the children up to the station from where he would take them along at 2 o'clock.

Now what station are you referring to? -- Park Station.

So the arrangement was that you were to take the children to Park Station? -- That is correct.

Now just before we go on. When did this take place? In other words what year was it? -- This was in 1977.

Now, did you in fact take the children? (10)

BY THE COURT: Hasn't she perhaps made a mistake? She said 1977.

MR DANE: Yes, well, earlier on you spoke about 1976. -- No, this was early December of 1976 when they left.

And when were they to start school? -- This was to be in January.

1977. -- January, 1977.

Now did you in fact take them to the station? -- I did.

Did you see accused No. 2 at the station? -- I did see accused No. 2 at the station. (20)

And did your two grandchildren leave from Park Station? -- Yes, they did.

How did they leave for Swaziland? -- They left in a Combi.

After your children left .. (intervenes)

BY THE COURT: Is that Ntshali-Tshali's Combi?

MR DANE: Well perhaps I can lead the witness. Do you know who the driver was of this Combi? -- I do not know who the driver was.

After your grandchildren left for Swaziland did you hear from them again or did you communicate in any way or did they communicate with you? -- Before we received a letter from/...

(30)

from them, accused No. 2 came along to enquire as to whether they had written any letter. I told him they did not. And it was only thereafter that a letter from them was received.

And after you received the letter, did you speak to No. 2?

-- That is correct.

What did you tell accused No. 2? -- I told accused No. 2 that the children said the schools were full in Swaziland and that they could not be accommodated. I then asked him to bring them back, whereupon he said that he would arrange that they be sent further to London. (10)

For what purpose? -- For education.

Were you in agreement with this proposal? -- Yes, I was agreeable in that the children wanted education and I wanted them to go to school as well.

And was there any question of you having to pay fees for this further education? -- No, he said that we were not going to pay anything.

And in any event thereafter, after that, did you see your children again? -- Yes, later when they came back.

BY THE COURT: When was that? -- It was the last week of (20) January, just before it became February, this was in 1977.

MR DANE: And who do you believe organised their return? -- I believe the same person who took them back, namely accused No. 2, Ganya.

At that stage did you ever see John Ganya again? -- I had not seen him.

And at this point of time your children are in any event at school in the Transkei. Is that correct? -- That is so.

THE WITNESS STANDS DOWN.

DALE ST JOHN WHITE: sworn states: (30)

EXAMINATION BY MR WILSON: Mr White, where are you at present employed/...

employed? -- I am employed by the Wilgespruit Fellowship Centre in Roodepoort City.

Are you in fact in charge of that Centre? -- Yes, I am a director of the centre.

And for how long have you been in that position? -- I have been in that position since the beginning of 1975.

And were you connected with the centre before then? -- Before then I was not connected with the centre. I am an Anglican clergyman.

What exactly is the Wilgespruit Fellowship? -- The (10)
Wilgespruit Fellowship Centre is an organisation made up of members drawn from churches, individuals and organisations who form a managing council who decide on policy and employ the staff of the centre.

Are you employed by the management? -- Yes, I am employed by them.

And what is the policy of the centre? What does it do? -- The centre was set up in order to enable Christian people to participate and take part in factors affecting society and Christians. (20)

Is that to get Christians more interested in every-day activities? -- Yes, as distinct from simply going to church, becoming involved more in the daily world of society.

And what facilities do you provide at Wilgespruit? -- The centre provides accommodation for up to 90 people who may reside there for conferences and courses and group meetings; it provides picnic facilities for groups who wish to make use of the grounds and runs projects and projects on request from its management board.

What sort of programmes and projects? -- The programmes (30)
and projects are related to urban industrial mission which

is man in industry, they are related to community work and service and they are related to research and enquiry into specific projects and programmes the churches wish to establish.

Are these in the nature of feasibility studies? -- Yes, the feasibility studies are conducted by the centre on behalf of organisations or churches to approach us to test what should be done to assist people with problems like unemployment.

So are there really two main sides to this? The programmes and projects which you organise yourselves and the facilities which you make available to other bodies for them to have (10) seminars or picnics or other meetings on your premises? -- That is right.

Now we have heard in this trial about a place known as St Ansgars. Do you know that place? -- Yes, St Ansgars is a property owned by the Lutheran Church in South Africa and the property is in the hands of a trustee. In 1970 the Wilgespruit Fellowship Centre was approached .. (intervenes)

Sorry, before you go on to that, what was it originally before 1970? What was the position of St Ansgars? -- It was adjacent to the then Roodepoort Location and had three (20) schools on the property. One was a high school and two were junior schools with boarding facilities. The property is about 24 acres.

And did the church stop using these schools for school purposes? -- Because of the Bantu Education Act the use for schools was abandoned and the churches began to employ the properties for other uses.

What sort of uses? -- They set up the Radio Voice of the Gospel, a series of studios to produce religious broadcasting programmes, they made some of the dormitories available for (30) groups who would want to stay overnight and they started an arts/...

arts project .. (intervenes)

BY THE COURT: Dormitories? -- For overnight accommodation for groups who were wanting to conduct courses or conferences.

At St Ansgars? -- At St Ansgars. And there were some projects relating to art and they had a resident artist on the property who gave lessons.

MR WILSON: Did St Ansgars have any particular advantages in the providing of accommodation? -- Yes, the properties were acquired between 1922 and 1924 which is prior to 1928 when the Native Urban Areas Act applies to all buildings (10) erected subsequent to that year.

So were they able to accommodate Blacks? -- They were able to accommodate Africans.

And you have told us something happened in 1970. -- In 1970 the Wilgespruit Fellowship Centre was asked to take over the management of this property.

Why was that? -- This was because the Radio Voice of the Gospel had been closed down, the studios were transferred elsewhere and the property was then made available for conferences and for arts projects. (20)

BY THE COURT: To Wilgespruit? -- Yes, the Wilgespruit Fellowship Centre became the tenant of the property.

MR WILSON: How far is it from Wilgespruit? -- It is a 7 minute walk or a 15 minute car drive because of the roads.

And what did Wilgespruit do on this property? -- We took over the management, the leasing of the buildings to groups, we developed the silk screen, pottery and arts programmes.

And for how long did you do this? -- We conducted this until 1975 when the Lutheran Church owners transferred the property to the South African Council of Churches, as the (30) tenant.

And/...

And what happened to the pottery, silk screening and other art work? -- Prior to handing over the property, we had handed over the program development known as the Youth Ecumenical Services, we disbanded this in June, 1974 and when the Urban Resources Centre started in August, 1974 we handed over the use of these assets to them and finally transferred them at a reasonable price later in 1974.

BY THE COURT: I do not understand that. You say that the South African Council of Churches became the tenant in 1975?

-- That is right. (10)

These art classes such as silk screening and so forth, were run under your Youth Ecumenical Services? -- Up until ... (intervenes)

As a general .. -- Yes.

Until? -- In June, 1974.

MR WILSON: It was handed over before the property change. And was the Urban Resources Centre a new body completely independent of you? -- Yes.

BY THE COURT: What was that?

MR WILSON: Could you tell us what that was? -- The Urban (20) Resources Centre was a newly established trust set up in August, 1974.

BY THE COURT: By whom? -- There were two members of the executive management of Wilgespruit Committee, who undertook to see whether such an organisation could be formed.

MR WILSON: Yes? -- And it was their responsibility to see whether a new organisation could be formed.

And was a new organisation formed? -- Yes, a trust was set up.

Was the position at Wilgespruit was prepared to (30) investigate and develop a project but did not want to carry

on/...

on the running of it once it was under way? -- Yes. This is part of our manner of operation that we investigate, develop, establish the possibilities for programmes and then hand them over to groups who are willing to form and carry them on.

Did the Urban Resources Centre then carry on as an independent body running their own program? -- Yes, they were totally independent of Wilgespruit and I was not involved in any of their business directly, but their committee dealt with our committee if matters were to be dealt with.

You know accused No. 18 in this case, Dan Matsobane? (10)
-- Yes, Mr Matsobane was employed by the Wilgespruit Fellowship Centre towards the end of 1973.

BY THE COURT: 1973? -- That is right.

MR WILSON: In what capacity was he employed? -- Initially he was employed as a clerk but eventually he was employed as field worker in the Urban Industrial Mission Program.

Did he have anything to do with the literacy? -- He was like all the field officers of Wilgespruit, he was encouraged to study the methods of literacy training. It was part of the policy of the Wilgespruit Committee that staff members (20) should be competent to handle this area.

And how did they acquire this competence? -- The important aspect that the committee wished to establish was whether the community wanted these services and so we encouraged staff members to form voluntarily groups of people who would like to study literacy.

I do not think you understood the question. How did accused No. 18, Dan Matsobane himself acquire competency in literacy? -- Having attended one or two seminars, he was then sent on a course conducted by the Bureau of Literature and (30) Literacy.

Is this a reputable body? -- It was established in 1942 by the Institute of Race Relations.

BY THE COURT: Is this where he paid £50?

MR WILSON: R50. -- The process was that we would donate his time and not deduct this from leave and the persons themselves, because they were acquiring skill, would be asked to pay for the course and on completion and production of a certificate, they would be refunded part of the money.

BY THE COURT: Did you know what this course consisted of? -- Yes, I read the brochure in advance. (10)

Do you know how many ... (inaudible) .. -- He had to attend for a week and subsequently he then had to recruit and train a group and be monitored while he was doing that and then having passed that test, he was issued with a certificate.

MR WILSON: And was it your normal practice in respect of any skill acquired by your field workers that you would pay have of the cost of any course? -- Yes, the management committee felt that as the person was educating himself and improving his capacities, we would meet half the costs of any education.

Do you know of any course for literacy teachers (20) conducted by accused No. 18? -- Yes, he had been taking literacy classes and doing this in Kagiso and we felt that he was spending much more of his private time doing these sorts of courses and encouraged him to find other people whom he could train as teachers. They would be volunteers and they would be trained in the methods and Wilgespruit was offered as a venue for that course.

And did he discuss the course with you and discuss the preparing of a report? -- Yes, he discussed this with me because there were certain conditions expressed by the (1) committee, the executive committee that met each month, one of which/...

which is that he should have a competent person to assist him in the program and they recommended Miss Angela Norman for that position and that he was to then submit reports and progress reports while the course was under way.

You mentioned Miss Angela Norman. Did she help him? -- Yes, Miss Angela Norman is a South African person who is a linguistic expert, expert in English as a second language. She worked for the Turrett Correspondence College for a number of years. She has now taken her citizenship, her British passport and is staying in England where she is working at (10) Redding University.

Is she in any way connected with the Miss Angela Norman who was mentioned in the case concerning the Dean of Johannesburg? -- No, I am afraid the same name, different person.

And did accused No. 18 submit a report to you about this course? -- Yes, he submitted the preparatory minutes that were held of the meetings. He submitted the financial account.

Have you got here a copy of the financial account? -- Yes, I have here a copy.

I hand that in, M'Lord, EXHIBIT ZZZZZ. And before (20) that had he discussed with you what his report should contain? -- Yes, we had had a staff meeting and after the staff meeting he was to prepare a written note as to what I would require of him in the name of the committee and he submitted this to me.

Have you been able to find the written notes he made of what he should have done? -- Yes, I do have it.

The report, EXHIBIT AAAAAA. Before we go on to deal with other aspects, do you know of any night school or classes conducted by accused No. 18? -- Yes, I do. The situation was that initially we talked about his interest in the (30) community and he indicated to me that he was interested in further/...

further study, particularly UNISA student. I encouraged him to do that, but when the matter became too burdensome and he was spending more nights teaching, I suggested to the committee that we should divide his day into three sectors, morning, afternoon and evening, and if he worked two sections of the day that would be considered adequate for his employment and then as a second option we asked that he teach other people and get other volunteers to run the school and this would relieve him to do some of the travelling work we had to do as an agency. (10)

Do you know if he got other people to help with the teaching at this night school? -- Yes, he got the help of other people and the literacy training course was specifically designed to train people to take over the classes and conduct the classes in literacy.

Do you know if the night school increased in size? -- The night school then transferred to a new building and I was approached by Mr Letseleha and Dan Matsobane to assist with lighting because the new school did not have electricity and the centre made available money to purchase gaslamps, etc. (20)

Do you know accused No. 1 in this case, Zeph Mothopeng? -- Yes, I do know Mr Zeph Mothopeng.

How did you come to meet him? -- I was telephoned by one of the trustees of the Urban Resources Centre, Mr Clive Nettleton, who asked me to meet with Mr Mothopeng to give him some advice in preparation and writing of fund raising documents.

Was he then the director of the Urban Resources Centre? -- Yes, he was the director of the Urban Resources Centre and he came to my office in that capacity. It was the first (30) time I met him.

Did you see him from time to time thereafter? -- Yes, whenever there was an aspect of fund raising documentation or staff requirements that he wished to approach me on, he would come and see me about that.

Did he have difficulty with one of his field workers? -- One of the field workers in the Kagiso township was not doing his work and as a result Mr Mothopeng said that because he had an urgent organisation or matter that he had to finalise, he asked whether Dan Matsobane would be available to help.

Who did he ask? -- He asked me about that. I then (10) arranged for Dan Matsobane to meet with myself and Mr Mothopeng and talk about the formation of a bulk buying club.

And did you release Mr Dan Matsobane to assist Mr Mothopeng with these projects? -- Because there was a further project, a sewing project, and it looked as if the community involvement of Mr Matsobane was increasing in Kagiso, I allowed him to set aside half of his time to work for the Urban Resources Centre.

Was this for a couple of months? -- Yes.

Did you in fact yourself attend a meeting of persons (20) concerned with these projects? -- The one meeting I attended was a seminar conducted at Wilgespruit Fellowship Centre where members of the bulk buying club, the sewing club, the school and the literacy groups were all together to learn about how to organise themselves in committees more effectively.

Did you in fact address them on committee procedure and practice? -- Right. That was the theme I was given and I was also asked to introduce them and so was introduced Wilgespruit and Mr Mothopeng was also present and addressed them.

Can you remember what sort of thing he spoke about? -- (30) Well, I was just to welcome them and tell them what Wilgespruit

was and he was there to encourage them to become involved in self-help and he mentioned the need for the community to take responsibility for organising their groups because the project would have to move on to other areas.

Now did Mr Matsobane continue working for you till his arrest? -- Yes, he continued working, he was due to go on a project in Kwa Zulu at the time of his arrest.

What was he concerned with in 1976? Can you recollect? -- Well, the major operation in 1976 that he was involved in from our side, was to set up a migrant mine workers' (10) vacation seminar, this is when theological students from Lesotho went to work as ordinary workers on the mine in the Republic.

Did he arrange this? -- Yes, he had to go to Lesotho to interview the theological students, the theological seminaries, he had to go down to.

And was he busy at that time or not? Can you say? -- He was travelling a lot at the time.

On your business? -- On the business of the centre. He had to go down to the Orange Free State Gold Fields to see (20) ministers there.

Was this the project that ultimately issued a report which was hardly flattering about a certain large mining company? -- It did eventuate in a report called 'Another Blanket' which described the procedures of what the students experienced on the mine.

Did you at any time have any reason to think that the Urban Resources Centre was anything other than what it appeared to be? -- I felt it was an organisation committed to community service and to helping people with self-help. (30)

We have heard of an organisation called YACM or YARM. Do you/...

you know anything about that organisation? -- No, I did not know anything specific about the organisation itself. All that came to my mind was when the booking secretary asked me to get Dan Matsobane to check whether the group was indeed coming .. (intervenes)

BY THE COURT: The booking secretary? -- The booking secretary of the Wilgespruit Fellowship Centre, to ask Dan Matsobane to check whether they were in effect coming as scheduled to hold their consultation at Wilgespruit.

MR WILSON: Do you know when this was? -- I know that it (10) would have been in the year 1976. I have tried looking for that book, but we have not kept that record book I am afraid. It is not in the records.

Do you get rid of the reservation book each year? -- Yes.

Was this merely a book in which you note down reservations for the future? -- Well, it is a diary, yes.

Do you know if they ever did visit Wilgespruit? -- I have the impression that towards the end of 1976 they did come, yes.

But you had nothing to do with it. -- No.

THE WITNESS STANDS DOWN. (20)

MR PITMAN MAKES APPLICATION IN TERMS OF SECTION 171 OF ACT 51 OF 1977 FOR HIS LORDSHIP TO ISSUE A COMMISSION FOR THE HEARING OF EVIDENCE OF DR PRAH.

THE COURT ADJOURNS FOR TEA. THE COURT RESUMES.

THE COURT ADJOURNS FOR LUNCH.

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