

?-- J.S.A. Mavuso.

Omit what he said ?-- Yes.

The next speaker, the last one ?-- I have here an unknown European female.

Yes ?-- Now, the other speaker here is Nokwe.

Omit what he said, and then the next one -- R.

Resha, you have got him ?-- Yes, I've got R. Resha.

Is he one of the Accused ?-- Yes. (No. 63.)

Now read what he said ?-- (Witness scrutinises notes)

If you cannot make out what he said ?-- The whole of this portion here I cannot see.

Start from where you can read ?-- This pencil is absolutely appalling here.

Leave out what you can't decipher, and continue with the next sentence ?-- "These people will be sent to camps by Dr. Verwoerd must be called the soldiers. I wish to say to those people called foreign natives, we will be with them here. Those in Parliament saying the Indians must go, they will go first. This country is ours. " Now, there is a long portion here.....

You have there, "We have A.N.C.," ?-- "We have A.N.C., so long as we live in this country, we will not allow the fascist Government in our country. The Government is waiting to see that the African people will do. Sisulu left without their knowledge. They do not know what is happening in Sophiatown now. We the oppressed people are prepared to sacrifice with our bodies or blood if freedom should be achieved in that manner. We will organise everywhere for the people to join the liberatory movement. You will be told of what the second phase will be ready because nobody knows the day and the hour. I thank you for coming to this meeting." That is the end of his speech.

Is that the end of your notes ?-- Yes.

(Notes handed in G.1176.)

(No further questions)

CROSS-EXAMINED BY MR. COAKER:

Have you got your notes before of the meeting at which you gave evidence yesterday, G.1175. ?-- Yes.

That is the meeting of 22nd February, 1953 ?-- Yes.

I want you to look towards the end of your notes, you will find that you have noted a speech by Chief Albert Luthuli ?-- (Witness searches through notes.)

It is after a speech by Nokwe which you read out yesterday ?--

BY THE COURT: According to my notes he read a speech of Nokwe, and then it was followed by speech of Joseph Molefe.

BY MR. COAKER: Yes, he omitted the speech of Albert Luthuli.

CROSS-EXAMINATION BY MR. COAKER CONTD.:

Have you the speech of Chief Luthuli there ?-- Yes.

Just follow your notes, and see whether I am reading it correctly according to your notes, please. "Freedom in our lifetime. I take the opportunity to greet you all in the name of freedom loving people. As a president of the African of South Africa, I stand for all the people who love freedom, and I stand here as among those people who took the pledge of freedom. " Is that correct so far ?-- Yes.

"I stand here and we have no bad feeling against anybody." Is that correct ?-- Yes.

Now, will you read the next sentence please, which is incomplete in this transcript. It starts "If the particular..... ?-- "If the particular who lose democratically we accept him. That is our"

Motto.... "That is our motto." ?-- "That is our motto."

Is that right?-- Yes.

I will continue, you just follow it. "If Malan becomes a democratical man, then he can rule. I repeat this. It is not the policy of the African people if we can rule we will not dominate other races, even if we are the majority." Is that correct?-- Yes.

And is that approximately what the speaker said?-- Yes, according to my notebook that is what he said.

I take it though that your notes, you wouldn't claim to be entirely accurate and free from error, would you?-- Yes, I would not know, but that is what he said.

But in some parts of your notes, you will concede that there are certain errors?-- Yes.

This meeting took place on 22nd February, 1953, is that right?-- Yes.

About page 1 or 2 of your notes, the speech of Michael Motsele?-- Yes, I have it.

Now, he has recorded him as having said "On 8th March, 1953, some of our leaders are supposed to come and speak but they stayed away because they feared the police."?-- I am still looking for that.

"On8/3/53....." ?-- Yes, he said so.

In other words, that is a fortnight after the day on which the meeting was held?-- Yes, that is true.

So that date must certainly be wrong?-- That is possible that a mistake occurred in that manner.

Not possible, it is quite obviously wrong, isn't it?-- I say so that it is possible that an error came in that manner.

Do you think the speaker might have said "On the 8th March, that is next month, some of our leaders were supposed to come and speak, but they stayed away, because they

feared the police" ?-- Yes, it is possible that the meeting should have been held on 8th February, and not on the 8th March.

Or the 8th January, or the 8th March, 1952, or some other year ?-- No, in connection with the year I do not believe it would be otherwise. On the 8th February I had a meeting. He may have spoken at that meeting, I cannot know. It is possible that he spoke about that date, the 8th February.

Yes, but of course, it is possible he spoke of some other date ?-- Yes.

But you will agree generally, that there are numerous incompleted sentences and words omitted in your notes of this meeting ?-- Yes, that is so.

(No further questions)

CROSS-EXAMINED BY MR. BERRANGE:

At meetings that you have attended, have you ever heard speakers repudiate and denounce Cheesa Cheesa ?-- As far as I heard them speak, they disputed that there was in existence something like Cheesa Cheesa.

And they made it clear that they had nothing to do and would have nothing to do with anything like Cheesa Cheesa ?-- Yes, they said there was nothing like Cheesa Cheesa, it was the Government who was making the Cheesa Cheesa, something like the Mau Mau.

And you heard that said on a number of occasions ?-- Yes.

And you heard it said by people like Walter Sisulu ?-- Yes, he spoke about it.

And Robert Resha ?-- Yes, most likely he spoke about it.

Did you ever Robert Resha say there is no such thing

like the Cheesa Cheesa movement, it has no meaning ?-- Yes.

~~Did you~~ hear Sisulu "I want to condemn the people who say there are things like Cheesa Cheesa or Mau Mau." ?-- He said so.

"And I warn our people not to fall into that trap." ?-- Yes.

Now you made a lot of notes, it seems ?-- Yes.

And it was quite impossible for you to get down everything that was said ?-- That is so.

And you will agree that it is impossible for a person reading your notes to understand everything that you have written ?-- Yes, that is so. There are places I could not quite make out and there are places where you can't make out something.

And you yourself are unable to understand everything that has been written by you ?-- I have already said so.

(No further questions)

NO RE-EXAMINATION: (Exh. No. G.1176 same as Exh. G.5.)

EBENEZER ERASMUS, beëdig verklaar, (Interpreter, J. Maree.)

VERHOOR DEUR P.A.

U het alreeds getuienis gegee ?-- Nee, ek het nog nie vantevore getuienis gegee nie.

Nou, u is ... ?-- Speurder sersant in the S.A. Polisie, gestasionear te Nuwe Gereghowe, Port Elizabeth.

U handig nou in Bewys. WM.18 ?-- Ja.

Nou, wat is dit ?-- Die bewysstuk is 'n lidmaatskap kaartjie van die African National Congress, in die Kaap, en behoort aan W. Mate.

En is Mate 'n beskuldigde ?-- Ja.

Kan jy hom uitwys ?-- Ja, ek reken so. (Getuie wys uit Besk. nr. 110.)

Waar het u daardie bewysstuk gekry ?-- Op 5/12/56, te New Brighton, Port Elizabeth.

En waar presies, by watter plek presies ?-- Dit was by die huis van die beskuldigde, ek is nie baie seker of dit aan sy persoon self was, of by sy huis nie, maar dit was by sy huis gewees.

En op dieselfde datum by 'n ander plek, het u nog ander dokumente gevind ?-- Ja.

U handig hulle nou in ?-- Ja, Bewys. W.M. 19.

Wat is dit, ?-- Dit is lidmaatskapkaart van die plek waar die beskuldigde gewerk het. Die naam van die fabriek is Pagden & Christian, en is uitgemaak die naam van die beskuldigde, Winard Mate.

En u handig ook in WM.20 ?-- Ja.

Wat is dit ?-- Dit is ook 'n lidmaatskapkaart van die beskuldigde van die African National Congress Youth League, New Brighton, Port Elizabeth.

Vir die jaar 1956 ?-- Ja.

(Geen verdere vrae nie)

NO CROSS-EXAMINATION:

DANIEL JACOBUS ROSSOUW, beëdig verklaar (Tolk, J. Maree.)

VERHOOR DEUR P.A.:

U is 'n luitenant, S.A.Polisie, gestasioneer, waar ?-- Marshall Square.

Op die 5de Desember 1956, het u beslag gelê op sekere dokumente ?-- Ja.

Waar ?-- In die kantoor van Nelson Mandela.

Is hy een van die beskuldiges ?-- Ja. (nr. 32.)

En u handig nou in Bewys. -- waar is sy kantore ?-- Chancellor huis, Foxstraat, Johannesburg.

En u handig in Bewys. G.1176 ?-- Ja.

Wat is dit ?-- Dis 'n verklaring deur Nelson Mandela.

This is merely to show that he was a member of the African National Congress. It is a statement made in connection with a divorce case.

BY THE COURT: And in that statement is he described as a member of the African National Congress?

BY THE P.P.: Yes.

(No further questions)

CROSS-EXAMINED BY MR. COAKER:

I take it, Lieutenant, that when you seized this document, you read it ?-- Ek het.

And it is quite clear, isn't it, that this is a statement which was made by Mandela to his legal advisers in connection with certain civil proceedings ?-- Ja.

Civil proceedings of a personal nature ?-- Ja.

(No further questions)

MR. SLOVO: NO QUESTIONS:

PETER NKHI, duly sworn, (Interpreter J. Mkuhlane)

EXAMINED BY P.P.:

You have already given evidence ?-- Yes.

On 17th February, 1954, did you prepare a report ?-- I did.

In connection with a meeting held on 16th February 1954 ?-- Yes.

And you have your report now before you ?-- Yes.

Now, what meeting was that ?-- It was a Colonial Youth League meeting.

And where was it held ?-- It was held at the Donaldson Communal Centre, Orlando.

And in your report do you have a list of names of persons attending the meeting ?-- I have.

Will you look at the list, and you have the name N. Mandela ?-- I have it.

Is he one of the Accused ?-- He is. (No. 32.)

And also A. Hutchinson ?-- Yes.

Is he one of the Accused ?-- Yes, he is one of the Accused. (No. 11)

(Report handed in G.1177.) (G.1178 handed in)

What is G.1178 ?-- It is the African Lodestar.

Where did you get it ?-- At Orlando.

At the same meeting ?-- Yes, at the same meeting.

From whom ?-- I just bought it at the meeting there,
I do not remember the person from whom I bought it.

(No further questions)

NO CROSS-EXAMINATION:

EDWARD MOTHABENG, duly sworn. (Interpreter, J. Mkuhlane)

EXAMINED BY P.P.:

You are a native sergeant, S.A. Police, stationed at
Walmer, Port Elizabeth. ?-- Yes.

Did you take notes at a meeting held on 30/1/55 ?--
I did.

And you have your notes now before you, is that cor-
rect ?-- Yes.

What meeting was it ?-- It was an African National
Congress meeting.

Where was it held ?-- At 27 Salisbury Park, Walmer.
Port Elizabeth.

What time did the meeting start ?-- 3.5 p.m.

And who was the chairman ?-- Mbo Mbusi was the chair-
man.

And did a person by the name of William Mini speak
at that meeting ?-- He did;

Do you know him ?-- I do.

Do you know whether he is one of the Accused ?-- I
think so.

Will you have a look ?-- (Witness leaves box and
identifies Accused No. 114.)

Now, will you read what he said ?-- William Minnie,

94 Connacher Street, New Brighton. "We remeber that before we hold A.N.C. meetings, there were rumours that we will all be sent away from Union. The loafers tried their best that they must investigate this matter. A.N.C. meetings became strong and stronger. I would like to give a speech for the whole afternoon. Today we have the non-Europeans those who are today loafers, today it is clear how are the Dutch people hate you. In 1920 some of you still remember what took place in 1922 you will remember of Kathili's story, when 44 natives were shot dead when they complained about their payment. What we need is unity which will be strength to us. We can all remember of James Max who left teaching through his bad treatment. Paul Kruger killed many of these Englishmen. If the natives did not assisted them most of the Englishmen would have been killed. In a long run we must get the freedom by force. As for this Land Act brought many things or changes like this Bantu Education...."

Leave out the rest of his speech. Who was the next speaker ?-- Simon Mkalipi.

Do you know him ?-- No, I can't remember him.

(Notes handed in G.1179)

(No further questions)

CROSS-EXAMINATION RESERVED:

TIMOTHY TAMBA DLUDLU, duly sworn, (Interpreter, J. Mkuhlane)

EXAMINED BY P.P.:

Where do you work now ?-- West Driefontein Goldmining Company, at Carletonville.

Do you have a number there ?-- Yes.

What is your number ?-- Company No. 546.

And do you live in the compound ?-- I do.

During 1955, were you a member of the S.A.Police ?--
Yes.

And during that month were you at the depot at Benoni ?-- I was.

And also during that month did you receive certain instructions ?-- I did.

And after you received the instructions, where did you go ?-- I went to Pilgrimsrest in the Eastern Transvaal.

And when you arrived there, what did you do ?-- I wrote a letter to the African National Congress in Johannesburg.

In connection with what did you write ?-- I wrote that letter in connection with a meeting that was going to take place in Kliptown under the auspices of the C.O.P.

Do you know what C.O.P. stands for ?-- Yes, I do.

What ?-- Congress of the People.

And did you get a reply to your letter ?-- I did.

Will you look at the letter now produced, is that the letter ?-- Yes, this is the reply I received.

And you hand it in Exh. G.1180 ?-- Yes.

And what date did you receive it ?-- 13/6/55.

And when you received it, did you place your name on it, is that correct ?-- I did.

I would like to read this letter. It is "Dear Comrade Dlodlu, Thankyou for your letter of 2nd June, 1955, and enclosed please find a credential form which you must present at the Congress of the People. Also enclosed is some reading material about the C.O.P., and enclosed please find a set of lecture notes. You should study these notes very carefully. Then all this material, especially the lecture notes should be discussed with the people whom you will represent. The enclosed leaflet in respect of Freedom tells you what you must do. If you have any difficulties please write to me. Congress of the People, Mayibuye." Now, were

there documents enclosed in the letter ?-- Yes.

And you hand them now in, the first one is Exh. G. 1181, what is it ?-- It is a lecture.

It is a lecture headed "The Country We Live In." And also "The World we Live In." Will you look at the next one, Exh. G.1182, was that also enclosed ?-- Yes.

That is "A Change is Needed." And will you look at the next one G.1183, "Let us speak of Freedom." Was that also enclosed ?-- Yes, it was also enclosed.

And will you also look at the others, G.1184, "Forward to Freedom," and G.1185, "Educating for Ignorance," Exh. G.1186, "Fighting Talk." Can you tell the Court whether those three were also enclosed ?-- Yes, they were also enclosed in the letter.

Now, after you received those exhibits, did you come here to Johannesburg ?-- I did.

Can you remember when you arrived in Johannesburg, what day ?-- I think I arrived in Johannesburg on the 24th June, 1955.

And when you arrived here, to which place did you go ?-- I went to the offices of the African National Congress.

Did they attend to you at the offices ?-- Yes.

And from that office where did you go ?-- I left their offices together with a female person and we went to some office which I think is of the Democratic of the People. I don't remember the name well now.

And after that, were you given a place to stay ?-- Yes.

Where did you stay ?-- I stayed at the residence of Michael Mofukeng, at Kliptown.

And thenext day the 25th June, 1955, did you attend the Congress of the People meeting at Kliptown ?-- Yes, I did.

Did you attend there as a delegate ?-- Yes.

(No further questions)

CROSS-EXAMINED BY MR. SLOVO:

Who did you say you wrote to ?-- The Secretary of the African National Congress.

And who did you get a reply from ?-- It came from the people I had written to.

The African National Congress, I think you said ?-- Yes.

Will you have a look at this letter G.1180 (handed to witness) Who is that letter from ?-- It comes from the people I had written to.

Just read out on top what it says ?-- "Transvaal Committee for the Congress of the People."

Why did you say it was the African National Congress, did you make a mistake ?-- I say I wrote to the organisation I mentioned, and I received a reply from those people.

And when you came to Johannesburg, what address did you go to ?-- I went to their offices down somewhere here.

To whose offices ?-- The office of the people who called me up.

Congress of the People ?-- Yes.

(No further questions)

NO RE-EXAMINATION:

JACOBUS JOACHIM SCHOLTZ, beëdig verklaar, (Tolk, J.A. Maree)

VERHOOR DEUR P.A.:

U het alreeds getuigenis gegee ?-- Ek het.

Gedurende Maart 1957 het u speurder Markram vergesel van Kimberley na Johannesburg ?-- Ek het.

Kan u die presieste datum onthou ?-- Sover ek onthou dit was die Sondagoggend van die 24ste Maart vanaf Kimberley na Johannesburg.

Wat was u doel om na Johannesburg te kom ?-- Die doel was dat die tikmasjien moet oorhandig word in Johannesburg.

En was die tikmasjien in die kar ?-- Die tikmasjien was in die kar op die agterste sitplek van die moterkar.

En wat het u toe met die tikmasjien gemaak ?-- Op die oggend van die 25ste Maart

Wat het gebeur die aand van die 24ste ?-- Op die aand van die 24ste het ^{ek} speurder Markram te Boksburg afgelaaai.

Did you proceed further in the car ?-- I proceeded further.

And the typewriter ?-- I kept the typewriter in my custody.

En waar het u die nag oorgebly ?-- Ek het die aand in Pretoria geslaap.

En wat het u met die tikmasjien gemaak ?-- Die tikmasjien het ek saam met my in die kamer geneem waar ek geslaap het.

En die volgende oggend wat het u gedoen ?-- Die volgende oggend op instruksies van majoor Spengler het ek die tikmasjien oorhandig aan spr. sersant von Papendorf.

Waar was Markram toe u die masjien oorgehandig het ?-- Nee, Markram was saam met my in die gebou. Ek het toe beveel dat hy die masjien oorhandig.

Waar ?-- Nee, ek het hom net die instruksies gegee. Dit was in die gebou gewees.

Watter gebou ?-- In die Grays.

Hier in Johannesburg ?-- In Johannesburg, ja, in die Grays-gebou.

(Geen verdere vrae.)

CROSS-EXAMINED BY MR. BERRANGE:

Mr. Scholtz, when were you first asked to give evidence about this incident ?-- Ek was gister gewaarsku om vanoggend hier te wees.

About this incident ?-- Ja.

And today is the first time that your attention was directed to this particular incident ?-- Nee.

Well, did anybody question you about this incident before today ?-- Nee.

That is why I am suggesting to you that today is the first time that your attention has been directed towards this particular incident, since it occurred. ?-- Ek was bewus dat sodra spr. Markram teruggekom het, dat ek ook getuienis moet gee, omdat die masjien vir 'n sekere tyd in my besit was, nadat ek hom afgelaai het. So was ek bewus van die feit dat ek moet hierdie getuienis gee.

As soon as Markram came back from where ?-- Nadat hy van die Drilsaal, Johannesburg, teruggekom het.

Do you mean when he came back from Court ?-- Ja, vandat hy laas getuienis gegee het.

That is when you became aware of the fact that you would be required to give evidence ?-- Ja.

About this incident ?-- Ja.

That was a few months ago ?-- Ja.

And how did you know that you would have to give evidence about this incident, did Markram tell you ?-- Hy het my gesê, en ek is bewus dat die getuienis is nie voltooi, omdat ek die masjien by hom oorgeneem het.

So Markram then told you this, did he ?-- Ja, hy het so gesê, dit was nodig vir my om getuienis te gee.

Where was this that you had this discussion with Markram ?-- Dit was in die kantoor in Kimberley, my kantoor.

So you and Markram have had every opportunity of discussing the evidence that Markram has given ?-- Nee wel, ek sal nie sê geleentheid, want ek was toe onmiddelik bewus dat ek getuienis moet gee.

Well, if it wasn't an opportunity, what was it ?-- Hoe meen u geleentheid?

I am putting to you a very simple proposition. When Mr. Markram came back to you, he told you what would be required, and I am only suggesting to you that since that time you and Markram have had an opportunity of discussing his evidence, that is all I am saying to you ?-- Ja, dit was geleentheid gewees, maar ons het dit nie verder bespreek nie. Ek was bewus van die feit dat ek sal ook getuienis moet gee.

You became aware of that fact because Markram told you that ?-- Ja.

Now, at the time that you took possession of this machine and brought it to Johannesburg and delivered it to Mr. Von Papendorf, did you make any note of that ?-- Nee.

Did you get any receipt from Mr. Von Papendorf or anybody else when you handed over the machine ?-- Nee.

So when you say that as far as you can remember it was the 24th March 1957, that you came from Kimberley to Johannesburg, you can only rely upon your own memory for that date ?-- Ja.

And then you have no record or any document from which you can refresh your memory ?-- No.

No note in your pocket book ?-- Ek het nie 'n sakboek by my nou nie, ek mag notule gemaak het dat ek na Johannesburg gegaan het.

But you certainly didn't refer to your pocket-book before giving evidence today ?-- Nee. Ek dra nie 'n sakboek nou.

So the date of 24th March then, is one which merely sticks in your memory ?-- Ja. Ek weet dit was 'n Sondag gewees, en ons kom nie elke Sondag Johannesburg-toe nie.

No, the 31st March was also a Sunday ?-- Ja.

I tell you why I am asking you this question, Mr. Scholtz, because Mr. Von Papendorf has given evidence, and Mr. Von Papendorf has told His Worship not that you delivered the machine to him on the 25th March, but that you delivered the machine to him on the 2nd April. That is what Mr. Von Papendorf has told this Court ?-- Ek is die 25ste Maart, daardie dag is ek saam met spr. Markram terug Kimberley toe.

You have only got your memory to rely on for that ?-- Nee, ek onthou.

Tell me, what did you do on the 25th May last year ?-- Nee, ek kannie onthou nie.

No, I don't suppose you can. Can you account for the fact that Mr. Von Papendorf has testified under oath that he received this machine from you on 2nd April. ?-- Nee, die 2de April was ek nie in Johannesburg.

You weren't here on April 1st ?-- Nee.

BY THE COURT: What day of the week was the 2nd April?

BY MR. BERRANGE: Well, April 1st would have been exactly one week later than the day on which this witness testifies as to having handed the machine to Von Papendorf, So April 1st would have been a Monday; both of them were Mondays. The 25th was a Monday, and the 1st was a Monday

BY THE COURT: The 2nd April was a Tuesday.

BY MR. BERRANGE: No, I say the 1st April, which was a Monday.

BY THE COURT: That is so.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

What did you do on May Day ?-- Niks nie.

And on April 1st ?-- Ook niks nie, maar net die gewone werk.

I suppose I have got to leave it at that. But Mr. Von Papendorf says it was the 2nd April, and you say it was the 25th March ?-- Die 2de April was ek nie in Johannesburg. Ek het dit die 25ste oorhandig.

But you know, you told us when you started giving your evidence in chief, that this is only "as far as I can remember" -- what do you mean by the words "as far as I can remember." ?-- Sover ek kan onthou, sover my geheue gaan.

Does that mean that you might be mistaken ?-- I could be.

Let me ask you something else. I realise that it is very difficult for you to be able to recollect things that happened many months ago, just generally, where you have no notes from which to refresh your memory, it is quite understandable. Are you sure this machine was put on the back seat of the car whilst you were driving up from Kimberley to Johannesburg ?-- Dit was agter in die kar gesit.

On the back seat ?-- Op die agterste sitplek.

Was it packed ?-- Dit was in 'n kartondoos, ook in die doos was 'n sakkie, en die masjien het daarop gestaan.

I'll tell you why I am asking you this question, because Mr. Markram so far from saying that it was on the back seat of the car, whilst you were driving up to Johannesburg from Kimberley, told us that the machine was carried in the boot of the car ?-- Nee.

He is also wrong ?-- No, it was on the rear seat.

Isn't it possible that after all these months you might be making a mistake ?-- Nee, dit was 'n spesiale opdrag vir my, die masjien was onder my toesig, ek moet sien dat dit veilig in Johannesburg aankom.

So if any mistake is being made, it must be made by Markram ?-- Dit kan moontlik wees.

Not could be possible, it is so. However. When Markram returned to Kimberley after having given evidence, and informed you, as you say he did, that you would have to give evidence, did you and he discuss the date upon which you people left Kimberley for Johannesburg ?-- Nee.

You remembered that immediately ?-- Ja.

Without having to refer to anything at all ?-- Nee, sonder om na enigiets te verwys.

And without being assisted in your recollection by Markram ?-- Ja, ek het net gesê, Markram het net ook gesê dat ek sal getuienis moet gee.

Didn't Markram say to you "look Mr. Scholtz, you remember the time that we brought this machine up from Kimberley, you'll have to give evidence about that." ?-- Nee. Markram het net vir my gesê dat ek getuienis sal moet gee, hy het getuienis gegee, en om die getuienis te voltooi in daardie aspek, sal ek ook getuienis moet gee.

He told you you had to give evidence about what ?-- Omtrent die opbring van die masjien, aangesien ek hom die aand afgelaai het, en die masjien in my besit gehou het tot die volgende oggend.

But no reference was made to the date ?-- Nee.

You remembered that ?-- Ja.

But you say you may be mistaken ?-- Moontlik.

Tell me, when property, particularly property that doesn't belong to you is passed from hand to hand, don't you usually make a point of taking a receipt, in order to protect yourself ?-- Dit hang af aan wie en waar ek dit oorhandig.

But why, why should it depend on that ?-- Wel.....

Mr. Von Papendorf might come to Court and say he never received it from you ?-- Hy kan so doen.

Therefore I say isn't your habit to get a receipt in order to protect yourself ?-- Nee, in hierdie geval nie.

That is what I don't understand about this incident. There are no receipts for the letters, there are no receipts for the typewriter, there are no covering letters, there is not a single record; that is what I don't understand. You see, if you had got a receipt, there wouldn't be a dispute about the date, would there ?-- Ja, ek stem saam.

Tell me, you went to Pretoria after you dropped Mr. Markram in Boksburg, did you not ?-- Ja.

Why didn't you leave the machine for him to look after in his house, in Boksburg ?-- Ek was die senior man, dit was my plig gewees om die masjien af te lewer.

So did you have a discussion with Mr. Markram what you would do with the machine after leaving him to go to Pretoria ?-- Nee, ek het hom niks gesê nie.

Didn't you tell him what you were going to do with the machine that night ?-- Nee, ek het net gesê ek sal kyk na die masjien tot ek hom die volgende oggend kom optel.

You didn't tell him how you were going to look after the machine ?-- No.

You didn't tell him where you intended to keep the machine that night ?-- Nee, ek het hom die volgende oggend gesê wat ek met die masjien gemaak het.

You told him that you had kept it in your room all night ?-- Ja.

You see, Mr. Markram has told this Court that before leaving him at Boksburg, you told him you were going to take the machine to Pretoria, and you told him that you were going to leave it locked up in your car during the night. Is that

untrue ?-- Nee, ek mag hom eers gesê ek gaan dit in die kar toesluit, maar ek het laters anders besluit.

You say it could be. You know when I first asked you this question, you denied it point blank. Now that I tell you what Markram says you say it could be ?-- Ek betwis nie, ek kon dit gesê het. Ek kannie onthou dat ek gesê het.

Why didn't you say it to me when I first put the question ?-- I.....

I said to you originally, I said "Did you tell Mr. Markram what you were going to do with the machine overnight?" and you said "No, there was no such discussion." ?-- Ek het hom gesê ek sal die masjien in veilige bewaring hou tot die volgende oggend toe ek hom optel.

That is what he says, page 7588 of the record, cross-examination of Mr. Markram: "You had decided that he (Mr. Scholtz) would take the typewriter with him to Pretoria ?-- Dis korrek." "Because it could be locked in the car ?-- Ja." "And you also decided that it could be left in the car overnight, locked up ?-- Hoof konstabel Scholtz het vir my gesê hy gaan dit doen." ?-- Ja, ek ontken nie, ek mag hom gesê het dat ek die masjien gaan toesluit, maar ek het later dan anders besluit.

Why should you have told him that ?-- Dit was die veiligste soos ek dit geag het.

Where did you park the car in Pretoria that night ?-- Die kar was geparkeer in die agterplaas reg voor die venster waar ek geslaap het.

Is there a garage to this place ?-- Daar is 'n garage maar ek kon dit nie daar insit nie, dit is te klein vir die kar.

And you knew it was too small ?-- Ja.

So before leaving for Pretoria you knew that you would

not be able to garage the car ?-- Ja, ek het geweet.

So despite that you say it is possible that you told Mr. Markram you were going to leave this car parked in a back yard not garaged for the night, locked for the night. ?-- Nee, ek het hom nie gesê dat ek die kar sal parkeer in die agterplaas nie.

No, but you knew at that stage you would have to park the car there ?-- Nee, Markram ken daardie plek glad nie.

I say you knew that that is where you would have to park the car ?-- Ek het geweet dat ek die kar in die agterplaas sou moet intrek, nie in die garage nie.

You knew that, and despite your knowing that you say it is possible that you told Markram you were going to leave the machine locked up in the car ?-- Ja, ek kon so gesê het.
(No further questions)

MR. COAKER: NO QUESTIONS:

MR. SLOVO: NO QUESTIONS:

NO RE-EXAMINATION:

Adriaan Frederik Freemantle, beëdig verklaar.

Verhoor deur P.A.: (Tolk, J.A. Maree.)

I would like to explain at this stage why I am calling this witness. I intend leading evidence on certain incidents of violence that occurred at Robert Strachan Hostel at Germiston, but the evidence is not being tendered to place any responsibility on any of the organisations before Court for the crimes. It is merely to assist the Court in interpreting a certain speech of Robert Resha, which was delivered on the 29th April, 1956, at the African National Congress Youth League Meeting, at Sophiatown, where he referred to this particular hostel. And If Your Worship so desires I'll refer to the speech of Robert Resha, that is in volume 15,

page 2965 and 2966.

BY THE COURT: Could you just read the reference to that incident.

BY THE P.P.: Portion of the speech which has reference, is on page 2965. "For many years our great leaders of the African National Congress have been speaking to the various governments of South Africa. Still the governments would not understand the language of our leaders have been speaking. This happened in Russia....." And then he goes on, discussing Russia, and then page 2966: "The leaders of the French Government could not understand even the resolution that the people took was not taken seriously, but when the youth started to take action then the Government began to understand. When the people of Sophiatown said to Dr. Verwoerd 'We do not want to be removed from Sophiatown,' Dr. Verwoerd did not listen, but two weeks ago at the beerhall the youths of Newclare have spoken their language, and since that day the police have not again come back to the beerhall. That language that the youth spoke at the beerhall is the language that many a white man in this country understands better, but I want to say to the youth that the language is better understood when you speak it in the streets of Sophiatown. When the people of Germiston said to the authorities: 'We do not want your raw food, we do not want the horse meat' then they did not understand, and one day the people said: 'There is one language that every man understands today, let us speak that language and ^{today} that horse meat is not cooked at that hostel any more.'" This speech was 29th April, 1956.

EXAMINATION BY P.P. CONTD.:

U is 'n luitenant, S.A.Polisie, gestasioneer te Boksburg ?-- Ja.

(Witness elects to give evidence in English.)

You remember the 8th April, 1956 ?-- Yes.

About 12.15 a.m. were you on duty ?-- I was on duty.

Where ?-- On the radio cars.

What place ?-- I was in Boksburg at the time.

And did you receive a certain report ?-- I received a certain report over the radio.

What did you do ?-- I went to the Robert Strachan Hostel in Germiston.

And when you arrived there, what did you find ?-- I found the hostel on fire, and furniture and films being burnt in front of the building.

Who was burning them ?-- Natives, about 300-400 of them in front of the building.

Just go on ?-- The firemen were there, the fire brigade, but we could not get near the building, because it was only me, two constables and two native constables. When we tried to approach the building, bricks and stones were thrown at us.

By whom ?-- By the natives in and around the hostel. After a while we managed to get near the hostel when reinforcements arrived, and whilst the fire brigade was extinguishing the fire we were still pelted with bricks and stones from the buildings. We could not get into the building because the whole office block was on fire. All the windows were broken. After the fire brigade extinguished the fire to such an extent we entered, and found a number of natives inside, still throwing stones. We fired a number of shots at the building from where the stones came, and inside the building, and dispersed the natives.

And was anybody hurt or injured ?-- A number of natives were killed, I do not know how many. Some were injured and taken to hospital.

And the place, was that badly damaged ?-- It was very

badly damaged. I think later I heard about £7,000.

Do you know what was the cause of the trouble there of your own knowledge ?-- No, I have no knowledge of what the trouble was. I can only say what I heard, that is all.
(No further questions)

CROSS-EXAMINED BY MR. COAKER:

Did I understand you to say that the persons who were injured and taken to hospital were natives ?-- Yes.

Who had been stoning the police ?-- Yes.

Were any of the police taken to hospital ?-- I do not know. I left soon afterwards when the other officers took over.

So far as you are aware, none of the police went to hospital ?-- I know of no policemen that went to hospital.

You said something about films being on fire, is that movie films you are talking about ?-- It was rolls. When I got there I just saw the roll of the projector lying there.

Had there been a film show going on, or something of that sort ?-- It was outside. Everything was on fire. I don't know what happened before I arrived there.

I take it that the only people who suffered as a result of this damage and fire were the inhabitants and inmates of this hostel; the only people who suffered inconvenience as a result of this occurrence were the inhabitants and inmates of this hostel. It didn't affect anybody else in particular ?-- I do not know who it affected. I only know that some natives went to hospital and that we were stoned, and we had a light there, from the fire brigade, and every time the stones came over we ducked the stones. I knew that one policeman said he was.....

No, don't tell me what one policeman said, please.

Was anybody killed in the firing ?-- Natives were killed by the firing.

How many ?-- I do not know. I did not count them.

Was it ten, more than ten ?-- No, it was less than ten.

And was anybody wounded ?-- There were some wounded.

How many people were wounded ?-- I have no knowledge of how many went to hospital.

Do you know how many shots were fired ?-- I cannot say. We fired a couple of volleys, from revolvers.

Did you use the word volleys or not ?-- When the stones came over.....

Did you use the word volleys or not ?-- Yes.

Then you may proceed if you wanted to explain something ?-- when the stones came over we fired in the direction where the stones came from.

And this eventually dispersed the stoners did it ?-- Yes, it quietened them down, but there was still in the building making a noise and breaking things, we could hear them.

Can you tell me how many people were wounded ?-- I just said I did not count them. I saw a couple and I left.
(No further questions)

MR. SLOVO: NO QUESTIONS:

NO RE-EXAMINATION:

JOHANNES HERONIMUS VLOK, beëdig verklaar. (Tolk, J.A. Maree)

VERHOOR DEUR P.A.: (MNR. VAN NIEKERK)

You are a detective sergeant, S.A. Police, stationed at Cape Town ?-- Ja.

On the 27th September, 1955, did you search the premises of a person by the name of Fred Carneson ?-- Ja.

Can you identify this person ?-- Ja.

He is Accused No. 61. Was he present when the search started ?-- Ja.

Did you make any notes about what transpired at this search ?-- Ja.

Where was this search ?-- Aan die huis van die beskuldigde, Fred Carneson.

Where ?-- By The Briars, Rembrandtweg, Rondebosch.

Did you make notes of what transpired at this search ?-- Ja.

And did you later transcribe those notes into a report ?-- Ja.

What happened to your original notes ?-- Ek het dit nie meer nie, dit is vernietig.

Just have a look and see whether this is a duplicate original of the report which you made ?-- Yes.

And refreshing your memory from that, can you say what transpired at this search, only as regards what was said by Carneson ?-- Ja.

What transpired there ?-- Tydens die deursoek het Carneson die volgende woorde geuiter: "The bricks will crumble and the house will fall and we will walk in and you will hang by your necks." Hy het ook gesê: "The people who come to take away things from my house are nothing else but scum and a lot of thieves." Met die deursoeking was speurder konstabel Traut saam met my, en my gehelp. Toe Carneson die laaste opmerking maak, het hy aan hom gevra of hy bedoel dit op ons, die wat deursoek. Toe het mnr. Carneson gesê "No, I know you are here only to do your duty, but I am referring to the people who sent you here. Ek het hom toe gevra of hy bedoel Kaptein Rossouw, toe het hy gesê "No, I am referring to the people who gave him the authority."

Was that the end of the notes ?-- Ja.

(No further questions)

CROSS-EXAMINATION RESERVED:

DANIEL MICHAELIS CHRISTOFFEL JOHNSON, duly sworn.

EXAMINED BY P.P.

Are you a detective sergeant, S.A. Police, stationed at Cape Town ?-- Ja, ek is.

Are you attached to the Security Branch ?-- Ja.

Do you know David Ngugenyeka ?-- Ja, ek ken vir hom.

Can you identify him ?-- Ja.

Please do so ?-- (Witness leaves box and identifies Accused No. 87)

What do you know about this person ?-- Ek weet dat hy in Langa lokasie woonagtig is, in die munisipaliteit van Kaapstad. Ek weet ook dat hylid is van die A.N.C. en dat hy vir my self gesê het dat hy die sekretaris is van die Langa tak van die A.N.C. Ek het in sy besit op 5/12/56 het ons sy huis deursoek, en daar het ek sekere dokumente gevind wat aan alle taksekretarisse van die A.N.C. geadresseer was, en daardie dokumente het Dawid Ngugenyeka genoteer en geparafeer.

Is there any other person by that name who is active in the African National Congress in Cape Town or vicinity ?-- Beslis nie.

Do you know a discharged Accused by the name of C. Makholiso ?-- Charles Makholiso, he is van Stellenbosch.

Do you know whether or not he takes an active part in the activities of any of the Congress movements ?-- Ja, ek het hom by baie vergaderings van die A.N.C. en die C.O.P. gesien.

Is there any other person by that name, or do you know of any other person by that name who takes part in the activities of either the C.O.P. or the A.N.C., in that

vicinity ?-- Nee.

Do you know whether or not he was one of the original Accused in this case ?-- Ja, hy was. (No. 86)

Do you know a person by the name of J. Morolong ?-- Ek ken hom baie goed, ja.

Do you know anything about his activities ?-- Ja, hy woon in Kaapstad, hy is die sekretaris van die A.N.C., van Kaapstadse tak.

How do you know that ?-- Dit is algemeen bekend, en hy het dit self vir my gesê.

Do you know any other person by that name who takes an active part in the activities of the African National Congress ?-- Nee. (No. 88)

Do you know a person by the name of J. Mtini ?-- Ja, ek ken hom ook baie goed.

What do you know about him ?-- Ek weet, dat dit algemeen bekend is, dat hy aktiewe rol in die A.N.C., en C.O.P. in die Elsies Rivier groep gespeel het. Ek het ook gesien koerantverslae

BY MR. COAKER: Your Worship, I am really getting a bit tired of objecting to this sort of evidence, I have done it again and again. Apparently the witness is going to tell us what is generally known, without being stopped, he is going to tell us what he has seen in newspaper reports, without being stopped. I don't know what my learned friend is doing with this sort of evidence, and I object to it.

BY THE P.P.: If my learned friend will just wait a minute, I will clear it up.

EXAMINATION BY P.P. CONTD.:

In what newspaper did you see it ?-- In the "New Age."

Apart from what you have heard, and what is gener-

ally known about him, do you know anything specific about this person.....

BY MR. COAKER: The whole of "New Age" has been handed in to the Court, it is an exhibit before the Court, I don't know why this witness need tell us what he has seen in "New Age."

BY THE COURT: Yes, I think that the foundation for admissibility should be laid.

BY THE P.P.: Well, I'm trying to lay it.

BY THE COURT: If the particular issue of "New Age" cannot be produced, then it must be said so by the witness, I think, otherwise it would be hearsay evidence.

BY THE P.P.: I am dealing with the first part. The witness said it is generally known, now I want to know from him whether he has any specific knowledge, not just general.

BY THE COURT: No, you were dealing with what he read in the "New Age."

BY THE P.P.: Not yet.

BY THE COURT: Yes, well, you asked him

BY THE P.P.: Yes, Sir, there are two aspects of this case. First he said it is generally known, and secondly he said it appeared in a newspaper. Now, he said it was "New Age." Now, before I go on with "New Age" I am wanting to know whether he has got any specific knowledge about this.

BY THE COURT: Yes, well, please put it to him.

EXAMINATION BY P.P. CONTD.:

Have you got any specific knowledge about this person?-- Ek het hom baie op vergaderings gesien waar hy opgetree het as voorsitter, A.N.C. vergaderings, en C.O.P. vergaderings. Ek het hom ook gesien dat hy die A.N.C. verteenwoordig het op 'n jaarlikse uniale kongres van die A.N.C. te Bloemfontein, op die 16de en die 17de Desember, 1955, -- ekskuus, die 17de en 18de Desember.

Do you know any other person by that name who takes part in the activities of the African National Congress ?-- Nee, ek ken nie nog so 'n persoon nie. (Mtini, No. 91)

Do you know a person by the name of Greenwood Ngotyana ?-- Ja, ek ken hom baie goed. Hy woon in Athlone.

Do you know whether or not he was one of the original Accused in this case ?-- Ja, hy was.

What do you know about him, specifically ?-- Ek weet spesifiek deur dokumentêre bewys dat hy die sekretaris was tot die datum van arrestasie van die Weskaaplandse streek van die A.N.C.

BY MR. COAKER: May we see the documents please? The witness is referring to a document.

EXAMINATION BY P.P. CONTD.:

Do you know whether or not those documents have been handed in to Court ?-- Dit weet ek nie.

Did you seize those documents ?-- Ja, ek het beslag opgelê.

In his presence ?-- Nee, nie in sy teenwoordigheid nie.

Where did you get these documents ?-- Ek het die dokumente gevind in die huis van Dawid Ngugenyeka.

Do you know anything else about this person ?-- Ja, ek onthou, ek dink dit was in 1955, het ek vir hom gesien as 'n persoon op die uitvoerende raad van die C.O.P., in die Bankeksaal, Kaapstad.

Why do you say he was an executive member ?-- Ek neem so aan omdat hy een van die persone gewees het op die verhoogplaas by daardie spesifieke vergadering.

Did you see him at any other meetings ?-- Ja, ek het hom by ander vergaderings, A.N.C. en C.O.P. vergaderings gesien.

Can you recollect whether or not he addressed any of these meetings ?-- O ja, hy het baie vergaderings toegesprek.

Do you know any other person by that name who takes part in the activities of the C.O.P., or the A.N.C. ?-- Nee.

Now, those documents that you referred to, are those documents in Johannesburg ?-- Ek neem dit is aangestuur hie-natoe.

You haven't seen them since you have come up from Cape Town ?-- Nee.

Do you know a person by the name of A. Sibeko ?-- Archibald Sibeko, ja. Ek ken hom.

Do you know whether or not he was one of the original Accused ?-- Hy was, ja. (No. 94)

What do you know about this person specifically ?-- Ek kan onthou dat hy baie vergaderings bygehoon het van die A.N.C. en C.O.P.

Do you know any other person by that name who attended these meetings ?-- Nee.

Do you know a person by the name of A. Silinga, I think it is Annie Silinga ?-- Ja, ek ken haar baie goed.

Do you know whether or not she was one of the original Accused ?-- Sy was. (No. 96)

What do you know about this person ?-- Dit is algemeen bekend dat sy die leier.....

I don't want to know anything which is generally know; what do you know in particular ?-- Ek het haar baie gesien op vergaderings van die A.N.C. en ek weet dat sy die vergaderings toegesprek het.

What else ?-- En as ek nog mag verwys na die "New Age" weer verslae wat daarin verskyn het.

No, you needn't refer to them. Did she address any

meetings ?-- Ja, sy het.

What meetings were they, meetings of what organisation ?-- Sover ek kan onthou, het sy almeer teegelê op die A.N.C.

Do you know any other person by that name who took part in the activities of the A.N.C. ?-- Nee.

(No further questions)

NC CROSS-EXAMINATION:

SALOMON ESIAS SAUERMAN, beëdig verklaar.

VERHOOR DEUR P.A.: (Tolk, J.A. Maree.)

Are you a detective head constable in the S.A. Police stationed at Cape Town ?-- Ek is.

And are you attached to the Security Branch ?-- Ek is.

Do you know a person Sonia Bunting ?-- Ja.

Can you identify her ?-- Yes.

Will you please do so ?-- (Witness leaves box and identifies Accused No. 79).

Now long have you known this person ?-- Van ongeveer 1948.

What do you know about her ?-- Persoonlike kennis. Ek het mev. Bunting op verskeie vergaderings gesien wat gehou gewees het in Kaapstad onder die beskerming van die ou kommuniste party.

And at those meetings, do you know whether or not she did anything, or said anything ?-- By daardie vergaderings het sy opgetree as kollektante wat rondgegaan het en gekdekteer het in die verhoor, Ek het haar ook gesien dat die koerant "The Guardian" and "The Advance" verkoop het.

Do you know anything else about her ?-- Ek het haar ook gesien by 'n vergadering van die Africa Club, toe sy binne gegaan het.

When was that, more or less ?-- Dit was gewees gedurende 1953.

Where was this ?-- Langmarkstraat 162, Kaapstad.

Do you know anything else about her regarding the Congress of the People?-- Ek weet dat sy 'n afgevaardigde gewees het wat die Kongres by Kliptown in 1955 bygewoon het.

And do you know whether or not she spoke at that gathering ?-- Sy het daar gepraat.

Do you know any other person by that name who takes part in the activities of the Congress of the People, or any other organisation ?-- Nee.

Do you know a person by the name of Fred Carneson ?-- Ja.

Can you identify him ?-- Ja.

Please do so ?-- (Witness leaves box and identifies Accused No. 81.)

What do you know specifically about Fred Carneson ?-- Sedert 1948 het ek vir Carneson op verskeie vergaderings van die kommuniste party gesien, waar hy opgetree het as spreker.

Do you know of any other person by that name in Cape Town or vicinity ?-- Nee.

Do you know I.O. Horwitz ?-- Ja.

Can you identify him ?-- Ja.

Please do so ?-- (Witness leaves box and identifies Accused No. 84.)

What do you know about this person ?-- Sedert 1948 het ek die beskuldigde op verskeie vergaderings van die kommunistiese party gesien te Kaapstad, waar hy opgetree het as spreker en ook partymaal as voorsitter van die vergaderings.

Now, do you know anything about the Africa Club ?--

Ja. Op 2/2/54, het in die Metrasaal in Mowbray 'n vergadering van die Africa Club bygewoon. By daardie geleentheid het die beskuldigde as voorsitter as opgetree. Voordat die eerste spreker begin het, het hy gesê dat die vergadering is byeengeroep onder die beskerming van hierdie klub, wat al 'n geruime tyd daar bestaan. Hy het verder gesê dat die doelstellings van die byeenkoms was om al alle persone ongeagt van sy kleur of godsdienstige oortuigings die geleentheid te gee om sake van algemene belang te bespreek. Hy het verder voortgegaan en gesê dat daar 'n interessante program vir die toekoms gereel was waar sprekers sal optree onder andere wat kort gelede agter die Ystergordyn was en hulle sal hulle indrukke gee van daardie land. Verder het ek hom gesien by vergaderings wat ek nie bygewoon het nie maar ek het gesien ingaan, die 5de Mei 1953, by 162 Langstraat Kaapstad, op die 9de Junie 1953, by dieselfde plek, en op 7de Julie dieselfde jaar, by dieselfde plek.

Do you know anybody else by that name in Cape Town or vicinity ?-- No.

Do you know a person by the name of Alex La Guma ?-- Ek ken hom.

Can you identify him ?-- Yes.

Please do so ?-- (Witness leaves box and identifies Accused No. 85.)

What do you know about this person specifically ?-- Ek ken hom sedert 1948. Van daardie tydperk tot 1950 het ek hom by verskillende vergaderings van die kommuniste party waar hy opgetree het as spreker en ook somtyds as voorsitter. Ek weet ook dat hy bedrwyig was in 'n organisasie met die naam van die S.A. Coloured Peoples Organisation. Hy het van hulle vergaderings bygewoon. Hy het ook opgetree as spreker namens daardie organisasie, en hy is ook

voorgestel van daardie vergaderings as die president van die organisasie.

Do you know any other person bearing that name who is active in the organisation ?-- Nee.

Do you know a person by the name of George Peake ?-- Ja.

Can you identify him ?-- Yes.

BY MR. COAKER: I don't dispute that the witness knows George Peake, No. 93.

EXAMINATION BY P.P. CONTD.:

Are you able to identify him ?-- Ja.

What do you know about this person specifically ?-- Ek weet dat hy bedrywig was in 'n organisasie genaam S.A. Coloured Peoples Organisation. Hy het van hulle vergaderings bygewoon waar hy ook as spreker opgetree het. Hy is ook van daardie vergaderings voorgestel as die voorsitter. Ek weet ook dat hy bedrywig was in die organisasie, Congress of the People. Gedurende die kongres wat te 1955 te Klip-town Johannesburg gehou was, was hy een van die afgevaardigdes van Kaapstad en hy het gedurende die verloop van die Kongres opgetree as spreker aldaar.

You don't know anybody else by that name active in the organisation ?-- Nee.

Do you know a person by the name of Ben Turok ?-- Ja.

Can you identify him ?-- Ja.

Please do so ?-- (Witness leaves box and identifies Accused No. 97.)

What do you know about this person specifically ?-- Ek weet dat hy bedrywig was in die Congress of the People organisasie. Hy het/van hulle vergaderings opgetree as spreker. Gedurende die kongress wat in 1955 te Kliptown Johannesburg gehou was was hy daar teenwoordig, hy het daar

ook opgetree as spreker.

Do you know anybody else bearing that name who is active in the organisation of the Congress of the People ?--
Nee.

Do you know a person by the name of L.B. Lee-Warden ?-- Ja.

Can you identify him ?-- Ja.

Please do so ?-- (Witness leaves box and identifies Accused No. 98)

What do you know about this person in particular ?--
Ek weet dat hy bedrywig was in 'n organisasie by die naam van S.A. Congress of Democrats. Gedurende die parlementêre sitting van 1956 is ek in besit gewees van 'n sekere brief wat gestuur gewees het na die Minister van Justisie. Dit was getik gewees op die briefhoof van die Congress of Democrats, Cape Western Region. Bo aan die linkerhand van daardie papier, was die naam van mnr. Lee-Warden ingetik gewees. Die brief was geteken deur iemand as sekretaris wie se handskrif ek nie kon uitmaak nie. Ek het 'n aanspraak met mnr. Lee-Warden gemaak en hom by die parlamentshuis gaan sien. Ek het aan hom die brief gewys en ook sy aandag daarop getrek dat sy naam daar staan as die voorsitter van die organisasie, en hom gevra of hy my kon sê wie dit geteken het. Hy het gesê dat hy wel die ~~voorsitter~~ is van die Wes-Kaaplandse distrik, maar deurdad sy parlementêre bedrywighele hy vir die laaste ses maande nog nie van hulle vergaderings bygewoon het nie, en dat hy nie in 'n posisie was om vir my te sê wie daardie brief onderteken het. Hy het werklik belowe om te probeer vasstel wie dit geteken het, maar ons konnie daarin slaag om die persoon op te spoor nie.

Do you know any other person bearing the name of

L.B. Lee-Warden in Cape Town ?-- Nee.

Do you know Moses Kotane ?-- Ja.

Can you identify him ?-- Yes.

Please do so ?-- (Witness leaves box and identifies Accused No. 16.)

What do you know about this person specifically ?-- Ek ken hom sedert 1948. Daardie tyd was die kommunistiese party se kantoor in Lloydsgebou, Burgstraat, Kaapstad. Beskuldigde het 'n kantoor daar gehad. Ek het hom verskeie kere daar gevind toe ek daar gegaan het.

Do you know what he was doing there ?-- Hy was die sekretaris-generaal van die kommunistiese party gewees.

How do you know that ?-- Ek weet omdat ek gesien het dat hy geonderteken het dokumente in die verlede.

You don't know where those documents are ?-- Nee.

Do you know any other person by that name ?-- Nee.

Do you know a person by the name of Reginald September ?-- Ja.

Do you know whether or not he was one of the original Accused ?-- Hy was. (No. 95.)

Do you know whether or not he was active in any of the organisations ?-- Hy was bedrywig in die organisasie S.A. Coloured Peoples Organisation. Hy het ook opgetree as spreker by verskillende kommunistiese vergaderings in die verlede.

Do you know any other person bearing that name ?-- No.

Do you know Assa Dawood ?-- Ja. (No. 82)

Do you know whether or not she was one of the original Accused ?-- Sy was.

Do you know anything about her ?-- Ek het haar by verskeie vergaderings wat gehou gewees het onder die bes-

kerming van die Congress of the People gesien.

Do you know any other person by that name in Cape Town or vicinity ?-- Nee.

(No further questions)

CROSS-EXAMINED BY MR. COAKER:

Did you attend a conference of the Congress of the People at Kliptown in 1955 ?-- Ek het.

You have mentioned some organisation called the Africa Club ?-- Ek het.

You say that its aims were announced at one meeting you attended, to allow opportunities of discussion on interesting topics ?-- Dit is reg.

And as far as you know, those were its aims ?-- Ek weet van geen ander doelstelling.

When did the Communist Party cease to exist in this country ?-- In 1950.

So when you say that any person was active in the Communist Party you mean before that date. ?-- Dit is korrek.

How long have you been with the Security Branch ?-- Sedert 1948.

And how long have you been in the police force ?-- Since 1933.

But you hadn't been attending meetings until 1948, I presume ?-- Nee.

Since then you have done little else ?-- Wel, ek sal dit nie so stel nie.

(No further questions)

MR. SLOVO: NO QUESTIONS:

NO RE-EXAMINATION:

JACOBUS MARTHINUS BESTER, duly sworn,

EXAMINED BY P.P.:

You are a detective sergeant, S.A. Police, stationed at Cape Town ?-- I am.

Do you know a person Lionel Forman ?-- I do.

Can you identify him ?-- I can.

Will you please do so ?-- (Witness leaves box and identifies Accused No. 83).

What do you know specifically about this person ?-- He has been attending Communist Party meetings over the period 1948-49.

Where ?-- In Cape Town.

Do you know anything else about him ?-- He delivered speeches as well.

Since 1950 have you come across him, do you know about any of his activities since 1950 ?-- No, not specifically.

(No further questions)

NO CROSS-EXAMINATION:

AMOS MHLAPO, duly sworn, (Interpreter J. Mkuhlane)

EXAMINED BY P.P.:

Are you a native detective constable in the S.A. Police, stationed at Daveyton Location, Benoni ?-- Correct.

And in 1955 were you stationed in Kimberley ?-- I was.

And were you a member of the African National Congress at Kimberley ?-- I was.

On 17th and 18th December 1955, did you attend the African National Congress national conference at Bloemfontein ?-- I did.

In what capacity did you attend that ?-- As a delegate.

Were you present when the national executive were elected ?-- I was.

Can you tell the Court who were elected to the national executive ?-- Chief A.J. Luthuli was elected as president. Dr. A. Letele as treasurer.

Can you identify Dr. Letele ?-- I can.

Please do so ?-- (Witness leaves box and identifies Accused No. 154.)

Do you remember anybody else who was elected to the national executive ?-- Yes.

Who ?-- Oliver Tambo was elected secretary.

Do you know anybody else ?-- These ^{three} were elected to the national executive committee and others.

Can you recollect who the others were ?-- No, I cannot remember.

(No further questions)

CROSS-EXAMINED BY MR. COAKER:

I think you have already given some evidence about your journey to Bloemfontein on that occasion, have you not ?-- Yes.

(No further questions)

MR. SLGVO: NO QUESTIONS:

JOHANNES HERONIMUS VLOK, still under oath:

CROSS-EXAMINED BY MR. COAKER:

Sgt. Vlok, you were apparently called to give evidence about certain expressions that were used by Mr. Carneson during a certain search at his house, is that right ?-- Ja.

When were you asked to acquaint yourself with that occasions and to prepare to give evidence about it ?-- Ek weet nie, maar dit was nou onlangs.

I believe that on the occasion of this search it

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