

You have had a discussion with your A.N.C. people about informers, haven't you? --- Yes, we used to have discussions about the informers at the meetings, because there were people who were giving A.N.C. people away.

Sure - people like Mdwayi and Magesani, is that right?

--- Yes.

What was your attitude towards informers? --- I had no dealings with them because they used to lead to our arrest.

Well, how did you feel about informers? --- I used not to like the informers.

Do you realise that you are now an informer yourself?

--- No, I do not consider myself to be an informer.

Why don't you consider yourself to be an informer? --- Because I am telling the truth.

And that is the distinction. Mdwayi and Magesani had not been telling the truth then? --- They were not telling the truth. If probably they did tell the truth, we would all have been free now.

Did you have any pressure brought to bear upon you when you made a statement to the Magistrate? --- No, no pressure.

You were not assaulted at all by the police? --- No.

Do you know accused No. 7 well? --- I know accused No. 7.

You and he went round looking for a job at General Motors this year? --- This accused No. 7 once met me when I came there looking for work at General Motors.

And you had a little discussion, didn't you, with him?

--- No, the discussion was not long, because accused No. 7 also had gone to look for work.

You had a little discussion with No. 7 - isn't that so?

--- About working.

Can I refresh your memory a little? No. 7 says that you and he spoke about this assault by the police upon you before

/ you

you - which made you give this statement to the Magistrate?

--- No, I conversation was centred about looking for work.

BY THE COURT: You did not tell him that you were assaulted?

--- No. They were afraid of me and they did not want to speak to me.

Who was afraid of you? --- All the members were afraid of me on my return.

BY MR. MACARTHUR (contd.): We are talking now about accused No. 7 on this particular day when you were looking for work at General Motors? --- I did meet accused No. 7 on that occasion. He asked me whether I could obtain employment and I told him that we were told to come on Monday.

Well, he says you made it quite clear that you had been assaulted and that is why you had to tell everything to the Magistrate? --- No, I never made mention of that to him.

No. 9 was at this second meeting, is that correct? --- He was at the second meeting.

Was that the first meeting he ever attended, the one at which you described Ngoyi's address? --- There were some meetings prior to the one we addressed.

Who brought him into the group, in ward G? -- He may have known other members in ward G and then he wanted to know who was at the head.

You don't know who brought him in? --- I do not know.

It wasn't you anyhow? --- No.

Did you know him before this, before your activities with the African National Congress in ward G? --- No, I did not know him.

Haven't you met Moses, No. 9 - hadn't you met him for many years at the race tracks? --- I used to meet Jafta at the races.

You never met this man at the race track, No. 9? --- I went with accused No. 9 to the races after I had known him

and after he had joined up, but the man whom I saw at the race course, was Jafta.

Where is this person Jafta today? --- Jafta was arrested.

When? --- If I am not making a mistake he was arrested during July last year.

And what happened to him, do you know? --- I do not know what happened to him. I only know that he was arrested.

You have not seen him lately? --- No, I never saw Jafta after that.

The last time you saw him was round about July, 1964? --- Yes.

And you have not even heard whether he was convicted or tried, or anything about him? --- I do not know whether he was convicted but I presume he was.

This other person Kulelo that you told us about - do you know where he is these days? --- I last saw him approximately two weeks back, on a Saturday when I walked past his house.

Did you speak to him? --- No. I was in a hurry, I was late, going to work.

Where do you work? --- Ford Motor Company.

When was the last time that you had anything to do with Kulelo, that you had a discussion with him? --- Oh, very long ago, before Jafta and others had been arrested.

Had he withdrawn from the ward G activities then, Kulelo I am talking about? --- I do not know whether he had withdrawn, but he was scarce.

In other words, he did not come to meetings? --- Not punctually. Not regularly.

When did ward G really stop functioning properly then? --- It remained in function.

Well, for example, was ward G in existence before your

arrest - shortly before your arrest? Was it still functioning on Thursday evening? --- We were then afraid. Not all the members used to attend because the others had been arrested

BY THE COURT: When did you stop having your meetings? --- July, 1964, your Worship.

BY MR. MACARTHUR (contd.): Shortly after Jafta's arrest? --- Yes.

So with Jafta's arrest that was more or less the end of ward G's activities? --- Yes.

You said other people had been arrested as well? --- Yes.

Is that other people in the ward who had been arrested? --- In Kwazakele as a whole.

And this other person, Tuselo, that you mentioned as well, when did you last see him? --- It is quite a long time that I have not seen Tuselo. He sleeps in town. I used to meet him while we still held meetings.

Six months ago or a year ago? --- I once saw him at the race course the month before last, but I did not have a chance to speak to him since we were busy gambling.

Richard Kulelo and Tuselo were all people in the ward right from the beginning? --- Yes.

And the last one, George Matshini, when did you last see him? --- He was arrested together with Jafta.

I see. And what happened to him? --- I last saw him during Jafta's period. I do not know whether he was convicted or what happened to him.

You had not seen him for over a year now? --- Yes.

Are you kept - where did you sleep last night for example? --- At my house,

Are you under any restraint at all as to your movements, can you move around as you like? --- The detectives told me to stay at home and they would search for me in the morning

/ and

and not to go to work.

After you had made a statement to the Magistrate, were you told to stay at home and not move? --- No.

You could have moved out of the Port Elizabeth area then? --- On many occasions I have left Port Elizabeth. I even went to Kirkwood.

And yet, inspite of the fact that you might well be arrested for your admitted activities and sentenced to gaol for some period, you are still prepared to stay in Port Elizabeth? --- There is no other place I know except Port Elizabeth - where would I go to?

This third meeting that you had in June, 1962, where was that? --- At Moses' house - accused No. 9.

No. 5 you say was not at that meeting? --- No, accused No. 5 was not at the third meeting.

You were the chief steward at that meeting, weren't you? --- Yes, I was.

Did anybody else speak at that meeting? --- After I had addressed the meeting, telling them, "Comrades I have good tidings for you, the A.N.C. has a new branch, The Spear of the Nation", accused No. 9 then addressed. No. 9 in fact confirmed what I had said.

Where did he get his information from, do you know? --- He got that information from me, and he said, "Comrades, I see now that the A.N.C. is leading up to freedom."

He only got that information from you then after you addressed the meeting, is that right? --- Yes.

Who told you about the Mkhonto we Sizwe? --- I got the information from the prime steward, Jafta.

Then your last meeting that you described, took place in June, 1963? --- Yes.

Exhibit 'C'? ---

Had you distributed this already - the Mkhonto one?

BY THE COURT: Exhibit 'E'? --- Your Worship, Exhibit 'E' had already been distributed. We had obtained this Exhibit 'E' at meetings prior to that.

BY MR. MACARTHUR (contd.): That was distributed, do you remember when? --- I think a month before the meeting.

About May, 1963? --- Yes.

Now, all the accused, including No. 5, helped to distribute that pamphlet in 1963? --- Yes.

And also attended the meeting in June, 1963? --- Yes.

You agree with me that May and June are not the end of 1963, don't you? --- No, they are not.

They are in the middle of the year, aren't they, in the first half of the year? --- Yes.

Is it not possible that you are making a mistake about No. 5 being present at this meeting and distributing these pamphlets? --- I am not.

You see, you told his Worship in cross-examination yesterday: I saw accused No. 5 at the end of 1963 when he joined our ward? --- I said I saw him at the end of January, 1963.

You now say that you used the word January, 1963. Well I am putting it to you that you did not.

(THE COURT refers to notes - discussion ensues)

You now say that you meant that he joined the end of January, 1963? --- Yes.

A big difference, isn't there, between the end of 1963 and the end of January, 1963? --- Yesterday you asked me one question about two members, Nos. 5 and 8. I said accused No. 8 joined in July, 1961, and No. 5 at the end of January, 1963. I could not have said he had something to do with the leaflet if he had joined at the end of 1963.

BY THE COURT: When did you say did No. 8 join, this year?

--- July, 1961, did accused No. 8 join, your Worship.

(Discussion about the evidence given by the witness yesterday)

BY MR. MACARTHUR (contd.): Whilst we are on No.5, let me put it to you quite clearly, that No. 5 denies that he has a brother by the name of Velile, I think you called him this morning, and furthermore denies that he has a brother who lives at Veeplaas as you said that Velile lives? --- He is a Cete - that is his clan name.

No. 5 as I say, denies it. You don't answer any question on that point I ask you.

(THE PROSECUTOR objects.)

BY THE COURT: If this man comes along and he says he has got no brother at Veeplaas at all, and he has not got a brother by the name of Velile Do you also include this name Cete, Mr. MacArthur - does he deny that as well?

(MR. MACARTHUR: Apparently he denies that he is of this clan Cete as alleged by the witness, your Worship.)

Put it to him, if this accused No. 5 comes along and he says that he has no brother at Veeplaas, and he has no brother by the name of Velile and that he is not of the Cete clan - what does he say to that, can he agree with that or not? --- What I have told the Court is the truth.

And if he says that he is wrong? --- I am sure of what I told the Court.

BY MR. MACARTHUR (contd.): You say you also saw everybody paying subscriptions on a Thursday at the end of the month? --- Yes.

But some of the accused have paid much longer than others, isn't that so? --- Yes.

Who of the accused has paid subscriptions since ward G was started, since it was started in November, 1960? --- We all paid.

/ Yes

Yes, but since it was started in November - are you including everybody ^{as} having paid subscriptions, right from November, 1960, now? --- We all paid equally. If one has not got the money that week, the following week he would come and pay.

BY THE COURT: I do not think you follow the question.

These people, did they all pay subscriptions since the beginning, since November, 1960? --- Yes.

Including those who came later? --- Every member, also Rulashe, paid from the time they joined ward G.

Yes, but you are not replying to the question. You are not listening to the question. We want to know, or we want to distinguish between those people who started paying in November, 1960, and those who started later on? --- Nos. 1, 2, 3, 4, 6, 7 and others joined later.

Nos. 1 to 4? --- 1 to 4, 6 and 7.

Now, when did they start paying, 1, 2, 3, 4, 6 and 7? --- They started paying in 1960.

November? --- Yes.

And No. 5, when did he start paying? --- He started paying at the end of January, 1963.

And No. 8? --- He started paying in July, 1961, until we stopped.

No. 9? --- He started paying at the end of May, 1961.

And all paid until you stopped? --- Yes.

And that was, when Jafta was arrested - when was that? Jafta was arrested in July, 1964.

BY MR. MACARTHUR (contd.): And after that nobody paid any more? --- No.

Did you take part in raising money by way of concerts as well? --- Yes, arranging tea parties and concerts.

Confine yourself to concerts. How many concerts did you give? --- Do you mean the concerts that I attended?

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Well, how many concerts did your ward help to arrange?
--- The whole of Kwazakele used to arrange a concert.

Oh, I see, it was not a particular concert that ward G had arranged? --- No, only the ward used to arrange tea parties.

With the actual concerts you people did not help at all, with arranging? --- No, we merely attended the concerts.

What about tea parties, how many tea parties did you people arrange in ward G? --- Many.

BY THE COURT: How often? --- Every Saturday from 2 to between 6 and 7 p.m.

BY MR. MACARTHUR (contd.): Whereat? --- In the ward.

Yes, where, locality, whereabouts, whose house? --- In rotation, from house to house.

BY THE COURT: Whose houses? --- At the houses of the cell stewards and the chief steward.

BY MR. MACARTHUR (contd.): No. 5 came into this ward very late. Did you ever have any parties at his house? --- No, some meetings were held at accused No. 5's house.

But never tea parties? --- No, we used to hold the tea party at the house opposite to accused No. 5's house and he used to attend.

What about accused No. 2 - did you attend a tea party at his house? --- On many occasions.

No. 1? --- No. 1 as well.

That is strange. No. 1 says he does not know you at all. The first time he saw you was when you and he were arrested? --- No, he is making a mistake.

Apart from No. 5, were there any of the accused whose houses were not used for tea parties? --- No, there were tea parties regularly at all the houses except Accused No. 5's house.

/ And

And did you people have to attend these meetings - these tea parties? --- Yes.

Was any form of entertainment provided at these tea parties? --- Cold drinks, cakes and sweets. Music as well to attract the people to come to the parties.

BY THE COURT: Were these supplied or sold, the cold drinks, cakes and sweets? --- They were for sale.

BY MR. MACARTHUR (contd.): Any liquor? --- No, no liquor.

(NO FURTHER QUESTIONS BY MR. MACARTHUR.)

RE-EXAMINATION BY THE PROSECUTOR: As regards a cell steward, was there any recruiting done in your particular ward?

(COURT enquiring from the PROSECUTOR what he actually means)

I am trying to find what the duty of a cell steward actually is? --- It was the duty of the cell steward to recruit members and attend concerts and tea parties.

BY THE COURT: Whilst we are on this, can you tell the Court, is every A.N.C. member necessarily a cell steward? --- Jafta said every member of the A.N.C. is termed a cell steward.

Every member? --- Yes.

So that is the lowest rank actually in the A.N.C.? --- Yes.

Did you have female members too? --- We did not allow female members to attend the meetings.

In your zone? --- In my zone.

In other zones? --- Except at the tea parties, and concerts.

BY THE PROSECUTOR (contd.): Do you know what happened in other cells or wards? --- No.

Did you in fact make a statement to a magistrate or to the police? --- I made a statement to the police.

I see - not to a magistrate? --- No, the magistrate only told me that I would be called as a witness.

BY THE COURT: Did you appear in Court then? --- No, your

Worship, I went to the Magistrate in a sort of an office.

BY THE PROSECUTOR (contd.): I see, and what happened there?

--- He told me to go but I should expect to be called as a witness.

In other words, the case was withdrawn against you? --- I do not know.

Did you tell the Magistrate anything about the organisation as such? --- No, I told the police everything after they had explained everything to me.

Should accused No. 7 say you made a statement to the Magistrate as a result of an assault taking place upon you, is that correct? --- No, that would not be correct.

Were you eager for other members of your organisation to know that you had made a statement? --- No, I did not want to tell them that I had made a statement.

Coming back to the clan names in as far as the Bantu custom is concerned: When a person - say your sister marries into a clan name, shall we say Dlamini, and you are a member of the Cete clan, will you say that you are related in any way to the Dlamini clan? --- Yes, I will consider them to be my brothers-in-law.

So in other words your, shall we say family relationship, is rather wide? --- Yes.

When a person refers - when you know that two persons belong to one clan, do you refer to them as brothers or not? --- Yes.

(NO FURTHER QUESTIONS BY THE PROSECUTOR)

BY MR. MACARTHUR: Your Worship, perhaps I was wrong in not making it quite clear that the accused will deny all these allegations this witness has made about them taking part in the activities of the A.N.C. I just felt it was necessary to place that on record.

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BY THE COURT: Tell me, was it customary at your weekly meetings, for the members of the ward to take part in the discussions? --- In matters pertaining to tea parties and concerts and money that had to be sent away, they had a right to talk.

At the meetings? --- At the meeting your Worship.

And other things, like the policy or so, did they have any right of discussion there? --- At certain times their opinion was asked pertaining to certain things, as to what was to be done and what not to be done, and then the one who had an answer used to reply.

Where were you arrested? --- At my house.

What time of the day? --- It was at night, towards dawn.

You told the Court that you will still kill a policeman if he disturbs you? --- Yes.

What about your arrest, was that not a disturbance? --- I was taken unawares and I was "deurmekaar". There were many of them.

Would you have resorted to violence if you were not taken by surprise? --- Yes, definitely, I would have resorted to violence.

How long were you in custody before you made a statement? --- Only one day. On the second day I made a statement.

The day after your arrest? --- The day after my arrest.

Why did you change your attitude so quickly - one day you were prepared to kill the policemen, if they had not taken you by surprise, the next day you decide to tell them everything? --- I was in the cell and disarmed then.

You lost courage? --- I lost courage. With what could I have fought in the cell?

Why not just remain quiet? --- How?

Not say anything? --- I looked at the number of the

/ police

police, but there were those that I knew I could overcome - some youngsters, but the number was too big.

Yes, I am not concerned with that now. I am referring to your statement to the police. You told us that you were not forced to make a statement? --- I was not forced to make a statement.

You were not assaulted to make a statement? --- I was not assaulted.

Now, you hated the police so much that you were prepared to kill them. You say even at the time of your arrest you would have made use of violence? --- That is so.

And just the second day you came out with everything about the A.N.C. You told the police everything about your activities. I want to know why? --- The police told me before I told them, about my activities in the A.N.C. and I was dumbfounded and I realised that it was useless to hide anything.

Were you quite happy to make a statement? --- I was quite happy.

And you knew from those pamphlets what the attitude of the A.N.C. was as far as statements to the police are concerned? --- I knew.

And in spite of that you were quite happy to make a statement? --- Yes, I was quite happy to make a statement, because the police already knew everything that has been secret

Now, why is it that you told us that you were not eager that other people should know, other members of your ward? --- They had not been arrested. I had been arrested and I did not want to tell them that, "Gentlemen, I have made a statement".

Tell me, have you attended a court case before? --- No, this is the first time.

Do you know what the difference is between the position of those who are in the dock and your position? --- No.

Are you under the impression that you are in the same position as they are? --- I think that I am in the same position as they are.

When you made that statement to the police, you were not promised anything? --- No, they did not promise me anything.

You did not bargain with the police, did you? You did not tell them, "Now listen, I will make a statement, I will give you information, and then you let me go"? --- No, the police were the first people who told me of my activities in the ward, so I told them the truth.

And you are still under the impression that you may be charged with the accused and sentenced with the accused for your activities? --- That is what I am awaiting your Worship.

What do you think, why are they in custody and you are not? --- I do not know how that comes about.

(COURT ADJOURNS - MATTER POSTPONED UNTIL 7.9.1965).

On 7.19.1965.

RICHARDSON KULELO (interpreted)(sworn), states:-

EXAMINATION BY THE PROSECUTOR: Do you know the organisation known as the African National Congress or the A.N.C.? --- Yes, I do.

Did you become a member of this organisation? --- Yes, I did.

When? --- During 1952.

Where were you at that time? --- At Korsten.

Did you move from Korsten at all? --- Yes, I moved from Korsten to Kwazakele.

When was that? --- During 1958.

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Do you know - did you also become a member at Kwazakele, or remain a member? --- Yes.

Do you know whether the A.N.C. was banned? --- Yes, I know.

When was that? --- During April, 1960.

And did the organisation as such cease to operate? --- No, it never ceased to operate.

What happened? --- It operated secretly.

When you say it operated secretly, what happened? --- We used to attend meetings.

Yes, anything else? --- Yes, and we paid subscriptions, A.N.C. subscriptions. We attended A.N.C. tea parties, as well as A.N.C. concerts. We distributed A.N.C. leaflets.

You indicated that you attended meetings - now this is after the banning. How often did you people attend meetings? --- we used to attend meetings on Thursdays.

Every week? --- Every week.

And where did you people attend these meetings? --- At our houses.

Meaning - who is the "our"? --- In the houses of the members (pointing at the accused persons).

Have you attended meetings in all the houses of the accused? --- Yes, at our houses as well.

Can you remember any specific meeting?

BY THE COURT: You said at all the accused's and "our houses as well" - who else, who apart from the accused were there? --- There were others who are not in Court.

BY THE PROSECUTOR (contd.): Who are they? --- Jafta is not here, Matshini I also do not see here, Dondashe is also not here, Tuselo also is not here.

Can you remember any specific meetings that were held? --- There is a meeting that I can remember clearly.

Yes, can you remember where this meeting was held? ---

This meeting was held at Jafta's house.

When? --- During November, 1960.

Can you remember what was discussed at this meeting? ---

Yes, I can still remember.

Yes, what? --- Jafta was the speaker at that meeting.

He said: "Comrades, since you know that the A.N.C. was banned in April, 1960, the A.N.C. is not prepared to cease functioning. It would now operate in a very secret manner."

Can you remember who the persons were who attended that first meeting? --- Yes, I do. Accused No. 1, Mgalonkulu was there; Krisjan was also there - I did mention Tshali, accused No. 2. Krisjan, accused No. 3; Bikie, accused No. 4, (Interpreter: He corrects himself and says Maseti); Bikie, accused No. 6 was there; accused No. 7, Buti, was also there - those are the people who were there at that meeting. There are those that I do not see here, Tuselo, Dondashe, Matshini and myself.

BY THE COURT: And of course Jafta, because you say he was the speaker? --- Jafta. I just forgot about him.

BY THE PROSECUTOR (contd.): Can you remember any other meeting? --- Yes.

When was that? --- In June, 1961.

Do you know where it was held? --- That meeting was held at my house.

Who addressed the meeting? --- Ngoyi addressed the meeting.

Can you remember what this meeting was about? --- Yes, I do. Ngoyi told us that the A.N.C. was now tired. He said the A.N.C. had tried to address the Government but the Government just would not listen. Boycotts were also organised, strikes, boycotting all Government things, but the Government would not listen. He said the time was now ripe

for us to exercise violence. When a member attends a meeting, the member must be armed.

Why? --- So that when a policeman comes to the meeting and disturbs us and tries to arrest us, we should stab at him and try to kill him at the spot.

Can you remember who the persons are who attended that meeting? --- Yes, the persons I have already mentioned.

Accused No. 9 was present at that meeting - Moses.

Can you remember any other meeting? --- Yes.

When? --- In June, 1962.

Where was it held? --- At accused No. 9's house - Moses.

Who addressed the meeting? --- Dondashe addressed the meeting.

Can you remember what the meeting was about? --- I do remember. Dondashe said at that meeting: "Comrades, I have got good tidings for you about the A.N.C. The A.N.C. has a new branch, termed Umkhonto we Sizwe - The Spear of the Nation." That branch was the fighting branch of the A.N.C. He said we should collect money and recruit new members because the Head Office in Johannesburg wanted or needed the money. That money would buy arms from other countries for this new branch.

Apart from Dondashe who addressed this meeting, do you know whether anybody else spoke at this meeting? --- Yes. Accused No. 9, Moses, seconded Dondashe.

BY THE COURT: Just explain what you mean by "seconded"? --- He confirmed what Dondashe had said.

BY THE PROSECUTOR (contd.): Can you remember who was present at that meeting? --- Yes, the persons I have previously mentioned. Accused No. 8, Rulashe, was also at that meeting.

Can you remember any further meetings? --- There is another meeting that I remember. That meeting was held

at Dondashe's place.

BY THE COURT: When was that? --- I am still thinking.

(Pause) I now remember, your Worship. In June, 1963.

What was the subject matter of this meeting? --- Dondashe said that we must now be careful, because some of the A.N.C. people were being arrested at Kwazakele and at New Brighton.

BY THE PROSECUTOR (contd.): Can you remember who was present at that particular meeting? --- Yes, I do. All the people I have mentioned, including accused No. 5, Pendu.

You also indicated to the Court that you in fact distributed leaflets? --- Yes.

Now, I show you a leaflet - Exhibit 'A'. I want you first of all to look at the contents of this leaflet? --- Your Worship, although I am illiterate I can still remember the contents of this leaflet.

Can you tell us anything about this leaflet? --- I remember a leaflet of mine of June of 1961.

What was done with this leaflet? --- The contents of that leaflet were that people would go to and from work on foot. On our return we would make small fires in front of our houses and sit outside with our families and talk to them of the A.N.C.

Where did you people get this leaflet from? --- At Jafta's house.

And can you remember the persons who distributed this leaflet? --- All the persons that I have mentioned - I was then making a mistake about two that I have forgotten. Accused No. 5 and 8, Pendu and Rulashe.

Were they present or were they not present? --- They were not there when this leaflet was distributed.

And did the other accused plus the others you have mentioned, distribute this leaflet? --- Yes. Ngoyi was also

not present.

I show you a further leaflet, Exhibit 'C'. Can you remember having seen that one before? --- The paper was not shining and the wording was black.

Will you just look at the contents? --- This leaflet was during June, 1962.

Can you remember what this leaflet was about? --- The contents were the same as the previous one, Exhibit 'A'. People had to go on foot to work and return on foot and they then had to make fires outside their houses.

Can you remember where you got this leaflet? --- At Dondashe's house. Dondashe handed the leaflet to me.

And the persons who distributed this leaflet? --- All the people I have mentioned already, including accused No. 8
BY THE COURT: No. 5? --- No, he was not there.

No. 8? --- No. 8 was there, your Worship.
BY THE PROSECUTOR (contd.): I show you a further leaflet, Exhibit 'D'. Do you know that? --- Yes.

Where did you see that for the first time? --- Also at Dondashe's house.

Do you remember when? --- During May, 1963.

And who distributed this leaflet? --- We all distributed this leaflet. Accused No. 5, Pendu, was also there. It was one leaflet written on both sides.

You also indicated that you people paid subscriptions. Did you pay subscriptions? --- Yes.

Is there anybody else who paid subscriptions? --- All the people I have mentioned use to pay subscriptions.

But did you see them paying subscriptions? --- Yes, I used to see them pay subscriptions.

And when were these subscriptions paid? --- At the meeting on Thursday at 9 p.m. At the end of the month.

BY THE COURT: By the way, how much did you pay, what was the subscription? --- 20c.

For each one? --- Each one.

Per month? --- Per month, your Worship.

(NO FURTHER QUESTIONS BY THE PROSECUTOR)

MR. MACARTHUR applies for a short adjournment.

(COURT ADJOURNS)

ON RESUMING.

CROSS-EXAMINATION BY MR. MACARTHUR: Kulelo, where do you work? --- Bowling Mills.

In what capacity, what do you do there? --- Im a grease boy.

Have you been there long? --- Yes.

How long? --- Since 1959.

Have you got your pass book with you? --- No, I left it.

Why? --- I forgot it.

Do you frequently forget to take your pass book? --- I put on another jacket and I forgot it in the other jacket.

Where do you live at Kwazakele? --- At Seyise near Qeque's shop.

No.? --- 11726.

Kwazakele? --- Yes.

When did you move into that house? --- In 1958.

When were you arrested, Kulelo? --- I was not arrested.

You have never been arrested? --- I was once arrested.

Oh. What for? --- Because somebody who had no permit was found in my house,

When was that? --- I think it was during 1961 - I cannot remember clearly now.

Was that the only time you had ever been arrested? --- That is the only time I remember.

When were you first approached to give evidence in this case? --- I think January, 1955.

Ten years ago, or have you made a mistake? --- I mean 1965.

What was the circumstances of this request to you, who came and ask you to give evidence? --- On my return from work I was told that the police had been to my house, looking for me.

Yes, and what did you do? ---I asked my wife what kind of vehicles conveyed the police to my place. I was told that they were landrovers as well as cars.

Yes, but come to the point - did you follow the police up or did they come back to you? --- I went to the special branch offices because I knew that the special branch people use such cars.

Was there a message in fact that you were to report to the special branch police? --- No, no message was left. I voluntarily went to the special branch to ask them what they wanted me for.

Why? --- I wanted to know why the police wanted me.

Yes, but why the special branch though? Don't the other branches use anything apart from landrovers? --- I know that the special branch people use landrovers.

The question is, don't the other branches of the police use landrovers? --- I do see the other branches using landrovers but I only know that the special branch uses landrovers.

Yes, in other words, the police use landrovers.

(THE PROSECUTOR objects to this evidence as being irrelevant)

I want to know why you felt that you had to go to the special branch and not the ordinary police? --- Because I knew that the special branch has been arresting members of the A.N.C.

And you were a member of the A.N.C. and an active one at that time, isn't that correct? --- Yes.

/ So

So when you got to the special branch, what were you asked? --- When I came to the special branch people they asked me who I was and I told them. They said they were looking for me.

Yes, now they had you. What happened then? --- They told me about my activities in the A.N.C.

Right, and did they ask you to help them? --- They did not ask me. They then told me that if I so wished I could make a statement.

So you did not make a statement? --- I made a statement.

Do you remember what you said in that statement? --- I said everything that I did say in Court today.

You have been an active member of the A.N.C. since 1952, is that right? --- Yes.

And you are a fairly conscientious member too, is that right? --- Yes.

What was your attitude - or rather, let me put it this way. You knew the attitude of the A.N.C. towards people who were informers? --- I knew that the members of the A.N.C. used to kill informers.

And why did you decide to take this step then inspite of that knowledge? --- I realised that there was no other alternative but to speak the truth. I did think of what will happen.

You have thought of what was likely to happen to you - is that what you have said? --- I only thought of making a statement despite of what would befall me.

Why did you rather not keep quiet about your activities? --- It is because I had not yet achieved the freedom that I wanted.

Do I understand you correctly, that you made a statement to the police because you had not achieved the freedom that

/ you

you had hoped for? --- I decided to work hand in hand with the Government because Matanzima had achieved freedom through working with the Government.

And yet at this one meeting where Ngoyi addressed you and told you to kill policemen, you were quite happy to do that? --- I was prepared to do that.

And simply because the police come and talk to you, your whole approach changes - now you want to work for the Government? --- Yes, I have decided to work with the Government because I realise now that we will never achieve freedom, because they keep on arresting us.

Your courage has failed you, is that really the position? --- Yes, all my comrades were arrested.

Your comrades have been arrested but you had not been arrested. Why is there a difference then between your position and their position? --- I cannot tell the Court what the difference is between me and my comrades, because I am not yet sure that I am free.

What do you anticipate? --- I anticipate conviction, as I am standing here.

Do you hope to avoid the conviction by giving this evidence today? --- I am not avoiding conviction but I am telling the Court the whole truth.

I am merely asking you, do you hope to avoid conviction? --- That I cannot say. I am not sure that I can escape conviction.

Look, it is a very simple question. On two occasions you avoided answering it: Do you hope to escape conviction, is the question? --- I have no hope of escaping conviction because I do not know what will happen to me after giving this evidence.

What sort of a part did you take in this little group

/ that

you formed part of after the banning, what was your role?

--- I was a cell steward.

Did you never take a greater rôle, greater office upon your shoulders than that? --- That area of ours was destined to be four zones.

It was destined to be four zones? --- It was meant to be four zones.

And - what were these. I don't understand, please explain? --- I was supposed to have my own zone, Tshali as well, his own zone (accused No. 2). Dondashe as well. But that plan did not materialise

BY THE COURT: Who would be the fourth one? --- Jafta.

What about the plan did you say? --- The plan did not materialise.

BY MR. MACARTHUR (contd.): Why not? --- The membership number was not sufficient for each chief steward.

Who was the chief steward? --- When that plan was being formed, the four of us that I have mentioned were then chief stewards.

So you people actually did become chief stewards? --- No, we did not become chief stewards because the members were few.

Right, who was the chief steward.

BY THE COURT: Who was in fact in charge of your group? --- I did not become in charge because there were no people in my zone.

BY MR. MACARTHUR (contd.): What was your little group called, did it have a name or number or what? --- It was zone 34.

Who was this, was this you or all the people here too, the accused? --- Because each chief steward did not have sufficient members, we then amalgamated and this was called ward G.

Who was in charge of ward G? --- Jafta was in charge of ward G.

When did you decide to amalgamate and call yourselves ward G, what month and what year? --- We were told about ward G at a meeting that was held in 1960.

What month? --- November.

Where? --- At Jafta's house.

Did Jafta stay on as chief steward? --- I heard that Jafta had attained a higher position and then Dondashe became chief steward.

When was that? --- I think about 1961, I am not quite sure.

Why can't you make it more precise? --- I cannot remember which month. Jafta and Dondashe used to work together during 1961.

Was it the beginning or the middle of the end of the year that they started this dual activity? --- If I am not making a mistake it must have been during the middle of the year.

The middle of 1961? --- Yes.

You say Jafta got a higher position? --- Yes, that is what he said.

Who, Jafta said this? --- Yes, Jafta.

Did he give you any idea what this higher position - I presume it is a higher position in the A.N.C. you are talking about? --- It was a higher position in G ward in the activities of the A.N.C.

Did you have any idea what this higher position was? --- We were told that since this new movement had been started we would not be told who would be higher than the chief stewards. Our knowledge would be limited to the chief steward.

Yes, but Jafta told you he had got a higher position.

Now the question is, did he tell you what that higher position was? --- He did not tell us. We were not supposed to know.

But Jafta still continued to come to your little ward G meetings, is that correct? --- He used to attend the meetings of the ward G in the capacity of a cell steward.

Did Jafta tell you that he had this higher position at a meeting? --- Yes.

And all the other cell stewards and Dondashe, would have heard it as well? --- Yes, let me say they heard.

You see that is strange, because Dondashe told us under the cross-examination that he would be the only one to know that Jafta had reached a higher position? --- I will not say he lies.

Yes, but could you be mistaken then? --- I do not think I am mistaken.

When was No. 5 recruited to the organisation? --- He came to us during 1963 at the beginning of the year.

Who brought him? --- I do not know who brought accused No. 5 but I saw him at a meeting.

How many people were there at the meeting? --- All the people I mentioned before were there at this meeting.

Let us hear these people again, please, give me their names? --- Mgalonkulu (accused No. 1), Tshali (accused No. 2), Krisjan (accused No. 3), Maseti (accused No. 4), No. 5 - Pendu, Biekie (accused No. 6), Buti (accused No. 7), accused No. 8 - Rulashe, No. 9 - Moses as well and the others who are not here whom I mentioned: Jafta, Dondashe, Tusele, Matshini and myself.

This recruitment then of No. 5, was this done without the members' consent? --- The other members knew because accused No. 5 - the chief steward told us that he was a new member.

And the first you knew about him coming into the

/ organisation ...

organisation, was when he came to this meeting? --- There were other meetings subsequent during 1963 where I used to see accused No. 5.

Yes, I am merely trying to find out about No. 5 coming into the ward. Were you simply told, "Here is a new member"? --- Yes.

Before that meeting where he attended he had never been discussed before? --- I never heard him being discussed.

What time was this meeting, the one that you are talking about now, the one at which No. 5 arrived, at what time did that meeting take place? --- It was in June, 1963.

That is different from what you told the Court just now - you said it was the beginning of 1963? --- He came to live in the area in which he lives in the beginning of 1963, in January.

You told this Court five minutes ago that he was recruited - those were your own words - that he was recruited in the beginning of 1963.

(THE COURT points out that he said that in reply to a question by Mr. MacArthur.)

Now you say he joined in June, 1963. What do you mean? --- I remember that accused No. 5 was at a meeting which was held in June, 1963.

That was the first meeting No. 5 was ever at? --- As far as I can recollect.

Well, it is an important meeting - the first time you saw him at a meeting? --- There were other meetings which accused No. 5 attended but I do not know in which cell steward's house those meetings were held.

No, we are talking about the very first meeting to which No. 5 came. That is the one we are talking about. At whose house was it? --- It was at Dondashe's house.

/ At

At what time did that meeting take place? --- It was held at night in June, 1963. The meetings used to be held at 9 p.m.

Did you ever hold any of your meetings at a time other than 9 p.m.? --- These meetings were held at 9 so that the police should not know where these meetings were held, and they were held at 9 so that the members could come back from work and then attend.

BY THE COURT: The question was whether you ever had meetings at any other time than 9 p.m.? --- There used to be other meetings that were held for instance at half past eight in the evening.

A.N.C. meetings? --- A.N.C. Meetings your Worship.

BY MR. MACARTHUR (contd.): Ward G meetings though? --- Ward G meetings.

But all the ones that you have testified to today have all started at 9 p.m.? --- As far as I can remember.

Why did the other meetings start at 8.30 then? --- When it was of necessity.

Did you people in ward G know each other fairly well? --- Others used to know each other well but some did not know each other well.

What was your position then in regard to these people you mentioned here today, how well do you know them? --- I knew some since 1960 and others prior to 1960.

Who did you know before 1960 then of the people you mentioned today? --- I cannot say who I knew before 1960, but I knew accused No. 1, Mgalonkulu, for quite a long time.

Is he the only one here that you knew before 1960? --- Yes, the others I knew during 1960.

What about people like Jafta and Dondashe? --- I knew Jafta and Dondashe during 1960.

And Tuselo and Matshini? --- Tuselo and Matshini as well, during that period.

/ So

So No. 1 you know the longest of them all, anyhow? ---
Yes, I knew him at Korsten.

Did you use to visit his house? --- I used to see accused
No. 1 at meetings at Korsten. I never visited his house
while I was at Korsten.

Have you visited his house since then? --- Subsequent to
that we used to visit each other.

Apart from A.N.C. activities, did you visit each other
socially? --- He used to come to my house and I used to go
to his house.

You got to know his wife quite well? --- I know accused
No. 1's wife. She is stout and accused No. 1 had a child
by the name of Chief.

What is his wife's name? --- I do not know his wife's
name.

Do you know how long has he been living with this ame
woman, as far as you know? --- Since we came to live at Kwaza-
kele I only saw accused No. 1 living with that woman.

And you can't remember her name at all? --- I do not
remember her name.

How old was this child Chief approximately? --- About
waist high.

Seven to eight years of age? --- I cannot tell the Court
how old the child is.

Do you know where he lives, the number of his house? ---
I do not know the number.

You can't tell the Court - or can you tell the Court the
number where you live? --- I know the number of my house be-
cause I have lived in that house for a long time.

But you don't know the number of No. 1's house? --- No,
I do not.

You don't know numbers then? --- No.

Seeing that No. 1 is a friend of yours, by what name do you call him? --- I call him Mgalonkulu.

You don't have any other Xosa name for him? --- No, I never heard of his Xosa name.

All the others you say you have known after 1960? --- I said I started knowing the others during 1960 and the others later.

And how well have you known these people now before Court? --- I know them as I told the Court from the occasions on which we have met.

How many of them were friends of yours whom you visited socially, apart from political meetings? --- I used to visit accused No. 2.

And what did you call him, what was his name to you? --- I used to call accused No. 2 by his surname, Tshali.

You also used his surname, Tshali. What about his wife, what is the name of his wife, has he got a wife? --- He has got a wife.

What is her name? --- Nomingaye is her Xosa name.

How many children has he got by her? --- I used to arrive in the absence of the children but there was a small child.

He indicates a child in arms? --- A child in arms.

By the way, do you know where No. 1 worked before he was arrested? --- Before he was arrested he once worked at Adams.

What is that, what do they do there? --- Building contractors.

That was many years ago? --- I cannot remember how many years ago.

No. 2, do you know where he works? --- I do not know.

You never bothered to discuss his place of employment?

--- No.

Apart from Nos. 1 and 2, did you know any of the others socially? --- Yes.

No. 3, did you know accused No. 3? --- I used to know accused No. 3. We used to meet at beer drinks and places.

Did you ever go to his house? --- I do not remember going to his house.

Politically or otherwise? --- Since the meetings were held in our houses in rotation, I cannot say I never went to accused No. 3's house for political reasons.

BY THE COURT: You attended meetings there? --- We all used to hold meetings at our houses.

BY MR. MACARTHUR (contd.): But socially then, can you remember going to No. 3's house socially? --- I told the Court that I have never gone to accused No. 3's house on a social visit.

Do you know his wife at all? Have you ever met her or seen her? --- I never met or saw accused No. 3's wife.

Do you know what place of work No. 3 was at? --- I do not know where accused No. 3 worked. We never discussed his place of work.

What did you call him then? --- Krisjan.

Also his surname? --- Yes, that is his surname.

Never a nickname or a Xosa name? --- No, that is the only name I know.

What about No. 4. Did you ever go to his place socially? --- I do not remember visiting accused No. 4's house.

Have you ever met him socially then outside the house? --- Yes, we used to meet at drinking places as well.

What sort of drinking places, sjebeens? --- Yes.

Just give me an address where one of the sjebeens would be held at? --- I never bothered about the address because I went to these houses for drinking purposes.

Well, if you don't know the address you would know the name of the person who owned this sjebeen, wouldn't you? --- We used to drink at Mamtshawe's place.

Did you speak to No. 4 quite happily? --- Yes, we used to engage in conversation, drinking and enjoying ourselves.

What did you call him? --- I used to call him Maseti. Also by his surname? --- Yes.

Never a nickname or a Xosa name? --- We Xosa's use the surnames.

I am only asking you whether you called him by his christian name or Xosa name? --- No, I used to call him by his surname.

Did he tell you where he worked? --- We never discussed employment.

No. 5, did you ever visit him socially? --- Yes, I once went to accused No. 5's house. He had called us for some beer drinking.

Did he ever tell you where he worked? --- We never said anything about employment.

Has he got a wife, No. 5? --- Yes.

What is her name? --- I do not know her name.

What did you call him? --- I used to call him Pendu.

No. 6, did you ever go to his place socially? --- No.

Did you ever meet him at a drinking place? --- Yes, I used to meet him at the drinking place.

Ever used to discuss anything apart from politics with him? --- No.

You did not discuss anything with him? --- Only the beer was discussed, the beer we were enjoying.

Your conversation never went further than the beer you were having? --- I do not remember anything that we discussed.

What did you call No. 6? --- I used to call him Bikie.

I don't suppose you know where he works either? --- I do not know.

Nos. 7, 8 and 9, did you call them by any names other than their surnames? --- I called them by their surnames.

That was the only name that you used? --- Yes.

How well do you know these last three - socially, I am talking about? --- I met them during 1960 and I knew them.

Do you know any details of their life, where they work and whether they are married? --- I do not know where they work.

You don't know whether they are married? --- I did not take particular notice of that.

(COURT ADJOURNS)

ON RESUMING AT 2 P.M.

CROSS-EXAMINATION BY MR. MACARTHUR (contd.): Kulelo, I just want to cover this portion about No. 1. You said that you had known him and that he had once before he was arrested, worked for Adams? --- He once worked at Adam's place - I do not know where he went to work after leaving Adam's place.

What I want to know is when did he work for Adam's - just approximately - which year? --- In the vicinity of 1960 and 1961.

Now, I want to put it to you that with the exception of accused No. 7, not one of the accused here knows you at all? --- I know all the accused and they all know me.

No. 7 is the only one who says he had seen you at a bus stop on several occasions, but he has never had a discussion with you in his life? --- On many occasions we have been engaged in general conversations.

Merely a greeting but never a discussion, when you passed, going to work? --- We have discussed many things with accused No. 7.

/ Right

Right. When you started off your cell in ward G, you were going to be one of the chief stewards? --- Yes.

Who was going to be the nucleus of your particular cell or zone? --- Jafta was at our head. Our plan to become chief stewards never materialised.

But these little zones were already in existence before the meeting in 1960, weren't they? --- There were supposed to be those little zones, but that never materialised so ward G was formed.

Before the banning, how did your little group of A.N.C. people work or function, in Kwazakele? --- Before the banning I remember that I was under Charlton Mayekiso.

You and who else, you, Charlton and who else were in your little group? --- I cannot remember the others. This happened quite some time ago.

What year would you say that was? --- I am not sure whether it was during 1959.

BY THE COURT: And this ward G, was that something that only came about after the banning? --- Yes your Worship.

BY MR. MACARTHUR (contd.): What happened to Charlton after the banning? --- Charlton was in another group and I was in the same group as the accused who are now before Court.

So when you went to Jafta's meeting in November, was that the first meeting you people attended after the banning? --- That is the first time I came across Jafta and others at that meeting.

Were any of the accused now before the Court with you and Charlton? --- I do not remember.

Yet it is strange that after the banning in 1960 your memory is quite clear, but you cannot recall 1959? --- This happened some time ago.

Who summoned you personally to that meeting in November,

1960? --- Jafta.

And you say this was at whose house? --- At Jafta's house.
You have told us who was at that meeting? --- Yes I did.
Now, was Matshini there at that meeting? --- He was at that meeting.

Nos. 5 and 8 was not there? --- They were not at that meeting.

Why wasn't No. 8 at the meeting? --- No. 8 came to live in that area of Kwazakele in July, 1961.

When you gave the names of these people, I think you had difficulty in remembering No. 4's name. You called him Biki? --- I remember them although it is quite a long time since I last saw them.

Did you have many other meetings apart from these meetings that you described? --- Yes there were other meetings.

Regularly on a Thursday night? --- Yes.

How long did you continue with it? --- We continued until Jafta and others were arrested in 1954. I am in doubt but I do not know whether it was 54 or not.

Well, that means over ten years ago, once again? --- I wanted to say 1964.

Jafta was only a cell steward when he was arrested, wasn't he? --- He had obtained a higher position.

Yes, but I mean your chief steward was Dondashe at that stage? --- I told the Court that Jafta used to attend the meetings as a cell steward. Dondashe was then the chief steward.

Do you know why the ward stopped functioning then, if he was only a cell steward? Let me put it to you this way: If you had been arrested for the example, would the ward necessarily have stopped? --- My ward would not have stopped functioning - the leaders were still there.

Yes, the leader was Dondashe? --- Yes.

/ Then

Then why did the cell come to a stop when Jafta who, as far as the ward was concerned, was only a cell steward, why did the ward come to a stop? --- At the time when Jafta and others were arrested we were now afraid of calling meetings.

Do I understand then that you had no meetings at all after Jafta was arrested? --- I am not sure, but I do not remember any other meeting.

Let me put it this way: When precisely was Jafta arrested? Do you remember the month and the year? --- As I have said before, I think Jafta was arrested in 1964, but I don't remember the month.

Look, this is the most important date to your ward. You stopped functioning after then and you cannot remember the date? --- I cannot remember the date.

Does it not seem strange to you that other things you remember so clearly and that this thing you do not recall? --- I do not know how to explain to the Court how I forget this and not remember it.

You paid subscriptions, I presume, up till Jafta's arrest? --- Yes.

Did you pay any more subscriptions after Jafta's arrest? --- I said I do not remember whether there was any meeting after Jafta's arrest and the subscriptions were paid at the meetings.

Well, that's why. You would remember money, wouldn't you? --- Yes.

So do you remember paying anything after Jafta's arrest - I am trying to help your memory? --- I said before I do not remember whether there was any meeting after Jafta's arrest and the subscriptions were paid at the meeting.

BY THE COURT: Tell me, who was arrested with Jafta - any other members of your ward? --- I remember that Matshini was

/ arrested

arrested at the same time with Jafta.

BY MR. MACARTHUR (contd.): Have you seen Jafta since his arrest? --- No, I have never seen him again.

Have you testified in any court before? --- No.

Matshini, have you ever seen him since his arrest? --- No, I never saw him again.

Do you know what happened to Matshini and Jafta? --- I do not know.

When was the last that you saw Jafta and Matshini? --- I last saw them before they were arrested in 1964.

What about Tuselo, when did you last see Tuselo? --- Quite a long time.

What does that mean, "quite a long time ago"? --- Two or three months back. It is quite a long time that I have lost contact with him.

Was he arrested as well at any time, Tuselo? --- I never heard that Tuselo was arrested.

Where did you see him, in the township? --- The last time I saw him was in Port Elizabeth.

Dondashe - did you know that he was arrested? --- I once heard that Dondashe was once arrested.

Where did you get that information from? --- I heard people talking about it, people who knew Dondashe.

Was it fairly common knowledge that he had been arrested? --- Yes.

When did you last see him, Dondashe? --- Quite a long time. Since he was released from gaol I avoided him.

Why did you avoid him? --- I was afraid that Dondashe would tell the people who had not been arrested.

You mean he would tell about people like yourself who had not yet been arrested? --- We were afraid of people who had been released from gaol because we did not know whether they had not informed the police about us.

How many other pamphlets were distributed apart from the pamphlets that you have seen before the Court? --- I do not remember any other leaflets that we distributed.

Only these three were distributed then, is that what I understand? --- Those are the only leaflets that I remember.

Why, is it possible that there were other leaflets then that you cannot recall? --- It is possible, but I do not remember when the other leaflets were distributed.

You do not remember when, but do you remember what the contents of some of the other leaflets were? --- There is another leaflet that I remember although I do not remember any others.

What did the other leaflet say? --- It had something to say about the informers, people who give the others away.

And that one about the informers, who were these people who were supposed to be the informers that they were commenting on? --- People like Mwayi and others whom I cannot remember any more.

Now apart from that one, can you recall any other leaflets? --- I remember that there was another leaflet which referred to police people like Sergeant du Preez.

So you can remember that now. Now, having reminded yourself, how many pamphlets altogether did you help to distribute? --- Those are the only pamphlets that I can remember.

These three, the one about the informers and the one about Sgt. du Preez - five in all? --- Yes.

Will you be able to recall as well who helped to distribute the one about Sgt. du Preez? --- All the accused persons now before Court and the others who are not here whom I have mentioned before.

When was the one about Sgt. du Preez distributed? --- I

/ do

do not know when it was distributed.

What year? --- I cannot remember which year.

Well, let's try and help you: Was it before Exhibit 'E' or after Exhibit 'E'? --- If I am not making a mistake it was distributed after Exhibit 'E'.

But you are not sure? --- I am not so sure whether that leaflet was distributed after this one, Exhibit 'E'.

The second pamphlet, Exhibit 'C', you say contained more or less the same, had more or less the same contents as Exhibit 'A'. You are illiterate - you can't read I presume, because that is what it means. So you rely upon your memory? --- Yes.

Who translated them for you originally? --- The chief steward used to hand the leaflets over to us and he used to explain the contents of the leaflet so that we must be careful when we distribute it.

And as far as the contents of the second one, Exhibit 'C', you can remember nothing apart from that it was similar? --- I remember that the contents of the two leaflets were the same. They were about the boycott.

What boycott? --- I mean that we were to walk on foot to work and back.

You mentioned boycott, what boycott were you talking about? --- It must have been my mistake.

Do I understand then that there is nothing about boycott in either pamphlet? --- I do not remember anything about a boycott.

(THE COURT points out that the INTERPRETER used the word "boycott". INTERPRETER confirms that he used the word and not the witness.)

I will read out the last paragraph of this second pamphlet, Exhibit 'C': The English is that "On this day we

/ will

will not read the poison Zonk." (Read out and translated to the witness by the Interpreter) What do you say about that? --- I am telling the Court about what I can remember.

You don't remember that passage? --- I tell the Court about what I was told. I did not read that.

BY THE COURT: You do not remember that part? --- I do not remember it here.

While we are busy with those two exhibits, Exhibits 'A' and 'C', how do you know the one from the other? --- They were both distributed in June.

Yes, but how do you know - Exhibit 'A' now, how do you know that was distributed in June, 1962 - looking at those two papers, how do you know which one was distributed first, or don't you know? --- I cannot differentiate, but there was a leaflet that was distributed in June, 1961, and another one in June, 1962.

Yes, but looking at them here you cannot say which one was distributed first? --- I cannot, because I cannot read.

And this third one? --- I remember the first one as well.

How do you remember it? --- The writing was different from the others.

In what way? --- I remember that it had to do with the Spear of the Nation.

Yes, but by looking at the paper, the document itself. Was there anything that aids your memory about it, and make you recognise it? --- Yes, it had big letters and in the middle there were small letters written and I was told that the writing was in English. And there were big letters at the bottom as well. On the other side it had big letters on top.

And it was written on both sides? --- On both sides.

And those two, were they not on both sides? --- Only on one side.

(COURT ADJOURNS)

ON RESUMING - CROSS-EXAMINATION BY MR. MACARTHUR (contd.):-

Kulelo, do you remember the second meeting that you described? --- Yes, I do.

Ngoyi spoke, didn't he? --- It was at my house and Ngoyi was the speaker.

No. 9, was he present at that meeting? --- Is that the second meeting?

Well, I am asking you - the one where Ngoyi spoke? --- He was there.

Was that his first meeting? --- Yes, that was the first meeting.

Do you know who introduced him into the ward? --- I do not remember who introduced accused No. 9.

How many people do you recall being recruited into ward G whilst you were a member? --- Three people joined ward G.

But you had been asked to recruit lots of members, had you not? --- We were asked to bring many members to join ward G.

How many did you personally bring to the ward? --- I did not get any members to join ward G.

Was there difficulty in recruiting people? --- It was difficult.

Where was the difficulty? --- Because the people were afraid of being arrested, since the A.N.C. people were being arrested.

When a person was asked to become a cell member, did he have any option but to join? --- Nobody was compelled to join the A.N.C.

This is after the banning I am talking about? --- Yes.

So every person who became a member of the cell, did so because he wanted to become a member? --- No pressure was exerted on anybody to join the A.N.C.

/ And

And what about if you wanted to leave or withdraw from the group? --- Nothing was done to anybody who withdrew.

So it would be only the hot-headed ones who would become members of the A.N.C. underground group? --- Yes.

Would you describe yourself as a hot-headed member? --- Yes, I was a member who was prepared to carry out the A.N.C.

Right from 1957, did you say that? --- (Interpreter: He said he was a member who was prepared to carry out the A.N.C. policies.)

This meeting at which Ngoyi told you that the time was now ripe to exercise violence, did he tell you how you were going to arm yourself to kill policemen? --- Yes he did.

What did he say? --- Ngoyi said we should bring weapons from a knife onwards, hammers, even saws, and if a policeman came to the A.N.C. meeting and try to arrest members, we should kill and stab that policeman.

Knives, hammers - swords or saws? --- Saws.

Saws for cutting wood? --- Yes.

That is an extraordinary weapon to kill a person with? --- Any weapon that one would use in trying to kill a person.

Are you being quite serious when you say a saw, a wood cutting instrument? --- I maintain that a saw can kill a person if that person is held and then the saw is used.

And everybody at the meeting heard the use of the word "saw", is that correct? --- I should think so.

Knives, hammers, saws. And any particular other weapon? --- Revolvers.

And revolvers? --- Yes, one could use a revolver if that person was in possession of one.

Where were you going to get your revolvers from? --- I would not know where the revolvers were supposed to come from, but he said that the one who had a revolver should bring it.

/ You

You were not told where you should get it from? --- No, he did not tell us.

I am putting to you that this suggestion of yours that a saw should be used as a weapon is quite improbable? --- A saw could easily cut one's throat.

BY THE COURT: No, what we actually want to know, is whether Ngoyi actually used the word "saw" or whether you are now just mentioning the type of thing that he referred to? --- I think he used that word.

BY MR. MACARTHUR (contd.): Does that mean that you are only thinking now that he used the word or are you prepared to say you are sure he used the word? --- I would not be sure that he used the word "saw" but I think he used it.

Ngoyi also told you that the A.N.C. was now tired? --- Yes.

Did he say what they were tired of, or did he mean that they were just tired or sleepy? --- He told us that the A.N.C. was now tired. It had been speaking to the Government but the Government would not listen. There were boycotts, strikes, but the Government would not listen.

Did you understand, when he used the word "tired", did you understand that the A.N.C. was sleepy, was fairly inactive now? --- Ngoyi said the A.N.C. was tired of speaking to the Government who would not listen.

(MR. MACARTHUR discusses with the COURT the possibility of adjourning now.)

(COURT ADJOURNS - MATTER REMANDED TO 8/9/1965)

ON 8/9/1965.

RICHARDSON KULELO (interpreted) (sworn) states:-

CROSS-EXAMINATION BY MR. MACARTHUR (contd.): Just before going on to the third meeting, I want to ask you about the second meeting one point again: Who was at that meeting

/ in

in the chair, the second meeting that you described? ---
Ngoyi was in the chair.

Was he seated at the table? --- Yes, he was sitting at
the table.

Was he all alone at the table? --- Ngoyi, Dondashe and
Jafta.

And was Ngoyi the only one who spoke that night? ---
He is the one I can remember.

Nothing else that you can remember of any importance
at that meeting? --- Do you mean what Ngoyi said?

No - as far as you can remember Ngoyi was the only one
who said anything of importance? --- Yes.

You are quite sure this was in June, this meeting? ---
Yes I am.

You see, all the meetings that you remember appeared
to have been in June, June, 1961, June, 1962, June, 1963?
--- Yes.

What makes you so sure about the second meeting, that
it was not in July, or May? --- I remember the meeting was
held in my house in June.

Middle of June or beginning of June or the end of June -
do you remember the date? --- I think it was about the mid-
dle of June, I cannot remember the date.

You cannot give the Court any reason as to why you
specifically remember it was in the middle of June? --- I
cannot give any reason why I say it was in the middle of
June, but I remember clearly it was in June.

You can't connect it up with any other incident? --- I
remember that the volunteers distributed leaflets and a
senior member of the police died.

When did the senior member of the police die? --- A few
weeks after that meeting which was in June.

Right, now that was that meeting in 1961? --- Yes.

The next meeting was in June, 1962? --- Yes.

How do you know that that meeting took place in June, 1962? --- I remember that this meeting was in June, 1962, because it was the first time that I ever heard of the Umkhonto we Sizwe, or the Spear of the Nation.

Didn't you help to distribute the leaflet, Exhibit 'D'? --- I did.

Doesn't that refer to the Umkhonto organisation? --- After that meeting we distributed pamphlets or leaflets about the day of mourning.

Which pamphlet do you remember distributing after this meeting? --- What I remember is the pamphlet which was distributed in 1963. It had also to do with the Spear.

Yes, but the pamphlet in 1962 which you distributed? (THE COURT requests clarity on the question)

The question is, what was the pamphlet that you distributed after this meeting in June, 1962? --- It was a leaflet concerned with the day of mourning.

Was that all it said as far as you can recall? --- Yes.

In what manner did No. 9 second or confirm what Dondashe had said at this meeting - the meeting in June, 1962? --- He said, "Really comrades, this new branch of the A.N.C. will soon lead us to freedom."

Did he speak as though he had been prepared for this address or did he speak as if he was simply stimulated by what Dondashe had said, No. 9? --- What No. 9 said confirmed what Dondashe had said.

Let me put it this way: Did No. 9 speak as though this was a prepared speech or did he speak as though he had been stimulated by what Dondashe had said? --- In my opinion he was confirming what Dondashe had said.

In whose house was that meeting in June, 1962, held?

--- At accused No. 9's house, Moses.

The next meeting was in June, 1963, that you spoke about? --- Yes.

As far as you can remember, who was the main speaker that night? --- Dondashe.

Why does this meeting stick out in your mind so clearly as being in June? --- It is because it was an important meeting.

In what way was it important? --- It is because Dondashe told us to be careful, people had been arrested at New Brighton and Kwazakele, so we should be careful not to let the police arrest us.

These four meetings that you have described, are you quite clear that these four meetings started at 9 o'clock? --- Yes.

Not one of these meetings started at half past eight as you said some meetings started yesterday? Let me put it this way: Yesterday you said that some meetings had started at half past eight? --- I was referring to other meetings that I do not clearly remember, but these I have told the Court about started at 9.

Yes, that is all I am concerned with, these particular meetings? --- Yes.

What time did they finish? --- Sometimes at 11. It depended on the debate or on the discussion.

Any-way, let us put it this way, that when the meetings started, everybody whom you mentioned that was present, was there at the time when the meeting started - is that correct? --- The chief steward used to wait until all the members had arrived and then he declared the meeting open.

But this was invariably at 9 o'clock in the evening,

/ was

was it? --- Yes.

You people paid subscriptions you were saying yesterday?

--- Yes.

How did you keep a record of these subscriptions - did you do this in writing in any way? --- Small receipts were issued. On the receipt would be the number of the house and there was a stamp bearing the image of a bird, but nobody's name appeared.

Did you take part in any other means of getting money such as giving concerts and tea parties? --- Yes, I used to attend tea parties and concerts.

Did you attend tea parties at your house and everybody else's house? --- Yes.

Every one of the accused? --- All the others used to arrange tea parties at their houses but I do not remember that accused No. 5 ever arranged a tea party at his house.

(MR. MACARTHUR addresses the COURT on reservation of part of his cross-examination of this witness until later.

THE PROSECUTOR has no objection to that and requests that his re-examination may also stand down until then.)

(COURT ADJOURNS)

ON RESUMING THE PROSECUTOR APPLIES FOR THE CASE TO BE REMANDED.

(COURT ADJOURNS - MATTER POSTPONED UNTIL 9.9.1965)

ON 9.9.1965.

STANLEY HERBERT BANGERHAUS, sworn, states:-

EXAMINATION BY THE PROSECUTOR: Mr. Bangerhaus, are you a superintendent at Kwazakele location, employed by the Municipality of Port Elizabeth? --- I am Sir.

As such, are the records of all houses which have been allocated to people in the area of which you are superintendent, under your charge and care? --- Correct Sir.

/ Have

Have you today the file pertaining to a person by the name of Johnson Pendu? --- I have.

He is living in which house? --- 11464. Site and Service.

That is Kwazakele? --- That is right.

According to your records that you have before you, on what date did he occupy that house? --- This house was allocated to him on the 18th of January, 1963.

Do you hand in that record as Exhibit 'F'? --- Yes.

Have you also a file pertaining to a person by the name of Michael Bikie? --- I have.

Which house did he occupy? --- He occupies 11930, Site and Service.

What date did he occupy this house? --- This house was allocated to him on the 16th of May, 1960.

Today you were also - oh - you hand in that file, it will be Exhibit 'G'. Now, today you were also shown the reference book of a person by the name of Michael Bikie? --- That is right.

In that reference book there is a stamp indicating that he is staying at this house, 11390? --- That's right.

And there is a date indicating that he had permission to reside at house No. 11390? --- Well, that stamp Sir, has got nothing to do with the allocation of the house.

BY THE COURT: Is that a municipal stamp? --- Yes Sir.

By your office? --- That's right.

BY THE PROSECUTOR (contd.): The number which you indicated was 11390, is that correct? --- That is correct.

According to that stamp in the pass book, it indicates a date in 1961, has that any value as to when he in fact occupied this particular house? --- No Sir. That is merely put in there for the Labour Bureau to get these records up to date and when we check to see if we have the correct

/ person

person on our allocation of a new ticket.

(NO FURTHER QUESTIONS BY THE PROSECUTOR)

CROSS-EXAMINATION BY MR. MACARTHUR: No questions.

RICHARDSON KULELO (recalled, interpreted, sworn) states:-

CROSS-EXAMINATION BY MR. MACARTHUR (contd.): Kulelo, last time we appeared in this Court, I was going to put certain things to you. I am merely putting it to you now that none of the accused appeared at any of the meetings or helped to distribute pamphlets as you have testified? --- I remember that we all distributed the leaflets.

BY THE COURT: And the meetings? --- We all attended the meetings your Worship.

BY MR. MACARTHUR (contd.): By the way, did you bring your reference book today? --- Yes.

Can I have a look at it please? --- (Handed over).

(NO FURTHER QUESTIONS BY MR. MACARTHUR)

RE-EXAMINATION BY THE PROSECUTOR: Now, you indicated that meetings were held invariably at 9 o'clock at night? --- Yes.

If a person did not come at 9 o'clock, what happened then? --- That person would have to submit a report to the Chief Steward.

But as regards the meeting, would it start immediately at 9 or later? --- Sometimes the meeting used to start at 9, depending upon the punctuality of the members.

As regards Jafta, besides the meetings which you attended, did you speak to him otherwise? --- We knew each other. We used to enter into general conversation when we met.

Under cross-examination you indicated that you heard at a meeting that Jafta had attained a higher position? --- Yes I did.

/ Are

Are you sure it was at a meeting? --- I am not sure, but I think he said that at a meeting.

I see. Could he have said it to you privately? --- No.

Did everybody attend every meeting that was held, each and every meeting? --- Yes.

Nobody missed any meetings? --- The meetings that I have mentioned

No, I am not talking about the meetings that you have mentioned. Your usual weekly meetings? --- There were times that I used to work night shifts and then I did not attend the meetings.

And that also applied to others? --- Yes.

(NO FURTHER QUESTIONS BY THE PROSECUTOR)

MR. MACARTHUR asks leave to cross-examine on this new aspect of night shifts. ALLOWED.

BY MR. MACARTHUR: (further cross-examination): You say you worked night shifts? --- Yes.

When did you do this? --- I used to work from 6 a.m. to 6 p.m. That is the day shift.

Yes I know - I asked you about night shifts? --- Night shifts 6 p.m. to 6 a.m.

BY THE COURT: Yes, but how often did you work night shifts, what time of the year? --- From 1959 since I was employed by the Bowling Mills until last year. From last year then I worked day shifts.

BY MR. MACARTHUR (contd.): So from 1959 to 1964 you worked night shift, is that correct? --- I used to work night shift this week and next week day shift.

Those meetings that you had then in November, 1960, you were at that meeting, weren't you? --- I was at that meeting.

Can you remember what week that was in November? --- I

/ cannot

cannot remember the week but I was working day shift.

Can't remember whether it was the beginning or at the end of the month? --- I cannot remember what time of the month it was, but the meeting was in November.

In June, 1961, do you remember when that meeting took place, was it in the beginning of the month or at the end of the month? --- I cannot remember what time of the month it was, but it was in June.

But look, you said yesterday or the day before yesterday, that this was before the pamphlet was distributed, isn't that so? --- Yes.

Now, when the pamphlet was distributed, you were obviously on day shift, is that right? --- Yes.

That was on the 26th of June when you distributed the pamphlet, is that right? --- The leaflets were distributed before the 26th to make arrangements for the people to know what was to be done on the 26th.

Just the day before the 26th they were distributed? --- I cannot remember whether it was the day before or which day.

How many days before you distributed this leaflet did you attend this meeting in June, 1961? --- A week or two before the distribution of the pamphlet - I am not sure.

A week or two - can't you be more precise? --- I cannot remember.

It was a Thursday, wasn't it, when you had this meeting? --- Yes, the meeting was on a Thursday.

Right, now on what day did you distribute the leaflets, was it on a Tuesday or Wednesday or what? --- I cannot remember on which day we distributed these pamphlets. When the leaflets arrived we were used to be called on any day.

BY THE COURT: A special meeting? --- We used not to hold a meeting when we were to distribute leaflets.

How did you get the leaflets, how did you receive them?

--- The chief steward used to summon us to his house.

What time of the day? --- At night, about 11 p.m.

BY MR. MACARTHUR (contd.): I would like you to bring your mind a little more clearly on this point. Do you say it was the week before you distributed the leaflets or not?

--- I have told the Court that I cannot remember whether it was a week or two but I can remember that we did distribute the leaflets.

Yes. Was it a little while or a long while before you distributed the leaflets? --- I do not remember whether it was a little while or a long while before we distributed this leaflet.

And yet all these facts are clear in your mind, and yet on this particular point your memory fails you? --- The facts that I remember are just as they were, and those that I do not remember I cannot assist the Court.

Let us just test your memory on the June, 1962, meeting. How long before you distributed these pamphlets in June, 1962, was this particular meeting? --- We distributed the leaflet in June.

Do you know whether it was on the 26th or the day before the 26th? --- The leaflet, this June 1962 leaflet, was distributed before the 26th so that the people should know the contents of it.

We are aware of that - how many days before the 26th was it distributed? --- I do not remember how many days.

Could it have been the day before the 26th, the 25th? --- I would not know. That I would not know because I did not count how many days before the distribution of the leaflet.

There is evidence in this Court that the leaflets were distributed on the 25th-26th of June? --- I will not dispute

/ that

that fact. All I know is that the leaflet was distributed before the 26th.

Yes, but what I want you to tell his Worship is when did you have that meeting, how many days before the distribution of that leaflet did you have this meeting? --- I have already indicated to the Court that I do not know how many days before.

BY THE COURT: Was it before? --- The meeting was before the 26th and then the leaflets came.

BY MR. MACARTHUR (contd.): How many weeks? You can't remember the days - was it a week before the pamphlet distribution? --- I cannot remember how many days before the distribution of the leaflet.

You keep coming back to days and I am asking you weeks. Was it a week before or not? --- It may be so, it may be not, but I cannot remember how many days before.

You keep coming back to days. Why are you being evasive on this point? The question is very simple: Was it a week before the distribution or not? --- It may be a week or two but I do not remember.

You are an intelligent person, aren't you, Kulelo? --- I am not intelligent.

Do you remember the next year then, June, 1963, that is a little nearer home? --- I do remember June, 1963.

Can you remember more precisely when you had this meeting in relation to the pamphlet distribution? --- We first distributed the leaflet and then attended the meeting.

Right, how long after the distribution of the pamphlet did you have the meeting? --- It was quite some time, but I do not remember.

Do you remember it in relation to any particular incidence at work then - perhaps we can check it up this way,

/ you

you see? --- All that I remember is that at the meeting we were told that people were being arrested.

You can't even remember what you did at work the day that you had this meeting? --- I do not remember.

(NO FURTHER QUESTIONS BY MR. MACARTHUR)

BY THE COURT: You told the Court that accused No. 5 came to live in this area in January, 1963? --- Yes.

You say he was present at the June, 1963, meeting? --- Yes.

That is where you discussed the informers? --- Yes.

Was that his first meeting or did he attend meetings between January and June? --- I cannot remember clearly but I used to see him, but I do not now remember at whose houses those meetings were held where he was present.

So he attended meetings? --- We used to see him at the meetings.

Before June, 1963? --- Before June, 1963.

Do I understand you to say that the June, 1963, meeting was the specific meeting that you can recall that he attended? --- That was a specific meeting.

You say you did not have tea parties in his house? --- I do not remember a tea party that was at his house.

Do you know or - whether or not there was a special reason why tea parties could not be held at his house? --- I cannot remember any reason why tea parties were not held at his house, your Worship.

Tell me about the night shifts. Were any of the accused employed with you? --- No.

Did you say some of them also worked night shifts, or did I not understand you correctly? --- I do not know how they worked.

/ But

But the question was put to you whether some of these people sometimes missed a meeting? --- Yes, some of us used to miss the meetings just like I said when I was working on night shift.

You mentioned that as an example? --- Yes.

I take it there were other occasions and other reasons that some of the others also missed some meetings? --- When a person had not been to a meeting he used to submit a report to the chief steward, giving the reason why he was not at the meeting.

Can you perhaps recall any particular instance where any of the accused missed a meeting? --- I do not remember but the meetings that I told the Court of they all attended.

Those special meetings - those specific meetings? --- The specific meetings.

And you say you were there and they were also there? --- Yes your Worship.

JONATHAN DU PREEZ, v.o.e.

ONDERSOEK DEUR DIE AANKLAER: U is 'n Sersant in diens van die Suid-Afrikaanse Polisie, gestasioneer te Port Elizabeth?

--- Dit is korrek, Edelagbare.

U is verbonde aan die Veiligheidspolisie? --- Ja.

Vir welke tydperk het u die ondersoek van hierdie tipe organisasie soos die A.N.C. ondersoek? --- Sedert 1963 het ek begin, as sabotasies-ondersoeker sedert 1961 - 1960, daar rond.

Hoelank is u alreeds in Port Elizabeth gestasioneer?

--- Sedert 1952.

Sover as die Kwazakele lokasie aangaan, was u enigsins in daardie area gestasioneer? --- Ja, ek was sedert 1958 in die lokasies gestasioneer.

/ Sersant

Sersant, ek toon nou aan u bewysstuk 'A'. Sover as bewysstuk 'A' aangaan, kan u die Hof enige inligting in verband daarmee gee? --- Ja, hierdie is 'n fotostatiese afskrif van 'n pamflet wat gevind is in Junie 1961 in die lokasies van Port Elizabeth.

Sluit dit die Kwazakele lokasie in? --- Ja.

Was u teenwoordig toe die fotostatiese afskrif ... ? --- Dit is in my teenwoordigheid gemaak, ja Edelagbare.

Die verspreiding daarvan, kan u vir die Hof sê tot hoe 'n mate dit versprei was? --- Dit was wyd versprei deur al die lokasies en ook in Kwazakele. Daar was talle van hierdie pamflette versprei, honderde - duisende.

En die uitwerking van daardie pamflet? --- Tydens die verspreiding van hierdie pamflet, die nag waarop die pamflet versprei is, is 'n polisie-offisier, Majoor Kjelvie, vermoor, en talle Bantoes is gearresteer vir die moord.

En die uitwerking sover as die stad self aangaan, Port Elizabeth? --- Die persone het te voet gaan werk, hulle het nie van die busdiens gebruik gemaak nie. Busse is geboikot. En persone wat wel van die busse gebruik gemaak het, is aangerand. Dit het gevolglik die uitwerking gehad dat van die fabrieke langelê is, die persone het baie laat by hulle werk aangekom of gladnie.

Oor die aangeleentheid dat persone aangerand was, het u ook klagtes oor daardie aangeleentheid ondersoek? --- Ek het.

Ek toon nou aan u Bewysstuk 'C'. Het u vir die Hof inligting in verband met daardie pamflet? --- Hierdie is ook 'n fotostatiese afskrif in my teenwoordigheid gemaak van 'n pamflet waarvan soortgelyke pamflette in groot getalle in Kwazakele, New Brighton en ander lokasies in Junie 1962 gevind is.

Die uitwerking van daardie pamflet? --- Dieselfde as in

/ die

die vorige geval. Maar, ek wil byvoeg, dat hier was die uitwerking groter gewees op die industrie en op die publiek self.

Vir welke rede? --- Die rede is net my eie afleiding.

Ek toon u 'n verdere pamflet, Bewysstuk 'E' - kan u die Hof inligting gee in verband met daardie pamflet? --- Dit is ook 'n fotostatiese afdruk in my teenwoordigheid gemaak van 'n pamflet waarvan soortgelyke pamflette in groot getalle gedurende Mei 1963 in die Port Elizabeth se lokasies, insluitende Kwazakele, versprei is.

Weet u van sabotasie-gevalle wat gepleeg is om en by Port Elizabeth? --- Ja.

(MR. MACARTHUR indicates that he may later on object to the admissibility of this particular portion of the evidence. He will endeavour to submit that this is not relevant to the issue.)

Hoeveel gevalle het u persoonlik ondersoek, Sersant? --- 61 gevalle na die aankondiging van die Sabotasiewet in 1962, en 9 gevalle voor daardie datum - dit maak dit 70.

Volgens bewysstuk 'E', hoeveel gevalle roem daardie pamflet op? --- Hierdie pamflet sê: "We have struck against the White State more than 70 times."

Volgens die pamflet, dui hulle enigsins aan wat aangeval moet word? --- Ja.

Kan u net daardie deel uitlees? --- "They are the Army, the mines, the railways, the docks, factories, the farms, the police, the whole administration."

Volgens u ondersoek van die sabotasie-gevalle in Port Elizabeth area, kan u enige vergelyking tref met die pamflet en die gevalle? --- Ja. Die spoorweg was aangeval, spoorlyne was gesaboteer; verskeie fabriek was afgebrand; huise van polisiebeamptes soos Sersant G. a. z. a. en 'n ander was in die lokasie afgebrand. Telefoondrade was afgeknip

en telefoonpale was afgekap. Elektriese installasies is die lug ingeblaas. Dit is die tipe van plek.

Nou volgens daardie pamflet ook, dui dit aan dat daar 'n Umkhonto we Sizwe is? --- Dit is.

Kan u enigsins aan die Hof sê wat Umkhonto we Sizwe is? --- Ja, Umkhonto we Sizwe is algemeen bekend as die militêre vleuel van die A.N.C.

Ek wil u 'n verdere pamflet toon, dit sal Bewysstuk 'H' wees.

(MR. MACARTHUR also reserves the right to contest the admissibility of this document at a later stage.)

Sersant, Bewysstuk 'H', kan u die Hof enige inligting in verband met daardie pamflet gee? --- Ja, hierdie pamflet is versprei in die New Brighton lokasie en in Kwazakele gedurende die nag van 13/14 April 1964.

In die tweede laaste paragraaf van daardie pamflet kom daar die name van die volgende persone voor: George, Gazo, Bandla Soga en du Preez? --- Dit is so.

Wie is die persone daargenoem? --- Bantoe Speurder-Sersant Gazo en Bantoe Speurderkonstabels George en Soga is lede van my personeel.

Volgens daardie laaste paragraaf dui dit aan: "Many people are falling prey to the corruption of detectives such as George, Gazo, Bandla Soga, under the leadership of du Preez"? --- Dit is korrek.

DEUR DIE HOF: Daardie du Preez is uself? --- Blykbaar ja, Edelagbare.

DEUR DIE AANKLAER (verv.): Daardie persone het onder u gewerk? --- Dit is so.

Daardie pamflet, Bewysstuk 'H', is dit ook 'n fotostatische afdruk in u teenwoordigheid geneem? --- Dit is. Ek wil net byvoeg dat ek was in die lokasie terwyl hierdie pamflette uitgegee was.

(GEEN VERDERE VRAE DEUR DIE AANKLAER)

(THE PROSECUTOR applies for leave for the Exhibits "F" and 'G' to be returned to Mr. Langerhaus. MR. MACARTHUR has no objection. Exhibits to be returned provided they be available if required later on.)

KRUISVERHOOR DEUR MNR. MACARTHUR: Sersant, u het gesê dat volgens die verspreiding van pamflet 'A' persone het nie die busse gebruik nie? --- Dit is so.

Het niemand die busse gebruik nie? --- Daar het wel gebruik.

En hoeveel persone was aangerand in 1961, Juniemaand? --- Ek het by 'n vorige geleentheid gesê ek weet van ongeveer 12 gevalle. Dit is wat ek mee gedeel het, maar daar is baie polisiebeamptes wat moontlik met ...

Ja, maar volgens jou ondersoek? --- My persoonlike ondersoek, 12.

Verder die pamflet 'E', die Umkhonto-pamflet, wat is die presies datum van daardie verspreiding? --- Dit was die 3de Mei 1963.

Sal onnsê dit is die presiese datum - is jy heeltemal seker daarvan? --- Ek is positief daarvan.

Voor die 3de Mei daar was geen pamflette op die strate - dit is die eerste tyd dat daardie pamflette ... ? --- Ja, dit is so.

Die laaste pamflet 'H', waar die drie polisiemanne verskyn, jy was persoonlik in die lokasie? --- Ja, Edelagbare.

Hoeveel persone het jy gearresteer? --- Ek het niemand gearresteer nie, maar ek het 'n paar mense byna gearresteer en in die proses kartondose vol van hierdie pamflette gekry wat neergegooi is.

(NO FURTHER QUESTIONS BY MR. MACARTHUR)

STAATSAAK

/ MR.

MR. MACARTHUR applies for a short adjournment.

(COURT ADJOURNS)

ON RESUMING, MR. MACARTHUR calls:-

MOUNTAIN MGALONKULU (interpreted)(sworn), states:-

EXAMINATION BY MR. MACARTHUR: Mountain, you are accused No. 1 in this case? --- I am.

And I want you to tell his Worship when you were arrested? --- On the 17th of January.

This year, 1965? --- This year.

What time were you arrested? --- About 12 midnight.

Who was arrested in the same night with you? --- I found accused No. 2 and Dondashe in the police van with me.

And you were told, were you, what you were being arrested for? --- I asked the police and they said I was being arrested for the Congress.

You have been in custody since that date, is that correct? --- That is so.

And how old are you? --- I was a small boy during 1918.
(Interpreter: He mentioned Sibethu - Sibethu is 1918)

BY THE COURT: Were you born in 1918? (Interpreter explains what "Sibethu" means.)

And you were a small boy in 1918? --- Yes, a small boy.
(indicates a child about waist high.)

Let us take Wilson Dondashe's evidence first of all. Did you know Wilson Dondashe? --- No, I saw him for the first time in the police van.

On the day of your arrest? --- On the day of my arrest.

How long was he with you in the cells? --- We were put in the same cell, the three of us, that is myself, accused No. 2 and Dondashe.

And when was he released as far as you are concerned? --- The Police took me before we were put into the cell and

/ asked

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