

MEMO ON GXUMISO -NATIVE TRT. COURT.

This witness is quite apparently a very poor reporter whose notes contain a great deal of unintelligible nonsense but whose Reports are written in much more grammatical and intelligible form. The witness is not honest and truthful and this it should be easy to demonstrate in x examination.

Gxumiso testifies to 8 meetings and the 1st is No. 41. The second is meeting is No. 42 and both his notes and his reports have been handed in. The differences in content, grammar and intelligibility between his notes and his report are significant and should receive attention. In this respect see P. 2214-39 (V.12) where the witness is forced to concede under x examination

1. His reports do not accurately reflect what is contained in his notes - 2216 (v.12).
2. Reports are embellished and contain more than his notes - he has done this in dozens of instances. 2216 2221 (V.12).
3. He adds things to his notes after the meeting has been concluded 2220 (V.12) 2237/8 (V.12).
4. He sometimes omits from his report things that are recorded in his notes. 2224(V.12) 2225(V.12) 2234.
5. In compiling his report he sometimes uses words different from those appearing in his notes 2230 (V.12) 2231 and see page 2239 (V.12) where resume is made of the effect of the witness' evidence.

It is also instructive to compare the notes recording meeting No. 41 and the witnesses report recording

Meeting /

Meeting No. 42 - the latter contains a speech quoted by Adv. Pirow (Coakers Memo P.13) and is so much more grammatically and intelligibly recorded that the inference to be drawn is either that the witness was assisted to compile his report of meeting no. 42 or that the said report was compiled by someone else from the witnesses notes. For examples of unintelligible nonsense recorded in respect of meeting 41, see 2178, 9, 80, 1 and 3 (V.11.)

For obvious falsehoods (1) see P. 2210 (V.12) - "never adds words or sentences to embellish or polish what speaker has said but cf. 2216 (V.12) 2221 (V.12) 2231 (V.12). (2) 2210-1 (V.12) "never changes words which appear in his notes when compiling his report cf. 2227-8. (3) Remembers "very well" tearing notes out of notebook and pinning them to report. Later shown to be untrue - 2212 to 2214 (V.12) Compare his notes with his report to see difference in recording and refer to x examination thereon on P. 2217-32 (V.12).

Meeting 43. Another meeting read from the report - the notes are missing. Again the report is in much more grammatical form and intelligible than his notes taken at other meetings appear to be - see especially Notsabis speech at 2192 (V.11) - it is doubtful whether the witness can understand or spell many of the words appearing therein.

Meeting 44/1. This is a meeting in which notes are produced. See unintelligible nonsense on P.2195,6,7. Witness to interpret this.

See x examination of witness at P. 2254-8 (V.12).

2254 "Impossible write down everything"

2256-7 "Sometimes note is different from what speaker actually said - a good deal of it is different 2256-7 (V.12).
Sometimes /

"Sometimes might make a mistake 2258 in translation".

AS TO NON VIOLENCE ETC. SEE:

Makoti "People are determined to live peacefully - the A.N.C. does not want to chase people away". 2182 (Vol.11).

Likeba: "We want the youth to come and fight these laws. The A.N.C. does not shed blood but non-violence". 2193(11).

Hlapane (10) "If this government can throw any bombs the Africans will use non-violence" 2196(11).

Xaba "We fight a non-violent struggle" 2246(12).

Masaba "we say 'No' to Bantu Education - It is better to set a round table and discuss matters to settle (each witness to interpret this) 2251(12).

Poho "We want 50,000 volunteers to fight for freedom and not to shed blood" 2253(12).

See also x exam of this witness in re this theme at P. 2247(12).

Meeting 44/2 "Let all meetings testified to appeal is made to conduct struggle in non-violent manner - that is my general experience at A.N.C. Meetings and they even plead non-violence - People never say they don't want Europeans, they say they want to live with them peacefully" "Never any suggestion of violence against white men or any other group". Important.

Attention is drawn to R. Resha (63) who at P. 1650 (V.9) is reported to have said "We are prepared to live together in peace with everybody".

LIKEBA (N.A.) "we are the non-violent army and carry on." G.59 P. 3.

Zaba (N.A.) "We shall fight these laws (i.e. Apartheid) by non-violence and by our heads and speeches."
G. 59 P. 2.

MOKOTI
(or is it
MAKGOTI) (29) ? "People are determined to live peacefully.....
Future will remain with the right people and not with guns."
G. 56 P. 4.

Collection: 1956 Treason Trial
Collection number: AD1812

PUBLISHER:

Publisher:- Historical Papers, The Library, University of the Witwatersrand

Location:- Johannesburg

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