

DEUR HOF: Die offisier het dit nie gesê nie - hy het self gesê daar was "Afrika" geskreeu. Hy het wel gesê hulle was nie oproerig nie.

VERVOLG: Jy sê ons het "Afrika" geskreeu?-- Ja.

DEUR HOF: Getuie het gesê julle het nie 'n lawaai opgeskop nie.

VERVOLG: Lt. van Eeden het gesê die mense was vol gees?-- Ja, hulle het opgewonde voorgekom.

Jy het gesê Luit. van Eeden het met die mense gepraat, het hy gesê hulle moet uitmekaar gaan?-- Ek sê hy het met hulle gepraat, dit het voorgekom of hy hulle gesê het om uitmekaar te gaan want kort daarna is hulle uitmekaar.

Het hy werklik met die mense gepraat?--o Ja, hy het.

DEUR HOF: Het hy in bantoe taal gepraat met hulle?-- Hy het in die kantoor met hulle gepraat - ek sal nie kan sê watter taal hy gepraat het nie.

VERVOLG: Jy het nou net gesê jy was by die skare gewees? Hoeveel mense het ingegaan om met die offisier te praat?-- Dit is onmoontlik om te sê, hulle het verskeie kere in en uit gegaan.

Die mense wat eerste gekom het om te praat, hoeveel was hulle?-- Dis moeilik om te sê daar was ongeveer 4 of 6 van hulle.

Dit was 'n moeilike dag daardie dag?-- Ja.

Het jy dop gehou om te sien presies wat gebeur?-- Dit was die enigste bantoes wat ingegaan het by die kantoor.

Het hulle na die stasiebevelvoerder se kantoor gegaan? Hulle het by die aanklagkantoor ingegaan.

XXD. NO. 2:

It is not always that you come across a big crowd like we had on the 21st March?-- Nee, dit is nie 'n gewone groep nie, dit is buitengewoon.

When.....

When you saw this big crowd there, how did you feel?--Dis moeilik om te sê - ek kan nie sê ek was bang nie.

You felt alright?-- Ja.

Because the crowd was not threatening?-- Hulle het nie 'n dreigende houding aangeneem nie.

DEUR HOF: Jy het reg gevoel omdat die skare nie gedreig het nie?-- Dit is so.

CONTINUED: As far as you were concerned, this was not<sup>a</sup>/day of trouble?-- Ek het gedink daar kan moeilikheid kom.

Didn't it appear that people had just come there on their business?-- Ek sa<sup>l</sup> nie so sê nie.

You were there when they made arrangements to interview the officers, there was nothing threatening in their attitude, isn't that correct?-- Hulle was baie opgewonde gewees.

But they did not threaten in any way?-- Nee, hulle het nie gedreig nie.

You spoke about people who were carrying placards, at what stage did you notice this?-- Ek het ongeveer 8.30 weer by die polisiestacie aangekom - ek was by my huis gewees voor dit.

Then you noticed them in the streets?-- Ja.

Who is the constable who made the arrangements for this deputation to interview the station commander?-- Ek sal nie kan sê nie, ek was nie by die polisiestacie daardie tyd nie.

Did you not speak to some of the people that morning in the police station yard?-- Nee, ons het nie met hulle gepraat nie.

When did you see No. 1 accused that morning?--Ek het hom voor die groot hek van die polisiestacie gevind.

And these four to 6 people who went in to see the Station Commander, where were they?-- Terwyl ek in die agterplaas was, het daar mense ingekom.

You never actually saw them?-- Hulle het by die polisiestacie ingekom, toe sien ek hulle. Hulle het by die klein hekkie ingekom.

Could you identify these people?-- Nee, ek kan nie.

But.....

But you are quite sure there were four to six people?— Ja, ek het gesê tussen vier en ses.

When the crowd dispersed where was the lieutenant?— Dit is bietjie moeilik om te sê, in die tussentyd het daar baie ander polisie offisiere op die toneel verskyn, ek weet nie presies waar elkeen was nie.

Was he in the yard or in ~~at~~ the station commander's office?— Ek sal nie kan sê ek het hom nie gesien nie.

At what stage did he speak to the people?—

BY COURT: I think I also misunderstood this witness as having said Lt. van Eeden addressed the crowd, it now appears that he was referring to conversations the lieutenant had with the few people who came to interview him in the office. I'll try and clear that up.

Het. Luit. van Eeden ooit die skare toegespreek?— Nee.

Wat het jy gemeen toe jy gesê het "nadat hy die mense toegespreek het"?— Ek het bedoel nadat hy die mense in sy kantoor toegespreek het.

CONTINUED: Somebody went to see Lt. van Eeden in his office and came out with a message that the people should disperse?— Ek weet nie.

When somebody came out, then the people started dispersing?— Ja, daarna het hulle uitmekaar gegaan.

XXD. BY NO. 3:

At the time when you saw these people with placards outside the police station, where was the crowd?— Daar het toe nog mense opgekom in Krugerlaan in 'n oostelike rigting en oos van die polisiestasie was daar al 'n hele aantal mense gewees.

How long did these people with the placards wait outside the gate of the police station?— Tot tyd en wyl die skare uit een is en teruggegaan het in die rigting van die lokasie.

Were they there all the time until they dispersed?— Hulle was al die tyd daar gewees.

Are you sure because the last witness Sergt. du Plessis

said.....

said they were on the otherside?--

BY COURT: Sergt. du Plessis said he saw people with placards and people were on the eastern side of the police station as well.

CONTINUED: I am putting it to you the last witness said all the people were on the other side, except those that went inside?-- Ek sê net wat ek gesien het.

You say at a certain stage accused No. 1 was held up and he was speaking to the people, was it at the time when he was still in front of the gate or was he with the crowd then?-- Dit was terwyl hy by die skare aan die oostelike kant van die polisiestatie was.

You cannot say how long he was in front of the gate with those people who had the placards?-- Hy het gekom en gegaan en weer teruggekom.

You say he was lifted up in the sky?-- Dis reg, hy was opgelig op twee ander a bantoes se skouers.

How many times did you see some of those people getting into the police station yard?-- Dit was meer as een keer, ek sal nie kan sê hoeveel keer nie.

On those occasions when you saw them, were they always the same three?-- Ja, ongeveer altyd tussen 4 en 6.

Did you see any of these four or six people enter the station commander's office?-- Ek het hulle net in die aanklagkantoor gesien ingaan, ek weet nie of hulle in die stasie bevelvoerder se kantoor in is nie.

All of them?-- Ek het hulle almal gesien ingaan in die aanklagkantoor.

You see we have the evidence of Lt. van Eeden who said only two people came in, a few others remained outside and the evidence of Sergt. du Plessis was that only three came in?-- Ek het hulle net gesien ingaan in die aanklagkantoor ek weet nie wie ingegaan het en wie buitekant gewag het nie.

Where were you when you saw this?-- In die polisie stasie se agterplaas.

Am I right in saying if 20 people came in, you would have noticed them?-- As daar soveel ingekom het, sou ek hulle kon gesien het.

If there were three you wouldn't say between 4 and 6?-- Dit kan ses gewees het wat daar ingekom het.

DEUR HOF: Die vraag is, as daar net drie ingekom het, sou jy nie sê dit was tussen 4 en 6 nie?-- Daar het definitief meer as 3 ingekom.

CONTINUED: After they had been to see the lieutenant, was it shortly after this that the people dispersed?-- Daar het verskillende kere mense in en uit gekom, ek weet nie wat jy bedoel nie.

My question is did the people disperse, go away, immediately after you had seen these few come out of the station commander's office, was it long afterwards or shortly afterwards?-- 'n Hele ruk daarna is hulle uitmekaar.

Was it long after the aeroplanes had come?-- Die vliegtuie was nog steeds in 'n sirkel bokant die polisiestasie toe die mense uitmekaar is.

You say many people addressed the crowd, the first time you saw somebody addressing the crowd, was it after you had seen this group come out of the lieutenant's office?-- Toe ek by die polisie stasie kom ongeveer 8.30 het daar reeds 'n persoon met hulle gepraat.

Can you say whether at that time there had been a group to see the lieutenant already?-- Ek weet nie.

I don't want to be difficult with this question but it is not clear to me yet what your answer is. Did you say when you arrived at 8.30 a.m. the people were already at the police station? Because Lt. van Eeden says at 9 o'clock people were still coming?-- Toe ek by die polisie stasie kom, het die skares nog steeds gemarsjeer. Party was al by die polisie stasie, party was aan die oostekant van die polisie-stasie en andere het nog aangekom.

These people that were shouting, they only shouted

"Africa....."

"Africa! Africa!"?— Ja.

Was that all ?— Ja.

They did not say or do anything else?— Sover ek weet nie.

When you went down to Small Farms between 11 and 1 and you saw No. 1 accused, how many people were there with him?— Die straat het aan albei kante vol mense gestaan en sommige het geloop, vir lang gedeeltes het die strate vol gestaan.

Then No. 1 came from the police station?— Korrek.

Were these people standing there, talking to one another and No. 1 just shouted "Africa"?— Hulle het gestaan en kyk in die rigting was ons aangekom het toe No. 1 geskreeu het "Africa! Africa!"

---oOo---

No. 1 is allowed to put one question by consent of the Court.

XXD. No. 1: Was I the first person you had seen there addressing the people as you said?— Nee, daar was ander persone ook.

Hoeveel mense het met daardie skare gepraat?— Daar was verskeie, ek kan nie sê hoeveel nie.

Was jy bang en toe let jy nie alles op nie?— Ek het net gesê wat ek gesien het.

---oOo---

ADAM CHRISTIAAN HENDRIK BARNARD v.o.e.:-

Jy is 'n konstabel in die S.A.Polisie, gestasioneer te Evaton, distrik Vereeniging?— Korrek.

Jy is baie jare al hier gestasioneer?— 11 jaar.

As gevolg daarvan is jy goed bekend met meeste van die inwoners van die bantoe gebied?— Ja.

Hoe laat het jy die oggend van 21 Maart aan diens gekom?—...

gekome?— Ongeveer 5.30 v.m.

Wat het jy deur die loop van daardie oggend wedervaar en gesien?— Ons het die lokasie begin patrolleer. Daar was verskeie Bantoes wat bymekaar gekom het orals langs die twee hoofweë van die gebied. Ons het deur hulle beweeg met die vangwa en later was dit 'n groot aantal toe hulle in Unionweg gekom het.

DEUR HOF: Sluit die drie paaie aan by mekaar?— Ja, Krugerlaan word naderhand Unionweg en dan Adamsweg. Dit is die hele pad wat dwarsdeur die blanke woonbuurt loop tot in die natuurlike dorp.

VERVOLG: Jy sê toe julle in Unionweg kom toe is die skare al baie groter?— Ja, dit het geweldig toegeneem.

In watter rigting het die skare beweeg?— In 'n oostelike rigting na die polisie stasie se kant toe deur die blanke gebied met Krugerlaan.

Hoe laat het u gesê die skare het begin arriveer en hoe lank het dit geneem totdat hulle by die polisiestasie was?— Dit is baie moeilik om te sê maar ek reken so by 9 uur of 9.15 se kant was die skare omtrent almal by die polisiestasie.

Wat het daar gebeur?— Hulle het voor die hek saangedrom - ek het nie baie notisie daarvan geneem nie - ek is in die aanklagkantoor en was behulpsaam met die telefoon. Bewysstuk "T" kan jy daardie toneel identifiseer met die gebeure op 21 Maart?— Ja.

Kan jy spesifiek hierdie toneel onthou waar 'n bantoe die skare toespreek?— Nee, nie spesifiek nie.

Ek wys vir jou 'n verdere foto, bewysstuk "S", waarop plakate voorkom, is dit 'n toneel wat jy identifiseer?— Ja.

Waar sou hierdie plakate gewees het in verhouding met die polisie stasie?— By die groot hek voor die polisiestasie.

Het jy op enige stadium enige van die beskuldigdes opgemerk?— No. 2 het na die kantoor gekom en my gevra hy wil die.....

die offisier spreek. Ek het die offisier daarvan verwittig, hy het gesê hy is bietjie besig hy sal later beskikbaar wees.

Was hy alleen?-- Ja, op daardie stadium het ek hom alleen gesien.

Weet<sup>u</sup>/of daar 'n deputasie vir Luit. van Eeden kom spreek het?-- Op daardie stadium was ek nie teenwoordig nie. Ek het net daarvan gehoor.

Hoeveel maal terwyl u daar was het bantoes ingekom om te kom reël vir 'n onderhoud met die offisier?-- Sover ek onthou was dit net die een wat by my was.

Van die ander beskuldigdes hier het jy enige van hulle opgemerk?-- No. 1 beskuldigde het ek gesien - hy het eenkeer bo-op die padwyser gesit en met die skare gepraat.

Kon jy hoor wat hy sê?-- Nee, hy het bantoe taal gepraat.

Die oggend daar, die algemene houding van die skare, sou jy dit beskryf as "redelik orderlik?-- Ek sal nie sê dit was orderlik, hulle het tamelik geskreeu en hard gepraat.

Dit was egter nie oproerig nie?-- Nee, onder omstandighede was dit redelik.

Jy sê no. 2 het met jou gepraat en gevra hy wil die offisier spreek?-- Ja.

Hy moes toe wag?-- Ja.

Weet jy wat later gebeur het?-- Ek weet nie - hy het buite gestaan en wag en ek dink iemand anders het hom gesê hy kan nou ingaan.

Was jy die hele aoggend daar teenwoordig?-- Ja, maar ek was in en uit, na die store toe en dan het die telefoon feitlik aanhoudend gelui en ek was daarmee ook behulpsaam.

Ek wys vir jou 'n verdere foto bewysstuk "V", kan jy dit identifiseer?-- Ja, dit is toe die skare weggegaan het.

Weet jy wat het veroorsaak dat die skare uit een is?-- Ek vermoed dit was die koms van die straal vliegtuie.



Waarom dink jy dit?— Hulle het nog al die tyd daar bly staan en toe die vliegtuie kom, toe gaan hulle uitmekaar.

Sal u dit so stel? Hulle uitmekaar gaan het saamgeval met die straal vliegtuie se koms?— Ja, dit is so.

KRUISONDERVRAGING DEUR No. 1 (Getolk)

Sê jy mense het voor die hek van die polisiestasie gestaan?— Ja.

Was dit die eerste klomp mense?— Die eerste klomp, party het omgegaan na die oop stuk grond anderkant die polisiestasie.

Die mense wat gebly het voor die hek, is dit die mense wat die plakate gedra het?—Nee, nie net die mense met plakate nie, daar was ander ook.

Jy sê ek het op die "sign-post" gestaan en met die mense gepraat?— Nie die "signpost" nie, dit is die paal wat paaie aandui. Dit is 'n paal waaraan drie sinkplate met name aanhang.

Is dit moontlik vir iemand om daarop te staan?— Ek sê nie jy het gestaan nie, jy het daarop gesit. Die paal het so 'n yster-arm waaraan die naamplate hang, en jy het daarop gesit.

Ek dink jy ken my?— Baie goed.

Was jy nie bang gewees nie?— Nee, ek het die hele môre tussen die skare deurgery met die 'van'.

Jy moenie verbaas wees as ek jou sê 'n vorige getuie het gesê mense het my gedra op hulle skouers?— Dit het ek nie gesien nie.

Toe jy by die polisiestasie kom daardie môre het mense begin aankom?— Ja.

Was ek die eerste persoon wat met die mense daar gepraat het?— Ek kan nie onthou nie.

Het jy my gesien daar voor die hek by die mense met die plakate?— Nee, jy was in die straat, nie by die hek nie, dit is waar ek jou gesien het.

Wat het ek in die straat gemaak?— Jy het vir mense gewys om agter om die polisiestasie te gaan.

Het ek nie gesing nie?-- Nee.

Het ek nie geskreeu nie?-- Jy het die mense gewys waar om te gaan. Jy het vir hulle gesê om om te gaan daar na agter toe.

Die mense wat by die hek gestaan het, het hulle net daar gestaan met hulle rugge na die polisiestasie om die plakate te wys?-- Ja.

Hulle het niks verder gedoen nie?-- Julle het geraas en gesê ons moet kom dat ons julle kan vang.

Is dit al wat gesê is?-- Ek kan nie alles onthou nie, party het bantoe tale gepraat.

Jy sou iemand mos hoor as hy hard skreeu "Afrika! Afrika!"?-- Ja.

Die vorige getuie het gesê dat die mense met die plakate by die hek het geskreeu "Afrika!"?-- Dis moontlik - ek was baie besig in die kantoor met die telefoon, dat ek nie weet wat het alles buitekant aangegaan nie.

Was jy in die kantoor toe besk. No. 2 daar ingekom het?-- Ja.

Ek stel dit aan u as jy in die polisiekantoor is, kan jy maklik deur die ruite sien wat aangaan voor die kantoor?-- Ja, daar is vensters.

Het No. 2 nie daar gekom met baie ander mense nie?-- Dis moontlik dat hy daar gekom het met baie ander mense maar die tydstop toe ek hom gesien het, toe was hy alleen.

Ek vra juis daardie tydstop toe jy hom gesien het?-- Die eerste keer toe hulle gekom het en toe hulle 'n hele klomp was, het ek hulle nie gesien nie. Ek was nie in die kantoor nie, ek het daarvan gehoor.

Ek praat van die tydstop toe hy die eerstemaal by u gekom het?-- Die eerstemaal was ek nie daar nie. Die keer toe ek hom sien, was hy alleen en het gevra om die offisier te sien.

Was dit.....

Was dit die eerstemaal?— Ek weet nie of dit toe die eerste of tweedekeer was nie want eenkeer het hulle gekom toe was hulle 'n hele klomp, toe was ek nie daar nie, ek het dit gehoor.

XXD. BY No. 2 : NO QUESTIONS.

XXD BY No. 3: (In English)

When accused No. 2 came there and he wanted to see an officer, I suppose it was Lt. van Eeden he wanted to see?— I think at the time he came in when he was alone, I think the Major was already here.

Was Lt. van Eeden present?— I think so.

Did No. 2 speak to the Major?— I only told him to wait a bit and when he went in I wasn't present.

You say you did not see any other people come into the yard except him?— When they first came to interview the officer, I was not there.

You only saw No. 2 when he came right into the office?— Yes.

And that was the only time you saw people coming to interview the officer?— Yes.

---o0o---

CASE REMANDED TO 17.11.1960. Bail to stand.

HERVAT op 17.11.1960.

ALETTA MAGRIETA HERBST, v.o.e.:-

U was die bestuderess van 'n viswinkel in Magrietha Prinsloostraat, Evaton?— Ja.

U was nog in daardie kapasiteit op 21 Maart, 1960?— Ja.

Hoever is die winkel geleë van Krugerlaan af?— Dis moeilik om te sê maar ek dink omtrent 100 treë.

DEUR HOF: Is u winkel in dieselfde gebou geleë op die hoek van Krugerlaan en Magrietha Prinsloostraat?— Ja, in daardie gebou.

As ek u sê dit is nie meer as 30 treë van die hoek af, sal u dit ontken want hierdie hofgebou is omtrent 100 treë van die hoek af en daardie gebou is tussen hierdie kantore en die

(Dit word ooreengekom dat die winkel plus-minus 25 treë van die hoek is.)

Omtrent 9 uur die oggend was u in die winkel? Ons praat nou van die oggend van die 21ste Maart 1960?— Ja.

Wat het u gemerk in Krugerlaan?— My naturel Izak het my eintlik geroep om te kom kyk wat gaan aan. Toe ek so in Krugerlaan afkyk toe kom 'n skare naturelle in die rigting van die polisiestasie aangeloo.

Wat gebeur toe?— 'n Paar van hulle het ingekom by my winkel om te kom koop. Dit was omtrent 9 uur, toe word dit weer stiller en hulle het verder afgeloop na die polisiestasie se kant. Later het meer van hulle gekom.

Terloops, u sê mense het vanaf die skare gekom na u winkel om te kom koop?— Ja.

Alles was ordelik op daardie stadium?— Ja.

Wat het toe gebeur?— Vir 'n rukkie was daar stilte.

Was Izak nog daar?— Ja.

En toe, wat gebeur toe?— Later het meer van hulle ingekom om te kom koop.

Waar was die skare assulks toe?— Die hele straat was vol tot bo by die polisiestasie.

Wat was die algemene rigting waarin hulle beweeg het?— Na die polisiestasie se kant toe.

Het meer naturelle in u winkel ingekom?— Ja, later was dit soveel dat ek verplig was om die hulp van die polisie in te roep.

Sê u hulle het skielik saangedrom in u winkel?— Ja.

Waarom moes u die polisie se hulp inroep?— Ek was bang, ons was net drie vroumense, en hulle was toe al baie astant.

Wat bedoel u?— Wel, die manier wat hulle met ons gpraat het b.v. "Toe, toe maak gou, ons is nie hier vir die hele dag nie" en as die naturellemeid hulle bedien, dan gryp hulle somar so astant aan haar hand.

Is daar vir alles betaal?— Nee, as hulle b.v. iets koop, dan sê hulle "Ons het jou klaar betaal" en dan vat hulle die pakkie sonder om daarvoor te betaal - hulle was baie parmantig met ons in die winkel. Hulle het ook agter die toonbank ingegaan en hulleself gehelp aan blikke "beef" lekkers, sigarette ens.

Sonder om daarvoor te betaal?— Ja, hulle het baie goed uitgedra sonder om te betaal - ek en die polisie het nog van die blikke beef opgetel wat hulle laat val het.

Het u 'n beraming gemaak of kan u nou 'n beraming maak van u verlies gaardie gag?— Ek het dit oorspronklik gemaak op omtrent £13 maar het later uitgevind dat dit baie meer was, toe ek nou eers my voorrade nagaan - toe was dit omtrent £25.

Hierdie £25 het u dus verloor as gevolg van die gedrag van die naturelle die gag daar in u winkel?—

Ja.

Wat het met Izak gebeur?— Hulle het hom saamgevat.

Wie?— Die naturelle in die skare.

Vanwaar is hy weggeneem?— Hy het op die stoep gestaan en kyk na die skares toe vat hulle hom weg.

Het u gesien wat gebeur het?— Hulle het vir hom gevra "Wat soek jy hier?" en toe vat hulle hom aan sy arm en vat hom weg saam met hulle.

Wat sou u sê was Izak gewillig om saam te gaan?— Nee hy het probeer teëstribbel. Hy het nie gewilliglik saamgegaan nie.

Hy is toe darem saam met hulle?— Ja.

Vir hoe lank was hierdie naturelle in u winkel?— Tot so om en by 12 uur.

Vanaf 9 uur tot 12 uur was hulle gedurig aan die gang?— Ja, met rukke was hulle 'n hele klomp en dan was dit weer bietjie stiller maar dit het so aangegaan.

Het u polisie beskerming gekry?— Ja.

Wat moes die polisie juis doen?— Hulle het gekeer dat die naturelle nie somar agter die toonbank ingaan en

hulleself help nie.

Hoeveel polisie het gekom?-- Twee blankes en een naturelle konstabel.

Sal u sê dit was nodig om twee blanke polisie en een nie-blanke konstabel op diens binne in die winkel te plaas?-- Ja, dinge het baie deurmekaar gegaan.

Was dit baie wanordelik?-- Ja.

Die groep wat daar saamgedrom het gedurende die oggend, het u hulle gehoor enige aanmerkings maak aangaande bewysboeke?-- Ja, hulle het gepraat van paste.

Wat was die algemene indruk wat u gekry het van die optog die dag?-- Dat hulle nie meer bewysboeke wou dra nie.

Verder, wat was u indruk?-- Hulle het so 'n opstandige houding ingeneem dat ek bang was ek sou vermoor word.

DEUR HOF: Het u die indruk gekry net omdat hulle so baie was?-- Die aanmerkings wat hulle gemaak het soos b.v. "Julle verdomde boere, julle is te ryk" en so aan.

VERVOLG: Wat ek wil vra, as 'n geheel geneem, wat is die idee wat u gekry het, wat wou hulle daardie dag hê?-- Ek kon nie juis iets uitmaak nie - dit was alles so verwarrend.

DEUR No. 1 : Geen vrae nie.

XXD. BY No. 2: (In English)

How many customers can your shop accommodate?-- As hulle redelik staan, omtrent 30.

Were those 30 customers armed?--

BY COURT: She did not say there were 30 customers, she said ~~if~~ they stood quietly her shop can take about 30 people.

CONTINUED: They did not carry weapons?-- Nie wat ek gesien het nie.

You were frightened?-- Ja.

Why?-- Omdat daar so baie van hulle was en hulle so **astrant was.**

You should be happy, you were making good business?-- As hulle daarvoor betaal het ja.

DEUR HOF: Het u goeie besigheid gedoen daardie dag?-- Ek het redelik gedoen.

Hoe bedoel u?-- Wel, die sand toe ek sluit het ek meer kontant gehad as gewoonlik.

Bedoel u nadat u die bedrag afgetrek het wat u verloor het in ware?-- Nee, ek praat van kontant.

VERVOLG: How do you do your sales? Do you give the parcels first and then receive the money?-- Ja, gewoonlik gee ek die pakkie dan ontvang ek die geld.

How did you conduct your business that day?-- Seker maar dieselfde.

What language did these customers use amongst themselves that day?-- Hulle eie taal en Afrikaans tussen in.

When they were talking about the passes?-- Toe het hulle afrikaans gepraat.

All of them spoke afrikaans?-- Wat ek gehoor het, was afrikaans.

How was Izak removed from that place, was he carried away, was he kidnapped or what?-- Hy was aan sy arm weggevat.

Was it before or after you had called in the police?-- Voor ek die polisie geroep het.

DEUR HOF: Min of meer watter tyd was dit?-- Dit was toe hulle nog na die polisiestasie gegaan het, omtrent 9.30 se kant.

CONTINUED: When did you call the police?--Seker so 10 uur se kant - ek onthou nie meer nie.

XXD. BY No. 3 ACCUSED: You say your shop can accommodate about 30 people, on this day was there any occasion on which there could have been more people inside?-- Daar was beslis meer as 30 daardie dag.

About how many?-- Ek dink daar was seker maklik op sekere stadiums tussen 50 en 60 mense in.

They were all crowded together?-- Ja.

I suppose your shop sells fish and potato chips?-- Ja, en ook kruideniersware, lekkers, sigarette ens.

£25 loss you spoke about, can you tell us how it was made up? How many pieces of fish, and how many other articles?-- Ek kan nie besonderhede verstreëk nie, maar dit het bestaan uit lekkers, biscuits, beef ens.

Can you say how many tins of beef you lost?-- Ek kan nie presies sê nie, ons het nog blikke opgetel wat hulle laat val het.

When did you call the police?-- Seker omtrent 10 uur of 10.30 se kant.

Before you called the police, you first thought things were going alright?-- Ek sou nie die polisie geroep het as alles goed gegaan het nie.

At the stage when you called the police, I suppose you felt it was necessary, but from 9 when the people started coming in, it was alright?--

DEUR HOF: Laat ek dit so stel, terwyl die mense na die polisiestatie gegaan het, het sommige ingekom om te kom koop, toe het dit nog goed gegaan?-- Ja.

Maar later het dit nie meer goed gegaan nie?-- Ja.

Nou wanneer het dit begin verkeerd gaan?-- Toe hulle begin teruggaan van die polisiestatie af. Party het toe kom kos koop en teruggegaan polisiestatie toe.

CONTINUED: Are you sure it was while some were going and others were coming from the police station?-- Ja.

What time was this about?-- Seker so tussen 10 en 11.

Which people came into your shop, those coming down or those going up to the police station?-- Beide.

You see we have evidence that the people all went to the police station that morning?-- Ja, hulle het gegaan en gekom om iets te kom koop en toe weer verder gegaan na die polisiestatie toe.

Those who came down, you did not see them when they came until they were right in the shop, I take it?-- Jy kan mooi van die winkel op die polisiestatie sien.

At this time, there were too many people, you were very busy serving them?-- Ja, maar mens kan tog sien, jy kyk



tog rond.

How long after you called the police, did they arrive?--  
Seker omtrent 5 minute.

Things returned to normal when the police arrived?--  
Nee, nie dadelik nie, die polisie kon nie orals keer nie, van hulle het nog reggekry om uit te hardloop met goed sonder om daarvoor te betaal, as die polisie die kant keer dan spring hulle anderkant om en so aan. Hulle het nog van die goed laat val ook.

DEUR HOF: D.w.s terwyl die polisie daar was, het dit nog aangegaan en het hulle nog goed gevat?-- Ja, die polisie kon onmoontlik orals keer.

CONTINUED: You say you were three who served in the shop? Ja.

It does happen, doesn't it, that sometimes customers take from one and pay another, isn't that so?-- Nee, die een wat die pakkie gee ontvang ook die geld.

That's normal business practice, you often take things and then you pay for them?-- Ja, maar nie agter die toonbank nie. Dit gebeur dat mense iets voor die toonbank vat en dan betaal. Dit gebeur nie dat mens by die een koop en by die ander betaal nie, hoe sal jy dan "check" op jou geld?

You say these people were saying they were in a hurry you must serve them quickly, isn't it possible that whilst one was serving and after giving the parcel, but before receiving the money, she goes to take another order and somebody else is paid for that parcel?-- Nee, dit kan nie gebeur nie, die een wat bedien moet die geld self ontvang.

These people who were speaking about passes, can you remember exactly what they said?-- Hulle het net gesê dat hulle nie meer paste gaan dra nie.

When they pulled Izak did he resist?-- Ja, hy wou nie saamgaan nie.

And then what happened?-- Meer as een het hom getrek en hy is weg.

How long did he stay away?-- Omtrent 'n week.

You don't know where they pulled him to?-- Nee.

Do you know what a reference book is?-- Ek het al van hulle gesien.

Did you see any that day on anybody?-- Nee, nie daardie dag nie. Ek het by my bediendes gesien wat vir my werk.

DEUR HOF:

Jy sê jy het tamelik besigheid gedoen daardie dag en as jy jou verlies van £25 neem, sal jy nog sê jy het goed gedoen?-- Nee, maar ek bedoel die aand het ek meer kontant gehad as gewoonlik, maar ek neem nie in wat alles weg is nie.

---oOc---

CHARLES DEMAS, s.s.:- (English)

You are the principal of a Government school at Wilberforce?-- Iam. It is the Meyake State School, Wilberforce.

That is part of Evaton?-- Yes.

Did you go to school as usual on the 21st March this year?-- I did go to school as usual.

What time did you arrive there?-- The schools open between 8 and 9.

When did you arrive?-- I arrived there about 7.30 a.m.

Did you notice anything abnormal that morning?-- There wasn't anything abnormal until later in the day between 9 and 10 about

At that time did your pupils attend as usual numerically?-- I couldn't say whether they were all there at the time, because we had not assembled for the roll call yet but they were there in their usual numbers.

What actually happened then?-- Well, it wasn't normal to see a group of young men coming there.

Did.....

Did a group of young men visit your school?— Yes.

How many were they?— I cannot say how many, between 15 or 20.

What did they come and do there?— I did not know what their purpose was in the first instance until they entered the school grounds and said we should send the children home.

Is that what they told you?— They did not come directly to speak to me but I met them as they entered the school yard.

What happened then?— They said we should send the children home and accompany them to the police station.

Did they say for what purpose?— Well, there was no purpose stated.

BY COURT: Surely, did they not say what you must go and do at the police station? Fetch money or what?— No, they did not say what we were supposed to go and do at the police station.

CONTINUED: What was your attitude to that?— Well, they did not exercise any force or threats and I did not see any one of them armed but I felt it would be better and safer, from the experience we had from the boycotts, to take precautionary measures and asked the children to go home after the roll call, but the teachers were told to remain.

Did you feel intimidated by being forced to do so?— Well, I did not actually feel intimidated. I acted upon previous experiences.

The past experience made you visualise various possibilities?— Certain things could have happened.

Did the children go home?— Not all of them, some remained playing around there, but most of them did go home.

The school did not carry on its normal activities?— No, it did not except for the roll call.

When.....

When did the school go back to normal?-- About four days thereafter. I think 3 or 4 days thereafter.

During this period of 3 or four days why was the school not normal?-- Well, in the light of our experience....

BY COURT: We don't want to hear about your past experience, we want to hear what happened at this particular time?-- Well, I did not tell them not to come to school, but they just did not all turn up.

For three days the attendance was abnormal?-- It was poor.

Is it normal for your attendance to be poor?-- No.

Would a poor attendance be normal?-- No, it wouldn't be normal.

CONTINUED: The attendance during those three days, how did that compare with the average attendance?-- It was poor.

In other words it was below the average?-- Below the ordinary attendance.

Can you make an estimate of the school attendance?-- About 40%, staying away.

Does that happen frequently that you have only 60% attendance?-- No.

That means your attendance was between 50 - 60% of the usual?-- Yes.

XXD. BY No. 1 : No questions.

XXD. BY No. 2: Have you got a letter box at the school?-- We don't have a letter box.

You fetch your letters from the post?-- Yes.

XXD. BY No. 3:

Those 20 young men who came to your school, told you to send your children home?-- Yes.

What happened to those 20 young men?-- They left.

All they did....

All they did was to tell you to send the children home and they left?-- Yes.

They said "Send the children home and go to the police-station"?-- Yes.

On that day there was also a celebration at the school, wasn't it?-- No, there was no celebration.

There was an occasion?-- There was no occasion. We were preparing for the festival, that's all.

When was that to take place?-- I don't know the date because we decided not to continue further.

Why?-- In view of the situation created by these men who went around to say that the children shouldn't go to school.

Are you trying to connect the two? How did you stop your preparations just because these men said you must send the children home? -- It was decided that the festival activities should be cancelled as far as our school was concerned.

Decided by?-- A group of teachers.

No further questions.

SIMON MAKGALENE, s.s.:-

You are a shopkeeper at Evaton Small Farms, Vereeniging district?-- Yes.

Is your shop situated next to the main road through Evaton location?-- Yes in Selbourne road.

That's the main street in Evaton Small Farms?-- Yes.

On Sunday the 20th March, were you in your shop?--No.

And on Monday?--

BY COURT: Do you live in premises next to your shop?-- No.

Where do you live?-- In Heath Road.

CONTINUED: Didn't you visit your shop on Sunday the 20th March?-- No.

And on Monday the 21st did you go to your shop?-- Yes.

What time?-- 7.45 a.m.

Did you open your shop for business as usual?-- Yes.

Now tell the Court what happened that morning as far as your.....

as your shop is concerned?— On Monday the 21st March I saw many people walking passed my shop, there were about 300 - 400 of them. They said "Makgalene, why is your shop open today? Don't you know that your shop must be closed today?" I then took my van and went round to the other shops to see if they are also closed.

Were you afraid?— Yes, I was afraid so I went to see whether the other shops are closed as well.

Did you find the other shops closed?— The other shops were closed, even the Indian shops were also closed.

Was there any reason why these shops should have been closed? Was there a public holiday or something like that?— I was surprised myself when these people said "Makgalene, why did you open your shop when all the other shops are closed?"

The question was whether there was any reason why the shops should have been closed on that day?— No.

There was no reason for the shops to be closed?— No.

Were you surprised to find all the other shops closed?— Yes, I was surprised.

And then did you go back to your own shop?— I went back and closed my own door.

Why did you close your shop?— After having found out that all the other shops are closed, I closed mine too.

There was no legal obligation on you to close your shop?— I closed my shop because I was afraid when I saw that all the other shops were closed and mine is open.

What made you afraid?— I was afraid of the many people.

Was there any reason to be scared of the many people?— Because I saw all the other shops were closed and mine was open.

You say you were scared that's why you closed your shop? What did you think would happen after you had closed your shop?— I heard there was a strike.

What did you think would happen if you did not close your shop?— I thought they could injure me if I don't close

my shop.

What made you think that?-- Because I saw all the other shopkeepers had their shops closed.

Did you know why this crowd of people was moving along the street?-- No, I only heard on that Monday.

What did they say? What did you hear?-- While I was in my shop, I heard there was a strike.

A strike about what?-- No, I don't know.

Did you find out that day?-- Yes.

What did you find out on that Monday?-- After I had opened my shop some women came there to buy sugar and they told me.

The people that went past your shop, were they singing and shouting?-- They were just talking to one another but I don't know what they were talking about.

Did any of these people in that crowd come and buy from you?-- No.

After you had closed your shop, what did you do?-- I went home, and after a while I came into Kvaton to see what was going on. I parked my car near this office.

And then?-- I saw many people walking towards the police station and I joined them.

Now tell the Court what happened step by step, what you saw and heard? You parked your car near this office and you joined the crowd, then what happened?-- On the other side of the police station I sat behind a group of these people.

Tell the Court what you saw and heard at the police station?-- I was sitting behind these people - they were speaking to one another, but I don't know what they said.

Were there speakers?-- I saw a group of people and they were clapping their hands as if they had been listening to a speech.

Did you see any of those speakers present in Court here?-- No.

Did you learn the purpose of it all why you had to

close your shop, why those people were marching to the police station, did it become clear to you what was behind it all?-- I heard it being said that we should bring our passes to the police station.

Did you see any passes brought there?-- No.

For what purpose had the passes to be brought to the police station?-- I don't know.

Do you know today?-- I don't even know to this day why the passes had to be brought there.

For what purpose did they have to bring their passes to the police station?-- I don't know.

And you didn't see any either?-- No, I did not see any passes brought there.

XXD. BY No. 1 : No questions.

XXD. By No. 2:-- Have you got a letter box at your shop?-- Yes.

At your home address, have you got a letter box?-- No.

XXD. BY No. 3:

Did you have your pass with you when you went up?--Yes.

When you went round to find out whether the other shops were closed, what was the reason why did you go round?-- Because this crowd said to me "Magkalene, why are you opening your shop while all the others are closed?".

So you went to check up to see whether that is so?--

Yes.

You say that was the reason why you closed your shop?--

Yes, that is the reason.

BY COURT: You were amongst these people at the police station?-- Yes.

Did you see any plackards?-- Yes, I saw some boards.

Carried by people?-- Yes.

What was written on these plackards?-- I have forgotten what was written on those plackards, I did not take particular notice.

You walked with these people, come on, tell me what was written on those plackards?--They were far from me, I only saw them as they were coming along at a distance.



you must have seen what was written on those placards?-- I have forgotten what was written on them.

I show you exhibit "S" what does that remind you of?-- Those placards were there but I don't know what was written on them.

Those placards were there that day?-- Yes.

Can you read these on the photograph?-- Yes, I see "Away with the passes."

Tea adjournment 11 - 11.30

RESUMED:

RICHARD SIWENA, s.s.:-

You are a bus driver?-- Yes.

In the employ of J & P bus service at Evaton?-- Yes.

Are you still there?-- I am still working for them.

You drive passenger busses?-- Yes.

On the morning of the 21st March, 1960 what time did you report for duty?-- At 1 o'clock in the morning.

Who is the owner of this bus service?-- Johannes Mashego.

Where did you collect your bus at 1 a.m. on the morning of the 21st March?-- From the firm.

Where is the firm?-- Evaton location.

Where did you take your bus to?-- You have a route along which you travel daily?-- Yes, its through Evaton bantu township.

Do you pick up passengers on this route?-- Yes.

Then where do you take your load?-- To AMCOR.

What happened that morning when you came to Evaton Small Farms?-- I saw a group of people standing alongside the road. There was no fighting.

What did you find in the road at the busstop?-- I found stones.

On the side of the road or where?-- One was in the middle of the road.

Only one stone?-- One big stone.

BY COURT: Could you pass alongside the stone?-- If I swerve my bus, I could pass.

CONTINUED: You say people were coming from the front, to the Court about these people?-- Some of them came towards me and asked me whether I did not know that the busses were not to be used on that day.

BY COURT: Did you stop for these people?-- Yes.

Why did you stop?-- I wanted to hear what they were going to say.

CONTINUED: How did you know they were going to speak to you?-- They were approaching me from the front.

But how did you know they were going to talk to you?-- Did they stop you?-- Yes, they raised their hands and I stopped.

How many people were there?-- There were many.

Then what happened?-- They asked me whether I did not know that the busses were not to be used on that day and then I answered them and said Mashego did not tell me that the busses would not work on that day. They said I should go home and tell Mashego that the busses are not to be used and further they told me at 8 o'clock that morning people will gather and march to the police station. I then went home.

Did you go to your home?-- I first went to Mashego's to go and park the bus.

Did you tell Mashego what happened?-- Yes, I went to Mashego's house, woke him up and told him what had happened.

And then where did you go to?-- We two got into his car and we went to the police station to go and tell them.

To go and report?-- Yes.

Later that day did you use your bus?-- No. I did not. I went to bed.

Did you go to Amcor at all that day?-- About

3 o'clock we heard there were people who wanted to be fetched from Amcor to Evaton and I went to fetch them.

Did you take any passengers to Amcor as well?-- No. I only fetched those from Amcor.

Were there any incidents on that trip?-- No, there were not.

Did you then go home again?-- Yes. I went to sleep. This all happened at 3 o'clock in the morning?-- Yes. About 8 o'clock what happened?-- Many people were walking towards the police station.

Did you join the crowds?-- Yes.

Who woke you up?-- Willie, our machanic woke me up. I got up and found that all the people were walking so I also joined them.

What made you join them?-- Willie said I must get up, perhaps people will attack me if I don't get up.

BY COURT: Why should people attack you?-- Because they had asked me whether I did not know that the busses were not to be used and they asked me why I did not tell Mashego that the busses should not run.

CONTINUED: I want to know the reason why you joined the crowd?-- Because they woke me up and I joined them.

Did the mechanic say you must join the crowd?-- No, he said I should get up, they will injure me and attack me.

Why were you afraid you might be injured?-- They said all men should go.

Who's they?-- The people said I should go and tell Mashego about this business.

BY COURT: You were afraid of what you were told about 1 a.m.?-- Yes.

What made you listen to these people?-- Because they asked me where I was going to with my bus seeing other people are not running their busses.

I want to know why did you obey them at 8 o'clock?-- I don't know what they were thinking of when they told me.

CONTINUED.....

CONTINUED: Were you afraid if you did not join them that you would be assaulted?-- I wanted to go and listen to this thing they told me about.

What did you say about being injured?-- They stopped me and said I should go home.

BY COURT: Mr. Prosecutor is talking about 8 o'clock. This thing happened at 1 o'clock, we want to know what happened at 8 o'clock?-- This man woke me up and said people will attack me I should get up.

Why should they attack you?-- I don't know why they woke me up because I was still in bed then.

The Prosecutor wants to know why you actually joined the crowds?-- Because I saw all other men walking.

XXD. BY No. 1 : No questions.

XXD. By No. 2:- When you went to Amcor and came back with these people, did you have any trouble from the crowd?--No.

You were not asked why you were driving the bus at that time?-- No, they did not ask me, and I did not meet them either.

XXD. BY No. 3: At 1 o'clock when you drove in Small Farms and you saw this crowd, did they in any manner threaten you or do anything to you?-- No, they only talked to me.

When you reported the matter, nobody prevented you?-- No, I did not meet anybody then.

When these people met you the first time, what actually did they say to you?-- They only asked me whether I did not know that people are not going to work. I said "Mashego did not tell me" and they said I must go and tell Mashego about it.

After you returned from making a report to the policemen, did you go to bed?-- Yes.

At 8 o'clock when you went to the police station, did you know what the people were going there for?-- Yes.

What did they go for?-- They told me that all men should go and bring their passes there.

BY COURT.....

BY COURT: And take their passes with them?-- They were going to complain about the passes.

CONTINUED: Did you have your pass with you?-- No, I did not have it with me, I left it at home.

They said to you they were going to complain about passes?-- Yes.

To who were they going to complain?-- To the Europeans at the police station.

Why?-- I don't know.

Why did they say they were going to complain about passes didn't they say why?-- No.

Do you carry a pass?-- Yes.

Did you have any reason to go and complain about a pass? You personally?-- I only followed the people.

BY COURT: Answer that question?-- Did you have any reason to complain?-- No.

You said you took passengers from Amcor?-- Yes.

What were they doing at Amcor?-- They worked.

You took no passengers to Amcor that morning of the 21st March?-- No.

Were there any people waiting at your busstops that morning? To be taken to Amcor?-- Yes, there were people waiting for the bus.

When you were stopped by this big stone in the road and when you were told people are not going to work that day, did you have passengers in your bus?--Yes.

What happened to those passengers?-- They got out of the bus.

---oOo---

DIE KRON HERROEP:

ABEL LOU CAMPBELL v.o.e.: (Teruggeroep op aansoek van die aanklaer.)

Jy het getuig oor die gebeure op 'n vergadering wat gehou was te Lady Selborne op 13 Maart hierdie jaar?--  
Ja.

Jy het.....

Jy het ook getuig oor 'n ander toespraak wat daar gelewer was?-- Dis reg.

Op daardie stadium het jy notas geneem van die ander toespraak?-- Ja.

Het jy die notas b.v. van die toespraak wat Robert Sobukwe daar gelewer het?-- Ja.

Die notas is afgeneem soos jy reeds getuig het?-- Ja.

Lees dit voor aan die hof?--

Getuie lees:

R.M. SOBUKWE: "Is it nothing to you to be oppressed  
 "like a dog? Is it nothing for you for your women to  
 "carry passes? Stand on your feet and take the first  
 "step in 1960 and the last in 1963, when we will be  
 "free. If we don't sleep because of the passes, those  
 "who make pass laws will not sleep. If we don't sleep  
 "those who make unjust laws won't sleep either. We  
 "want to rule Africa. We say the majority must rule.  
 "When we rule we will stay where we want to together  
 "with Europeans in Africa and in the same schools. Those  
 "who do not want to, must go. In the Africa that we  
 "will build, there will not be those who get £400 and  
 "others who get £6 per month. In the new Africa no one  
 "will pay school fees. The state will pay. There  
 "won't be Europeans or Indians, but Africans. Europeans  
 "are from Europe - Indians from India. They must divorce  
 "Europe if they want to stay here and accept African  
 "laws. We know the way and will go it alone without  
 "Europeans. We select to be free and hungry than to be  
 "chained and well-fed. We want a happy country and the  
 "difference must only be colour. South Africa is part  
 "of the continent which belongs to the Africans. We  
 "are leaving passes this year. A hobo sleeps in Jou-  
 "bert park without being asked for a pass but if you walk  
 "in Church Street, you are asked for a pass to prove  
 "you have a right to be here through this dom pass. This  
 "is the end of the pass. We will send our circulars sta-  
 "ting within three days where to go to the nearest  
 "police stations - then you answer "e have no pass" be-  
 "cause you have left it at home. We don't want the  
 "laws of the dom pass. Divorce the pass and say "I'm  
 "finished with it." The gaols are full through this  
 "pass. "Take us there." If they refuse to arrest you,  
 "you have beaten them, and go home and fix up your

house.....

"house. Our slogan is "No bail" "No defence" and "No fine." Those who make pass laws against us, "are white oppressors. We are challenging the "structure of South Africa. It is up to us to make "it a success. Do not give them a chance to shoot us. "We say we go to gaol and the work will stop in "factories. Violence will only help the government "and police. We must work for freedom. I will not "call off the campaign but when demands are met. We "won't pay fines and will not go to farms or factories "and will do work in gaol. If God has chosen us to "die for freedom, we shall die. Put your eyes on the "gates of the United States of Africa and not at the "dust of the soldiers. We are fashioning a key of "freedom and if the key is crude, we shall polish "it so that in 1963 it shall be ready."

Jy handig dit in as bewysstuk "U".

Het jy ook notas geneem van die toespraak van K.P. Leballo?-- Ja.

Wat was hy voorgestel as?-- Ek kan nie onthou as wat hy voorgestel was nie.

Wie was voorgestel as sekretaris?-- Ek kan dit nie onthou nie. Ek onthou net die voorsitter wat voorgestel was.

Lees die notas wat jy geneem het van Leballo se toespraak aan die Hof uit:-

"There would not be a Voortrekker Monument today if "our forefathers had stood together. We say this "land must belong to the blacks. We want the dis- "solution of the government. We challenge the govern- "ment that they have no right to govern this country. "It is a matter of whether we go under or remain as a "nation. Colonisation must be stamped to the "gutters. We are here to destroy white domination. "We don't want Bantustans. We will throw away passes. "Africans are ready - passes shall be thrown away in " a few days time. Call to African people must be "made now. They cannot be moved without a struggle. "We are here to fight to the finish. We are finished "with the dom pass, in our land, until we reach united "states of Africa. We don't want rights or concessions "or equality when you are oppressed. I want the "country to be ruled by Africans and not Europeans. "We are telling the white parties to unite against "black nationalism - here we trap them whether they like.....

"like it or not. If you fail from Cape to Cairo,  
 "from Madagascar to Marokko, to hell with the white  
 "imperialistic dogs. I claim this land to be mine.  
 "I am a true son of the soil. They are crooks and  
 "give us passes and make us pay tax. You are being  
 "/called to sacrifice. We will obliterate them.  
 "We don't want concessions. Forward to independence.  
 "Tomorrow United States of Africa in our land."

Jy handig dit ook in as bewysstuk "W".

Die spreker Sobukwe ken jy hom?— Ja.

As wat?— As die president van die P.A.C.

Ek wys vir jou 'n foto bewysstuk "D", dit is 'n  
 pamflet en ek wil hê jy moet dit deurlees. Merk jy die  
 datum 21 Maart verskyn daarop?— Ja.

Sou jy hierdie pamflet en soortgelyke pamflette neem  
 as waarna die sprekers verwys het wat sou uitgereik word?—  
 Dis reg.

XXD. No. 1 : No questions.

XXD. No. 2 : No questions.

XXD. BY No. 3:—

In what language did Sobukwe speak?— In English.

Not Mpedi?—No, English.

And Loballo?— English.

Are you not making a mistake?— No.

You say these speeches you took them as they were  
 speaking?— Yes.

So you took down everything?— No.

Did you understand everything?— Yes, I did.

That which you wrote you wrote it exactly as he  
 said it?— Not all the sentences.

What happened to the others?— I couldn't take down  
 everything, but I took them as I understood them.

The same applies to Lebolla's speech, you wrote  
 as you understood?— Yes.

You might have understood things in a different  
 manner?— I understood the man to say what I wrote down.



BY COURT: It was put to you that what you understood may not have necessarily been what the speaker meant, do you agree with that?-- No.

CONTINUED: You say you wrote as you understood it, the way you understood it?-- Not the whole speech. I said some portions of the speech were what I understood them to be.

These portions that you wrote as you understood them, might not necessarily have been intended to convey the meaning which you took them to be?-- It conveyed the same effect - for instance when you say "I'm going to town" and "I'm off to town" that's the same thing.

A long speech, delivered by the President of an organisation, is not as simple as going to town?--That was my expression.

I'll put it to you like this - other people might have understood it differently from what you understood it, will you deny that?-- I cannot give an opinion of what other people thought.

BY COURT: The question is that it is possible that other people could have understood it differently from you, do you agree with that?-- Yes.

CONTINUED: I want to read sentences from Leballo's speech, which are completely meaningless "We are finished with dom passes in our land, until we reach the united states of Africa"- explain what you understood by that?-- I understood him to mean he does not want a pass anymore. Nigeria and other places were quoted and he said they were free and the continent belong to the Africans.

Don't get confused now. I want to know what you understood by this sentence "We are finished with the dom pass"?-- I wrote the sentences as they were said, if you want the meaning you can ask the man who used those words.

BY COURT.....

BY COURT: Were there not words inbetween the words "We are finished with the dom pass" and the words "until we reach the united states of Africa"?--

Accused: Your worship the witness has said he took them down as he understood them and as they were said, so there could not have been words inbetween.

COURT TO WITNESS: Did you understand this sentence?--  
Yes.

As meaning what?-- They are finished with the passes, until the whole African continent is united. That was how I understood it to mean.

Cont. Anyway, I don't understand this sentence at all. Tell me you said you consider this pamphlet that was shown to you to be a follow-up on the speeches, how do ybu arrive at that - what connection is there?-- There is this connection, it is written by the president and the whole idea of that meeting was to do away with the passes and the same is contained in that pamphlet.

You quote Leballo as saying "Passes must be thrown away"?-- Yes.

That pamphlet, does it say that?--No, that pamphlet does not contain all my notes.

Does the pamphlet say "Passes must be thrown away"?--  
No, it does not say so.

What does it say about passes?-- That they don't want passes anymore. That they should be left at home.

But those are two entirely different things?--  
I don't think so.

Leballo could not have said "Throw away the passes"?  
I say he did say it.

Is that the only connection between the two - the question of the passes and the fact that it was written by the president?-- The contents in general are contained in the speeches of the various speakers.

Let.....

Let me tell you Sobukwe will say he spoke Xosa and he had an interpreter?-- He spoke in English and Xosa.

He will say he only spoke in Xosa and the interpreter translated it into Mpedi?-- No.

Leballo will say he spoke in Sesutu?-- I say he spoke in English. Sometimes they would switch to a native language and then again in English and so on.

Then you say Sebukwe said "We are fashioning the key to freedom" what is that intended to convey?-- Anyone with common sense will realise that according to the speeches, it was meant to convey that the key will unlock the chains, meaning the chains of oppression and slavery and this will be done by a key which must be fashioned. That's how I understood it.

Here is another passage "I will not call off the campaign, until demands are met..." what reference did that have?-- Well, it is simple and clear "I will not call off the campaign until such time as our demands are met."

Did he say which campaign?-- He said "our campaign" referring to the campaign against passes which was being launched at that time.

But the campaign had not started then?-- That was the commencement of the campaign, it does not mean the campaign had been launched already.

When was this campaign to be launched?-- I don't know.

(At this stage the witness is requested to copy his notes in a more legible form and to be handed to the accused for purposes of cross-examination. Case to stand down until 2 p.m.)

AT 2 p.m. CROSS-EXAMINATION BY No. 3 CONTINUED:

Now, Sergeant, how many people attended this meeting at Pretoria?-- Approximately 200.

Were those Pretoria people only?-- I don't know.

On 21st March, this year where were you?-- I was at my station.

Where?-- Pretoria.

The.....

The Police station?-- No, I have offices in Pretoria.

From these speeches, were there any sentences that you did not understand?-- No.

You understood everything?-- Yes.

Every word?-- Yes.

I put this to you because Mr. Sobukwe speaks a very high English? Was his English very simple?-- It was good English.

Simple?-- To my mind, it was simple yes.

When Sobukwe made reference to 'passes' which passes was he referring to?-- The reference books.

So whenever he said 'passes' he was referring to reference books?-- Yes.

BY COURT: Men's or womens?-- The speeches connected women pass books too.

CONTINUED: This phrase "If we don't sleep because of the passes, those who make pass laws willnot sleep" what did this mean to convey?-- That we won't sleep.

I am afraid I don't get you?-- He meant that on the 21st March people will be handing themselves over to the police, which they also did at various places, then we, the police, would have to be up late at night and early in the morning to cope with those that have handed themselves over to be locked up, we would have to work hard then.

BY COURT: He was talking about those who make the laws?-- Yes, but I am working with those who make the laws.

CONTINUED: Then there is another sentence "There won't be Europeans or Indians, but Africans..." and a little later it says "We will stay with the Europeans in the same schools and those who don't want to must go..." those are two conflicting things?-- Well, that was what he said.

BY COURT: The answer is contained in that same speech. You are taking sentences out of their context and I think the answer is clearly given in that portion of the speech.

Accused.....

Accused: Shall I put the question again to the witness?--

BY COURT: I understand this to be "There will be no Europeans or Indians, there will be Africans and if they don't want to stay here they must go otherwise they must divorce Europe and become Africans. I think you must ask Sebokwe himself.

Accused to witness: Can you answer this question, why is there this reference, why should he say we will live together with Europeans?-- It only means there will be no colour bar.

But there will still be Europeans?-- I suppose so.

Then a little later your notes say this "We will send our circulars stating the nearest police stations where people will hand themselves over..." did he say when they will be sent out?-- No date was mentioned.

What did you understand by "three days?-- I understood that three days before the date of action circulars will be sent out giving all the information and particulars. Not three days from the meeting.

Did you understand three days before action is taken, these circulars will be sent out?-- That is so.

Then Sebokwe speaks as follows: "Violence would only help the government and the police" did he say, apart from going to the police stations, how this campaign would be conducted?-- He said it would be conducted in an orderly manner.

Leballo made no reference as to how the campaign should be conducted, in fact he made no mention of the campaign?-- Not according to my notes.

Did any other speaker make reference to the campaign?-- I cannot remember off-hand.

Leballo's speech deals with colonisation and imperialism, I don't see anything mentioned about passes?-- That is so.

From Leballo's speech "If God has chosen us to die for.....

for freedom, we shall die" what did you understand by that?-- I don't know what he meant.

You said you understood everything?-- Yes, but this expression I don't understand.

RE-EXD. BY PROSECUTOR:

Jy het gesê dat Sobukwe goeie Engels gepraat het, het hy deurgaans net Engels gepraat?-- Nee, nie deurgaans nie.

Het jy jou notas gemaak net van sy Engelse gedeeltes?-- Ja.

Wat het hy andersins gepraat?-- Ek is nie seker nie, maar ek dink Xosa of Zulu, ek is nie seker nie.

Watter bantoe tale is jy magtig?-- Sesutu.

KROONSAAK GESLUIT.

After their rights have been explained to them, all three accused elect to give evidence under oath but wish to do so after Robert Sobukwe has given his evidence.

Case remanded to 18.11.1960 Bail to stand.

Court adjourned at 3.05 p.m.

RESUMED at 9.15 a.m. ON 18/11/1960.

ROBERT MANGALISO SOBUKWE, s.s:- (It was decided amongst the three accused that No. 3 will lead this witness)

You were the president of the Pan Africanists Congress? Correct.

When were you elected president?-- On the 6th April, 1959.

When was this organisation formed?--It was formed on the 4th April, 1959.

You have a Constitution?-- Correct.

What are briefly the aims of that organisation?-- There are five aims: FIRSTLY, to organise and unite the African people under the banner of African nationalism.

SECONDLY.....

SECONDLY, it is the purpose of this organisation to liquidate white domination, THIRDLY, to establish a new social order, known as the Africanist Socialistic Democracy, FOURTHLY to promote and consort the ideals of the Pan Africanists and FIFTHLY to strive towards the creation of the united states of Africa.

How did you as President of your organisation intend to achieve those aims, what methods do you intend using to achieve those aims?-- The methods we have not discussed in our organisation. We have believed that the methods will be decided upon at opportune times on the basis of our analysis appertaining at the time.

I want to make reference to the anti-pass campaign that took place on the 21st March this year and I want you to tell this Court very briefly how the decision to go into the campaign was arrived at?-- The decision was taken at the National Conference of the P.A.C. held on 19-20th December, 1959. A resolution was adopted at this Conference to the effect that the P.A.C. must take positive and decisive action against the pass laws. ~~The resolution was commenced~~ by events which stirred the headlines of the newspapers with reference to farm conditions.....

BY COURT: That does not affect this case.

CONTINUED: Who arrived at this resolution?-- It was a unanimous decision taken at the Conference by delegates of the P.A.C. - delegates representing the ordinary members of the organisation.

What is your membership?-- At the time of launching this campaign, it was close on to 200,000.

Is that all over the country?-- Correct.

You say the Conference decided that this campaign should be launched, did they give details of the method of launching the campaign?-- The Conference decided that the

National.....

National Executive would decide on the nature of the campaign and when the campaign should be launched, but because members of the National Executive are scattered throughout the country and it being very difficult to get them together, the National Working Committee then assumed the responsibility of working out the details of that campaign. So it was the National Working Committee which drew up the plans for the campaign but it was decided by the members of the National Working Committee that the date upon which the campaign should be launched, would be known to the President alone.

And was that so?-- It was so.

That is, the President should decide on the date alone?-- Correct.

Who are the members of the National Working Committee?-- They were Kitchener Leballo, Sam Ntloedibe, Jacob Noyse, Levy Mogoatsane and Stephany.

Were these elected in terms of the constitution?-- Correct.

I want to give to you certain leaflets exhibited in this Court, regarding the campaign and I want you to tell the Court what you know about them. I hand to you Exhibit "A", have a look at that?-- Yes, I see it.

Do you know that leaflet?-- I do.

Who issued it?-- It was issued by the Witwatersrand Region of the P.A.C.

What was the purpose of this leaflet, why was it issued?-- The purpose really was to arouse the consciousness of the people, to prepare them so to speak, for the campaign.

I hand to you another leaflet, Exhibit "B" headed "Passes must go now" do you know that leaflet?--I do.

Where.....



Where did this come from?--It was issued by the National Working Committee.

At the bottom there appears the words "Issued by the National Executive"?-- That's correct. As I explained, the situation really is such that the National Working Committee, as a result of a resolution adopted by the Conference, acted on behalf of the National Executive, for the reasons I have given. In other words it can be said the Executive mandated the National Working Committee.

What was the purpose of this leaflet?-- It too was a preliminary leaflet to prepare the people for the campaign.

Here is a sentence "The President, Mr. Mangaliso R. Sobukwe, shall make that call very soon." was that in terms of the conference?-- Correct.

This leaflet I am handing to you now, Exhibit "C" "Alerting the Nation", do you recognise it?-- I do.

What does it say?-- This too was issued by the National Working Committee and the purpose was also to prepare the people for the campaign.

Here I see this written "It was resolved that the President should call the Nation to take Positive, Decisive action against the Pass Laws any time this year"; this was in fact resolved at the Conference of the P.AC. held on the 19th and 20th December, 1959. Was that the Conference you referred to?-- Correct.

Why did it say "The President will call upon the nation very soon" why couldn't you be clear on that aspect?-- Because as I had already explained and pointed out the date upon which the campaign was to be launched was known to the President alone.

*When would this date be made known?-- It would be made known three days before the campaign was launched.*

I hand...

I hand you another leaflet "Calling the Nation" Exhibit "D". Do you recognise this?-- I do.

There is not much difference between this and the others except that your name appears at the bottom thereof, why is that?-- Because this is the call I had to make, announcing the date of the commencement of the campaign.

BY COURT: And that date was fixed for the 21st March, 1960?-- Correct.

Who fixed that date?-- I did, sir.

CONTINUED: Now, in this leaflet, I'm not concerned about the demands etc. made, but which nation were you referring to in this leaflet?-- I am referring to the African People.

The people as a whole or what?-- The whole nation.

Under paragraph (B) you said "These are my orders, and if we must win, these ORDERS MUST BE FAITHFULLY OBEYED"?-- Were those your orders?-- Correct.

Under (C) it says "Under the local Leadership of the Pan Africanist Congress, the men will move to the chosen Police Stations and there surrender themselves..". Now can you explain the local Leadership of the P.A.C.?-- The structure of the organisation is such that at the time of the letter we had, what is known as a branch, consisting of 15 or more members and that Branch has a Branch Executive, that constitutes the local Leadership, then there is the Region and then the National Executive.

So that by local Leadership you mean Branch Leadership actually?-- Correct.

Did you and your National Working Committee issue these leaflets throughout the country?-- Correct.

Did you issue them regularly?-- Correct.

Who were responsible for this?-- Two members of the National Working Committee.

Who.....

Who were they?-- Nana Mahombo and Peter Mlutzi.

I am going to give you an extract of a speech you are alleged to have made at Pretoria on the 13th March this year, do you remember attending any meeting in Pretoria on 13th March, 1960?-- Yes.

What meeting was it?-- It was a meeting of the P.A.C., in fact it was a public meeting but it was called by the P.A.C.

Who called this meeting?-- The Pretoria Branch.

Who were the leading speakers at this meeting?-- I was and the National Secretary, Mr. Leballo. Mr. Noyse spoke at that meeting too amongst others and also the third accused.

I spoke?-- You did.

Do I hold an office in the P.A.C.?-- Yes, you are the Secretary for Publicity and Information.

What is this "Publicity and Information"?-- In terms of our Constitution there is, what we term, a secretariat, consisting of about seven officers and all members of the Secretariat are responsible to the National Secretary. They have got to submit reports to him on respective conferences.

Explain to the Court please, what the standing in this structure of the organisation is, of this secretariat, its position as such?-- It is really a type of civil service of the organisation, taking its instructions from the National Secretary and giving reports to him.

Now we get back to this Pretoria meeting, in what language did you speak there?-- I spoke in Xosa.

BY COURT: All the time?-- All the time yes.

CONTINUED: Evidence was given here by Sergt. Campbell to the effect that you spoke English?-- I do not use English in public speeches.

You never do?-- That's the policy, although not stated policy, but that is what we encourage, we

must.....

must speak the language that the people speak.

BY COURT: As far as my knowledge goes Xosa is understood by less people?-- I beg to differ, sir, I think it is just the reverse. There are more Xosa speaking people than any other language. I have been a lecturer in Bantu languages, so I would be able to testify to this.

Do you say in Transvaal there are more Xosa speaking people than others?-- Yes, in Johannesburg and Pretoria alone there are more Xosa-speaking people than any others.

CONTINUED: So you say, although it is not a state policy, it is agreed that you speak the language in which the people would understand?-- Correct.

You have told his worship that I also spoke?-- Yes.

What was the emphasis of your speech?-- The main emphasis was on the pass laws of the State, the reason why we had to take positive and decisive action against the pass laws, what our demands were and in fact the broad outlines of the nature of the campaign.

Did anybody else speak about the campaign?-- No, I was the only one.

Why?-- Because I was the only one who knew what lines the campaign would take.

Will you read this extract of your speech?-- I have read it. (Exhibit U)

Do you recognise this as having been said by you?-- Apart from the fact that I spoke in Xosa, there are passages that are unintelligible.

You see the English you are alleged to have spoken?--

BY COURT: The witness said he wrote down what he understood the speaker to say.

CONTINUED. Will you tell the Court what is your knowledge of English?-- Well, without being boastful, apart from possible grammatical mistakes, it leaves

very...

very little to be desired.

What is your standard of education?--- B.A. (S.A) Hons.(Rand)

What is your profession?--- I was lecturer at the University of Witwatersrand.

This sentence "Your eyes on the gates of the united states of Africa and not at the dust of the soldiers" what does this mean, can you explain it? You are alleged as having used this phrase?--- This is one of the passages that I said was meaningless, unintelligible, to me its absolutely meaningless, unless it referred to soldiers marching along - I just can't make out what it could mean. I definitely did not have soldiers marching along in mind when I made my speech.

There is another sentence "If God has chosen us to die for freedom, we shall die" what do you say about that?--- I don't think I am capable of saying a thing like that.

You weren't in Evaton on the 21st March?--- No.

What did you expect that day to happen?--- I expected the masses of my people to surrender themselves at the nearest police stations.

Were you confident that that would happen?--- Quite, because the enthusiasm was unanimous and the campaign, the anti-pass campaign, was a very popular one because the pass laws affect all our people. I was certain the support of the people was unanimous and whole-hearted.

This was the first action against passes in this country?--- It was not. There have been many in the past, but I think it was the first of its kind.

When were the others?--- The first one was in 1913, I think and subsequently there had been many.

XXD. BY PUBLIC PROSECUTOR:

I take it that from what I have read about the constitution of the P.A.C., it was established and run on a democratic basis?-- Correct.

You will also agree that democracy was something not inherent to the native people of Africa?-- I contest that.

Why?-- Because they are the most democratic people.

That is not what history tells us?-- I beg to differ from you with respect, they are the most democratic people, they are extremely democratic. That's why we quoted Chaka for instance. History tells us that at their khotlas everybody could speak...

Coming back to the so-called democracy of the P.A.C., the way it was established, was it something inherent of the native people? In other words did the 'modis mutandi' arise or originate from the native people themselves or from western democracy?-- The form of the organisation was borrowed from the west, that's all.

Would you not find it strange that the members would confine almost an autocratic power in the president?-- Not at all.

Would you explain that if you do not agree?-- Our Constitution decided that...

Yes, but the decision rested with the president, in other words with yourself?-- Correct.

The decision as to the date of the campaign rested with you? You told us the date was known to you alone? In other words you could decide on the date without reference to the members?-- That was the resolution of the Conference.

In fact the position was this that at that Conference of the 19th and 20th December, 1959, it was decided that the President, meaning you, be given the autocratic powers referred to?-- Yes, because of what.....

what was expected to happen, it was decided in matters of urgency, the president should have such powers.

In other words they had full confidence in their president?-- Yes.

You relied on their full support?-- Yes.

You have stated in your evidence-in-chief that during December 19th-20th your membership amounted to approximately 200,000?-- Correct, I said so.

Do you recall that at the times when reports were released by your organisation, the membership was quoted as something like 31,000?-- Yes, I know that.

Why was that?-- It was done deliberately. The idea was to mislead the press which was very much against us and wanted to play down our membership, so we decided to encourage the press for more publicity.

Wouldn't you say it was an attempt to hide the actual membership of your organisation from the authorities?-- Not at all.

And the public?-- No, not at all.

And thirdly, from your own members?-- Those were the people we wouldn't hide it from.

So it was only meant as a blindfold to the press?-- Correct.

Now, you knew before the 18th March this year, what form of campaign you were going to call?-- Yes.

When was that decided upon?-- Probably towards the end of February or beginning of March.

What were your viewpoints at the time you decided to call the campaign, what actually did you aim at?-- What I wanted to achieve was, first of all, to prevent violence at any cost because as I said in the circulars the only people who would benefit by violence, would be the government and the police and we realised once violence is introduced, the objectives of the campaign would be lost. Secondly, it was my hope that.....

that with the support of the African masses, we would be able to get the pass laws removed from the statute books of this country once and for all and one of our demands in that circular was a minimum wage of £35 per month or £8.3.4 per week.

Shall I put it this way, because of your education you could be an authority on the habits, customs and the position of the native people in this country?-- I know mankind and I don't think my people are any different from other people.

What would you call their standard of education?-- Many of them did not have the opportunity to have education.

Would you inherently look upon them - on an average - as being the same as any other people?-- Correct.

With the same standard of evolution as others?-- On the same level as mankind in general.

Do you mean there is no difference?-- They are a human race.

What I am getting at is this - we know for instance that the Americans have their own characteristics, and so have the English, each race has its own characteristics?-- They are just as human as others.

But they all disclose their own characteristics?-- The training of the Englishman, for instance, is such that he will go down with his boat - at least he has that about him.

Leaving the Americans and the English, would you deny that a big crowd of Bantu would be more excitable than Europeans, for instance?-- I will deny that.

I take it you will also deny that you had envisaged any violence or uncalled for behaviour from the crowds on the 21st March, 1960?-- I was certain there would be none.

I want.....



I want to put to you what has been said in this Court about what happened in a certain shop on the corner of Kruger Avenue, the road which the procession followed - the shopkeeper testified that her shop had been plundered by the crowds, things were taken off the shelves without being paid for; big crowds of bantu crowded in there and refused to pay for things and merely helped themselves, did you envisage that type of behaviour?-- No, definitely not.

Would you put that down to a local incident?-- Not at all. I'd like to be convinced that it took place; I don't believe it.

Speaking about local leadership, <sup>who</sup> did you expect to lead the procession on the 21st March 1960 in Evaton?-- That would be known to the members of the Working Committee. I would expect the Chairman and Secretary of the branch to have led the procession.

At the police station, would those be the people you would have expected to act as spokesman for the crowd?-- If there wasn't amongst them a more senior member of the organisation.

Obviously an office-bearer would be a senior member?-- It depends what the branch consisted of.

You mentioned two names Mltuzi and Mahomo, what were they actually?-- Nana Mahomo was the Secretary of Cultural Affairs and Peter Mltuzi was the P.A.C. Secretary.

Would they be higher than the Secretary for Publicity and Information?-- No, they would be below him.

So normally, if they were here on 21st March, you would have expected those two to lead the procession?-- They were doing priority work, they were proposed to do the launching in Johannesburg.

That would therefore naturally leave accused No. 3 as the most senior member of the P.A.C.?-- In Evaton yes.

And.....

And as such you would expect him to act as spokesman for the crowd?-- Yes.

This Court also heard evidence from a witness who went along, he did not know what it was all about, he was inquisitive and wanted to know what it was all about, would you say that was due to lack of organisation?-- It is to be expected, you will always find people who would go just out of inquisitiveness. It depends on the amount of organisation.

Exhibit "D" that is the pamphlet which announced the date of the campaign etc. where it says "The leader will tell the Police: "We all do not have passes," so in accordance with your instructions here they should have left their passes at home (by the way I take it when you say "passes" you actually refer to Reference Books?-- Yes.

So they had no business to take them with if they wanted to obey the P.A.C. instructions?-- Yes.

In doing so, you knew that would be a contravention of the 1952 Act?-- Correct.

And if your local leader here had done the job properly, he should be advocating those views and instructions to the members?-- The circulars would give the instructions.

It is wellknown there are many thousands of bantu who are unable to read properly?-- Yes.

What about them? Surely they should not be excluded?-- The circulars were all written in an African language as well.

BY COURT: And if they cannot read that, what then?-- They would get somebody to read it for them.

How did...

How did you circularise them?-- I was responsible.

How did you distribute them?--The members of the National Working Committee saw to the distribution.

In what way were they supposed to do the distribution?-- Depending on the various areas. In Johannesburg, for instance, they were given only to members of the P.A.C.

Lets talk about an area the scope of Evaton?-- Here they were distributed by the members, according to their report, to as many Africans as possible.

Why?-- Because this was a call to the nation as a whole.

We have here members who actually gave you autocratic powers and rights to do things, now if you acted in accordance with that, there would be no fault to find as far as they are concerned, but if non-members were to act on your instructions, would that be in line with your original idea? In other words, if non-members had taken part in the campaign, that would actually be what you wanted?-- Yes.

In other words, the campaign was not directed to the members of the P.A.C. only?-- No, an appeal was made to all - to all African people, not only members of the P.A.C.

Do you find it more easy to persuade Africans than you would find with Europeans, for instance?-- They are all alike, if I could persuade this group, I can persuade the other too in view of them all being human beings.

If that is the case, would you not have thought that your gift of persuasion might be better directed to the European legislative section in this country?-- No, it would not have been because the pass laws are made by the legislature.

You just told the Court you would find it just

as easy to persuade Europeans as Africans?-- Correct.

Would you agree that the legislature regarding the bantu originates from the Europeans population?-- Originally it is from England.

From the European population?-- The form parliament has taken in this country is borrowed from Westminster Abbey in Britain.

I come back to the same question, I don't think it is necessary for me to explain it to you as I would to a child, but will you agree that the legislature originates from the European population?--

BY COURT: It came from the white section?-- Correct.

CONTINUED: Why did you not aim your power of persuasion at the European section?-- Simply because the European population benefit from these pass laws in this respect that the prison labour as result of pass laws contraventions is used on the farms and factories.

Why didn't you try your gift of persuasion on the other side?-- Simply because people will not be persuaded to do away with something from which they derive benefits.

Therefore you could not even try to persuade them?-- Yes because this particular section happens to benefit by it, not because of the colour.

Would you think it would be just as easy to persuade the black population to stop using schools, put their by Europeans, to stop using other facilities put there by Europeans?-- It would be difficult.

So you took the line of least resistance?-- That's your interpretation.

TEA ADJOURNMENT 11.10 - 11.50 a.m.

CONTINUED:

You spoke at the meeting at Pretoria on 13th March, 1960?-- Yes.

You spoke Xosa right through?-- Correct.

Never used a word of English?-- Correct.

When.....

When addressing a meeting, do you speak a language that would easily be understood by the audience, or would one speak a language that the audience may not always be able to grasp?-- You speak a language that would easily be understood by the audience.

And if the language used is not understood by the audience, you still continue using it?-- Yes and you use an interpreter.

All these pamphlets disclose the slogan "No Bail" "No fine" and "No defence."?-- Correct.

By that I take it you meant no bail was to be paid?-- Correct.

And no defence would be put up?-- No defence would be engaged and no fine would be paid.

In other words, it meant a passive reaction?-- Correct.

Did you expect your members to adhere to that circular?-- Correct.

Now the whole campaign was it based on a voluntary basis, a voluntary action of the members and others who might wish to join them?-- Correct. Nobody was forced to do anything.

But every participant should have been fully conversant with your instructions?-- Not necessarily.

I said "should have"?-- It still means the same thing.

The decision rested with the individual?-- Correct, but I expected the people to react as a whole to the call.

What did you actually have in mind would happen on the 21st March? Who were to address the crowds, keep them orderly and who were to direct them?-- Nobody was to address the people were to get to the police station under the leadership of the local branch chairman, he would act as spokesman and tell the police they were there....

there to surrender themselves because they did not have their passes on them.

Would it also be the duties of these executive members to convey to the crowd messages from the police?-- If the police spoke to them it would be their duty to convey to the crowd whatever the police decided.

If anybody addressed the crowds before they had interviewed the police, would that be contrary to your wishes and instructions?-- Again not necessarily. It depends on the circumstances, if he felt <sup>it</sup> necessary to appeal to the crowd once more to be rudy and orderly, he could have done so.

Apart from appealing to them to be orderly etc. if anybody spoke to the crowd in a further explanation of the pamphlets or in explanation of the purpose of the campaign, would that be contrary to your expectation?-- I cannot say although I would have considered that to be contrary to my orders because I gave no such orders.

What did you have in mind?--That there would be no trouble at all.

We have had evidence in this Court that witnesses said they did not know what it was all about, didn't you make arrangements for those people to be enlightened?-- No, the pamphlets did that.

Was your canvassing to be limited to pamphlets?-- Yes and public meetings.

Would you include in your version of a public meeting, a crowd demonstrating, marching along the streets, going along to the police stations?-- No.

What would you call that?-- That would be demonstration.

With nobody addressing them?-- It all depends what the police decided. You wouldn't call it a public meeting because it would not be called by any member of the organisation.

Even.....

Even if the crowd is brought together by pamphlets issued by the P.A.C.?-- You still would not call it a public meeting. To my mind a public meeting is held at a specific place, called by the organiser....

BY COURT: If a large number of people come together and hold a meeting, isn't that a public meeting?-- It is generally referred to as a mob meeting or a crowd meeting.

CONTINUED: By your version or interpretation of the word "public" you mean a meeting held at a public place?-- Legally it is a meeting where the public has access to.

Now in your speech at Pretoria and also in your evidence given before another Court, you implied that everybody, I cannot remember the exact words now, but it was to the effect that everybody was welcome to serve under the African rule, provided that he was prepared to accept the majority rule and they were prepared to call themselves Africans of the united states of Africans?-- You have the general idea of it. The stated policy of the organisation is what we stand for is government by the Africans, for the Africans, if everybody is prepared to accept the democratic rule of the African majority and is prepared to regard himself as an African - that is the continental view.

What would you say about those who do not want to accept that view?-- We say they don't belong to this country, or this continent.

What did you actually say?-- All I said all along at every meeting those who don't want to belong to that group, have no hope of living a happy life.

What should happen to them?-- The decision is theirs, they won't be happy if they do not wish to belong to that community. Everybody wants to be long to a certain group.

Did.....

Did you make reference to the fact that Europeans should go back to Europe and the Indians to India?— Not at all. I deny that I made that statement.

Your exact words at another trial were as follows  
 "In the language of our movement that the United  
 "States of Africa will stretch from Cape to Cairo,  
 "from Morocco to Madagascar. For the same reason,  
 "thinking on a continental level, we stand for govern-  
 "ment of the Africans, by the Africans, for the  
 "Africans, with everybody who owes his allegiance to  
 "the continent of Africa and is prepared to accept  
 "the democratic rule of an African majority being  
 "regarded as an African"

Is that what you said?— Correct.

Then you are recorded as having continued "Our  
 "analysis of the South African situation has lead us  
 "to the conclusion that we can best achieve our ob-  
 "jectives by clearly defining our ultimate <sup>oa</sup> goals and  
 "drawing up a programme of action which we shall faith-  
 "fully pursue instead of reacting to the legislation  
 "of the white parliament as it flows from that par-  
 "liament" and in other words you were actually ad-  
 vocating the overthrow of the existing parliament?— White  
 domination.

Why refer to parliament?— I was then referring  
 to methods pursuing in the past by organisations. As I  
 said in that Court our programme was aimed at self-control

Then you said "We decided to bring about immediate  
 "abolition of the pass laws because that was the  
 "immediate needs of the African people. That was their  
 "demand" Am I correct in quoting that as having been  
 said by you?— Yes.

What actually did you envisage by "immediate aboli-  
 tion"?— Compulsion of the legislature to remove those  
 laws. Persuasion would be better than compulsion.

But you said "immediate abolition"?— I did not mean  
 talks and discussions, but to create conditions that would  
 compel or persuade them to abolish such laws.

You were prepared to create conditions, what condi-  
 tions did you visualise?— Industrial paralysis of the  
 country....



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