

compared with the struggle which is between African Nationalism on the one hand, and Imperialist oppression on the other. We will not tolerate anyone who wants to blur this fundamental statement of the problem in this country by introducing a ridge in the form of Indian or Jewish exploitation here and there." 5

On page 7, My Lords, the past paragraph - still the same article :-

"Regarding the insipient African Capitalist class which has grown quite appreciably in recent years, the African people must be aware of its vassalation, weakness and cowardice. At this stage we cannot avoid the lions within, but we must always be vigilant and prevent these people from leading the people away from the major tasks facing the African liberation movement at this time." 15

The next is J.D.M.15, My Lords - "Programme of the 42nd national Conference of the A.N.C. 16th to 19th December, 1954". I hand this in for possession only, My Lords. J.D.M.18, is a bulletin issued by the South African Society for Peace and Friendship with the Soviet Union. It is undated. It contains a resolution of the Central Committee of the Communist Party of the Soviet Union, "Stalin Cult". I hand it in for possession, My Lords. J.D.M.19 is "Report of the National Executive Committee presented to the Joint Executives of the African National Congress, .S.A. Indian Congress, etc.", and it is the same as A.186, My Lord - a portion of that document. The next is J.D.M.21 - it is a booklet "The Threatened People", and it is the same as F.A.22. J.D.M.22, My Lords, is a roneoed document, 20 25 30

"Presidential Address delivered to the Transvaal African National Congress Conference, held at Orlando, from the 8th to the 10th October, 1955". I read two paragraphs, My Lords, from page 1 :-

"African Chiefs, Headmen, Ministers of Religion, 5
School teachers, intellectuals, workers, men and
women, wherever you may be and whoever you are, in
the name and on behalf of the African National Con-
gress, Transvaal, I greet you, as the forces that
are destined to play a decisive role in the libera- 10
tion of the oppressed peoples of South Africa from
imperialist exploitation and White domination. We
know we cannot rely on U.N.O. to punish France or
to really bring Strijdom to book for an offence
against its rules. It is something like those all- 15
White juries which find farmers not guilty of flog-
ging men to death in this country, when everyone
knows they are guilty. Imperialists will only be
defeated by the colonial people themselves, but we
must learn and stand together, just as the imperia- 20
lists stand together in their North Atlantic Treaty
Organisation, etc. The people of Morocco will de-
feat the imperialists and win their independence.
Nevertheless they will be the stronger by knowing
that other people suffering from oppression are 25
standing together with them. I think we should
send them a message of friendship and sympathy from
this conference."

Then, the next paragraph :-

"It is very interesting tonote that the Union 30
Government was not invited to attend the Bandung
Conference. The reason is quite obvious. The

Government does not really represent the people of South Africa at all. It is elected only by the White minority which regards itself as the Master Race. It was not Mr. Strijdom by Mr. Kotane that represented the African people and M. Cachalia, representing the South African Indian community, on whom all the nations of Asia and Africa looked as the real spokesmen of the people of our country. We may be sure that all those nations look upon our struggles with sympathy and goodwill." 5 10

I skip the next paragraph :-

"Let them call the Freedom Charter treason and sedition if they want to. For us it embodies all our dearest aims and aspirations of the kind of South Africa we wish to live in and our children to grow up in. We shall never abandon the Charter. We shall carry on the fight until every last demand in the charter has been won, even though the enemy with its cruel and wicked aim of apartheid and baaskap may do its worse to us." 15 20

Then the last paragraph :-

"Others are trying to bring about a split in Congress between right and left. They would like to do Mr. Swart's dirty work by hunting for so-called Communists. We know that there are men and women in the African National Congress who were in the Communist Party before it was dissolved. Most of them are hardworking, sincere members, who abide loyally by the constitution and the aims of the African National Congress." 25 30

The next, J.D.M.23, My Lords, is a roneoed circular -

"The People on the march to freedom", and it is the same

3156.

(C. BOTHA)
(J.D.M.23,27,32,35,38,
40,41,45)

as A.102. Then J.D.M.27, is a circular letter, dated
the 9th November, 1955, and it is signed "Y. Putini,
Secretary,", from the African National Congress Youth
League, Transvaal. I read two paragraphs from this,
My Lords. The first paragraph - it is addressed to 5
"Dear Sir/Madam" :-

"This serves to introduce the African National
Congress Youth League. The African National Con-
gress Youth League was formed in 1943 at the con- 10
ference of the African National Congress. The
main persons behind the African National Congress
Youth League were well-known personalities like
the late A. Lambere, W.M. Sisulu, O.R. Tambo and
others."

Then :- 15

"Please find herewith enclosed a copy of a pro-
gramme for building a mass Youth League, which we
desire to implement. We would be happy to receive
your comments. As the information we have given
is scanty, we would welcome the pleasure of an in- 20
terview at a time and place suitable to yourself
so that we can explain ourselves in greater detail."

J.D.M.32, is "Congress Voice", Volume 1,
November, 1955, and it will be dealt with under G.1066A.
J.D.M.35 is "Fighting Talk. Volume 11, No. 11, December, 25
1955", and it is dealt with under G.1132. The next is
J.D.M.38, My Lords, a pamphlet "A call to all mothers",
and it is the same as A.195. J.D.M.40, is a number of
lectures "What every Congress Member should know". It
is the same as W.S.56. J.D.M.41, is a roneoed circu- 30
lar, "The situation in Hungary", and it is the same as
B.261. And the last is J.D.M.45, "Transvaal Consultative

(BELT 438)

3157.

(C. BOTHA) (L.E. BOTHA)
(J.D.M.45)

Committee", a circular letter, dated the 25th September 1956, addressed to the Secretary, C.O.D., A.N.C. Women's League, and it says :-

"Dear Friend, please take note that the next meeting of the joint executive will take place on Saturday, 29th September, 1956 at 2 p.m. at the Congress Hall. The agenda will include, 1. the role and functions of the Transvaal Consultative Committee; 2. Anti-pass campaign; 3. General."

NO FURTHER QUESTIONS. 10

NO QUESTIONS BY MR. FISCHER EXCEPT INSOFAR AS HE MIGHT READ IN SOMETHING.

BY THE PROSECUTOR : 15

The next witness will deal with documents taken from Dr. A.E. Letele.

LOURENS ERASMUS BOTHA, duly sworn;

EXAMINED BY THE PROSECUTOR : 20

Mr. Botha, you are a Captain in the South African Police, and you are now stationed at? --- Beni.

Where were you stationed during 1955? --- At Kimberley.

On the 27th September, 1955, did you go to No.2 Location in Kimberley? --- I did, My Lord. 25

To whose house did you go? --- The house of one, Dr. A.E. Letele.

Did you go only to his house? --- As also to his surgery, My Lord. 30

Where is his surgery situated in relation to his house? --- A short distance from his house, also in

No. 2 Location.

Do you know Dr. Letele? --- I do, My Lord.

And was he present? --- He was present, My Lord.

Both at his house and at his surgery? --- That 5
is correct, My Lord.

Was he an Accused at the Preparatory Examination? --- He was, My Lord.

Did you carry out a search at his house and also at his surgery? --- I did, My Lord. 10

And did you take possession of certain documents? --- I did, My Lord.

Both at the house and at the surgery? --- That is Correct, My Lord.

Are you able to tell today which documents 15
you took at the house and which you took at the surgery?
--- I think I can, My Lord.

Will you look at the documents in front of you, Captain Botha, they are all numbered A.E.L., and they are A.E.L.1, 2, 3, 4, 5, 6, 7, 9, and 10? --- Yes, 20
My Lord.

Now, those documents you seized in the presence of Dr. Letele at his house and at his surgery? --- That is correct, My Lord.

Could you tell which of those you took at his 25
surgery?

BY MR. JUSTICE RUMPF :

Did you make any mark on the document - to indicate? --- Not in the document is it indicated where I seized it from, but a receipt was made out the 30
same day - a separate receipt for those found in the house, and a separate one for those found in the surgery.

3159. (L.E. BOTHA)
(A.E.L.1,2,3,4,5,6,7)

BY MR. JUSTICE RUMPF :

Well, does it matter - he made out two receipts? Did you hand the receipts to....? --- I gave Letele a copy of the receipts.

EXAMINATION BY THE PROSECUTOR RESUMED :

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When you seized the documents, did you ask Letele anything about them? --- No, My Lord.

A.E.L.1, My Lords, is a "Fighting Talk. Volume 11, No. 4, June 1955". It was dealt with under G.1132. A.E.L.2 is a "Bulletin of the South African Congress of Trade Unions. Volume 1, No. 2, June 1955, called "Workers' Unite", and it was dealt with as D.28B. A.E.L.3 is a message to the Congress of the People of South Africa meeting at Kliptown, near Johannesburg, Transvaal, South Africa, on June 25/26th, 1955, by Albert J. Luthule, president general of the A.N.C., and is the same as C.M.43, or E.T.M.76. A.E.L.4 is a booklet "That they may live", "African Women Arise", February, 1954, and it was issued by - published by the Women's International Democratic Federation. A.E.L.5 is a "Africa's way Forward", by Moses Kotane, and it is the same as D.79. A.E.L.6 is a circular letter, "National Consultative Committee of the A.N.C., S.A.I.C., S.A.CO.D. and S.A.C.P.O., dated the 2nd September, 1955, signed by Moolla for A. Patel and R. Resha, Joint Secretaries, and it is the same as A.2. Attached to that is the document "One Million signatures for the Freedom Charter", that is the same as A.2, My Lords. A.E.L.7, also consists of two documents. The first is a roneoed circular from the National Action Council of the Congress of the People, signed Moolla, dated the 26th July, 1955. That is the same as L.N.43. The

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3160. (L.E. BOTHA)
(A.E.L.7, 9, 10)

second is "Resolution adopted at the C.O.P." and is the same as A.134. A.E.L.9, My Lords, is a manuscript letter, dated the 14th January, 1954, from Box 64, Benoni, addressed to "My dear Arthur", and it is from "Yours affectionately, Oliver". It only asks whether this person to whom it is addressed, Arthur, would let the A.N.C. have his farm at Th^eBanchu for a meeting of the A.N.C. and S.A.I.C., the S.A. Congress of Democrats. And A.E.L.10, My Lords, is a draft Freedom Charter, which is the same as C.M.42.

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NO FURTHER QUESTIONS.

NO QUESTIONS BY MR. FISCHER.

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THE COURT ADJOURNS UNTIL THE 17TH SEPTEMBER. 1959.

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COURT RESUMES ON THE 17TH SEPTEMBER, 1959.

APPEARANCES AS BEFORE.

BY MR. FISCHER :

My Lords, there are one or two matters to be referred to in the documents of Matlou, the J.D.M. series. The first is J.D.M. 9, the witness My Lord, was Sergeant Claudius Botha. The first is the African Lodestar, Exhibit J.D.M.9 which is a document in the Political Schedule. My learned friend informs us that the Crown relies on page 6. I merely wish to point out, My Lords, that the context in which the article was written - it is clear from the article that it was written just immediately after the British Elections in which the Labour Government was ousted, and Sir Winston Churchill was returned as Prime Minister. The Crown read in the second half of paragraph 3 on page 6. The first half gives the context:

"From the class and group that this man represents.."
that is Churchill - "...Africa must expect the full force of conservative reaction. The Labour Government hit the people with whips, and we must expect the conservatives to flog them with scorpions. We must therefore expect this crowd to apply direct methods to crush the National Liberation Movements".

And then continues the part my learned friend read. The next document, My Lords, is also an African Lodestar, J.D.M. 10, of October, 1951. I wish to refer to paragraphs 1 and portion of 2 on page 1(a). This appears to be the leader headed "The Nation Must Prepare", and it says :

"In a previous issue of this journal we discussed at

length the implications to the national liberation movement of the Suppression of Communism Act (then a Bill before Parliament) and indicated how it threatened to destroy democracy in South Africa. We warned the country not to be deceived by the name of the Act and demonstrated how African Nationalism, even more than Communism, was the driving force in the fight for national independence and that, in passing that Act the Malan clique were in fact arming themselves with a weapon to meet this rising challenge of African nationalism.

Since then events have richly validated the accuracy of our analysis..." and the article then proceeds to demonstrate that. My Lord, lastly, of the documents put in, there is J.D.M. 22, the Presidential Address delivered to the Transvaal A.N.C. Conference of the 8th-10th October, 1955. I am referring to paragraph 5 on page 2, which is a paragraph just after those portions which the Crown read on that page. This paragraph can be summarised, My Lords, as a complaint against various acts of the Government, such as the removal to Meadowlands, Bantu Education, Passport rules and so forth, and then it concludes, having dealt with passes that many Europeans say "We are not Natives, why should we carry passes. But did you ever stop to think that if it is bad for you to have to carry a pass, why is it not also bad for an African to carry one. They will have to learn..." - that is referring to the Europeans and Coloureds - "... that no one in this country can ever be free while the African majority is enslaved. If this country is a gaol for us, it is a gaol for everybody. They will have to learn that there is only one road to freedom, to join hands with the A.N.C. and to fight

for the Freedom Charter." Finally, My Lords, there is one document not put in, which I put in merely for possession at this stage, and that is what appears to be an official version of the 1949 Programme of Action. That will probably be referred to later. That is Exhibit J.D.M. 24. 5

BY MR. TERBLANCHE :

My Lord, the next number of Exhibits I wish to tender and put in in terms of the admission made by the Defence at the Preparatory Examination. The reason for this is, My Lords, that Detective Head Constable Scholtz, who carried out this search, has had a cerebral haemorrhage and I have a certificate in Affidavit form from the District Surgeon that he will probably never be able to give evidence. 10 15

BY MR. JUSTICE KENNEDY :

If the admission is clear, do we need any affidavit? If it is not clear, then will the affidavit help us?

BY MR. TERBLANCHE : 20

No, My Lord, but as there was more or less an undertaking by the Crown not to use this and not call the witness - it is only to explain why. Your Lordships have already been referred to the general admission, Volume 7 and the beginning of volume 8. The further admissions in regard to these exhibits appear on page 1632 in Volume 9. The Prosecutor there, My Lord, refers to three searches, and the last paragraph on page 1632 refers to this : 25

"On 5.12.56 Detective Head Constable Scholtz of Kimberley searched the premises Thibella, Lang Street, Galeshewa, Kimberley, and No. 10 Molshewa Street, Galeshewa Location Kimberley, and in the 30

presence of Dr. Letele the Accused 154, and under the authority of a search warrant, seized the documents numbered E.A.L. 13 to 53."

And then, My Lord, on page 1635 :

"By Mr. Coaker : " - referring to the three searches - 5

"Regarding the three searches, the Defence admit the facts as set out by my learned friend, making the usual reservation".

BY MR. JUSTICE RUMPF :

Then according to what appears on page 1632, 10 the admission was that Detective Head Constable Scholtz searched the premises mentioned, and in the presence of Dr. Letele seized the documents A.E.L. 13 to 53. That is the admission. What do you wish to do now?

BY MR. TERBLANCHE :

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I wish to hand in these documents, My Lord, as having been found at those premises.

BY MR. JUSTICE KENNEDY :

Should you have evidence that the documents you propose to hand in are the documents which were mentioned by - were mentioned in the admission. 20

BY MR. TERBLANCHE :

They are mentioned in the admission, My Lord.

BY MR. JUSTICE BEKKER :

You have got to prove that the documents 25 handed in at the Preparatory Examination under that admission, are the documents you wish to produce here. Shouldn't you prove that?

BY MR. TERBLANCHE :

They are numbered, My Lord, and it has 30 always been accepted that those numbers were the P.E. numbers and put on at the Preparatory Examination.

BY MR. JUSTICE BEKKER :

But you have still got to prove that the documents you are about to produce here are the documents - those documents, isn't that so?

BY MR. TERBLANCHE :

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Except that they were numbered at the P.E., My Lord, but if...

BY MR. JUSTICE BEKKER :

How does that prove that those are the documents covered by that admission? For all I know, another set of documents may have been marked in the same way. 10

BY MR. TERBLANCHE :

That is a possibility, My Lord, and in that case I'll have to call the evidence required, unless my learned friend is prepared to admit that these are the documents. 15

BY MR. FISCHER :

My Lord, I haven't seen them, so I am really not in a position to make the admission. If my learned friend can establish that those are the documents, it may be simpler for him to put them in first and prove it later, but ... 20

BY MR. JUSTICE RUMPF :

What could be done is that he could apply to put them in under the admission, but at a later stage - well, his attention has now been drawn to the fact what may have to be done. 25

BY MR. JUSTICE KENNEDY :

There isn't any difficulty about this, is there, Mr. Fischer? It has been accepted all along, in I don't know how many hundreds of the Exhibits that the numbering appears to be the same. 30

BY MR. FISCHER :

Yes, that is so, My Lord. I am - I have not however been faced with a situation where I am not sure what the documents are, and the person concerned isn't amongst the accused.

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BY MR. JUSTICE RUMFF :

Your point is that before considering making an admission you want to see the documents?

BY MR. FISCHER :

Yes, My Lord.

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BY MR. TERBLANCHE :

My Lord, I'll then put in these documents, with the reservation that either my learned friend will make the admission or I will be required to prove that these are the documents.

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The documents, My Lord, bear the following numbers :

A.E.L. 13, 14, 15, 16, 18, 19, - the first one is

A.E.L. 13, and it is a letter from the African National Congress, Transvaal, dated the 31st July, 1956, addressed to Dr. A. Latele, 504 Modziwa Road, Galeshewa, Kimberley.

20

It is signed F. Mathole - signed and typed in, the name, Secretary, A.N.C. Transvaal. It says :

"Dear Sir, Could you please send us some tickets for the campaign we have launched for the rural areas. I would be pleased if you could send us about 5,000 membership cards.

25

Yours in the Struggle."

A.E.L. 14 is the next document, My Lord, that is the booklet "South Africans in the Soviet Union", and it is the same as A. 197.

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A.E.L. 15 is a letter from the African National Congress, Headoffice, dated the 27th September, 1956, and there is

endorsed on it, "Copy Treasurer-General". It is signed,
"Yours for freedom, P. Nokwe, Assistant Secretary-General :

"Dear Son of Afrika,

I have been instructed to advise that all comments
and amendments to the draft Constitution should be 5
duly submitted to headoffice by the 31st October,
1956. Kindly advise your branches accordingly."

A.E.L. 16 is a "Fighting Talk", Volume 11, No. 7, Septem-
ber, 1955 and has been dealt with under G. 1132.

A.E.L. 18 is a bulletin of the South African Congress of 10
Trade Unions, Worker's Unity, Volume 1 No. 5, September,
1955 and it is dealt with under L.L.M. 73.

A.E.L. 19 is a Freedom Charter, the same as A.10.

A.E.L. 20 is a Report of the Main Speeches and Resolutions,
Second National Conference of the Federation of South 15
African Women, on the 11th and 12th August, 1956, and it
is the same as C. 1004.

A.E.L. 21 is a Million Signatures for the Freedom Charter,
the same as A.2, except that on this one there are actually
a number of signatures of persons. 20

A.E.L. 22 is a typed document, and it is undated. It
seems to be a circular, "The Time Has Come", also an
envelope addressed to Dr. A. Letele, Thibella,
Lang Street, Galeshewa Village, Kimberley attached to
it. It reads as follows : 25

"Keep Abreast with Events and the Mood of the Masses".

"Circular Letter to the Provinces, Regions, and
Branches of the African National Congress.

Dear Friend,

The N.E.C. is distressed by the failure of Congress 30
members and branches throughout the country to take
action on matters which are of vital importance fo
the people. War is made against our fellow Africans

in Egypt; the police fire on crowds and kill our people; leaders are deported and threatened with arrest; passes for women and men too become a burning question.... and Congress is quiet! WHY!!

Why do we not act swiftly and effectively on important events at home and abroad? 5

Let every area, in every part of the county hold meetings immediately to protest against these issued :

The invasion of Egypt by Britain, France and Israel and their refusal now to withdraw their forces immediately. 10

The shooting and killing of the people by the police, in Lichtenburg, Vlakfontein, Maquassi and other places.

The extension of passes to women. 15

Mass arrests of the people for passes, permits and beer raids.

Threatened arrest of 200 people by Minister Swart.

Banishment of Leaders.

Removal of people from their homes. 20

The I.C. Act, Native Settlement of Disputes Act and low wages.

Bantu Education, apartheid in nursing and universities.

Increase of rents in the townships. 25

We demand more land, housing accommodation and higher wages.

From now on, every Congressite, Man, woman, youth and every field worker, must come out to mobilise with Mighty Freedom Force against the Nationalist Regime. 30

Please find herewith enclosed a specimen leaflet

for printing and distribution by your provinces, regions and branch organs. You may add what has been omitted and important in your area.

Yours in the National Struggle,

D. Nokwe, Assistant Secretary-General." 5

Then attached to it, page 2, is a specimen leaflet, the one referred to My Lord, which reiterates what is on the first page of the document.

A.E.L. 23, My Lord, is "New Age" dated the 9th June, 1955, and will be dealt with under G. 1123. 10

A.E.L. 26, is a letter "African National Congress, head-office" dated the 5th September, 1956, and it is signed, "Yours for Freedom, D. Nokwe, Assistant Secretary-General" and endorsed "Copy to Treasurer-General", and it reads :

"To the Provinces:...." It deals with the banishment 15 of certain person, Mrs. Viola Hashi, and also - the second paragraph reads :

"Branches must be told about those who are already affected, such as Moses Kotane, Greenwood Ngotyane, Mrs. Selinga and Mr. Thuma (?)." 20

A.E.L. 27 is New Age, dated the 6th September, 1956, and will be dealt with under G. 1123.

A.E.L. 30 is a letter from the headoffice, African National Congress, dated the 15th July, 1956, and is addressed to Members of the National Executive Committee, and it is 25 signed, "Yours for Freedom, Alfred Hutchinson, for Secretary-General :

"Dear Sir,

A Meeting of the N.E.C. will take place on Saturday the 4th August, 1956, at the A.N.C. offices, 30 37 West Street, Johannesburg at 2 p.m."

It then gives the Agenda of the meeting.

A.E.L. 31 is a letter from the head office of the African National Congress, dated the 24th February, 1955, and it is addressed to Dr. A. Letele, No. 2 Location, Kimberley, and it is signed "R. Resha, for Secretariat".

"Dear Sir,

5

This isto notify you that a meeting of the National Executive Committee will take place in Durban on the 5th March, 1955."

A.E.L. 32, is a bulletin "The Call", and it is No. 2, mid-March, 1955, and it is the same as A. 1119.

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A.E.L. 33 is the bulletin "Congress Voice", volume 1, November, 1955 and it will be dealt with under G.1066(a).

A.E.L. 34 is "Congress Voice", volume 2, December, 1955, and it will be dealt with under W.M. 33.

A.E.L. 35 is "The Call", May 1955, and it is the same as A. 118.

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A.E.L. 36 is "Liberation", No. 17, March, 1956, and it will be dealt with under G. 1114.

A.E.L. 37 is a circular issued by the Natal Peace Council, P. O. Box 700, Durban and it advertises the Peace Week of the 14th-22nd May, 1955.

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A.E.L. 38 is "The Call", special pictorial issue, and it is the same as D. 95.

A.E.L. 38(a) is a circular from "Liberation", P. O. Box 10120, Johannesburg, undated, signed "Jack Hodgson, Business Manager", possession only, My Lord, and the position of Hodgson.

A.E.L. 39, My Lord, is a typed document, an original and a duplicate, "An Address by Mrs. Martha Motlhakoana, Organising President of the O.F.S. A.N.C. Women's League".

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I read on page 1, paragraph 1 and 2 :

"Daughters of Africa, we of the O.F.S. are with you in the struggle for Freedom and Liberation of all oppressed in Africa and the World over. We have pledged ourselves to fight this struggle side by side with you to achieve this freedom and the bad laws of Strijdom and his party are overthrown. 5

Dr. H.F. Verwoerd has raped the freedom of women in the Free State province of Winburg by having enforced passes onto them. His right hand men and he claim that they are not passes but reference books and that 10 Europeans are also carrying a government document which is referred to as an Identity Card. But my dear women to my greatest surprise the so-called reference books have the same page provision as that of our men-folk".

Then paragraph 6 :

15

"Let us walk together in this path of struggle where we are going to encounter trears, death, imprisonment, illegal separations from our loved ones, Our trust is in God, and He is with us. Therefore, let us fearlessly march together to Zion, to Jursalem to Canaan. 20 If we are one heart and soul, our liberation will not be very farroof.

I read page 2 :

"Let us therefore as children of our Great African Chiefs, Chaka, Moshoeshoe, Moroka and Luthuli join 25 hearts and hands together and sing whilst fighting for our freedom Freedom in our Lifetime.

26th June, 1956, Kimberley."

A.E.L. 40 is the African National Congress, Cape Provincial Secretarial Report, January-November, 1955. 30

I read from page 2, My Lord, paragraph (b) on page 2 :

"The Congress of the People.

In the course of this very year, the Congress of

the People took place at Kliptown, Johannesburg, in June of 1955. It was the culmination of a campaign which has gone on for the best part of a year. The response was tremendous and all were agreed that it was the biggest gathering of the people of South Africa ever to assemble at one conference to state their aim concerning the future of the country. The Cape played its part also and it forwarded its full complement of delegates to the conference. In the subsequent interval several report back meetings were held in places like the Western Province, Eastern Cape and Border regions. Everywhere the people agreed that the new document, the Freedom Charter, with hope and enthusiasm.

B. The Freedom Charter and the Programme of Action of 1949. 15

The Charter is a great document and no doubt the country has greeted it with overwhelming enthusiasm. The next phase now is to popularise the Charter and to implement it on a nationwide scale. There is no doubt also that for Africans the best way to interpret and implement the Charter is through the Programme of Action of 1949, which aims not only at the - in developing the methods of struggle in the present situation but also in developing the fighting power of the people through its nation-building . These points have to be widely accepted and put before the people with increasing clarity." 25

Then on page 4, My Lords, paragraph (f) : 30

"The Women's League.

The Women's League movement has struck root in the

whole province. In June last the first provincial conference of the league was held in Port Elizabeth, the attendance of which by delegates from all over the Cape was very good. But it is essential that the Women's League of the African National Congress must regard themselves as bound by the policy and programme of Congress, and that they must regard themselves as part and parcel of the main organisation. There is a tendency in some organisations to regard themselves as a separate movement and as owing no allegiance whatsoever to the mother body. This has to be brought to an end. These movements were formed to strengthen the Mother Organisation and not to vitiate its strength and make to other organisations."

I read the conclusion :

"The Report does not present a rosy picture. It presents a situation bristling with difficulties and organisational hurdles. So far as that is concerned, the Report is a challenge to our resolution and ingenuity. We have to set our organisational house in order, improve our overall machinery, establish, develop and widen our organs of training of the leadership, especially the branch and provincial secretariat and pave the way for the effective implementation of our conference issues. On the other hand the Report reflects continued interest and activity amongst the masses despite of discouragement and intimidation and unprecedented hardship. The banishment of certain of our leaders such as Gwentshu and Lengisi and the banning and order to resign from the organisation

of others such as Dr. Njongwe, G. Tshume, Joe Matthews and now recently Mrs. F. Matomela and a galaxy of other sons and daughters of Afrika's destiny has almost crippled the organisation in other aspects. Yet these things, including threats 5 of even more ruthless measures, deportations and ejectments have not broken the spirit of the people. Everywhere one finds the masses crying out for a lead. Everywhere their hope reposes in the A.N.C. In this hour of temporary darkness imposed by 10 fascist tyranny which has passed one vicious law after another to decapitate and liquidate the people's movement, the people look up to Congress for a lead. This is the greatest factor in an otherwise ugly situation. The masses have an invincible faith in 15 our power to end tyranny and it is this invincible faith of the masses that must communicate itself to the leaders. The delegates who are assembled at conference must translate that faith in terms of the programme of struggle to achieve the liberation 20 of the people."

It is signed, T. E. Tshunungwa, Cape Provincial Secretary and National Organiser of the A.N.C. 16th November, 1955.

A.E.L. 41 is the Agenda of the Congress of the People, and it is the same as E.P.M. 75. 25

A.E.L. 42 is the A.N.C. - African National Congress, Cape head-quarters' circular, "Urgent! To All Branch Executives" This circular is in connection with the Women's Conference on the 17th April, 1954.

A.E.L. 44 is a letter from the African National Congress 30 Head Office, dated the 18th September, 1956, signed A. Hutchinson, for D. Nokwe, Assistant Secretary-General,

and it is addressed to "All Provinces", and written in, "Copy, Treasurer-General", and it reads :

"The African people in terms of the Urban Areas Act and Group Areas Act are prohibited from occupying premises in towns without the consent of the Governor-General and Land Tenure Board. Hundreds were given notice in Johannesburg last year, and the time was extended by the local authorities to the end of this year". 5

A.E.L. 46, is a draft Constitution of the Federation of South African Women, which is the same as F.11 or C.97. 10

A.E.L. 47 is a circular letter from the African National Congress Head Office, dated the 6th June, 1956, and it is signed D. Nokwe, for O.R. Tambo, Secretary-General, African National Congress. It deals with the banning of what is called "Congress leaders" in the letter, and it gives the names of Mrs. Salinga of Cape Town, Greenwood Ngotyane, Moses Kotane, Tyiki, Tumsi, 15

A.E.L. 48 is a letter from the African National Congress, Natal, dated the 13th November, 1956. It is addressed to the Treasurer-General, African National Congress, Thibella, Lang Street, Galeshea, Kimberley. It is signed P.H. Sime-lane, Provincial Treasurer, African National Congress, Natal. Attached to it is an envelope, also addressed to Dr. A. E. Letele. 25

A.E.L. 49 is a renewed circular, "The Situation in Hungary" and this is the same as B. 261.

A.E.L. 50 is Agenda, National Conference of the Federation of South African Women, August 10th-12th, 1956. It gives the opening by Mrs. Lilian Ngoyi, and at "11.a.m. The Struggle Against Passes by Miss Bertha Mashaba. 12, the Bantu Education Act, Mr. Robert Resha." Also "2.-330 30

Houses, Security and Comfort - Mrs. Francis Beard".
Then on the 12th, "9.30-10.45 Federation Report, Mrs.
Helen Joseph.

A.E.L. 51, African National Congress, Cape Province Head
Office, circular, dated the 10th November, 1956 and 5
addressed to "All Branches of the A.N.C. and it is
signed, Yours for Freedom, T. Tshume, Acting Secretary".
Attached to this is another circular, My Lords, dated
the 7th November, 1955, also from the African National
Congress, Cape Province Headquarters, also signed 10
T. Tshume, acting Secretary, and it deals with the inva-
sion of Egypt by France, Britain and Israel. Then there
is also attached a circular, "The Pass must be Resisted".
Then there is another document attached, "Amendments to
Draft Constitution", and the last one is the "Draft Con- 15
stitution" itself. It was in an envelope, addressed to
Dr. A. Letele, Kimberley.

A.E.L. 53 is a membership card of the African National
Congress, issued to Dr. A. Letele for the year - member-
ship fees for the year 1956 and it is signed by one 20
Chele, for Treasurer-General.

NO FURTHER QUESTIONS.

CROSS-EXAMINATION RESERVED.

OELOFF ABRAHAM VAN DEN HEEVER, duly sworn;

EXAMINED BY MR. TERBLANCHE : 25

You are a Detective Sergeant, South African
Police, stationed at Germiston? --- That is correct,
My Lord.

Now on the 5th December, 1956, did you go

go to a certain address in Germiston Location? --- I did,
My Lord.

To which address? --- I think it was 6583
Eighth Street, Germiston Location.

Did you go to another address in Germiston 5
Location? --- I went to one address - an address occupied
by a Native female, and another different address occupied
by a Native male.

The one occupied by the Native female,...? ---
I can't remember now. 10

Who was this Native female? --- A native
female by the name of Bertha Mashaba, My Lord.

Do you know her? --- I do, My Lord.

This address to which you went, was it a
dwelling house? --- That is so, My Lord. 15

Was this Bertha Mashaba an accused at the
Preparatory Examination? --- Yes, My Lord.

And did you identify her there? --- I did
identify her there at the time.

Was she present - you conducted a search at 20
these premises? --- That is so, My Lord.

Was she present while you conducted the
search? --- Yes, My Lord.

Did you seize certain documents there? ---
I did, My Lord. 25

From what portion of the house did you
seize these documents? --- The majority of them in the
bedroom she occupied and a few in the adjoining room,
which is jointly used as a diningroom and a lounge.

Could you look at the following documents, 30
B.B.M. 1, B.B.M.4, B.B.M.10, 12, 13, 14, 15, 16, 18,
27, 32 and 35? --- Yes, My Lord, I have them here.

Now those documents, are they documents which you seized at her house in her presence? ---
That is so. The address I see is stated in my handwriting 1316 Germiston Location.

Now will you look at the following documents, 5
- rather, before you look at those documents, did you go with this woman Bertha Mashaba to any other place? --- I went to an address in Johannesburg in Anderson Street.

Did she take you there? --- Yes, My Lord.

What kind of a building is this, 139 Anderson 10 Street? --- It is a fairly big building...

Is it a dwelling house? --- No, it is not a dwelling house, it is an office building.

You say she took you there? --- Yes, My Lord.

And when you arrived there, was this place 15
locked? --- Yes, My Lord.

Who unlocked it? --- There were two other men - it was locked from the inside. She called to somebody - she first took me to one address, My Lord, and later she took me to this address. At this address she 20
spoke in Native to somebody inside, they opened the door from the inside, and I noticed two non-European men in the inside of the building.

Did she point out to you where she worked in the office? --- She took me into an office, it is a 25
very small office. There was a telephone exchange board, and a small table in this office.

Did she point that out as the place where she worked? --- That is so, My Lord.

Did you also conduct a search there? --- I 30
did, My Lord.

Did you seize any documents there? --- I

seized a few documents in that small exchange room.

Did she say anything about these documents?

--- Yes, My Lord.

What did she say? --- After I warned her, she claimed them as hers, her property, and she was only 5
- she was the only one employed on the exchange and that is her desk where she works.

Will you have a look at B.B.M. 9? --- Yes, I have it.

B.B.M. 17, B.B.M. 23, 24, 25, 28, 29, 30, 10
31? --- They are all here, My Lord.

Where did you seize those? --- At 139 Anderson Street, Johannesburg.

These offices which you have just described to us? --- That is so, My Lord.

You hand in all these documents? --- That is so, My Lord.

The first document, My Lords, B.B.M. 1, is a typewritten document dated the 19th June, 1956, and it says "Copy to Bertha for Information", it is endorsed 20
so in ink, "To be given to Marcel while we are away", and it is addressed to "My dear Elizabeth", and it is a programme of places to be visited, and names of people to visit places appearing on it.

MR. JUSTICE RUMPF AND MR. TERBLANCHE DISCUSS RELEVANCY 25
OF THIS DOCUMENT.

MR. TERBLANCHE WITHDRAWS THIS DOCUMENT.

EXAMINATION BY MR. TERBLANCHE RESUMED :

B.B.M. 4, My Lord, is the Constitution of the Federation of South African Women, and is the same as F. 11. 30

B.B.M. 9 is a pamphlet " Calling all Women of the Transvaal", and is the same as B. 96.

3170.

(O.A. VAN DEN HEEVER)
(B.B.M. 10)

B.B.M. 10 is a circulator letter from the African National Congress Youth League, Transvaal, dated the 25th September, 1956, and it is signed by Y. Putiniq Secretary.

It is addressed to "Dear Son/daughter of Afrika, :

"Please take note that October 1st, 1956, will mark 5
the 7th Anniversary of the People's Republic of
China's Independence Day. China, today, is one of the
greatest world powers fighting uncompromisingly
against imperialism and colonialism; yet eight years
ago she was a colonial country." 10

And then it says :

"At the same time a symposium will be held on the
Nationalisation of the Suez Canal. Hands off Egypt!"

It says that this China Day will - persons are invited to
attend a meeting of celebration on Sunday 30th September, 15
1956 at 37 West Street.

B.B.M. 12, Report of the Main Speeches and Resolutions
at the Second National Conference of the Federation of
South African Women, 11th-12th August, 1956, and it is
the same as C. 1004. 20

B.B.M. 13 is Speaker's Notes on Passes, the same as
C. 996.

B.B.M. 14, is a roneod document, "The Work of the
Federation of South African Women", and this appears in
the policy schedule, page 126, item 7. I read from page 25
2, My Lord, the first paragraph :

"In South Africa, the fundamental struggle of the
people is the struggle for national liberation.
Any women's organisation that stands outside this
struggle must stand apart from the mass of women. 30
The Federation realised from the outset that it
must receive the support of the women of the

women of the national liberatory organisations,
and it has endeavoured, therefore, to bring together
the women of the congress movement; of the African
National Congress, of the South African Indian
Congress, of the South African Coloured People's 5
Organisation, of the Congress of Democrats. The
Federation seeks to unite women of all races, but it
has been established on the basis of federation.
It is not a new organisation, seeking to draw women
away from their own organisations, it seeks to 10
unite women in and through their organisations, to
unite them as women, to unite them in their strug-
gle as women, so that we may gain strength from
unity. Therefore the Federation of South African
W men consists only of affiliated organisations and 15
not of individual members. It does not compete with
other women's organisations, it unites them, and by
so ding, the Federation then speaks for thousands of
women of all races. And in this it is unique in
South Africa for it is only the - the only multi- 20
racial women's organisation."

Then from page 3, My Lord, I read the third paragraph :

"Four members of the Federation have attended inter-
national conferences and councils in various parts
of the world and for this the Federation is deeply 25
indebted to the Women's International Democratic
Federation for invitations to our delegates and
making possible these visits to other countries.
Unfortunately, recent legislation has made it
almost impossible for these international visits 30
to be repeated."

Then the last six lines :

"Let us now consider seriously the development of the Federation of South African Women and go forward to give it its proper place in South Africa. Let us make it the greatest organisation of women in South Africa. Let us see to it that the Federation of South African Women goes forward, side by side with the men in the march towards freedom, in the march towards a better life for our children, in the march towards world peace and happiness for all people.

10

Long live the Federation of South African Women!"

B.B.M. 15, My Lords, is the Presidential Address delivered by Mrs. Lilian Ngoyi, President of the African National Congress Women's League, Transvaal, on the 11th November, 1956. This is the same as F. 24, My Lord.

15

B.B.M. 16 is the Programme of the Fourth Annual Conference of the A.N.C.W.L. Transvaal, 11th month, 1956. On the programme appears "Official Opening, D. Nokwe".

B.B.M. 17, My Lord, is the constitution of the A.N.C. Certain constitutions, My Lord, have been handed in, and from this one I propose reading a few paragraphs, which do not appear in the others.

20

"Constitution of the African National Congress".

I read paragraph 2, "Aims and Objects" ...

(e) To support the struggle for national liberation and independence in Africa and the rest of the world."

25

Then I read from page 2, My Lord, paragraph 6(b)(iv), which is :

"Duties : A member shall have the duty - (iv) to explain the policy and programme of the Congress to the people."

30

Then paragraph 7, dealing with "Auxilliary Bodies".
1 is the Women's League, and it says in sub-paragraph
(a) :

"Under the political direction and control of the
Congress, and shall follow the policy and programme 5
of the Congress;

(b) Recruit and organise the African women into a
strong organisation which shall act as an auxil-
liary force to the Congress in the struggle for
national liberation; 10

(c) Take up special problems and issues affecting
women."

Then paragraph 2, "Organisation for Youths" :

"For the purpose of drawing the youths into the strug-
gle and preparing them for leadership, the Congress 15
shall organise the African youths into an organisa-
tion for youths to be known as the African National
Congress Youth League.."

Sub-section (a) reads :

"Mobilise the African youths and mould their political 20
and social outlook in accordance with the Congress
principles."

"(c) Popularise the policy, programme and decisions
of the Congress among the youths".

Then page 8, paragraph 23 : "Discipline" : 25

"(a) A branch committee, a provincial executive com-
mittee and the National Executive Committee shall
have power to reprimand, suspend, expel or take any
other disciplinary action against a member for
breach of the Constitution or conduct detrimental 30
to the interests of the Congress of the African
people."

3175. (O.A. VAN DEN HEEVER)
(B.B.M. 18)

B.B.M. 18, Draft Minutes of the Joint Executive Committee of the A.N.C. Transvaal, W.L.Y.L., President E. R. Moretsele, P. Mathole, Nkadimeng, Hlapane, O. Motsabi, L. Ngoyi, M. Rantha, B. Mashaba, Moloao, Nthithi, Makiwane,

B.B.M. 23 is a "Liberation" No. 20, August, 1956, and is the same as G. 1114. 5

B.B.M. 24 is a booklet "On Overcoming the Cult of the Individual and its Consequences, a resolution of the Central Committee of the Communist Party of the Soviet Union". 10

B.B.M. 25 is a booklet, "Preface and Postscript to Rural Survey" by Mao-Tse-Tung, Foreign Languages Press, Peking, 1955.

B.B.M. 27 is a handbill issued by the South African Congress of Trade Union, advertising a protest meeting on the 8th February. 15

B.B.M. 28 is a notice advertising a meeting on Bantu Education, and it is issued by the Roodepoort Branch of the A.N.C.

B.B.M. 29 is a book, "Tenth Anniversary of Women's International Democratic Federation", 20

B.B.M. 30, "Lodestar", Volume 10, No. 1, August, 1956, and it is the same as B.106.

B.B.M. 31 is "Counter Attack", October, 1956, and it is the same as C. 1016. 25

B.B.M. 32 is a notice issued by the African National Congress Youth League, Germiston Branch, and it is signed by B. Mashaba, acting Secretary.

B.B.M. 35 is "Seshaba" September, 1956, No. 3, and it is the same as C. 1084. 30

- On the 27th September, 1955, did you go to an address in Germiston Location? --- That is so, My Lord.

What was that address? --- It is an address in Eighth Street, Germiston Location.

658 Eighth Street, Germiston Location? --- I think that is the number, My Lord.

Do you know who lived there? --- Yes, My Lord. 5

Who lived there at the time? --- Joshua Makwe(?).

Do you know him well? --- Yes, My Lord.

Was he an accused at the Preparatory Examination? --- That is so, My Lord.

And you identified him there? --- I did, My Lord. 10

Is this a dwelling house? --- That is so, My Lord.

Was this person J. Makwe present when you came there? --- No, My Lord. 15

Who was present? --- Native female by the name of Emily, My Lord.

Did you conduct a search of this house? --- That is so, My Lord.

Did you seize certain documents? --- Yes, My Lord. 20

From what portion of the house did you seize the documents? --- From the bedroom and from another bedroom at the back of the house. Actually two bedrooms, the one - the latter is used more as a storeroom. 25

Was this Native female Emily present during the search? --- Yes, My Lord.

Will you look at the documents before you, They are all marked J.M. 1 - 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 24, 25, 26, 27? --- Yes, My Lord. 30

Are those all documents which you seized

3177. (O.A. VAN DEN HEEVER)
(J.M.1-1)

there that day? --- Yes, My Lord.

You hand in these documents? --- I do, My Lord.

When you went to this house, did you know it was the house of Makwe? --- Yes, My Lord. 5

You knew him before that date? --- That is correct, My Lord, I knew him very well.

The first document is J.M.1-1, and it is a handbill issued by the Society for Peace and Friendship with the Soviet Union advertising a public meeting celebrating the 27th Anniversary of the Soviet Union on Sunday the 27th - the 7th November, 1954. 10

J.M.1-2 is a pamphlet, "Speaking Together to the Coloured People", and it is the same as B.27.

J.M.1-3 is the bulletin of the Transvaal Committee of the Congress of the People, "Forward to Freedom", March 22nd, 1955, No. 3. It is the same as A.116. 15

J.M.1-5 is a handbill advertising a meeting to celebrate the 37th Anniversary of the Soviet Union, on the same day as the previous one, they are not the same, My Lords. 20

J.M.1-6 is a booklet, "G.M. Malenkov's Speech to the Supreme Soviet of the U.S.S.R." August 8, 1953.

J.M.1-7 is a booklet "Freedom of Religion in the U.S.S.R." by G. Spassov.

J.M.1-8 is a booklet "New Life in China", and it is the same as F.J.67. 25

J.M.1-9 is a "Workers' Unity", Volume 1, No. 4, August, 1955, bulletin of the South African Congress of Trade Unions, and it is the same as D.28(d)

J.M.1-10 is another "Workers' Unity", Volume 1, No. 2, June 1955, and it is the same as D.28(a). 30

J.M.1-11 is the Presidential Address delivered by

3178.

(O.A. VAN DEN HEEVER)
(j.m.1-11)

A.J. Luthuli, President-General, African National Congress, at the 41st Annual Conference of the African National Congress, assembled at Queenstown, the 18th-20th December, 1953, and it is the same as N.R.M. 11.

J.M.1-12 consists of an envelope addressed to the Secretary, African National Congress, 658 Eighth Street, Germiston Location, Germiston, and it is a circular letter to all branches. I only read the end of the circular. In ink there is "The Secretary, A.N.C. For discussion by branch", and the end of the circular reads :

"The greatest message to Conference will be a call to all delegates to prepare for the holding of the great Congress of the People",

and it is signed, O.R. Tambo, Secretariat.

J.M.1-13 is a pamphlet, "Listen Young Friend", the same as D.5.

J.M.1-14 is a pamphlet, "This Call to the Congress of the People", and it is the same as A.140.

J.M.1-15 - I am omitting J.M.1-15, My Lords.

J.M.1-16 consists of more than one document. The first document is the Freedom Charter, the same as A.10. The second one is "Your Signature for the Freedom Charter", which is the same as A.2. The third is "One Million Signatures for the Freedom Charter", also the same as A.2. Then there is an envelope addressed to J.F. Makwe, 658 Eighth Street, Germiston Location, Germiston.

J.M.1-17 is a circular "The World Youth Day Committee", and it is dated the 19th October, 1954 and on the top there is endorsed "A.N.C.Y.L. Tv1., T.I.Y.C., C.O.D.Youth, S.L.A. On Wednesday the 10th November, young people in every country of the world will gather to celebrate World Youth Day. They will meet at sport, cultural activities etc." and it advertises two functions, a

3179.

(O.A. VAN DEN HEEVER)
(J.M.1-17)

meeting on Wednesday the 10th November at 7.30 p.m

"Speakers will include Miss Ruth First, recently returned from the Council meeting of the W.F.D.Y. held in Peking", and on Sunday the 14th November, the second meeting. It is signed "F. Adams, for A.N.C.Y.L., T.I.Y.C., S.L.A., 5 C.O.D. Youth".

J.M.1-18 is an application for enrolment as a volunteer.

J.M.1-19 is "The World We Live In", a lecture, the same as A.84.

J.M.1-21 is an envelope addressed to the Secretary, A.N.C., 10 658 Eighth Street, Germiston, and then there is a circular, which says :

"Further to the Directive of the Province calling on each branch to appoint a local volunteer chief and to send such information to the office, you are here- 15 by instructed to send your volunteer chief to a meeting of volunteer chiefs to be held at the Congress Hall, 4(a) Kort Street, Johannesburg on Saturday 30th October, at 2.30 p.m. to discuss further plans. It is imperative that your local volun- 20 teer chief attends this meeting"

And it is signed - typed in, R.M. Resha, Provincial Volunteer-in-Chief, and it is dated the 26th October, 1954.

J.M.1-22 is a typed document "Resolution", it is unsigned, 25 undated and it reads as follows :

"The African National Congress, Germiston Branch, demands immediate action after this Conference. It demands that there should be a National stoppage of work, because from time and time again Resolutions 30 have been passed and no action has been taken. When the Government decides on some vicious action he

3180. (O.A. VN DEN HEEVER)
(J.M.1-22)

puts it into practice. The same should apply to the A.N.C. as the only opposing party, to the Government. We must decide and be active. The people are ready for action.

We strongly condemn the banning orders and restrictions imposed by the Malan Government on our leaders and hereby resolve to work day and night to strengthen the Congresses and to fight to the realisation of the principles and ideas for which they have been gagged. 5 10

Women in the struggle, let the women folk take an active step to save guard their children as they are the mothers of the generation. Let us see that women are enrolled every day. The will of the people counts. Let the majority rule the minority. We condemn white superiority and colonialism. Fight to free Africa from the clutches of imperialism and white domination. Let all nationalities enjoy the wealth of Africa." 15

J.M.1-24 is a "Fighting Talk", volume 11, no. 7, December, 1955, and it has been dealt with under G. 1132. 20

J.M.1-25 is a booklet "South Africans in the Soviet Union", and it is the same as A.197.

J.M.1-26 is a circular, African National Congress, Tvl. dated the 7th June, 1955 and it is addressed to all branches. "In terms of the statement of policy on Bantu Education released by the National Executive Committee of the African National Congress after this meeting 21st May, 1955, you are hereby directed to carry out the following....." and it is signed "Yours for freedom, R. Resha, Secretary". 25 30

3181. (O.A. VAN DEN HEEVER)
(J.M.1-27)

J.M.1-27 is a document, "One Million Signatures for the Freedom Charter", the same as A.2, except that certain people have actually signed on this document.

NO FURTHER QUESTIONS.

CROSS-EXAMINATION BY DEFENCE RESERVED.

5

PATRICK OWEN HARRIS, duly sworn;

EXAMINED BY MR. TERBLANCHE :

You are a Detective Sergeant, South African Police, stationed at Germiston? --- I am, My Lord.

On the 5th December, 1956, did you go to a certain address in Germiston Location? --- I did, My Lord. 10

To which address? --- Stand 658 Eighth Street, Germiston Location.

Who occupied these premises? --- This house is occupied by one Joshua Makwe, My Lord. 15

Did you know him? - - I know him well, My Lord.

Was he an accused at the Preparatory Examination? --- He was.

And you identified him there? --- I did. 20

Is this a dwelling house? --- It is a house consisting of a bedroom, a diningroom and a kitchen.

Was this person Makwe present when you came there that morning? --- He was not present, My Lord.

Did you conduct a search? --- I conducted a search under a search warrant, in the presence of a woman by the name of Emily. 25

Did you take possession of certain documents there? --- I did, My Lord.

Will you look at the documents in front of you? --- Yes, My Lord.

J.M.1-28, J.M.1-29, 30, 31, 34, 39, 41, 43, 47 and 49? --- Yes, My Lord.

Are those documents which you...? --- These 5
are documents I took possession of, My Lord.

From what portion of the house did you take those documents? --- I found some documents in a drawer in the dining chest, and I found other documents in a briefcase in the bedroom. 10

J.M.1-28 are membership cards of the African National Congress, not filled in, but they are all signed P. Mathole, for African National Congress. How many of these cards are there? --- I did not count them. A number of cards. 15

J.M.1-29 is "World Assembly for Peace, Helsinki", June 22-29, 1955, a booklet "National Independence and Peace".

J.M.1-30 is a booklet World Assembly of Peace, Helsinki June 22-29 1955, "European Security and the German Problem". 20

J.M.1-31 is a booklet, World Assembly for Peace, and this one is "Disarmament and Atomic Weapons".

J.M.1-34 is the lecture "The Country We Live In", and it is the same as A.85.

J.M.1-39 is a letter from the African National Congress 25
Youth League Tvl. dated the 4th May, 1956, signed by Y. Putini, Secretary, and the address is "All Cultural Clubs, Branches". It notifies the addressee that the Working Committee of the African National Congress Youth League had decided to convene a mass Youth Conference at 30
Kimberley on the 30th June, and the 1st July, 1956.

J.M.1-41 is a circular, "Africa for Peace", a call to the

people "Africa needs food, Africa needs schools and hospitals and homes for the people. Africa needs Freedom. Here is a continent that has suffered centuries, and has been laid waste and looted by slave traders and empire builders. Today like a giant awaking the people of Africa 5 are rising to claim their birthright of freedom and progress, and to claim their places as equals among the nations. For this Africa needs Peace."

J.M.1-43, African National Congress, Germiston Branch, notice - notifying members that meeting will be held on 10 the 29th November, 1956.

J.M.1-47 is a circular dated the 16th March, 1955, signed by Ebrahim Moolla, and it says :

"I am writing to remind you of an important event taking place in June this year. As you probably 15 know people will be congregating in their thousands in Johannesburg to attend the Congress of the People where our delegates will be able to express the grievances we have and also plan the sort of life we would like to live. This plan will be 20 known as the Freedom Charter."

J.M.1-49 is a handwritten document, My Lord, undated, and it says "Consultative Committee", and it gives the names :

1. Joshua Makwe. 12. J. Kumalo. 25

NO FURTHER QUESTIONS.

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