"Het die polisie handgemeen geraak met die studente?"
En die antwoord is 'n taamlike lang antwoord -

"Die studente nie wou uiteengaan nie, het hulle later handgemeen geraak en daar het 'n stormloop plaasgevind en daar is 'n paar traangaskoeëls afgevuur in die lug en toe dit gedoen is, het die studente almal gestorm na die koshuise, sodat daar niemand oorgebly het nie, maar toe hulle skynbaar by die koshuise kom en merke dat daar nie werklike skade aangerig is nie, toe het hulle omgedraai en op daardie tydstip het ek wel gesien dat heelwat studente klippe bymekaarmaak en in hopies pak. Heelwat studente het met klippe in hulle hande nader gestorm".

En 'n vraag is toe aan die getuie gerig en die vraag is soos volg -

"Is dit die eerste keer wat u vir die studente gesien het met klippe?"

Antwoord -

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"Op daardie stadium het ek hulle toe nou vir die 20 eerste maal gesien met die klippe in die hande."

En ek verwys u nou net na die getuienis van konstabel Roets van die Suid-Afrikaanse Polisie.

MNR REES: Edele, ek maak beswaar hierso. Ek weet nie wat my Celeerde Vriend se bedoeling is nie. As hy 'n vraag aan die getuie stel wat hieruit lei is hy geregtig om dit te doen, maar nie net om 'n lot goed in die rekord in te lees nie. Dit is in elk geval...

<u>MNR PITMAN:</u> Ek wil net 'n klein deeltjie van konstabel
Roets se getuienis eers lees. Ek verwys na bladsy 133.

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Die vraag aan hom gerig was -

"Het jy gehoor dat majoor Erasmus 'n bevel aan die studente gegee het om terug te gaan na die koshuise toe?"

Dan gaan hy weer aan die volgende vraag is in Engels gestel
"Why did you chase them? -- Ek het reeds getuig,
hulle het saamgedrom, die massa studente het saamgedrom en die polisie onder die klippe gesteek.

Now did you see the students throw stones and
other (?) at the Police? -- Ja, hulle het klippe

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gegooi."

En die volgende vraag was -

"Was this before or after you had chased them across the road? -- Dit is net nadat hulle oor die pad gejaag is."

Nou ken u hierdie konstabel Roets? -- Ek ken hom.

Was hy daar saam met u gewees daardie dag? -- Korrek.

Is hy nog steeds 'n lid van die Polisie?-- Korrek.

Is hy daar saam met u daar bo in Pietersburg of waar is hy? -- Hy is gestasioneer te Duiwelskloof.

Was hy vandag gewees hier by die hof? Buitekant die hof? -- Nee.

Maar u sê hy was daar met u gewees op daardie dag?-Ja.

Kan u miskien sê, het hy 'n hond gehad? -- Nee.

Het hy naby u daar by die pad gestaan?-- Nee, ek weet nie waar was hy gewees nie.

Nou hierdie twee getuies wat gesê het dat die klip-dat hulle die klippe vir die eerste keer gesien het nadat die studente oor die pad gejaag is wat dink u? Sal u sê dat hulle 'n fout maak of miskien dat hulle dit net nie gesien het nie, die klipgooiery voor daardie tyd. --

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Dit/...

the same of

Dit is moontlik dat hulle dit nie kon gesien het nie, ek weet nie.

Soos ek u verstaan was baie klippe gegooi toe die mense op die sokkerveld was? -- Ek het nie so gesê nie, Edele, ek het gesê toe hulle op die wal was.

Toe is baie klippe gegooi? -- Dit is korrek.

Maar dit is voor die tyd dat hulle oor die pad gejaag is? -- Korrek.

En die mense wat daardie dag daar gestaan en kyk het, moes seker gesien het, hierdie klippe gesien het. --- Hy 10 kon dit gesien het.

Het u miskien gesien toe hulle van die rigting van die koshuise terugkom dat sekere van hulle hopies klippe gemaak het? -- Nee, ek het nie die hopies gesien nie, Edele.

Net een ander feit, konstabel, toe die studente van die saal af wegstap, hulle was taamlik redelik kalm gewees?
-- Ja.

Nou op daardie stadium, as julle op daardie stadium weggery het sou niemand - sou geen mens seergekry het nie? 20 -- Dit is moontlik.

Daar sou geen moeilikheid gewees het nie? -- Ek sou nie sê so nie, Edele.

MR ALLAWAY: My Lord, before my Learned Friend re-examines the witness, may I in order to complete his evidence, there are two aspects which I looked at in the adjournment. It will be short, My Lord. Much obliged. Konstabel, ek wil net lees vanaf hierdie rekord in die kommissie van regter Snyman, en dit is volume 2 op bladsy 152. Ek lees vanaf lyn 13 en volgens hierdie rekord is dit getuienis wat u gegee het. 'n Prokureur het hierdie vraag aan u gestel -

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"When they got to the football grounds, what did they do?"

En volgens die rekord het jy soos volg geantwoord -

"Daar was vir 'n paar oomblikke deurmekaar en samedromming gewees."

Nou onthou jy dat jy daardie antwoord gegee het? Onthou jy dat jy waarlik daardie antwoord gegee het? -- Ja, ek kan nie elke ding presies onthou soos ek hom geantwoord het nie, maar ek moes dit geantwoord het.

En u het aangegaan en daarna het hulle begin opverdeel? En die swart vrouestudente het na die regterkant
beweeg? En hulle het hulle afbeweeg na die rigting van
hulle koshuise. Nou eerstens, onthou jy dat jy 'n vraag
van dié soort op daardie manier geantwoord het? -- Korrek.

En om die waarheid te sê, die getuienis vandag voor hierdie hof is tot dieselfde effek? -- Korrek.

Sal u saamstem dat hierdie antwoord is wat u wel daar gesien het? -- Dit is korrek, dit is hoe ek dit beskryf.

En die samedromming was 'n paar oomblikke deurmekaar?
-- Korrek.

Edele, dit is die een aspek. Daar is 'n volgende aspek. Ek het alreeds 'n vraag aan u gestel in verband met bladsy 166 van volume 2, maar soos ek my vraag onthou het ek begin by lyn 10, maar ek dink dit is beter as ek die hele aspek in konteks sit, en ek begin nou konstabel op lyn 1, en ek sal deurgaan met die getuienis tot lyn 14. Dieselfde prokureur, dit is lyk asof hy vir jou hierdie vraag in Engels gevra het. -

"Major Erasmus..."

Is dit vir u moontlik om Engels te verstaan? -- Ja, u kan maar vra.

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Coed. -

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"Major Erasmus said chase the students away or disperse them. How were you going to do it, how did you people try to do it? You only fired the teargass long afterwards, almost when you could not help it perhaps. But how were you chasing them away then prior to that?"

Nou dit is 'n baie lang vraag en daar is baie vrae binne die vraag, maar onthou jy dat die prokureur 'n vraag van dié aard aan u gestel het? -- Ja.

Nou u het daardie lang vraag soos volg geantwoord, volgens die rekord -

"Soos ek reeds gemeld het, hulle is met 'n knuppelstorm uitmekaar uit gejaag. Daar is van die honde
gebruik gemaak op die eerste stadium toe hulle van
die sokkerveld afgedryf is. Of sal ek sê van die
wal van die sokkerveld afgedryf is."

Dit is nou baie moeilik vandag om te sê dat jy wel daardie presiese woorde gebruik het, maar onthou jy dat jy daardie vraag op daardie manier geantwoord het? -- Korrek.

En dit is 'n waarlike feit dat daar is van die honde gebruik gemaak op die eerste stadium toe hulle van die sokkerveld afgedryf is. -- Ja, Edele, die sokkerveld wat ek daar van praat is daar op die punt van die sokkerveld en waar 'n gedeelte van hulle op die sokkerveld was en die gedeelte op die wal alreeds.

Maar op die eerste, dit is die stadium toe die knuppelstorm gebruik was en die honde gebruik was? -- Korrek.

En u het aangegaan, daar was 'n verdere vraag waar ek alreeds begin het op lyn 10 -

"Did you see the dogs being used to chase them away?"

En /..

En jou antwoord was -

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"Dit is korrek."

Ons het alreeds daaroor gegaan vandag. -- Korrek.

"And were there three dogs or two"

En die antwoord was -

"Daar was drie honde."

En verder jy was gevra -

"You saw all three being used to chase the students away?--Dit is korrek"

Ek dink ek het reeds daardie vrae vandag aan jou gestel? 10
-- Korrek.

Dit lyk in dié konteks dat op die eerste toe die studente van die veld afgedryf was, of afgejaag was, was die honde gebruik en jy het dit waarlik wel gesien? Maar die punt wat ek maak dit was op die eerste. Volgens u getuienis voor die regter Snyman. -- Korrek.

Nou ek wil net vir jou die geleentheid gee om te verduidelik hoe jy kon gesê het op Woensdag dat jy et die geblaf van honde gehoor het en net die geluide van honde gehoor het en nie die gebruik van honde gesien het op die 20 eerste? -- Al wat ek moontlik 'n opinie kan lug daaromtrent Edele, is dat dit verwarrend was met die tweede geleentheid waar ons in die pad was. Daar, dit is wat ek eintlik gemeen het, daar het ek hulle nie gesien nie. Nou op die eerste geleentheid.

Nou konstabel, ek moet vir jou hierdie geleentheid gee, dit is my plig om so te doen. Volgens die notas wat my Celeerde Juniors gemaak het in verband met u getuienis, het u vandag gesê in antwoord op 'n vraag wat ek aan u gestel het, voordat ek betrekking gemaak het tot bladsy 166 van 30 hierdie rekord van mnr. Snyman se kommissie, ek, dit bedoel

u/...

u, het op geen stadium die honde gesien jag nie."

Nou onthou jy dat jy wel dié antwoord gegee het op 'n vraag wat ek aan u gestel het vandag? -- Korrek.

En daarna het ek aan u, of het ek van hierdie rekord gelees, nou stem u saam dat daar 'n verskil is tussen die een antwoord wat u gegee het voor hierdie rekord aan u gelees was en die antwoord nadat die rekord aan u gelees was?

-- Dit is korrek, Edele, omdat dit vir my duideliker was wat daar verlang was en wat hulle wou geweet het.

Het jy miskien nie net met opset uitgelaat van die 10 getuienis in die hoofgetuienis en in die kruisgetuienis tot hierdie punt van die rekord die feit dat jy wel gesien het dat honde gebruik was om die studente weg te jaag, maar jy het wel geweet met respek, dat die oorsaak van die klipgooiery was die gebruik van die honde en die knuppelstorm. Het u die vraag verstaan? Het u die vraag gehoor, die getuie. -- Sal u die vraag herhaal asseblief?

Is dit nie waar dat u met opset uitgelaat het uit u hoofgetuienis en uit jou kruisverhoor tot die plek voordat ek hierdie rekord gelees het, die feit dat jy wel gesien 20 het dat honde gebruik was om die studente weg te jaag en dat wel 'n knuppelstorm gebruik was terselfdertyd, want jy weet wel dat die oorsaak van die klipgooiery was dat die polisiebeamptes het daar ingemeng met die studente, die studente was gebyt en was geslaan en die een van die studente was deur die hond gebyt. Was dit nie waarom u hierdie aspek van die getuienis uitgelaat het nie? -- Definitief nie. HERONDERVRACINC DEUR MNR REES:

Konstabel, daar is net een aspek waarin ek belangstel en dit is die volgende. Hier was heelwat vrae gestel in verband met die mans en die vrouens en u het gesê op 30 een stadium dat die vrouens en die mans het van mekaar geskei.

Is die/...

Is die damestudente toe heeltemal van die toneel af weg, of het hulle in die omgewing gebly? --- Hulle het tot stilstand gekom aan die onderpunt van die sokkerveld, daar het hulle vergader weer.

In hierdie skeiding van die mans en vrouens, het hulle dit uit eie wil uit gedoen of het hulle dit as gevolg van enige optrede deur die polisie? -- Ek sal nie sê dit was die werk van die polisie as sulks nie.

Dankie.

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<u>DEUR DIE HOF:</u> Ek het die een ding nie gekry as u gesê het hulle het na hulle koshuise terug beweeg, of het hulle maar net in die rigting van die koshuise beweeg? -- Ja, in die rigting van die koshuise, Edele.

En wat het toe van hulle geword? -- Baie van die studente het agter die koshuise in verdwyn. Sommige van hulle het aan die duskant gebly en was sigbaar.

Is dit nou die vrouestudente? -- Ek praat van die manlike studente.

Ek praat van die vrouestudente. -- Ja, Edele, ek kan nie daarop sê presies waarheen is hulle nie.

Hoe het dit gekom dat u nie saam met die groep polisie na die sckkerveld toe beweeg het nie? -- Ek weet nie, ek het blykbaar maar gesien op daardie huidige moment dat ek nie nodig sal wees daar nie.

Was u nie onder instruksies nie, kon u u eie kop volg? -- Ek sal nie so sê nie, Edele, ek sou sê dit was beskou gewees as genoegsaam en baie van die mense het agter gebly, ek kan nie presies onthou as gevolg waarvan was dit gewees nie.

(onhoorbaar) beskou dit dan .. -- Ja, ek sal nie presies kan sê daarop nie.

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VAN DER MERWE

Maar ek kan nie verstaan nie, hoe is dit dat u agter gebly het en nie die ander polisiekonstabels nie? -- Daar het heelwat van die nie-Blanke konstabels agtergebly en daar het 'n paar van die Blanke konstabels ook agtergebly.

Het hulle uit willekeur agtergebly?-- Ek kan nie onthou dat daar enige instruksie was aangaande dit nie.

Dankie.

MNR ALLAWAY: Mag ek net met verlof een aspek 'n vraag stel deur die hof, Edele. Dit is in verband met 'n vraag wat my Celeerde Vriend aan die getuie gestel het. Mag ek voortgaan asseblief? Dankie. Hy het vir jou gevra of die, as gevolg van die polisiebeamptes, het die twee dele, dit is die Swart vrouestudente en die Swart manlike studente geskei het? En ek dink u het geantwoord u kan nie presies sê wat gebeur het nie. -- Dit is korrek.

Het u miskien gesien dat beskuldigde nr. 7 op dié stadium vir die Bantoevrouens gevra het en ook vir die Swart mans studente gevra het om uitmekaar te skei? -- Nee, ek kan hom glad nie onthou nie, of soiets plaasgevind het nie.

Kan u onthou of enige Swart persoon pogings aangewend het om hierdie studente weg van die sokkerstadium weg te kry? -- Nie wat ek definitief waargeneem het nie.

Maar volgens u antwoord sal u nie getuienis tot dié effek betwis nie of sal u dit betwis? -- Nee, ek kan dit nie betwis nie.

Dankie, Edele.

CEEN VERDERE VRAE

ACMED BAWA, Duly SworntStates.

EXAMINATION BY MR ATTWELL: May it please Your Lordship,
the next witness for the State is Agmed Bawa and the State

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is of the opinion that this witness is an accomplice within the meaning of the term in Section 254 of the Criminal Code, Act No. 56/55 and I would accordingly request the Court respectfully to warn this witness that he is obliged to give evidence and answer any questions put to him in this regard. His evidence will concern Count 1 and Count 2, more specifically as concerns the rally at Durban and for Your Lordship's convenience I have Section 254 here should Your Lordship want it.

BY THE COURT: Mr. Bawa, the Prosecutor tells me that you may be required to answer questions which might tend to incriminate you in connection with the present charges preferred against the accused. Now I must tell you that in terms of the law, you are compelled to be sworn or make affirmation as a witness and to answer any questions the reply to which would tend to incriminate you in respect of any such offence as have been indicated. If you answer fully to the satisfaction of the Court all questions, put to you, you shall subject to the provisions of this Act, be discharged from all liability to prosecution 20 for the offence under consideration and then the Court shall cause your discharge to be entered in the record of the proceedings, but I must say that answer to the satisfaction of the Court does not mean to say you must try and please the prosecution or to please the Court with answers which you may think may be agreeable answers, the Court is only concerned with the truth in this case and you must answer truthfully. Then only can it be said that you are replying to the satisfaction of the Court. Now the discharge which you get under the provisions of this Section, is of no force and effect or that section doesn't apply - the sub-section

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only applies if you have given evidence in a preparatory examination, then you are required to repeat the evidence in the trial court. If you don't repeat the evidence satisfactorily in the trial court then you forfeit the discharge to which I have referred. So that doesn't apply, so you can forget about it. The only thing is you are compelled to answer questions, you are compelled to take the oath or to make affirmation and you must reply to the satisfaction of the Court. Now do you take the oath or do you make affirmation?

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WITNESS IS SWORN IN

EXAMINATION BY MR ATTWELL: Now, Mr. Bawa, your full name is Ahmed Cassim Bawa, is that correct? -- Yes.

Now I would like you to give the Court a short personal sketch of yourself, how old you are, when and where you were born and your educational qualifications. Could you do that for the Court please? -- I was born in Durban on the 13th of February 1955. I was educated - I matriculated at Beta High School in 1972. At the beginning of 1973 I was admitted to the University of the Witwatersrand where I was to study for a B.Sc. Degree, but due to personal reasons I left the University of the Witwatersrand in April 1973. For the rest of the year I was at home with my parents in Seven Oaks. In 1974 I was admitted to the University of Natal in the Black Section, that is the medical school, and it was at the beginning of this year that I first became involved in taking in Indians in Durban. work Bolton Hall,

At this stage, could you perhaps identify the Organisation with which you became involved in the beginning 30 of 1974? -- I was involved with the Ceneral Factory Works

Benefit Fund./...

Benefit Fund.

Where was this organisation situated? -- Situated in Cail Street, in Durban.

And it was concerned primarily with? -- It was concerned primarily with Trade Union work.

Amongst which section of the community? -- Amongst mainly the African section of the community.

Mainly the African section of the community. Now, you do know the Organisation Black Peoples Convention?-That's right.

By what is this organisation commonly known? -- It is commonly known by B.P.C.

B.P.C. -- Yes.

Now I would like you to tell the Court where you first came into contact with B.P.C. and the circumstances under which you came into contact with B.P.C. -- I first came into contact with B.P.C. via Mr. Harri Singh. He was chairman of the overport branch in Durban. I was asked to meet him by Mr. Sats Cooper whom I met previously concerning the Black Allied Workers Union.

Now firstly, you mentioned the name Sats Cooper.

I would like you to have a look at the accused sitting in the accused dock there. Could you identify any one of those people as Sats Cooper? -- The first one on the left.

The one right over on the left. Will you please refer to that person from now on as accused No. 1. It makes it easier for the Court. When did you first meet accused No.1?

-- I first met him sometime in March 1974.

1974. In what circumstances Mr. Bawa? -- It was in connection with the Black Allied Workers Union. At the time, once I was involved with the Bolton / Union, I found

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that my activity in Bolton Hall Unions was not to the benefit of the Black people in general. I felt that it would be better if I could join an organisation such as Black Allied Workers Union.

Now at that stage I think you should just indicate to the Court what Black Allied Workers Union is.-- It is a Trade Union in Durban for Black people.

What is this organisation commonly known as? -- It is commonly known as BAWU.

And does it have an office in Durban? -- Yes, that 10 is right.

Is it confined to Durban, the activities of this organisation? -- BAWUhas an office in Johannesburg as well.

Are those the only two offices? -- Those are the two that I am aware of.

That you are aware of? -- Yes.

Who is the head of BAWUgenerally do you know? -- I can't say.

Who is in control in Durban? of BAWU? -- In the Durban there are several people who are in charge of BAWU.

Could you mention their names for the Court? -- The two that were primarily in charge were accused No. 1 and Mr. Lindewe Mabanda.

Mr. Lendewe Mabanda? -- That's right.

Now if you could perhaps just explain what Black Allied Workers Union or BAWU in fact was in relation to the other organisations you mentioned which you said didn't cater for Black Trade Unions as you thought they should? -- It is just this that BAWU had a more social political role than the other trade unions. This was my big reason for

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BAWA

my involvement with BAWU;

What was BAWU's aim generally? The purpose of BAWU? -- As far as I know the purpose of BAWU was to unify the black workers in Durban.

With what purpose in mind, Mr. Bawa? -- I believe that the reason for this was to be able to build up a bargaining power, to be able to bargain with managements and with whoever BAWU had to bargain with.

Would you consider its activities legitimate activities or was there anything illegal or subversive about the 10 organisation as far as you were concerned? -- As far as I knew it was very legal.

A legal organisation. -- Yes.

And you say this is where you met the accused No. 1?
-- That is correct.

And it was him you said who referred you to Mr. Harri Singh? -- That is correct.

At this stage could you perhaps indicate to the Court who Mr. Harri Singh is? -- Mr. Harri Singh was the acting public relations officer of Black Peoples Convention, 20 B.P.C.

Was this at the time? -- That is right. No, not at the time. Before we were detained.

Just before you were detained. At that stage? -- At that stage he was just the chairman of the overport branch.

Could you just give the date again for the Court? -That was the end of July 1974.

July 1974. Now from whom did you hear what B.P.C. was all about? -- It was two people, either Mr. Harri Singh, or accused No. 1.

The accused No. 1. What at that initial stage when /...

BAWA

when you first came into contact with B.P.C. what did you understand B.P.C. to be, what was the aim and purpose of B.P.C? At that stage, I want your impressions at that stage when you first came into contact? -- I felt that B.P.C. was a body which was unifying Black people into a single philosophy of body and a body which catered for the / Black consciousness.

Now at this stage, I think it is convenient for you to explain to the Court what the philosophy of Black consciousness entails? -- To me the philosophy of Black consciousness entails - is the philosophy which is merely 10 used to build up in Black people a feeling of self-reliance.

Now when you refer to Black people, could you give the Court some indication of which section of the population you group under the term Black people? -- In all particular circumstances the Black people referred to is Indians, Africans and Coloureds.

Indians, Africans and Coloureds. Are Whites at all, are they likely to become members of the B.P.C. or may they become members of B.P.C. --- No.

No? -- No.

Is this an explicit ruling B.P.C. that no membership is open to Whites?—— Well due to all particular circumstances in South Africa it is not possible.

It is not possible in South Africa. Now, you have mentioned the term Black consciousness. What did B.P.C. aim to do with Black consciousness, how did they aim to inculcate this idea in the people and spread this philosophy, what are the methods which B.P.C. employ to spread this idea of black consciousness? -- There were several methods used. As far as I know the main method that was used was 30 Art.

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BAWA

Was art? -- Yes.

Could you perhaps just explain on that particular aspect, how did the Black People's Convenction use art to spread the philosophy of Black consciousness? -- The as theatre was used as well/ poetry reading and even on some occasions we had Black music being played which was also part of the philosophy of Black consciousness.

Was there any one specific scene of this drama and poetry and music which B.P.C. used or did it entail the use of any music or art or drama at all? -- The purpose - the main theme of this Black art was as I said earlier, to build up the self-pride and self-reliance amongst the Black people.

Now what sort of drama and art would be used? --This art was primarily examples taken from our daily life which were either portrayed in theatre or in poetry and portrayed to the audience.

And what was the message of this art if any, was there any message in any of this art? -- Well it was basically the conditions under which we were living.

In which area? -- Well it brought out, in several instances in our drama for example we had portrayals of township life for example.

Is this township life in which country? -- In South Africa.

In South Africa. Any other specific themes which were employed? -- There were several occasions when use was made of such instances as the killing of miners at Carlton-ville and the killing of the people at Sharpeville.

Which people were killed at Sharpeville and Carltonville that you are now mentioning? -- There was the miners killed

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at Carletonville.

Of which race were these miners? -- African people.

Now you said you used this - B.P.C. used this. What was the aim in using these incidents involving Black people where they had been shot or killed or hurt? -- One of the aims was to make the people in the audience aware of what had happened, and also to protect the people, the oppressive way of life under which we are living.

In what light was the White man in South Africa Acast?

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In these drama films? -- They were cast generally as the cause of these mass murders.

The mass murders you mentioned? -- The killing at Sharpeville and Carletonville for example.

Were these killings represented as deliberate or as accidents? -- They were represented as deliberate.

In what respect? -- Via poetry and drama and poetry especially concerning Sharpeville and Carletonville.

We had instances where poets portrayed this Carletonville killing as sheer brute force being used by the police.

Against? -- Against the people.

With what object in mind? Why did the police do that to the people? -- With the object of suppressing whatever the uprising was.

Would you say the true facts were put forward in these drama films in regard to Sharpeville etc? -- I cannot say.

You cannot say. Do you in fact know what happened at Sharpeville? -- No, no idea at all.

Is your knowledge of Sharpeville based on what you heard and saw at these drama and poetry readings you have mentioned?

-- Most of it, yes.

Most of it. Now you have mentioned that is one /...

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one film drama and poetry was used by B.P.C. to further this philosophy of Black consciousness. What other methods were used by B.P.C. to spread this philosophy?

-- We had the publication of newsletters and pamphlets and things.

Does B.P.C. have an official newsletter? -- Not that I know of.

Not that you know of. You have mentioned - what was the other form that you mentioned? -- Pamphlets.

Famphlets. Are you aware of pamphlets that B.P.C. issued? -- I am aware of pamphlets.

In what connection were these pamphlets issued, where were they issued and in what circumstances? -- The pamphlets that I read was primarily concerning process of conscicusisation etc.

I am pleased you mentioned that word consciousisation because I think at this stage it will be convenient if you tell the Court what B.P.C. means by Conscientisation? -- I cannot say for certain what B.P.C. means by consciousisation. I feel that what is meant by consciousisation is a process which B.P.C. uses in getting this Black Consciousness message across to the people.

And of the forms which you are now detailing the methods, are these the methods which you would use to get this idea across? -- That is correct.

So it is basically inculcating the philosophy of Black consciousness in Black people, is that right? -- Yes.

Any other methods apart from the drama aspect and publications? -- Not that I know of.

Were gatherings or meetings organised at any stage

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by / ...

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BAWA

by B.P.C.? -- There were several meetings organised.

And could you give the Court some idea of the type of meetings? -- Well one meeting that I was involved in was the - the preparation of it was the symposium which was held by B.P.C. in Durban last year.

Could you tell the Court when this was? Precisely? -- It was held on the 15th of September 1974.

At which hall? -- This was held at Kajee Hall in Durban.

Now what use did B.P.C. make of this gathering or meeting? -- Speeches were made by several Black people at this meeting.

Would it be any Black person who could speak at this meeting? -- No, speakers were invited.

Speakers were invited. Which speakers were invited? The speakers belonging to which groups? --from several organisations such as SASO, B.P.C. and several other speakers who were not really attached to any organisation.

20 Was this the first time these speakers had been approached to speak at such a meeting? To your knowledge? -- As far as I know, yes.

To your knowledge. You have mentioned SASO. Is that the South African Students Organisation? -- Yes.

Now if we can turn to your knowledge of B.P.C.'s administration. Where does B.P.C. have its head office? 25 Fax -- The B.P.C,'s head office is here in Johannesburg.

And do you know the address? -- No.

You don't. Does it have any other offices anywhere else apart from the office in Johannesburg? -- Not that I 30 know of.

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BAWA

Not that you know of. Is this organisation confined to Johannesburg and Durban, where you were busy? -- No, throughout the country.

Throughout the country. Does it have an office in Durban? -- No.

Now in Durban where you were primarily concerned, where did B.P.C. officials or B.P.C. supporters come together to discuss B.P.C. affairs? -- Meetings were usually held at BAWU offices or at the homes of Harri Singh and first accused.

Accused No. 1? -- Yes.

BAWU offices, could you give us the address of that?
-- This is in Beatris Street.

Beatris Street. -- Yes.

Can you remember the address? -- This is 904 E.C.M. House.

E.C.M. House. In relation to the SASO office in Durban, where is BAWU office? -- About 200 metres away.

200 metres away from the SASO office. Your knowledge of B.P.C. have you ever seen the B.P.C. constitution? -- 20 I have.

You have. I want to show you a copy of that now.

Copies will be made available to the Court and the Defence.

My Lord, with the Court's permission. I would like you to

have a look at the document. Can you identify that as

the B.P.C. constitution. I would like you to have a look

- here is a copy. -- This is the B.P.C. constitution.

You are familiar with this document? -- Yes.

This document sets out generally B.P.C.'s administration and its office bearers and its policy in certain regards, is that correct? -- That is correct.

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BAWA

I don't deem it necessary at this stage to refer to anything specific in this document My Lord. B.P.C.'s affairs, Mr. Bawa, are run by whom? -- By the National Executive (?)

Now this is made up of how many people to your knowledge? The National Executive? -- I am not sure at all.

How many office bearers are you aware of, different office bearers? -- I am aware of the position of National Organizer.

National Organizer. -- I am aware of the position of Secretary Ceneral.

Secretary Ceneral. -- I am aware of the position of Public Relations Officer.

Yes? -- And the President and Vice-President.

President, Vice-President, Secretary-Ceneral, National Organizer and Public Relations Officer. These are in fact the five positions set out in the constitution, the five office bearers chiefly. Now, when and where does this executive body meet Mr. Bawa? And how often? -- 20 It meets once a year at various places.

At various places.

Have you ever attended any of these meetings? -- No.

Now I would like you to have a look at this stage at the accused, they are numbered numbers one to nine in order as they are sitting there, and I would like you to indicate whether any of these people have held any positions in B.P.C. and if so, what position each one has held.

I would like you to start at No. 1 on the left and tell me the person's name in each case and what position he has held. Firstly in B.P.C. if we can get that right.

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MR ALLAWAY: / ...

MR ALLAWAY: My Lord, as far as that question is concerned, is the witness giving evidence from his own knowledge after becoming a member of B.P.C. or is he giving evidence of something that occurred before he became a member. I would like that to be clarified.

BY THE COURT: Yes, I think you had better indicate the source of his knowledge.

MR ATTWELL: As Your Lordship pleases. Would you indicate if you mention any person as a member and office bearer, what the source of your knowledge is, how you know that person is or was a member of B.P.C. -- My Lord, the first accused was the Public Relations Officer of B.P.C. .. (talking very fast - inaudible)

BY THE COURT: Will you just speak a little slower, I don't follow what you are saying? You say on one occasion he was a public relations officer? -- He was public relations officer.

He was on occasion public relations officer, now why do you say that? -- My Lord, this is because of these papers that I read previously before I was involved in this 20 organisation.

Yes?

MR ATTWELL: Had you also had discussions with accused No. 1?-- I have.

Has he ever intimated such a fact to you that he was in fact public relations officer? -- Not that I can recall.

He never specifically told you that he was? -- Not that I can recall.

Not that you can recall. Accused No. 2, I would like you to have a look at him. Can you identify that person?/...

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person? -- Yes.

Would you tell the Court what his name is? -- He is Muntu Myeza.

Muntu Myeza. Is Mr. Myeza a member of the B.P.C.? -- Not that I know of.

Not that you know of. Do you know whether he is a member of any organisation? -- I am aware that he is the secretary-general of SASO.

Now could you tell the Court what the source of your information is there? How do you know that accused No. 2 is the Secretary-Ceneral of SASO? -- I have been in contact with SASO members generally and this is my source of information.

You have been in contact with SASO members. With accused No. 2 personally himself? -- Yes.

I would like you to have a look at accused No. 3.

BY THE COURT: What about No. 2, did he indicate to you anything about being a member apart from other hearsay evidence? -- Not that I can recall.

You didn't hear it from No. 2 accused? -- No. 20

MR ATTWELL: As Your Lordship pleases. You have frequented

the SASO offices in Durban is that correct? -- That is right.

Have you ever met accused No. 2 there?-- Yes.

You have. How often? -- Well it was mainly during September 1974.

During September 1974. I would like you to have a look at accused No. 3 do you know that person? -- Yes.

Would you tell the Court his name if you know it? -I know him as Mosioua Lekota.

Mosioua Lekota. Now does Mr. Lekota, accused No. 3 30 is he a member of B.P.C. to your knowledge? -- Not that

I know / ...

I know of.

Is he a member of any other organisation to your ? knowledge? -- I am aware that he is the permanent organizer of SASO;

Could you indicate to the Court once more why you know that fact or why do you say that? -- This I know because of discussions I had with people.

Have you had any dealings with accused No. 3 himself?
-- I have.

In what connection? -- Well in several connections, 10 the last being in connection with the rally.

In which rally was this? -- The Frelimo rally.

Where did you have the dealings with accused No. 3? -- In Durban.

At whose home or offices did you come -nto contact with accused No. 3? -- At the SASO offices.

At SASO offices. Has accused No. 3 ever spoken to you personally and told you that he is involved in SASO?

-- Not that I can recall.

Not that you can recall. I would like you to have 20 a look at accused No. 4.

BY THE COURT: What was the nature of the dealings you had with him? -- The last contact that I had with him was in connection with this rally that we had.

Yes, but what was the connection? -- Well we were both involved in the organisation of the rally.

I would like you to have a look at accused No. 4, do you know accused No. 4? -- I know him.

And could you tell the Court what his name is? -- I know him as Dr. Aubrey Mokoape.

Does accused No. 4 to your knowledge had any dealings with /...

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BAWA

with B.P.C.? -- I am aware that he does have some dealings with B.P.C.

Could you intimate to the court the source of your knowledge there?-- Well again it was mainly in connection with the rally that we had.

BY THE COURT: Is Dr. Mokoape a medical doctor? -- That is right.

MR ATTWELL: Where does accused No. 4 work, Mr. Bawa?
--He works at King Edward Hospital.

Is this in Durban? -- That is right.

Accused No. 5, do you know accused No. 5? -- Yes.

What is his name? -- I know him as Mr. Nkwenkwe Nkomo.

Does accused No. 5 have any links with any of these organisations, with B.P.C.? -- I know that he is the national organiser of B.P.C.

Could you once again indicate to the Court the source?
of that knowledge? -- I am aware of this due to the Semicon
Race at Hammanskraal.

Could you just at this stage deviate slightly then and tell His Lordship what the Semicon was? -- It was, a meeting was arranged in Hammanskraal, where the National Executive went to congress and we had several other commission speeches there.

National Executive of which organisation? -- Of B.P.C.

Did you attend this meeting? -- I did attend the Semicon.

You attended the Semicon.

BY THE COURT: Were you the executive member? --No.

MR ATTWELL: Who sent you to this Semicon or how did it

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come / ...

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BAWA

come about that you should have attended at this Semicon?
--There were ten of us from Durban who were sent to go down.

Was this your own (inaudible) -- (No reply)

How is it that non-executive members like yourself attended this meeting where you said the national executive met? -- The meeting of the national executive - there are several commissions which you have and we participate in these commissions.

A pre-requisite for attendance was not a post in the national executive? -- No.

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For B.P.C. You say accused No. 5 was there?---That's right.

Have you had any other dealings with accused No. 5?

You personally apart from the semicon that you have mentioned now? -- I have had contact with him also in connection with the symposium that we had in October last year.

This is the one that you have already mentioned?-Yes.

And any other activities? -- Not that I can recall.

Accused No. 6 I would like you to have a look at him. 20 Do you know that person? -- No, no contact with him.

You cannot identify accused No. 6? -- No.

BY THE COURT: Are you counting them 1,2,3,4,5,6 is sitting just off the middle.

MR ATTWELL: You don't know that man? -- No.

Accused No. 7 I would like you to have a look at him. Do you know him at all? -- No.

Accused No. 8? -- I know him as Cindi.

Mr. Cindi. Now has Mr. Cindi, accused No. 8 any link with B.P.C.? -- I am aware that he was the general secretary of B.P.C.

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BAWA

Now once again, will you indicate to His Lordship the source of your knowledge? -- This I gathered from the meeting that we had at Hammanskraal again where he was the general secretary - secretary general.

Is that the only time you have personally had any dealings with accused No.8? -- That is correct.

I would like you to have a look at accused No. 9, sitting at the end there. Do you know that man there?

-- Yes, I do.

Who is that person? -- I know him as Mr. Strini Moodley.

Mr. Strini Moodley. Has Mr. Strini Moodley accused No. 9 any links with B.P.C.? -- Not that I know of.

Not that you know of. Has he had links with any other organisation to your knowledge? -- I am aware that he was the publications officer of SASO.

What is the source of your information there? -This I gathered from some newsletters of SASO that
I had, that I read.

Was this fact mentioned there? -- Yes.

BY THE COURT: I didn't get that, where was it mentioned?
-- Some newsletters of Saso that I had that I read.

You saw it on newsletters.

MR ATTWELL: Have you personally had any dealings with accused No. 9? -- Not any political dealings at all.

Not any political dealings at all. I would like to mention four other people, a certain reverend Mayathula.

Do you know such a person? -- I do.

You do. Has this person got any links with B.P.C.?

-- As far as I know he was the adviser to the National Exe- 30 cutive.

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BAWA

Now I would like you to justify that statement if you can. What is the source of your knowledge there? -- I gathered this from discussions with Mr. Harri Singh.

With Mr. Harri Singh. -- Correct.

Had you personally had dealings with the reverend Mayathula? -- We travelled together to the Semicon in Durban, and we had contact also at the Semicon at Hammans-kraal.

At Hammanskraal. -- And we had dealings also at a symposium in Durban, as well as at the rally.

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Now the other person I would like to mention is Mr. Sipo Butelezi. Does that name ring a bell, had you ever heard of such a person, do you know such a person? -- I have heard his name but I have had no personal contact at all.

No personal contact at all. Now I would like you to sketch for the Court at this stage the activities of B.P.C. which you yourself had anything to do with. I would like you to begin in 1974 when I think that was the first time you came into contact with B.P.C. Could you tell me why you were then at medical school in the University of Natal Black section if you had any dealings there with B.P.C.? -- At medical school I had no dealings at all. I mean at the beginning I had no dealings at all with B.P.C.

20

Did you meet B.P.C. at all on the campus of the University in Natal? -- No, not at all.

Were there any meetings of B.P.C. organised or run by B.P.C. on that campus that you attended or.. -- No, no meetings at all.

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I would like to refer you specifically to a Sharpeville commemoration/..

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BAWA

commemoration meeting. -- This was arranged by SASO local committee. I think it was some time in March last year.

This you said was arranged by SASO in March 1974.

Where was this meeting held? -- It was at the Allan Taylor residence in Wentworth in Durban.

In Wentworth in Durban. Does the Allan Taylor residence have any connection with the university? -- It is a residence of the University.

It is a residence of the University. Did you attend that meeting? -- Yes, I did.

Did any of the accused attend that meeting?-- I am aware of only the attendance of accused No. 2.

Accused No. 2 attended that meeting. What was his participation if any at that meeting? Can you remember whether he was involved? -- He did make a speech.

He did make a speech at that meeting. Can you recall the tenor of that speech? -- No, I can't.

You can't. While we are busy with that Sharpeville commemoration, can you remember the tenor of any of the speeches or anything else that was done at this meeting? 20 -- There was some poetry read.

Some poetry read. What sort of poetry was that? -That I have mentioned already.

Can you identify any particular poem or any particular speech or anything? -- No, definitely not.

Definitely not. What was the message if any, in any of the poetries read or recited at this meeting? -- The poetries that was read at this meeting was mainly in regard to the Sharpeville Commemoration.

Yes? -- And the poetry was mainly to hold up the people that were killed at Sharpeville as heroes, My Lord. The Black people, and that is all I can remember

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really.

How were the Whites portrayed during that meeting?

Can you remember? -- I can't.

You can't? -- No.

Could you then tell the Court what the next activity of B.P.C. was in which you were involved personally? -The next activity that I was involved in was the organisation of the symposium at Kajee Hall.

You did mention a Semicon? --Yes.

Now perhaps if I may refer you to that, could you 10 perhaps tell the Court from the beginning about your trip to that semicon, your attendance there and the trip home.

MR ALLAWAY: I wonder if the witness could give Your Lordship some indication of what that date was? Sorry to interrupt my Learned Friend. It might help..

BY THE COURT: Yes, have you any idea when it was? -- The semicon was held the first weekend in September, 1974.

Where? -- At Hammanskraal.

MR ATTWELL: Hammanskraal is here in the Transvaal is that correct? -- Yes.

Now, could you tell the Court who all from Durban apart from yourself, came to that meeting? -- There were ten of us from Durban who travelled down to the meeting.

Mr. Harri Singh, Reverend Mayathula, Mr. Vis Pillay, Mr.

Coastal Covender, Mr. Colin Jeffries, Mr. Yagan Naidoo,

Mr. Tissau Mazibuko and another African male by the name of Sam and Mr. Naidoo.

Were any of these people not members of B.P.C.?

To your knowledge? -- Not that I know of.

As far as you were concerned they were all B.P.C. members? -- Yes.

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And I think you have already told the Court that you yourself attended that meeting out of your own free will, is that right?--Yes.

How did you all come up, you said ten of you came up to attend the meeting. -- We travelled in a Kombi.

All together? -- Correct.

Who drove that Kombi?-- It was driven by Harri Singh and myself.

By Harri Singh and yourself. Now I would like you to tell me whether anything occurred on the way to that semicon? Concerning B.P.C.'s policy. -- We had several discussions on the way. One concerned B.P.C. policy.

Now perhaps you could expand on that and tell the Court about that discussion and identify the speakers in each case. -- Well we were told this by Reverend Mayathula.

Yes? -- And he spoke about the phase programme of B.P.C.

The phase programme? -- Yes.

And he spoke about three phases. The first phase is the phase of consciousisation he said. Which was to have lasted from 1972 to 1975. He mentioned that the main purpose of this was to form a central core of B.P.C. members. The second phase was to have been the phase of confrontation.

BY THE COURT: I want you to go slowly here. -- This phase was supposed to have been developed into two parts. The first part the phase of non-violent confrontation and the second a phase of violent confrontation.

MR ATTWELL: Confrontation with whom or with what? -- Well as I understood confrontation between Black people and the system.

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And the system? -- Yes.

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Would you care at this stage to indicate what you or B.P.C. mean by a system? -- Well I understood it to be the present government in power.

Was this in fact the sense in which this term was used? -- I don't know. I cannot say. I don't know.

Is that how you interpreted it? -- Yes.

I see. Yes? -- And the third phase was to have been the phase of rebuilding.

Rebuilding. Who would do this rebuilding Mr. Bawu?
-- The people of South Africa.

Which people. Any specific group or everybody? -Everybody.

Did all the members in this Kombi you were travelling in, hear this statement? -- As far as I am aware of all of them did.

Did this come as a surprise to you? -- No, not really.

Not really. Did you ever discuss this with anybody else after this? In particular the accused or any of the accused? -- No, I had no discussions at all.

You never discussed this. Now you then continued 20 on your way to Hammanskraal. Now could you then set out for His Lordship what happened at Hammanskraal, what you have mentioned before the speeches were held and the National Executive met. Could you care to expand on that? -- Well, as far as I know we had several commissions. One of them had a member who was the role of the youth today, Black Youth.

BY THE COURT: The role of Black Youth. -- Yes.

MR ATTWELL: Was there a set programme for the semicon?

-- There was.

I would like to show you now a programme which I would /...

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BAWA

would like you to identify if at all possible. My Lord, there are copies once again for Your Lordship.

BY THE COURT: Where does the word Semicon come from? --It comes from seminar and conference.

MR ATTWELL: If Your Lordship will bear with me for just one minute. Yes, I would like you to have a look at that programme there Mr. Bawa. Can you identify that?

-- I can.

Is this in fact the programme for that specific Semicon as you call it? -- That's right.

Now there are various people mentioned therein which I would like you just to identify if at all possible. On the front page or the cover under where the word programme starts, in the middle or slightly below the middle various times are set out and under a) at 8 to 10 p.m. a) there is the word outlay and after a number of dots the word Nkwenkwe. Who is that person? -- That is Nkwenkwe Nkomo.

The second person I would like you to have a look at is the final word on the covering page you will see a Mr. N.A.Z. Cindi at the bottom right of that programme's front cover. Do you see that? -- Yes.

Accused No. 5.

Could you identify that person? -- That is accused No. 8.

Accused No. 8. Did he in fact attend that Semicon too? -- He was there.

He was there. Once again on page 2 of that Semicon programme the word Nkwenkwe appears again at about the middle of the page. It is the first, just before the word Harri Singh. Do you see that under 7VM Ceneral? Is that once again a reference to accused No. 5? -- Yes.

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BAWA

Is that the only Nkwenkwe that attended to your knowledge? -- That is so.

And I would like you to have a look also at page 3 of the programme, first, second, third, the fourth line from the top is a) Youthful aspirations. Do you see that?

-- Yes.

After a couple of dots you have the name Mr. Mosioua Lekota? -- That's right.

Could you identify that person? -- He is accused No. 3.

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Accused No. 3 Did he attend as well? -- Yes, that is right.

How is it that accused No. 3 who apparently doesn't have any links with the B.P.C., how is it that he attended this Semicon Mr. Bawu? -- The Semicon was not restricted to B.P.C. members only.

It wasn't restricted to B.P.C. members. The Mr.

Harri Singh referred to in this document is that the Harri

Singh that you referred to who came to Semicon with you?

-- That's right.

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And he was, you said, a member of B.P.C.? -- Yes.

Now you have already mentioned the one commission and the title of that commission I think you mentioned something about Black Youth, is that correct? -- That's right.

Were there any other commissions there that you can recall specifically? -- I can recall one that is known as reaching the masses.

Reaching the masses. Did you attend that one?--Yes.

Was B.P.C. policy explained or set out to any extent at this meeting? -- Not to my knowledge.

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There was no explanations of B.P.C. policy or anything.

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BAWA

What was the purpose of these commissions Mr. Bawa? -As I saw it the purpose of this commission was to set about a plan of action.

Yes? -- For example in the one that I participated reaching the masses we discussed several matters of reaching the masses.

Now to whose benefit were the activities going to be - was the commission going to make a recommendation or what? -- That's right.

Now to whom would that recommendation be made? -- 10

The recommendation was to be made to all people who were present there at the time.

Was it restricted to any one organisation, the recommendation, was it intended to be implemented by anyone specific organisation? -- Well I am not sure about this because none were really accepted, not that I know of.

None of the recommendations were accepted you say?

-- The commission leaders did put forward the conclusions to the entire audience but as far as I can remember there were no motions led to the fact of accepting these conditions.

What happened to these recommendations do you know? -- I don't know.

Was anything further of significance discussed at this Semicon? Whether it would affect B.P.C. or any other organisation, any action which they should take or the policy they should follow. -- Not that I can recall.

Not that you can recall. How long did this last?
This Semicon thatyou attended? -- It lasted two days.

Two days. -- Yes.

Now you mentioned that the National Executive met too.

-- That's/...

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* * ***

-- That's correct.

Now who all of the National Executive of B.P.C. who all was there that met?

MR ALLAWAY: My Lord, I am sorry to interrupt again. Was the witness present at the meeting? I think he can only give that evidence if he was present?

BY THE COURT: Were you present at that meeting or do you have first hand knowledge of that meeting? -- No, I did not attend the meeting.

Now how do you know they met? -- I know that the 10 National Executive did meet.

But how do you know that? -- But because it was set down in the programme.

Was it part of the programme? -- Yes.

MR ATTWELL: Could you indicate to His Lordship where that stands in the programme?-~ It isn't specifically noted in the programme.

But how do you know that? -- But I am aware that these people did go into - I am aware that the National Executive did meet because later on I did have discussions with Mr. 20 Harri Singh who was in the National Executive and he told me for example that...

BY THE COURT: You can't say what he told you. The only information you have was what Harri Singh told you? -- That is right.

MR ATTWELL: Did Mr. Harri Singh leave the Semicon at any stage? As such? His name appears on the programme here at various stages. Did he at any stage during the proceedings of this Semicon which you attended, did he leave here? -- I am aware that he did leave. I am aware that he did go into a meeting with which we were not allowed to

go into.

Did you in fact see that? -- Yes.

Did you see them go somewhere? -- Yes.

Where did they go? -- They went to another room.

To another room. Who is they? -- The National Executive.

Could you certify which persons? -- Well I am aware that Harri Singh did go in.

Yes? -- And Mr. Nkwenkwe Nkomo.

That is accused No. 5.-- Yes.

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Yes? -- Mr. Colin Jeffries. He was vice-President.

And several others. Accused No. 8 as well.

Was accused No. 8 there. You say he went in there as well? -- Yes.

BY THE COURT: Now why do you say that you were not allowed to go to this meeting? -- Because I was not of the National Executive.

Was it announced that the National Executive would meet and then these people left? -- That's right.

Yes?

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MR ATTWELL: You say you are unable to remember anything specific about policy or action or anything which was decided in fact at this meeting? -- No.

You then returned home, is that correct?-- That's right.

How many people returned home with you? -- Eleven of us in the Kombi.

Could you once again name the people that were with you on the way down? Back to Durban? -- Mr. Harri Singh and Reverend Mayathula, Vis Pillay, Coastal Covender, 30 Mr. Colin Jeffries and Mr. Yagan Naidoo, Mr. Richard Naidoo,

BAWA

Manfred

Mr. Tissau Mazibuko, Mr. (?) and an African by the name of Sam, and in addition there was Mr. Likota.

Is that accused No. 3? -- That's right.

Did any discussions take place about B.P.C. policy on the way down? -- Not that I can recall.

BY THE COURT: What is this Kachiti that appears on the programme? -- It is a musical group.

Oh, is it a group.

MR ATTWELL: The next activity of B.P.C. which you personally were involved in after you returned back to Durban, we are now I gather in the beginning of September 1974.

BY THE COURT: Would this be a convenient stage to adjourn?

MR ATTWELL: As Your Lordship pleases.

BY THE COURT: The Court will adjourn until Monday.

COURT ADJOURNS.

Howlie situation.

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