

--- He said: "We will see to your release." We said: "On what charges?". He said: "You shall see."

BY MR. BRIGGS: Did he say anything else? --- At that stage, no.

Has the interpreter, the constable whom you had pointed out, has he spoken to you again since that day?

--- Yes sir, on the occasion when we were remanded to the 26th February he again addressed us.

And on any other occasion? --- Yes, last week Friday he again did. He said: "Men, you must become informers before it is too late." This is what he said last Friday. This was in front of the jail in Port Elizabeth, just before boarding the van.

You were boarding the van and where were you going to?

--- We were coming here.

One of the State witnesses who gave evidence against you is one Kulati. Do you know Kulati? --- I know him, Yes.

What do you know about him? --- I do that .. I do know that he used to stay with me on an occasion, together with his girlfriend.

Can you say when he stayed with you? --- I think it was... it wasn't a long time. It was either during 1962 or 1963.

Did he leave you, together with his girlfriend?

--- Yes sir, I asked him to leave with his girlfriend because she was in the habit of getting drunk.

What happened when she got drunk? --- Well it just wasn't fitting sir to have a female drunk in the house. She just did silly things.

What was Charlie Kulati's attitude to that? --- I actually spoke to Kulati sir and asked him can't he see to this matter; this girlfriend of his being drunk. She was so drunk that she didn't even know where she was. She wasted in the house, i.e. the food. I told him then I think it is best if he found himself another place to stay. Was/.....

Was he happy about this - about you telling him this? --- It appeared sir that he wasn't happy with it or about it because he didn't know where to go to. I didn't - this must be understood - I didn't put him out then and there, I asked him to leave. He returned one day and said that he had obtained a place and he was very thankful to me and then he left.

Whose house is it? --- It is mine.

Do you own it or do you hire it? --- It is a house which belongs to the Municipality of Port Elizabeth, I hire it.

Do you pay rent for it? --- Yes.

Who do you pay rent to? --- I pay the rent to the Municipal offices.

Is the house in your name? --- It is in my name, yes.

Did your brother Abel ever sleep there? --- Yes.

Tell me, are you older or younger than Abel? --- No I am afraid I don't know. You see, although I said he is my brother, he has his own mother and father and I have my own father and mother but our fathers are brothers.

BY THE COURT: They are cousins? --- I understand sir.

BY MR. BRIGGS: Did your brother sleep at your house every night? --- He used to sleep in town for a long period, you see he has no wife.

When did he used to come and sleep at your house?

--- Fridays usually sir. He would come on Friday night and sleep there and go to work the next morning. Then again I would see him the next week on Friday.

Did he come every Friday? --- If he missed coming on a Friday he would come on a Saturday and we would spend the weekend together.

Where did he sleep on the other occasions, do you know? --- I don't know sir, other than what he told me, that/.....

that he sleeps at a girlfriend's place of employment at Newton Park.

Did he ever help you with money? Did he ever give money to you? --- Money for what sir?

Did he ever give you any money? --- I have borrowed money from him.

Has he ever given you any, apart from that? --- Yes, there were occasions when he used to give me a rand. Sometimes sir he would hand it to my wife. I would hear from her, he not having told me though.

Are you the man in control of your household? --- That is correct.

Since what year has your brother .. has Abel come to sleep at your house? --- Late 1961 or early 1962 sir is when he came. Previously he was at New Brighton, at my brother-in-law's place.

Who are you employed with? --- 53, Queen Street. The place of business is known as A.L. Klaas.

Since when have you been employed there? --- 28th October, 1963.

What sort of .. what does this employer do? --- Retail furniture dealer and a wholesaler in soft goods.

Does he conduct his business in Port Elizabeth?

--- Yes.

Anywhere else besides Port Elizabeth? --- Yes, he and I go out on the road travelling.

For what purpose? --- For the purposes of sales sir. We carry samples with us.

Where do you go to? --- The boundary is Tarkastad in that direction. We go travelling one week in a month. We would depart here on a Monday and return on Friday.

How often did you do this travelling? --- One week a month.

Do you know the other State witness who has given

evidence/.....

evidence here? The witness Magidwana. --- I don't know him.

Magidwana referred to somebody called Jonas. Do you know that Jonas? --- I don't know that person.

NO FURTHER QUESTIONS BY MR. BRIGGS.

CROSS-EXAMINED BY THE STATE PROSECUTOR:

I put it to you that you know all the accused now before Court. --- I don't sir.

That you know Samuel Jonas. --- I don't know him.

And that you, all of you before the Court and Samuel Jonas took part in the activities of the African National Congress as described by the State witnesses. --- No sir, I deny that.

Where do you live? --- At Kwazakele.

Where in Kwazakele, what is the number? --- 2202.

Is that the number of the house? --- Yes.

How far is that from the church - the Apostolic church?

--- I would say approximately the length of a rugby field between myself and the church.

And accused No.1, where does he live? --- He stays higher up from where I stay.

About how far from the church? --- It is quite some distance away. He is opposite the school, higher up.

BY THE COURT: Is he further than you away from the church?

--- Yes sir, he is further away. Your Worship if I knew this place better here I could have assisted the Court by pointing out the distance, if required.

PROSECUTOR: Where does accused No.2 live? --- I don't know him.

What is the name of the school opposite No.1's house?

--- Zikweni.

Are there any other schools in the vicinity of the Apostolic church? --- There is one in the proximity of the church.

What is the name of the school? --- I have just forgotten/.....

forgotten the school's name. It is also a Xhosa name. I just haven't taken notice.

Do you know the names of any other schools in that vicinity? --- There is one in the direction of the police station.

Do you know the Rulashe Secondary School? --- No, I am afraid that name I haven't heard before. I don't know, you might not be pronouncing it correctly.

I am telling you- I am asking you about the Rulashe School. --- That name is not familiar to me.

What is the number of accused No.1's house? --- I just know where the house is, I don't know what the number is. He lives close to the corner of that street.

Yes, Kulati also told the Court that he lives close to the corner of the street and near a school. --- Yes.

How old were you when you became a member of the African National Congress? --- I was born in 1927.

How old were you when you became a member of the African National Congress? --- No, that is making it difficult for me now. I can't memorise the years like that.

BY THE COURT: When were you born? --- 1927.

PROSECUTOR: Did you become a member of the African National Congress because you agreed with the aims and objects of the African National Congress? --- Yes, because we were told that the objects were ...

I am simply asking you this question - please answer my questions! --- Yes.

And did you take active part in the activities of the African National Congress when you joined? --- Yes, I did.

For how many years did you continue to be a member of the African National Congress? --- Only in respect of 1952.

Did you resign from the African National Congress?
Yes or no. Did you resign? --- Yes. I will say yes.

How/.....

How did you resign? --- Because the promises that were made to us did not materialise.

BY THE COURT: How he resigned - not the reason why he resigned. --- I went to the person sir who got me to join and told him: "I am finished with you. What you have promised did not materialise."

PROSECUTOR: What is his name? --- Mati.

His full name? --- I have forgotten his full name but Mati is the man's name.

Is it Winnard Mati? --- I don't know. He is deceased now. He died at Korsten.

When? --- I am not sure whether it was 1956 or 1957 but it was before we moved to Kwazakele.

When you joined the African National Congress you realised that you would have to fight to obtain the rights you wanted? --- Yes.

And were you prepared to do so? Were you prepared to do so? --- Yes.

And you realised that it would take years before you obtained all the right you wanted or desired? --- No, that I didn't realise.

What did you expect then? Did you expect .. "Here am I Mancam joining the African National Congress, now I want this ..."? Did you expect to get everything immediately?

--- I didn't know it would take time sir - a matter of years.

What did you expect? --- I was under the impression that things would be done almost immediately. When everybody had joined and we would get through to the White people - then everything would be settled.

And when you found out that everything did not happen as you expected what did you do then? --- Nothing.

Nothing? Why didn't you continue to take part - to join/.....

join forces with the other members of the African National Congress? --- I did nothing after I made this report or when I went to see this man who got me to join.

What I want to know is why didn't you continue to join forces with the other members of the African National Congress? --- Well I did not.

Why not? --- Well what can I say, why not?

Were you satisfied with what the African National Congress had obtained during 1952? --- I was satisfied then.

With what were you satisfied? --- These things that I took part in.

You know perfectly well it had obtained absolutely nothing during 1952! Do you know that? --- Exactly, that is why I took no further part.

You joined the African National Congress because you wanted to obtain something? --- Correct.

I want to know why didn't you continue? --- Well I did not.

Why not? --- Because the promises that were made did not materialise.

Now can you tell the Court the names of the other persons who took part with you? --- No, I can't at this stage recollect or remember that, unless I saw the man again. I will remember him then.

Can you tell the Court the names of any of the persons who were with you at the meetings you had attended?

--- Which meetings?

The meetings you attended. --- In 1952?

The meetings you attended according to your story. What are the names of the persons you saw there? --- Nogaya-he was doing the writing there.

What is his Christian name? --- I have forgotten his first name.

Nogaya/.....

Nogaya - was that the first time for you to see him?

--- I saw him then for the first time.

Anybody else? --- When I last saw him it was here in 1955.

Anybody else? --- No, I can't remember anybody else.

Can you give the Court the name of any other member of the African National Congress you know? --- No, I can't.

Are you sure about that? --- I am.

You don't want to tell the Court the names of the members? --- That is not the case at all. I am here before Court now - why must I hide them?

Did you see any of the accused there? --- No.

Do you want to speak Xhosa or English? --- What do you mean by that now?

You start answering the questions before the questions are interpreted. I want to know whether I must give the interpreter the opportunity of interpreting my questions or not? --- I beg the Court's pardon.

You want to speak Xhosa. You want to give your evidence in Xhosa? --- I want the interpreter to speak.

Since when do you live at Kwazakele? --- From the middle of 1957.

Was there a branch of the African National Congress at Kwazakele? --- I never heard that there was.

Before the banning - before 1960? --- That is what I am referring to as well.

Do you know that the African National Congress continued its activities after you left the organisation in 1952? --- Yes, it continued.

Do you know that some of the persons continued to obtain the rights you agreed should be obtained? --- Yes.

Do you still want those rights? --- I can't very well say that I don't want them.

Do you still want these rights? The rights that you

wanted/.....

wanted in 1952? --- I will not refuse them if they were made available.

Are you still prepared to fight or to take part in order to obtain these rights? --- You mean take part now?

To take part in the activities of the organisation who promised those rights? --- I am afraid Mr. Prosecutor I don't follow you now at all. At what stage ...

The question is this: do you still want the right; the rights you wanted during 1952? That is the first part of my question. --- I repeat that if they were made available I would not refuse them.

So do you still want them? --- Yes.

And are you still prepared as you were during 1952 to take part in the activities of the organisation which promised it to you? --- No, not now. I mean you would be breaking the law. After all the organisation was banned.

When was it banned? --- It was said that it was banned in 1960.

When in 1960? --- No, I can't remember the month, but it was 1960. It was said.

If it wasn't banned in 1960 would you have taken part today? --- That is being hypothetical, I can't say.

That is the type of question put by the defence to the State witnesses. I don't think it is too hypothetical for you to answer. I just want to have your opinion.

--- Would you then under the circumstances repeat the question?

You didn't listen to the question? --- Well you confuse me. You say so many things.

BY THE COURT: Mr. Prosecutor I do think it would be better if you could make your questions shorter. There is rather a lot involved in what you put to the witness. --- As your Worship pleases.

PROSECUTOR PROCEEDS: Now the question is this - if the

African/.....

African National Congress was not banned would you still have been prepared to take part in the activities of the organisation as you were prepared to do in 1952? --- I would have rejoined, yes. In these years if it was not banned.

Why? --- Well my name was removed then.

Why? --- Because I think I have explained to the Court that the promises that were made then did not materialise.

But now you are prepared to continue? --- I would have joined afresh were it not for the fact that the organisation had been banned.

You know perfectly well that at the beginning of 1960, before the banning of the African National Congress there was a big campaign organised by the African National Congress? Do you remember that? --- Could you just recount that incident?

When a number of persons gathered at New Brighton, and Kwazakele Locations and burned reference-books for instance.

--- That is quite correct sir. I was fallen onto after having alighted from a bus when my reference-book was also taken from me and destroyed.

That was an activity of the African National Congress? That was a way of fighting for the rights that you wanted, isn't that so? --- Yes.

And you took part in that? --- No, I did not.

Why not? If you are prepared to join now why not in 1960 ... beginning of 1960? --- Ever since that occasion that I have told the Court about of 1952 I did not again take part in any activities of the organisation. But I have already said that if the organisation had not been banned I would now in these late years have rejoined.

Can you read? --- No.

You know perfectly well that after the banning of the African/.....

African National Congress the members of the African National Congress continued its activities underground! --- I have no knowledge about that.

And you know perfectly well that when Nelson Mandela who was the leader of the African National Congress appeared in Court he told the open Court that the African National Congress continued their activities after the unlawful declaration thereof! --- He no doubt then would know, being the leader. I don't know.

Yes, and you know. And that is why you joined the African National Congress - because you were very much prepared to do so.

BY THE COURT: The question was do you know that he said it.

--- No sir, I only hear that the first time here in Court.

PROSECUTOR: The end of May, 1961 there was again an organised strike, organised by the African National Congress. Do you know of that? --- I heard about that, yes.

And then you heard that the African National Congress was still continuing its activities? --- Yes.

Why didn't you then rejoin?... seeing that you were prepared to rejoin later, according to your own admission.

--- I repeat sir, if the organisation were not banned I would have rejoined it in the later years.

In 1962 there was a celebration of or call it a "Day of mourning"? Do you know about that, in June, 1962?

--- Could you be a bit more explicit, I don't follow you?

In June, 1962. --- What does this "Day of mourning" mean?

Don't you know anything about it? --- If you could give me dates and particulars perhaps?

The 26th June of every year the members of the African National Congress celebrate a day, it is referred to as the "Day of mourning". Do you know anything about it?

--- No/.....

--- No, I don't know anything about that.

During which year did Kulati stay at your place?

--- I am not quite certain whether it was late 1962 or early 1963.

Will you say it was definitely not the end of 1963?

--- No, it was not.

Will you say it was definitely not the middle of 1963?

--- No, I am afraid I can't come closer as to during what period this was.

Is it possible that it was the middle of 1963?

--- No sir, it wasn't that deep into the year.

Do you now say that it was not during the middle of 1963? --- No, it was not.

In corss-examination it was put to Kulati that the middle of 1963 he stayed with you. --- No, I disagree.

You disagree with that. Now you are giving another period. --- There is a misunderstanding here sir. I heard the reply when my attorney put this question to Kulati and Kulati said he was staying there since 1958. That is incorrect.

What is his girlfriend's name? --- Nombulelo.

Her other name? --- I don't know the other name.

For how long did they stay with you? --- It wasn't many months sir, round about four or five.

Were you married then? --- Yes, I was married but at that time my wife wasn't with me.

Where did he go to when he left your place? --- In another house, lower down from where I stay.

Who stayed at your brother-in-law's place? --- Accused No.4.

What is the name of your brother-in-law? --- I can only give you his Xhosa name, if that will be all right? I don't know his English name.

You/.....

You don't know his name? --- Posi is his Xhosa name.
What is the number of his house? --- 10 Funde Road,
New Brighton.

Is he married? --- Yes.

What is the name of his wife? --- Nokazi.

Did you visit that place? --- I have been there, yes.

On many occasions? --- No, not so often. I used to
pop in there when on deliveries.

Do you know your brother-in-law very well? --- Yes.

Yet you cannot give his name to the Court? --- Your
Worship, it is a habit or custom with us, we don't when
it is your brother-in-law call him by his name. You just
say "swaer".

Yes but surely you know his name? --- The only name I
can give is the one which I have already furnished.

What is that name? --- Posi.

Is that a Xhosa name? --- That is his Xhosa name that
I know him by.

What is his surname? --- Sorry, I have momentarily
forgotten his surname.

Since when does he stay at this address you have
given? --- It is a long time now.

Since when - which year? --- I know that in 1959
he was already staying there.

When did No.4 move to his place to stay there?

--- Do you mean at my place or my brother-in-law's place?

The brother-in-law's place? --- 1960 he was there.

For how long did he stay there? --- It was more than
a year.

How many years? --- It is not two full years, it is a
year and a half and perhaps a few more months.

During the period he was staying at your brother-in-
law's place did he call at your place? Did he visit you?

--- Yes.

Is/.....

Is this brother-in-law of yours still staying there?

--- If he has gone sir then it is something very recent.

Where does he work? --- His last place of employment as far as I know was Cycle Corner, North End, Port Elizabeth.

When you gave your evidence-in-chief I understood you to say that Kulati stayed at your brother-in-law's place.

--- No sir, you may have misunderstood me.

PROSECUTOR TO COURT: Your Worship, I am not very sure, I am speaking under correction.

PROSECUTOR PROCEEDS: Where did Kulati go to when he left your place? --- He went to stay in another house lower down from me. I don't know exactly where- what house.

Where did he stay before he moved to your house?

--- He told me that he had come from New Brighton. But this he told me on an occasion when we met at a beer gathering. Before he asked me for a place to stay.

The night when you were arrested you were taken to a police vehicle, is that right? --- Yes.

Did you find anybody in the vehicle? --- Yes.

Who did you find in the vehicle? --- It was accused No.1, Biko and another female, I don't know her name. Your Worship there were three females altogether in this van.

When did you hear for the first time the charges against you - or why you were detained? --- The full particulars I only got to know from our attorney.

When did you find out why you were detained? --- We were not told the reason for our detention but we were issued with these little bluish tickets Form P.D.65 on which it reflected: "Suppression of Communism Act" and we inquired from one another. Somebody mentioned that we are probably being held in terms of this act.

Did that include any of the accused? --- There were many of us. There were some of the accused there too, yes. There must/.....

must have been about sixty of us in this big yard when we were discussing this.

Can you point out the accused who were present?

--- At the time when I inquired as to what this meant, this insertion on the ticket the person whom I addressed was alone with me. We were walking up and down in the yard, although the yard contained the rest of us and others.

Do you say that the police- members of the police force never informed you that you were arrested and detained because of your activities in this unlawful organisation the A.N.C? --- Not at all.

Did the police assault you when they arrested you?

--- No.

Did you see the police assaulting anybody that night when they arrested you? --- No sir, I am not in a position to say whether I saw or not.

NO FURTHER QUESTIONS BY STATE PROSECUTOR.

BY THE COURT: Just explain what you mean by saying you are not in a position to say whether you saw or not? --- What I mean by that sir is, I was in the van. The van would be stopped. The police would alight. They would go off in a certain direction hurriedly and they would return shoving a person along, practically in the nude or partly dressed and hustle him into the van. As a matter of fact I was partly naked that night too. I only got my clothes to put on the next day.

You did not see any assault? --- That is correct your Worship.

Why then do you say you were not, or you are not in a position to say whether you saw or whether you did not see it? --- Because nobody made a report that he had been assaulted. The police would go off leaving us in the van and then of course your vision is obscured, you can't see. Then they would come back with people.

You/.....

You told the Court that you joined the A.N.C. in 1952. --- Yes sir.

And you were a member for how long? --- Only for 1952 sir. I was arrested during the same year, and convicted. And released from jail during that same year.

Whilst you were a member in 1952 you said you took part in the activities of the organisation? --- Yes sir.

Did you attend meetings? Monthly meetings or weekly meetings? --- I went to the meetings held on Sundays.

Where? --- They were public meetings outside on the open spaces.

Now the demonstration - this one at the railway station that you told us about - how was that arranged?

--- This was arranged on the occasion of a meeting that was held in a church hall.

You did not take part in meetings held in private houses, during that period? --- No sir.

NO RE-EXAMINATION BY MR. BRIGGS.

COURT ADJOURNED.

HEARING RESUMED: 2.00 P.M.

NIKIFOROS GEORGIU: DULY SWORN, STATES:

EXAMINED BY MR. BRIGGS:

Mr. Heorgiou, you are the proprietor of a shop in Cape Road? --- Yes.

The name of it is Cape Way Supplies? --- Yes.

You carry on business as general dealer and grocer?

--- Yes.

Now can you tell the Court whether you have seen at your shop any of the accused here in Court? --- One of the accused was in my employ.

Will you just tell the Court which one? --- Abel ... is that the numbers?

Yes. --- No.4.

Abel/.....

Abel, No.4 was in your employ. Can you remember when he started working for you? --- Yes, he started working in 1960. About the beginning of 1960.

And how many Native employees do you have at Cape Way Supplies - male that is? --- Four.

When did he cease working for you? --- At the end of last year.

At the end of 1964? --- Yes.

And during that time 1960 to 1964 has he worked regularly for you? --- Yes.

Can you tell the Court what his working hours are?

--- Well he worked daily from 8.30 to 5.30.

Is that weekdays? --- Weekdays, excepting Wednesdays.

What happened on Wednesdays? --- On Wednesdays he worked late. He worked between 8.30 and twelve noon and then he started from 5 to 9.

So from 8.30 in the morning until midday and then in the evenings from 5.00 to 9.00? --- Yes.

Now what was his normal work with you during the week? What did he do? --- Deliveries.

He was delivering? --- He was delivering, yes.

Did he deliver every day? --- Every day, yes.

And on Wednesdays did he deliver? --- He delivered on Wednesdays too.

Did he deliver on Wednesday mornings? --- Yes.

And in the evenings? --- No delivery after five. Perhaps one or two deliveries between 5.00 and 5.30.

What was his function on Wednesday evenings? --- Just to keep the shop clean, and do errands to the cars - carry stuff for customers to the cars outside.

From the shop to the cars outside? --- From the shop to the cars outside, yes.

Did he do this work on Wednesday evenings or on other days/.....

days as well - that is just what you have described, delivering from the shop to the cars outside? --- Well he would do it daily if he happened to be in the shop and not delivering.

How did he deliver ordinarily? --- By bicycle.

On Wednesday evenings he was delivering from the shop to the cars? --- Yes.

Did that involve delivery by bicycle? --- No, not after 5.30 .. the shop closes.

You say the shop closes. Has your shop got

--- I mean the grocery section of the shop.

Is there another part of your shop? --- Yes well it is one shop and .. until 5.30 it is one shop. After that we sort of partition the shop.

What happens in the remainder? --- To keep open we must partition the one - separate the one from the other.

What do you serve in the other part? --- Fruit, vegetables.

Now if Abel absented himself on any Wednesday evening before nine o'clock would you have noticed it? --- Oh yes.

Was it his business to work in the shop? --- Yes.

How many Native male shop assistants do you have working in the shop in the evenings? --- Only one.

Can you remember if he has ever missed any Wednesday evening? --- Yes, he has missed.

Would you say that was often? --- No.

Can you give any reason for his missing these Wednesday evening duties? --- Well sometimes I might ... on one or two Wednesdays I changed the time-table. The time-table of work.

Was there any other reason for him to miss a Wednesday evening? --- No.

Did he ever ask to go off? --- No.

Did you ever send him off? --- No.

Has this been the practice since he was employed with

you/.....

you Mr. Georgiou? --- Yes.

Do you know where he stayed at night? Have you any idea? --- Oh I have no idea.

NO FURTHER QUESTIONS BY MR. BRIGGS.

CROSS-EXAMINED BY THE STATE PROSECUTOR:

Mr. Georgiou, did you keep any record as to the working hours of your employees? --- No.

Do you rely on your memory only? --- Yes.

I suggest to you Mr. Georgiou, that on a number of occasions accused No.4 did not work until nine o'clock on Wednesday nights during the period that you have stated.

--- I agree with you.

And I further suggest to you that there were occasions on which he worked until nine o'clock on Wednesday nights.

--- Yes.

Did you close the business every night yourself?

--- Yes. Well practically every night.

Not every night? --- Well nine times out of ten I should say I closed it.

But there were occasions when you did not close the shop? --- Yes.

I will rather put it this way - there were occasions when you did not stay until the closing hours? --- Well I wouldn't say I didn't close it. I have closed the shop every night myself but I went out and came back again at closing time. But I have always closed the shop myself.

Are there Whites employed in your shop? --- Yes.

Are there occasions when you left other Whites in charge of this shop during the night-time? --- For a little while at night.

Mr. Georgiou, there is evidence under oath before this Court that accused No.4 on various- on numerous occasions on Wednesday nights round about seven o'clock, that he attended meetings at Kwazakele. Will you deny that?

I am/.....

I am not suggesting that every Wednesday night he attended the meetings but on quite a number of Wednesdays during this period you have quoted he attended meetings at Kwazakele at about seven o'clock on Wednesday nights.

--- I wouldn't know except I know that .. well all the Wednesdays excepting a few ..

But will you dispute that Mr. Georgiou? --- No, I won't.

You won't dispute that? --- No.

You will admit that it is possible? --- On Wednesdays when he was out. On certain Wednesdays when he was out.

On certain Wednesdays he was out you say? --- Yes.

Where is your business Mr. Georgiou, where in Cape Road? --- 300, Cape Road.

Is it on the corner or not? --- Next to the corner.

Which corner? --- Of 3rd Avenue.

Now are you sure about the date when accused No.4 took up employment at your place? --- I am not positive.

You are not positive. And are you positive about the date when he left - the year? --- I could check that. I could check both dates.

But you haven't got the record here? --- Not here.

Did you ever go to the cinema, the bioscope on Wednesday nights Mr. Georgiou? I just want to find out on how many occasions you were not at your business. --- I have gone.

Wednesday nights? --- I have no fixed dates. I could have gone on Wednesdays too.

On those occasions you went before eight o'clock?

--- Yes.

Well I will put it this way, you take the evening off?

--- Yes, that is my .. that is so.

NO FURTHER QUESTIONS BY STATE PROSECUTOR.

RE-EXAMINED/.....

RE-EXAMINED BY MR. BRIGGS:

Mr. Georgiou, you said that you had been to the cinema on Wednesday evenings. Are these rare occasions or do you do this often? --- I should say rare but I can't say the days - I go Mondays, Wednesdays, Thursdays. But I would go on a Wednesday as well.

Do you go regularly on Wednesdays? --- No.

You said that on Wednesdays on a number of occasions accused No.4 did not work 'till nine. Would you say those were frequent occasions? --- No.

Would you say they were rare occasions? --- Rare.

BY THE PROSECUTOR: Your Worship, I must object to this form of re-examination. The witness has already explained the position to the Court and now my learned friend is putting answers in his mouth, after my cross-examination. I don't think that is the proper way of re-examining a witness your Worship. After all this is a defence witness now questioned by defence counsel. He has already asked those questions in examination-in-chief your Worship.

BY MR. BRIGGS: I will withdraw that question if there is difficulty about it your Worship.

MR. BRIGGS PROCEEDS: About these times that the accused Abel did not work on Wednesday evenings, can you give the Court any idea of how often this occurred? --- I would say... I can't say how often but it wasn't very often. I can't say exactly.

Would you perhaps be able to give a number of occasions? Any figure? --- I wouldn't be exact if I did.

Would you be able to give it in relation to any number?

--- I am afraid it is difficult to say.

Could you say in terms of a year - how often this occurred during a year? During any year? --- I would still not be able to say exactly but I can say that it wasn't often. It was rarely that he took a Wednesday off.

I am/....

I am not asking you to give any specific figure, I am asking you to give an estimate. It can only be a rough estimate. --- In a year perhaps four or five times. But I would not say any more.

Four or five times in a year? --- I would say that.

NO FURTHER QUESTIONS BY MR. BRIGGS.

BY THE PROSECUTOR: (With the Court's permission)

Mr. Georgiou, You do not swear to it that accused No.4 was off on Wednesday nights only four to five times a year? --- I would not swear.

BY THE COURT: Mr. Georgiou, tell me, was accused No.4 the only one of your non-European employees who worked late?

--- On a Wednesday, yes.

And on other days? --- I have another.

Did they take turns? --- No, only the Wednesdays. The regular night worker goes off on a Wednesday and that was when I kept No.4 ...

I don't quite follow. --- I have only one worker at night, except Wednesdays. Every night there is the same worker except Wednesdays.

Wednesdays do they take turns or what happens? --- The regular worker ...

Let me put it this way, who works regularly every night?

--- Another boy, but on a Wednesday he is off. It is his day off - the whole day. So on the Wednesdays I kept No.4.

On Wednesday nights only? --- In the mornings as well, but he took a break during the day you see. I gave him a break.

Was he the only man you used to employ on a Wednesday evening? --- Yes.

You never employed any of the others? --- No.

Was there any reason for selecting accused No.4 to work on Wednesday evenings? You told me you have about four non-Europeans.

Was/.....

Was there any way in which he was perhaps more suitable than the others? --- No particular reason. Actually the other employees were employed longer than this one you see and he was the one that I asked to work late on a Wednesday, in order to relieve the other one.

What did you say, when did he start with you?

--- It was 1960. I don't remember the date.

Are you sure it must be 1960? Not 1959 or 1961 or .. ?

--- No, no, definitely 1960 but I can't remember the date, although I have a record of it.

MR. BRIGGS CALLS ACCUSED NO.4:

ABEL MANCAM: DULY SWORN, STATES:

EXAMINED BY MR. BRIGGS:

Do you know any of the accused? --- I only know accused No.3 sir.

Is there any relationship between you? --- Yes, we are related to each other. Our fathers are brothers.

Have you ever seen any of the other accused? --- No.

When were you arrested on this charge? --- I was arrested on the 8th January, 1965.

Where was that? --- At Kwazakele.

Where were you arrested? --- In the house of accused No.3.

Whose house is that? --- It is his, namely accused No.3's house.

Now, when you were arrested at your house did the police tell you why you were arrested? --- Yes, they told me that I was being arrested in connection with the theft of trousers.

What did they do with you when they said that?

--- They took me out after I had said that I did not steal any trousers.

Which policeman said that?

--- I don't/.....

--- I don't know where he is at the moment, he used to sit at the back of the courtroom.

Is he anybody who has given evidence? --- Yes, he gave evidence yesterday.

Is that sergeant Mfupi? --- I don't know his name but he was sitting at the back of the Courtroom this morning.

He gave evidence yesterday? --- That is correct.

What did he do with you then, after he said to you that you had stolen the trousers? --- He took me to a white motor-car. There were a number of cars there.

What happened there? --- When I got up to the car somebody shone the torch into my face. Somebody in the car said "no". He addressed the word in English.

Did you see who that was? --- I don't know who it was sir but there were a lot of people in the car.

And then what did you do? --- I was taken back to the house and told: "No, you did not steal any trousers."

Did you remain in the house? --- Yes. They then took accused No.3.

Did they bring him back? --- Yes.

What happened then? --- When I was inside the house I suddenly remembered my reference-book. I put my shoes on and went out to go and find this Bantu detective.

Why did you want to go and find him? --- Well he had taken the reference-book from me.

Did you find him? --- I got him yes, as he was putting accused No.3 into the vehicle.

Did you speak to him? --- Yes sir I did. I asked him where my reference-book was.

Did he speak to you? --- He said to me: "You are a nuisance" and he shoved me into the vehicle, alongside of accused No.3.

Were you taken away? --- Yes.

Where to? --- Well we rode around a while going from place/....

place to place whilst people were being picked up.

Where were you taken? --- We were taken to the New Law Courts thereafter.

When you arrived there did anybody speak to you?

--- Yes, somebody addressed us.

Who was that? --- The same Bantu detective addressed us.

Did anybody else speak? --- Yes well the White policeman did the actual talking whilst the Bantu did the interpreting. There were a lot of policemen there.

Have you seen that White policeman? --- I did yes. He was here.

On what occasion did you see him, can you remember? On what day. --- Well I saw him again sir the day we appeared before a Magistrate.

Did you see him in Court here?--- Yes, I saw him here yesterday.

Can you give us the name of that person? --- No sir, I don't know his name. I know him by sight.

Has he given evidence? --- Yes, he did.

Can you describe him any further? --- He is a short thick set person.

When did he give evidence? --- It was the second White person that gave evidence yesterday morning.

Now you said that this Bantu policeman interpreted what was said. Now what was said? --- He said the one who wants to become an informer must raise his hand.

Did anybody ask .. or did anybody else say anything?

--- Somebody asked: "Why should we raise our hands?"

The reply was: "Anybody who want to become an informer must raise his hand and he shall be released." He was asked what is an informer. He said: "You can point out anybody whom you like to point out and you shall be released."

Anything else? --- Nobody raised their hands.

Hereafter/.....

Hereafter four persons's names were called out.

Did you know any of those four persons? --- No sir, I don't. I can however say that one of them was a Bantu female.

Had you ever seen anyone of them before? --- No.

Did you accept this invitation given to you?

--- Nobody accepted that.

Has this ever been made to you again, on any other occasion? --- Yes, it was repeated on several occasions sir. It was even repeated the day we came to Court before the Magistrate. Came to the courtroom at Port Elizabeth.

And on any occasion since then? --- From my knowledge nowhere else except there. Nowhere else as far as I know sir.

Have you seen ... who made it to you on that occasions? Have you ever now then there has been mention of the name of a person Biko. Do you know that person? --- No sir, I wouldn't know him if I saw him.

And a person Jonas. Do you know that person? --- No.

Do you know the State witness Magidwana? --- I don't know him.

The State witnesses have said that you are a member of the African National Congress .. from April 1960 to 1964, the end of last year. Do you know anything about that?

--- They are lying.

Have you ever joined this organisation? --- Never ever.

Have you ever given money to it? --- No.

Have you ever been to meetings of it? --- I have never been to the meetings.

Have you ever distributed any documents for it?

--- There is no such a thing. I never did.

To your knowledge, have there ever been any meetings of this organisation in your brother, No.3's house? --- I have never seen any meetings there. If he held any meetings he probably held them a long way from home. Where/.....

Where do you work? --- Cape Way Supplies.

When did you start working there? --- August, 1960.

Is that your reference-book you are referring to?

--- Yes sir.

Will you hand that in?

BY THE COURT: Exhibit O. --- Exhibit O your Worship.

MR. BRIGGS PROCEEDS: What is the address - where is this Cape Way Supplies? --- At the corner of 3rd Avenue and Cape Road.

The last witness, Mr. Georgiou, did you see him?before?

--- He is my employer.

Where were you living in 1960? --- At my sister's place of residence in New Brighton.

What is the address? --- 10, Funde Road, New Brighton.

What is your sister's name? --- Nancy Tsotsobe.

Did you continue living there until your arrest?

--- No sir, I left there and went and resided with my kin, accused No.3. This was at the end of 1961.

Did you sleep there? --- Sometimes, yes. But the majority of times I slept away, i.e. I slept in town.

Well now how many times a week would that be? --- I used to come home to his place, i.e. the place of accused No.3 over the weekends.

And apart from that where did you go? --- In town was the only place other than at the residence of accused No.3 where I slept.

Where did you go when in town? --- A place close to the place of my employment.

Why did you go there? Just explain to the Court.

--- My girlfriend stayed at this place and I used to go there and sleep with her sir. She had a child from me.

And from what year did you go there? --- The beginning of 1963 and for the whole of 1964.

And before that? That is from the time when you
went/.....

went to your brother in 1961 until 1963, what were your habits then? --- I slept at other places sir. At other girlfriends's houses, or rather at the places of employment of other girlfriends. That is in their rooms.

Now who pays the rent for this house? --- He does, accused No.3.

Are you on the rent card? --- No.

Do you ever give him any money? --- Yes, I have given him money off and on.

For what reason have you given it to him? --- Just to assist him.

Where did you keep your clothes? --- Portion of my clothing was with accused No.3 and the other portion at my girlfriend's place.

What were your working hours at Cape Way Supplies?

--- 8.30 a.m. until 5.30 p.m.

Was that every day? --- Yes, except Wednesdays.

What happened on Wednesdays? --- 8.30 to 12 noon. Then from 4.00 p.m. until 9.00 p.m.

Were those your hours every week? --- Yes. That is every Wednesday.

Were those your hours when you began your employment?

--- Yes, during the week.

You say those were your hours when you began your employment? --- That is correct, ever since my having commenced employment there.

How many other employees were there, Native employees were there working with you? --- There are four of us.

Did you ever take Wednesday evenings off? --- Very seldom.

Can you remember at all when those occasions were?

--- No, I can't remember.

NO FURTHER QUESTIONS BY MR. BRIGGS.

COURT ADJOURNED.

ON/.....

ON RESUMPTION: (Accused No.4 warned: still under former oath)

CROSS-EXAMINED BY THE STATE PROSECUTOR:

Where did you live during 1960? --- At No.10 Funde Street.

In 1961? --- Also in 1961. I left that address at the end of 1961.

Where did you go to? --- To accused No.3's place.

Was that your address since 1961; the end of 1961?

--- Yes.

During 1962 you stayed with him? --- Yes.

Did anybody else stay with him during 1962? --- Yes, round about that period sir, I am not quite sure of the date, there was another man staying with him.

What is his name? --- Charlie.

Charlie who? --- I have just forgotten the surname sir.

Didn't you tell the Court that you don't know any of the State witnesses - their names? --- I didn't say that I didn't know all the State witnesses.

What did you say? --- I am talking about people that were here in Court.

What did you say about the people in Court? --- I am talking about the policemen.

How do you know that Charlie stayed at No.3's place?

--- I was there as well.

You also stayed there at the time? --- Yes, I was there although I used to go and spend time in town.

In 1963, where did you live then? --- At the residence of accused No.3.

And 1964? --- I have never lived there since my arrest.

What is the address? --- 2202.

How far is that from the Apostolic church in Kwazakele?

--- Say about 200 yards.

The night when you were arrested when you were taken to the police vehicle, did you find anybody in the vehicle, except/.....

except accused No.3? You have told the Court that you found him there. --- There were others, yes.

What are their names? --- I don't know any of them.

Can you point out any of them? --- I would be unable to.

No.1 accused? --- No.

He wasn't there you say? --- It was dark, I couldn't see.

Were you placed in the same vehicle?

BY THE COURT: What was the reply? You are going a bit fast.

--- It was dark I could not see who the other occupants were.

PROSECUTOR: (Cont.) Were you placed in the same vehicle?

--- Was I placed together with whom in what vehicle?

In the same vehicle as accused No.1? --- I repeat what I have told you previously. It was dark I could not see these people.

Who did you see in this vehicle? --- I didn't know any of the persons; I could not see them it was dark.

What about your brother? --- I am not talking about him, he was putt in in my presence.

Was he there? --- He was there. I went in after him.

Who did you see in the police-station, when you were gathered there and the police - as you allege - invited you people to be informers? --- I saw a lot of people there although I would not be able to name them by name.

Will you please try to assist the Court? --- By all means if I can.

And tell the Court who was there? What were their names. At the spot where you were gathered when, as you say, the police invited you to become informers. --- The only person whom I knew there sir was my brother. There were many of us. I don't know their names.

How many? --- There were more than twenty of us.

Was any name mentioned there in your presence?

--- Four names were mentioned, yes.

What/.....

What was the first one called out? --- I didn't even care to listen. I don't know. I don't remember what the names were. I did not know the persons.

But you today come forward and tell the Court exactly what transpired there! What the police said. --- Yes, that is correct, I was looking to them whilst I was being addressed.

I want you to repeat the words the police told you. What did they say? --- They said anybody that wants to go home must raise his hand, and he can become an informer. One of us asked how do you become an "mpimpi", or rather an informer, what it is.

Who asked that? --- No sir, I do not know who the person is who uttered those words.

Yes, what else was said? --- It was said by becoming an informer you can point out anybody, even if it is a person whom you don't like.

Was that all? --- Then of course these names were called out.

Why didn't you become an informer? --- For what reason?

Why didn't you become an informer to inform the police? What you know about ... --- For what reason must I become an informer?

You don't want to become an informer for the police?

--- Where must I begin to become one?

Did you try to find out? Did you ask that question to the police? --- I didn't want to ask the police that.

Did you try to find out what is expected from you people - what you must inform them about? --- I didn't, others did.

Who did? --- It was one of the persons in that group, I don't know who he was.

Why didn't you do it? --- I just did not care to ask.

How/.....

How do you go to work from your place of residence to your place of employment? --- By bus.

Is there a regular bus service? --- Yes.

Every night? --- Yes.

Even Wednesday nights? --- At all times the buses enter the location.

What time during the night? --- I think it is after eleven sometimes ... that is the Korsten side, when they cease to operate.

Now during the year 1961 there were occasions when you did not work on Wednesday nights? Is that correct?

--- Perhaps very few.

But there were occasions, do you admit? --- Yes, but they were definitely not more than four.

Why didn't you work then? --- No sir I can't give reasons at this stage after so many years.

What arrangements were made then to allow you to go off? --- I do not know what arrangements-what arrangements were made during my absence.

During 1962 there were occasions when you did not work on Wednesday nights? --- I don't remember.

Is it possible? --- It is possible, yes.

And in 1963 on occasions you did not work on Wednesday nights? --- Exactly, yes.

What arrangements were made during 1963 when you did not work on Wednesday nights? --- From '63 to '64 I did not absent myself.

On Wednesday nights? --- On Wednesday nights.

You have just admitted to the Court that you did. During 1963. --- You are not very explicit, you jump around.

I asked you about 1963 - and don't try to be clever! You understood my question and you answered the question. I took you from 1961 and then I mentioned 1962 and then I mentioned 1963. You know that perfectly well! --- Perhaps/....

--- Perhaps at the most I might have been absent on two occasions.

During 1963? --- I mean every year up until now, twice per year.

Even in 1964 on occasions you did not work on Wednesday nights? --- I worked throughout.

1963? You did not work throughout, do you admit that?

--- I was there throughout 1963.

Why did you just now tell the Court that ...

BY THE COURT: Let me just get that clear. Were you not absent on a single Wednesday night during 1963? --- I don't think I was absent sir.

PROSECUTOR: You have just told the Court that during 1963 there were occasions when you did not work Wednesday nights. Now you are changing that story? --- You are the one who is running circles around me.

BY THE COURT: Are you confused? Tell the Court if you feel that you were confused by the questions. --- Yes sir I am being confused.

Let us get a clear picture. In 1961 you were absent on occasions? --- Yes sir, there were occasions during 1961.

You say not more than four occasions? --- I don't think it could have been more than three occasions sir.

You stand by that? --- I stand by that.

Now in 1962, what was the position? --- In '62 I was there continuously, throughout. I did not ..

You were not absent at all on a Wednesday evening?

--- No. Your Worship I might add that obviously I would be absent on Wednesdays during my leave period.

In 1963? --- In 1963 I worked throughout, I was not absent.

No absence? --- No absence. I was on leave sir last year for three weeks.

No leave in 1963? --- I had leave each year sir.

Sometimes/.....

--- Sometimes rather than go on leave I would be paid in lieu thereof.

Carry on please Mr. Prosecutor.

BY THE PROSECUTOR: I want to point out to you that earlier in cross-examination you told the Court you were about four or five times off during 1961, now you bring it down to three times. --- Correct, I did say so, but I included the Wednesdays of my leave period.

Did you take leave in 1961? --- I was paid out in lieu of my holiday in 1961.

Did you take leave in 1961? --- No.

You see just now you added that you included your leave, on being questioned about 1961. --- Well that is why I am trying to point out I want that to be understood quite plainly.

Yes, I am talking about 1961 now. --- I am too.

In 1962 did you go on leave? --- I did.

Wednesdays off? --- Yes, I went away.

How many Wednesdays did you have off in 1962? --- No I can't say, I didn't count.

You were off in 1962, on Wednesdays? --- I worked throughout ... I was not absent throughout the whole period except when I was on holiday.

In 1963, did you take holiday? --- No, I was paid out in lieu of leave.

In 1964 did you go on leave? --- I took leave, yes.

On normal days, normal hours, what time did you arrive at your brother's place? --- Round about 8.00 p.m.

BY THE COURT: At whose place? --- At No.3's place your Worship. At his brother's place.

PROSECUTOR: (Cont.) How long does it take you to travel from your place of employment to your brother's place - his house?

--- I might add this, I did say eight o'clock, but this

however/.....

however is not due to the bus - my arriving at my brother's place at eight o'clock. I first knock around a while.

How long does it take you to travel from your place of employment to your brother's house? --- That depends entirely sir on how long the queue is at the bus stop.

But how long does it take you? Surely you can answer this question? --- I don't know. It depends on the running time of the buses.

You don't want to tell the Court even that? --- No, it is not a question that I don't want to tell the Court that! There were occasions already when I had to hire a taxi to take me home.

But normally how long does it take you to travel from your place of employment to your house? --- It depends entirely where I would board the bus, whether I board it at Korsten or in town.

You still don't want to answer this question? --- I don't then under the circumstances know what you are after.

Exactly what I am asking you - normally how long does it take you to travel from your place of employment to your house? --- I would be committing perjury sir if I told you that it took me so long, or that long.

Do you know that your brother, accused No.3, was a member of the African National Congress? --- Yes.

When did you find that out? --- I got to know that at Korsten before the banning of the organisation.

When was that - in which year? --- Round about 1951 or 1952.

Did he discuss it with you? --- When?

Accused No.1, did he discuss it with you, that he was a member of the African National Congress? I beg your pardon, I am talking about accused No.3. --- No, I just didn't care to discuss it.

How do you know it then? --- Well he used to go to

these/.....

these meetings before they were banned.

Can you tell the Court how many meetings he attended?

--- I don't know. I didn't stay together with him then.

Can you tell the Court on how many occasions you saw him going to the meetings? --- I would be unable to say.

Can you tell the Court how do you know, or rather how did you know that the meetings he was attending were ANC meetings? --- The meetings were not held indoors but on an open space not far from my house.

How did you know that these meetings were A.N.C. meetings? --- Well they had yellow and green badges on.

How did you know that the yellow and green badges were badges of the A.N.C? --- Everybody knew that. Even little children knew that that badge was that of the African National Congress.

How did you know it at the time, that is what I want to know? --- I just saw it. The meetings were not held far from my house.

Did you attend any of these meetings? --- I did not attend any.

I am coming back to this question. I want you to listen to this question and answer it if you can answer it. How did you know that the badges were A.N.C. badges?

--- They were not kept secret - that they did not belong to the African National Congress.

I am not suggesting that it was kept secret, but how did you find it out? Did anybody tell you? Did you read about it? --- There was no need for people to go around and advertise that fact sir. It was even in the papers.

Can you read? --- I can.

Very well then can you tell the Court how you found out? --- It was explained in the papers.

Explained in the papers. So you read about it?

--- I heard about it and I read about it. Why/.....

Why didn't you say that in the first instance?

--- You want me to remember events of so long ago.

What did you read in the newspapers about the A.N.C. badge? --- No I can't say any more precisely what I read other than that the badges referred to the African National Congress.

Do you know Magidwana? --- I don't know him, I have never seen him.

Have you ever heard the name Biko? --- No, I don't know him. I have never seen him.

COURT: You say you don't know Magidwana? --- No I don't sir. Nor do I know Biko.

S.P: The question is have you ever heard the name Biko?

--- No.

Are you sure about that? --- I am

Have you ever heard the name Samuel Jonas? --- Similarly I have not.

I put it to you that you knew that the African National Congress was continuing its activities after the banning in 1960. --- I have no knowledge of that whatsoever.

And that you in fact took part, as described by the State witnesses. --- I deny that as well.

NO FURTHER QUESTIONS BY STATE PROSECUTOR.

NO RE-EXAMINATION BY MR. BRIGGS.

BY THE COURT: Can you tell the Court what rent your brother paid? --- It is not more than R3.00 sir, per month.

In that vicinity? --- I don't know sir - although there are bigger houses which consist of four rooms.

But you know more or less what your brother's rent is? --- Yes sir.

To come back to this occasion at the Law Courts when the police had you people together there. When this suggestion was made to you through an interpreter. Now you have told us in your evidence-in-chief about it and you have told/.....

told us in cross-examination about it. --- Yes sir.

I would now like you to be patient with me and tell me once more. Now you must be careful, I do not want you to leave out anything. --- I understand sir.

All right now carry on. --- Your Worship, whilst the particulars of our names etc. was being taken the Bantu detective sitting at the back of the courtroom came on the scene with one of the Europeans who was here in Court. When the Bantu detective said: "Who wants to become an "mpimpi" and thus go home?" one of us in this group said: "What is an informer? What can we inform about?" He said: "Informing you can name whoever you like. First raise your hand though. You can point out a person even if you don't like that person. We will release you on having done so." Hereafter sir four persons's names were called out and these were put aside from the rest of us. Before the arrival of the Magistrate there sir the Bantu detective again repeated this: "Who wants to raise his hand?" This he kept repeating sir, saying: "Who wants to become an informer"? That is what took place.

Now this story about the informer, did that make an impression on you? That was something strange to you?

--- Not particularly. I wasn't really worried about this, but I realised that these people were acting like a fool, or acting silly, or acting the goat.

Who - what people? --- The Bantu detective. Because I felt even though you might have raised your hand nobody would have been allowed to go home.

You felt he was acting foolishly? --- Yes, knowing that nobody would be allowed to go home if he raised his hand.

And you had no clue whatsoever what this "pointing out" referred to? --- No sir.

Are/.....

Are you sure now you have told the Court everything that was said there about what you know about this informer business and the pointing out and so on? --- What I have forgotten to mention is that this European person pulled out a piece of paper from his top pocket and read these names off from this paper. These four persons I have referred to.

Was that all? --- I can't remember that there is anything that I have left out.

Now, did anybody ever mention there that when a person becomes an informer the police will teach him how to give evidence? --- Your Worship I am sorry, yes, that was also said by the same Bantu detective. I regret I omitted this. I have repeated this so often that is why I forgot.

MR. BRIGGS CALLS ACCUSED NO.5:

WELCOME NGUNDANA: DULY SWORN, STATES:

EXAMINED BY MR. BRIGGS:

Do you know any of the accused? --- Yes, I do.

Who do you know? --- Laza, accused No.2.

How do you know him? --- I know him from my place of employment.

Do you know any of the others? --- Yes, I also know accused No.6. He is my brother-in-law.

Where is your home? --- Peddie.

And No.6, where is his home? --- Also Peddie.

Do you know the African National Congress? --- Yes, I have been a member of it.

When were you a member? --- I was a member during 1952.

Where did you become a member? --- I was at Korsten when I joined the organisation.

On what occasion did you become a member? --- It was in the street when I became one, or rather when I joined/.....

joined the organisation.

And for how long did you remain a member? --- I ceased being a member that same year, after I took part in the defiance campaign at the railway station at Port Elizabeth.

Did you ever pay any money? --- No.

Did you go to any meetings in that year? --- There was a public meeting I attended.

How many meetings did you go to in that year? --- It was that one only.

Where was that meeting? --- It was at Korsten.

Where in Korsten? --- On an open piece of ground.

Since that time- since that year 1952, have you attended any meetings? --- No.

Have you paid any money since that time? --- No.

It is alleged by the State witnesses that you were a member of the A.N.C. during the period April, 1960 to the end of 1964. What do you say about that? --- They are lying.

Have you given any money to the A.N.C. during this period? --- No.

Have you ever given any leaflets out during this period? --- No.

Have any meetings ever been held at your house during this period? --- No.

Do you know the State witness Magidwana? --- I have seen him before.

Has he ever been in your house? --- No.

Did anything ever happen between the two of you?

--- Yes.

Will you tell the Court? --- I met him on an occasion upon my return from work. He greeted me. I acknowledged the greeting. He said to me: "I have just come out of jail.

People/.....

People are being arrested. All those members who joined during 1952 at Korsten are being arrested." He informed me that he would not like to see me arrested. Now that he is out of jail he wants me to assist him to help arrest other people. I said I am not prepared to enter into anything like that. He said: "If you do not do this you will be arrested." I said under the circumstances I may as well be arrested. I refused to do this. I said: "And if you ever repeat this sort of thing to me again I will kick you." We then parted. And in fact hereafter I was arrested. That is what transpired.

Is that all that transpired between you? --- Yes.

Do you know the other State witness? --- Yes, I do.

Is that the one Kulati? --- Yes, that is correct.

What do you know about him? --- He stayed in my house.

When did he stay there? --- He wasn't there for long sir, I think it was about a month then I chased him.

You chased him? Where did you chase him from? --- I chased him away from my house.

Why did you do that? --- He told me that the police are looking for him.

BY THE COURT: For him? --- Yes sir.

BY MR. BRIGGS: The police were looking for him, Kulati?

--- That is right.

Now do you know any of the people who have been mentioned here - Biko? --- I don't know Biko.

Or Jonas? --- Neither he.

NO FURTHER QUESTIONS BY MR. BRIGGS.

CASE REMANDED TO 14-5-1965.

HEARING RESUMED: 14-5-1965.

DISCUSSION: Application by State Prosecutor to recall witness Georgiou: witness is present at Court. Cross-examination of No.5 to stand down.

NIKIFOROS/.....

NIKIFOROS GEORGIU: DULY SWORN, STATES:

FURTHER CROSS-EXAMINATION BY STATE PROSECUTOR:

Mr. Georgiou, you have already told the Court that accused No.4 was employed at your business since October ... what month in 1960? --- I think it was October.... September.

September, 1960. Until which year? --- Until early this year.

That is 1965. --- 1965.

During this period did he take leave? --- Yes.

Every year? --- He took his leave every year.

Do you recall any occasion when accused No.4 stayed away from work without permission? --- Yes.

When was that? --- It was during 1961.

Can you tell the Court when in 1961? --- I think it was during the celebrations - Republic time. All our Natives stayed away.

For how many days, do you recall? --- I think it was a couple of days - two or three days.

Can you recall any other occasion when yha stayed away without permission? --- Yes now and again he stayed away, being sick.

Yesterday you told the Court that accused No.4 used to work on Wednesday nights. Were there occasions when somebody else took his place on Wednesday nights and he performed duties on another night during the week? --- Yes, there were occasions.

BY THE COURT: What happened then? --- Sometimes one other boy in the shop would take his place on that particular night.

PROSECUTOR: Now during the period that accused No.4 was employed at your business did he take sick leave? --- Yes.

Do you know on how many occasions? --- Twice.

On those occasions did he produce doctors' certificates? --- Yes.

Have/.....

Mr Georgiou, have you got the doctors's certificates today? --- Yes.

Will you please show the Court the certificates?

PROSECUTOR TO COURT: Your Worship, at this stage I wish to hand in through the witness a certificate dated 14th June, 1962 as exhibit P. Also a certificate dated 2nd July, 1962 as exhibit Q.

PROSECUTOR PROCEEDS: Now, can you tell the Court for how long he stayed away on each occasion? --- I cannot say exactly but it was fairly long periods. About a month.

BY THE COURT: On each occasion? --- No, one occasion was longer than the other. One month and I cannot say exactly but it was quite a while.

NO FURTHER QUESTIONS BY STATE PROSECUTOR.

RE-EXAMINED BY MR. BRIGGS:

Mr. Georgiou, do you know what he was suffering from? Do you know why he was sick? --- Only from what I saw on that paper there.

What does it say on the paper? Will you have a look at this piece of paper? --- Lobar pneumonia.

BY THE COURT: Was that in both cases or .. ? --- In both cases.

BY MR. BRIGGS: Has he appeared to you generally a healthy person? --- No.

On these occasions you said he stayed away being sick, did you give him any instructions on those occasions?

--- I don't understand.

How did it arise that he was away? --- Oh he said that he was not well.

Did he come and see you? --- When he came back he told me.

And these occasions to which the medical certificates apply - the first one is dated June, 1962. Can you remember how long he was away on that occasion? --- I remember that on the first occasion he was away for quite a while. I cannot say/....

say exactly.

Then I assume he must have come back in July because you got the certificate? --- Yes.

Can you remember how long he was away in July?

--- The second time was a shorter period.

Now in between these two periods when he came to your shop, what was the state of his health, can you give the Court any idea? --- He looked all right. He never complained. Only on these occasions when he got the certificates.

You said that his general health was not good, isn't that so? --- Well from what I could see, but he never complained.

Would you apply that to this particular period?

--- He didn't look much different, on other occasions.

Can you give us any idea of ... you said on other occasions he stayed away being sick. Have you any idea what days those were - what days of the week? --- What days I cannot remember, but there was a day or two days - not longer - he did not produce any certificate then.

How many occasions were there? --- Not many.

Can you suggest any day of the week? --- I cannot.

NO FURTHER QUESTIONS BY MR. BRIGGS.

WELCOME NGUNDANA: RESWORN, STATES:

CROSS-EXAMINED BY THE STATE PROSECUTOR:

You say you became a member of the African National Congress in 1952? --- Yes.

For how long did you remain a member? --- I ceased being a member the same year.

Yes, but were you a member for one month, two months or six months perhaps? --- No sir, I don't know how many months it was.

For a whole year? --- I don't know.

Did you resign from the African National Congress?

--- No, I didn't resign.

You/.....

You joined the African National Congress because you agreed with the aims and the objects of the African National Congress? --- Yes.

A further reason why you joined the African National Congress was because you wanted to get certain rights?

--- Yes.

Did you obtain those rights? --- No.

Do you still want those rights? --- If they were obtainable.

Do you know that the African National Congress was declared unlawful? --- Yes.

When was it declared unlawful? --- No, I don't know.

During which year, do you know? --- No.

When did you find out that it was unlawful? --- I heard people talking about this sir in a bus.

During which year was that, do you remember? --- No sir, I don't know what year it was.

Can you remember who you heard saying that? --- I did not know the persons.

Is it possible that it was only in 1964 that the African National Congress was declared unlawful? --- I don't know sir.

Were you aware of the fact that the African National Congress continued its activities after you left the organisation? --- No sir.

You didn't see anything going on in Kwazakele? --- No.

Since when are you living in Kwazakele? --- I don't know what year it was sir but it was when we left Korsten.

You see from 1952 when you left, as you say, until 1960 the African National Congress was not an unlawful organisation. And there was no reason for them to hide anything. And they carried on their activities in the open.

--- And so?

Well I suggest that you were quite aware of the fact that/.....

that they were carrying on! --- No.

Are you sure about that? --- Yes.

Now in May, 1961 you were a resident (arrested?) at Kwazakele location? --- No, I was not.

Where were you then? --- I was at Kwazakele.

At Kwazakele. That is what I am asking you. You were a resident at Kwazakele. A resident. You were staying there? --- That is quite correct.

And the beginning of 1960 you were also staying at Kwazakele? --- Correct.

Round about March-April, beginning of April, 1960 there was unrest and processions at Kwazakele and New Brighton? Did you observe anything of that kind in the location? --- No sir.

During March-April, 1960 a number of persons, residents of Kwazakele and New Brighton were detained under the State of Emergency? --- What were they arrested for?

Under the regulations of the State of Emergency. Do you know anything about that? --- No sir, I don't know anything about that.

Were you at Kwazakele then? --- Yes, I still reside there.

Furthermore in May, 1961 - the end of May, 1961 armoured vehicles patrolled the locations of Kwazakele and New Brighton. There were even saracens in the locations. You are not aware of that? --- What did these armoured vehicles look like?

You don't know anything about that? --- I have never seen them sir.

You never observed any soldiers of the Army patrolling the locations? --- I did not see them. What were these doing in the location?

The only question is whether you observed them; whether you saw any of them?

--- No/.....

--- No, I did not see them.

I put it to you that the African National Congress was responsible for the unrest in March, 1960 and the unrest in May, 1961 and that you were taking part in those activities, that is why you are now trying to impress the Court here that you did not see anything of that sort!

--- I know nothing about that. I hear that from you now for the first time.

In June, 1961 - the 26th June, 1961 .. the night of the 26th June did you observe fires burning outside the houses in Kwazakele? --- I saw no fires.

Nothing? --- No sir.

The 26th June, 1962 did you see any fires at Kwazakele? --- I saw no fires.

I put it to you that this was also an activity of the African National Congress performed by the members of the African National Congress and you took part in those activities on those occasions. That is why you are trying to impress the Court that you know nothing about it.

--- Well you say I took part - I say I did not.

How do you go to work, by bus, motor-car, bicycle?

--- I go to work on foot.

Where do you work? --- H. Jones and Company.

Since when do you work for H. Jones and Company?

--- Last year was the fourth year that I had been employed there sir.

There is evidence before the Court that on the 26th June, 1961 and the 26th June, 1962 the residents of Kwazakele did not make use of the buses. They walked to work. All of them. Now my question is this - did you notice numbers of persons walking to work? Numbers you were not used to? --- No sir, I didn't notice.

Do you know the witness Magidwana? --- *I have seen him before.*

Where?/.....

Where? --- Well he is the one I met when I returned from work.

Where did you see him? --- I saw him upon my return from work.

Was it far from your home? --- Yes.

Where do you live? --- At Kwazakele.

Where in Kwazakele? How far away from the Apostolic church? --- I stay beyond the church.

About how far? --- If I could get outside I could indicate the distance from the church. Then there are three shops. Then there is a street. Then I am the next one. I am close to the shop there.

BY THE COURT: Let him go and show the orderly outside.

BY THE INTERPRETER: The distance pointed out by the witness is approximately 100 to 150 yards.

PROSECUTOR: (Cont.) Can you remember the date or the month when you met Magidwana? --- No sir I don't.

Which year? --- No, I don't know that either.

More than five years ago? --- No.

Was that the only occasion for you to meet him?

--- That was the only occasion.

Was that the first occasion for you to meet him?

--- No, that wasn't the first occasion that I met him.

Did you meet him on previous occasions? --- Yes, at beer gatherings.

At beer gatherings? --- Yes.

So he was quite well known to you? --- That is how I got to know him, at these beer gatherings.

What did he tell you when you met him on this occasion you were talking about? --- He told me that he was just released from jail. I asked him what he was doing in jail - or what he had done in jail. He said: "People are being arrested." I asked him: "People that had done what?" He then said that members of the organisation, i.e. the A.N.C. that were members whilst they were at Korsten are /.....

are being arrested. I asked him but why are they being arrested, what have they done. He said this he is telling me secretly. He then pointed out that he was giving me this information because he did not want me arrested. He said I must assist him by having people arrested there where we are residing. I said I wouldn't do a thing like that. He approached ... I said that if he approached me again with this sort of thing I would kick him. That is what he had said to me.

Are you residing in the same vicinity? --- I don't know where he stays, but I still stay in the same house.

Where did you meet this man for the first time, this Magidwana? What year? --- It is not a long time that I know the man.

Where did you meet him? --- At a beer gathering.

At Kwazakele? --- At Kwazakele.

Would you say it was before 1960 or after 1960 when you met him for the first time? --- No sir, I don't know.

Try to help the Court. I just want to find out something. Just tell the Court for about how many years you know this man. --- I am an ignorant person. I don't know. I haven't learned. I am ignorant, I am not a learned person.

But you remember the year when you joined the African National Congress was 1952. You remember that you left the organisation in 1952, so that indicates to me that you can remember the years. --- I don't know how many years it is now that I know him.

Why are you so positive that you joined the African National Congress in 1952? --- But was it not 1952 that I joined the organisation?

I am trying to find out from you why do you say it was 1952? Isn't it possible that it was some other year?

--- It was 1952.

Why do you remember 1952 but you can't remember any other/.....

other year? --- Why I recall the year sir is there were so very many people.

Many people .. ? --- At Korsten.

Many people doing what? --- At a meeting.

But you remember it was 1952 - and no other year?

--- It was 1952. It was said it was 1952.

At the meeting? --- Yes.

Do you want to tell the Court that at that meeting the person who addressed the meeting said: "It is now 1952, listen what I am going to tell you!"? --- Yes.

When did you move to Kwazakele? --- I don't know the year sir.

You can't even remember that? --- No sir, I don't know what year it was.

Was it after 1952 or before 1952? --- I think it was after 1952 that we went to Kwazakele.

Did you ever tell this man Magidwana that you were a member of the African National Congress at Korsten?

--- I did not.

Can you suggest any way how it was possible for him to know that you were a member at Korsten? --- I don't know.

Can you suggest to the Court any possibility why this man should approach you - a stranger - to inform you about the intended arrests of the persons who were members of the African National Congress at Korsten? --- I too would like to ascertain that from him.

You don't know of any reason or any possibility?

--- I don't know of any reason.

I put it to you that he never did approach you about that. --- I say he did. I saw him. He spoke to me.

I further put it to you that in fact you were working with him for the African National Congress. --- That is not what I say. You say so.

I put it to you he knows you. --- That is what you say. I don't say so.

Kulati/.....

Kulati - since when do you know him? --- It is not long that I know him.

Can you tell the Court which year you met him for the first time? --- No sir, I don't know the year but it is not a long time ago.

How many years ago about? --- No sir, I don't know.

For how long did he stay with you? --- I think it was one month.

Kulati denies that he stayed with you. --- Kulati stayed with me sir. I chased him away eventually.

Was he alone when he stayed with you? --- He had his girlfriend with him.

What is the name of his girlfriend? --- Nombulelo.

Which year was he staying with you? --- I don't know.

Why was he staying with you, do you know that?

--- He came and asked me for a place to stay. He told me that he was chased away from the place he had previously been staying at.

What was that place; did he mention it? --- No, he did not.

Was he a friend of yours when he came to your place?

--- No.

Was he unknown to you? --- No.

Did you know him before that? --- Yes, I knew him from the beer gatherings.

Did you often visit the beer gatherings? --- Yes sir, I do indulge in beer.

And accused No.1 was one of the beer sellers in your vicinity at Kwazakele? --- I don't know.

How many places where you bought beer did you visit in your vicinity? --- There are many.

Can you name any of them? --- No sir, I have never inquired as to whose residence it is or who stays there.

What/.....

What I do is this - I would go to a place, purchase the brew, taste it and if it is not acceptable I move on to the next place, until I come across a place that sells beer that is palatable.

Samuel Jonas, do you know him? --- No.

I suggest to you that you know this man very well.

--- And I say I don't.

That you worked with him in the African National Congress. --- That is what you may say.

You know perfectly well that you joined the "Umkonto we Sizwe" wing of the African National Congress. --- I hear this name from you. I don't know the person at all.

That he was arrested - you know that. --- I don't know him.

For sabotage. --- What is sabotage?

For murder. --- What did he murder?

He murdered another man by the name of Sipho Mange. You know that. --- Where did this happen sir?

You know perfectly well that it was the policy of the African National Congress to kill persons who turned State witnesses! --- Who said that sir?

At a meeting you were told. By no other person than Kolisile Magidwana. --- I know nothing about that.

And I further put it to you that you know all the other accused now before Court. --- That is what you say. I don't say so.

And I further put it to you that you took part in the activities of the African National Congress as described by the State witnesses who testified against you. --- I have no knowledge of that.

NO FURTHER QUESTIONS BY STATE PROSECUTOR.

NO RE-EXAMINATION BY MR. BRIGGS.

BY THE COURT: Just tell the Court, don't you know any of the accused? --- I do sir.

Who/.....

Who do you know? --- Accused No.2.

Laza? --- That is correct sir. And also accused No.6. He is my brother-in-law.

MR. BRIGGS CALLS ACCUSED NO.6:

RADWELL NGCULU: DULY SWORN, STATES:

EXAMINED BY MR. BRIGGS:

Do you know any of the other accused? --- I know accused No.5. I don't know any of the others.

Where do you know accused No.5 from? --- He is .. I beg your pardon, my wife is a sister of accused No.5.

Have you ever been a member of the African National Congress? --- I was a member of the organisation during 1952.

Did you pay any money to the organisation? --- Yes, a friend of mine obtained a membership card on my behalf. I tendered the amount of 25c.

Did you pay any moneys after that? --- No, never again.

Which year was that? --- 1952. Round about October.

It is alleged that during the period 1960 to the end of 1964 you were a member of the African National Congress. --- No, I was not a member during that period.

Were you a member after 1952? --- This friend of mine whom I had asked to obtain this membership ticket for me in respect of 1952 came to me and said I must again subscribe in respect of 1953. I refused telling him that my health was not good.

Did you become a member at any later date? --- No sir, I did not at a later stage become a member. As I have explained sir, my health was failing me.

During the period April, 1960 to the end of 1964 did you give any money to the African National Congress?

--- Not/.....

--- Not at all at any time sir. As a matter of fact I couldn't because I was very hard pressed financially. My aged father was very ill.

Did you collect any money for that organisation?

--- No, not at all.

Did you allow meetings to be held at your house for that organisation? --- No, never.

Or tea-parties? --- No.

Did you distribute leaflets for it? --- No.

How many rooms has your house? --- It has two rooms.

Have you got a garden? --- I have.

What do you grow in that garden? --- No, what I have growing in front of the house is a peach tree. I don't particularly go in for anything in the line of planting.

Is there a peach tree in front of the next door house?

--- The one lower down, yes. That is the neighbour lower down.

How far away is that? --- It is the next house. What I mean by "lower down", I mean the lower portion, below my house.

And the other neighbour? --- No, he has no tree.

Do you know these people who have been mentioned ... or do you know the State witness Kulati? --- I do not know him. I have never seen him.

Do you know the State witness Magidwana? --- I have never seen him either.

Do you know the name Biko that has been mentioned?

--- No.

Do you know Jonas? --- No, I don't know him either.

NO FURTHER QUESTIONS BY MR. BRIGGS.

COURT ADJOURNED.

ON RESUMPTION AT 10.15 A.M. (No.6 still under former oath.)
CROSS-EXAMINED BY THE STATE PROSECUTOR:

I put it to you that you took part in the activities
of/.....

of the African National Congress as described by the two State witnesses, Kulati and Magidwana. --- That is not correct.

That you joined the African National Congress before it was declared unlawful and remained ... I beg your pardon, continued to be a member of the organisation after the banning thereof. --- That is incorrect.

Did you live in Korsten? --- That is correct, I did.

When did you move to Kwazakele? --- In 1957.

Where do you live in Kwazakele - what is the number?

--- 2247.

How far is that from the Apostolic church? --- No sir, I am far from that church. I live in a different direction altogether.

About how far? --- About from here to the hospital. The Bantu church is close to me, not the Apostolic church.

What is the name of the church close to you? --- The Bantu church.

What is the name of the Bantu church? ---- It just says "Bantu Church".

I further put it to you that you know all the accused before Court. --- I only know one of the accused sir and that is my brother-in-law, accused No.5.

And that you also know Kulati and Magidwana. --- I do not.

That you know the persons Biko and Jonas. --- I do not.

Did you join the African National Congress during 1952? --- Yes, my friend went and obtained a membership card for me.

Are you sure that it was 1952 and not later .. after 1952? --- October, 1952.

Why did you become a member of the African National Congress in 1952?

--- My/.....

--- My friend came to me and said I must join this organisation. So he went and obtained a membership ticket for me.

Yes, why did you join? --- He said he would tell me in due course. I must in the meantime take this ticket.

Did you find out? Did he tell you anything? --- No sir but when he returned again he wanted another contribution in respect of 1963 and I refused.

What is the name of this friend? --- He is deceased sir - Mfecane. He has since of course deceased.

Do you know that the African National Congress was declared unlawful? --- I just heard that in passing, that the organisation was banned, but I wasn't interested.

When did you hear that? --- April, 1960.

Do you know that the African National Congress continued its activities after the ban? --- No sir, I have no knowledge about that.

End of May, 1961 - do you know that there was a strike at Kwazakele? A stay-away campaign? --- Yes, I saw that people were going hither and thither and did not go to work.

Did you go to work? --- No sir, the employer said anyone who wants to come to work does so on his own responsibility.

Who told you that? --- My employer.

What is his name? --- Mr. Hadman.

At which company? --- A.P.I.

So you stayed away for three days in May, 1961?

--- No, I stayed one day only. The next day I went to work.

And do you remember- do you recall that pamphlets were distributed urging the people to stay away? To stay away from work. --- No.

Didn't you see any of the pamphlets? --- No sir, I did/.....

did not see those.

Well I put it to you that you took part in the distribution of those pamphlets. --- I did not.

During June, 1961 .. do you remember the night of the 25th June, 1961? --- Yes.

Did you see fires in the location that night - at Kwazakele? --- I saw fires sir, on my way back from work, walking down the street.

What was the meaning of the fires? --- No sir, I did not inquire.

Why not? --- I can't inquire from a person: "But why are you doing this?" "Why are you doing that?"

June, 1962, do you remember the same? --- No sir, I didn't observe.

On the 26th June, 1962. --- No sir, I didn't observe those.

You have never had any trouble with any of the State witnesses, Kulati and Magidwana? --- No, not at all.

NO FURTHER QUESTIONS BY STATE PROSECUTOR.

NO RE-EXAMINATION BY MR. BRIGGS:

BY THE COURT: Please tell the Court, do you remember having seen the fires on the night of the 26th June, 1961? --- Yes sir, I saw these fires after I had alighted from the bus.

You say you saw no fires on the night of the 26th June, 1962? --- No sir, I didn't observe any fires.

How do you know it was on the 26th June, 1961 that you saw the fires and not 1962? --- No sir, it was definitely the 26th day of June, 1961.

How do you remember that? --- I just remember it your Worship.

You just remember it was '61 and not '62? --- '61.

Are you educated? --- I left school in Std.II sir.

You can read and write? --- Yes sir, I can read a calender; I can made out dates; I can read Xhosa.

----- MR. BRIGGS/.....

MR. BRIGGS CALLS ACCUSED NO.7.

JAMES NKATSHA: DULY SWORN, STATES:

EXAMINED BY MR. BRIGGS:

Do you know any of the accused from before your arrest? --- No sir, I don't know any of them.

Have you ever been a member of the African National Congress? --- Yes.

When was that? --- 1953.

Did you pay any subscription? --- Yes sir, I paid an amount of 25c on having joined the organisation.

Where was that? --- At Korsten.

On what occasion was that? --- It was at a public meeting which was held on an open space at Korsten, when I joined.

Did you pay any moneys after that date? --- No, I did not.

Did you attend any meetings after that one?

--- Yes, I attended the meeting at which I joined the organisation and then I attended another public meeting which was held on an open space. Those were the two only occasions.

When was the other meeting? --- This meeting was also held during 1953.

Did you continue to be a member after 1953 .. of the A.N.C? --- No.

Did you get any membership ticket when you joined in 1953? --- Yes, I did.

Now were you a member of the African National Congress during the period 1960 to the end of 1964? --- No.

Did you collect any money for the African National Congress at any time? --- No.

Did you give any money to the African National Congress during that period? --- No.

Did you hand out any leaflets? --- No.

Did you allow meetings of the African National/.....

National Congress to be held in your house? --- Not ever.

Did you attend any meetings of the African National Congress? --- No, never.

Do you know the State witness Kulati? --- No, I have never seen him before.

Magidwana? --- I don't know him either.

NO FURTHER QUESTIONS BY MR. BRIGGS.

CROSS-EXAMINED BY THE STATE PROSECUTOR:

Are you prepared to give the Court the names of any other persons or person who were members of the African National Congress whilst you were a member? Are you prepared to give the names? --- No sir I cannot give the names. I don't know the persons.

Are you prepared to give the name of the person who collected the 20c from you? The 25c from you. --- I don't know the person's name.

Are you prepared to tell the Court the name of the person or persons who addressed the meetings you attended during 1953? --- I don't know the people.

Are you prepared to tell the Court why you joined the African National Congress? --- Well it was said at the meeting we must all join so that we can obtain our freedom.

Can you tell the Court why you stopped to be a member of the African National Congress? --- Well I just realised that no freedom was forthcoming.

Did you expect freedom in a period of one year only? In 1953 when you joined? --- It was not said at the meetings that it would take years.

Yes but did you expect freedom immediately after you had joined the organisation? --- That is what I thought, yes.

How? What did you think, how would they obtain the freedom in a year's time, in 1953? --- Well the people there said/.....

said that they would have discussions with the government.

Did they have discussions with the government?

--- I don't know.

I think you will agree with me that when you joined the African National Congress you realised that it would take some time to get the freedom that you wanted.

--- I did not know that.

And I further put it to you that you fully realised that all the persons who wanted the freedom would have to stand together - to unite, and to work together. In order to obtain the freedom. Isn't that so? --- No, I don't know anything about that.

So you want to tell the Court that you joined the African National Congress in 1953, you were told you would get freedom and you expected that the freedom would be bestowed upon you in 1953? --- I was under the impression that it would materialise that year.

How? --- Well I didn't know that it would take a long time.

I further suggest to you that after you joined the African National Congress you continued to be a member of this organisation in order to get the freedom that you wanted.

--- I never did.

What I can't understand is that most of you appeared to be joining the African National Congress; you continue to be a member of the organisation only for one year and then you stop? That doesn't make ... --- That depends entirely on the individual sir.

Did you become a member of any branch of the African National Congress? --- No.

When did you move to Kwazakele? --- I moved to Kwazakele in 1957.

What is your address in Kwazakele? --- 1892.

Is that the number of the house? --- That is so.

What/.....

Collection Number: AD1901

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