

would assist the maintenance of law and order in Sophiatown?-- These remarks, my lords, were not made about the police because they were there carrying out their duties; these remarks were made because the police were not carrying out their duties -- they were behaving like hooligans, and disturbing the peace of the people.

Who were these hooligans you are referring to; give the Court the names?-- I don't know the names now.

Well, Head Constable van Papendorf who took the notes, he was there; is he one of the people you are referring to?-- I do not know. I thought the remark you made was that we were referring to African detectives -- I don't know if Mr. Papendorf is an African.

I didn't say that at all, Mr. Resha. Would you -- did you ever have reason at any time to comment in this manner on the conduct of Head Constable Papendorf?-- I don't know if I've done so personally.

According to the evidence another witness was there and that was Ngcai, and he gave evidence in this Court; would he be one of the people you could be referring to as having conducted himself as a hooligan, an imbecile or a coward?-- My lords, I do not know the people I was referring to on that day.

Well, you know Ngcai, would he be the type of person you are referring to?-- I do not know the people I was referring to on that day.

Is that your answer to this question?-- That is so.

My lords, I'm taking it out of date . . . the meeting I not want to turn to is the meeting of the 14th March, 1954, Vol. 43, my lords. The meeting starts at

page 8507 of the record, and this witness - the portion
put to him is on page 8513 and 8516. Mr. Resha, I
think the evidence indicates that you were chairman at
this meeting; would that be possible? Were you often
chairman at meetings in Sophiatown?-- I was chairman at
some meetings; it's possible that I was the chairman
at this meeting.

Mr. Resha, did you ever at a public meeting
have to repudiate any statement that suggested violence
as not being consistent with A.N.C. policy, that was
made by people addressing the meetings from the plat-
form?-- I have.

You have?-- Yes.

Do you know if this was such an occasion?-- I
wouldn't be able to know that.

Now according to the evidence Tyiki spoke and
Nokwe spoke at this meeting - would that be the accused
Nokwe?-- That is so.

And your speech, or remarks as chairman were
on page 8513. You seemed to comment on speakers and
also introduced speakers at this meeting. At page 8513
lines 20 to 28 - you said yesterday that you don't
quite understand - it doesn't quite make sense, the
report of what you are alleged to have said here,
'That some of us will die on the road to freedom'?--
That is so.

Why do you suggest it doesn't make sense?--
I don't know what it means, my lords.

This was a statement that was often made by
A.N.C. leaders, that on the road to freedom people would

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have to sacrifice their lives?-- Is that what I am alleged
to have said here?

Isn't that what this means, 'Some of us will die
on the road to freedom'?-- I do not know if it means that.

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Well, what do you think it means?-- I do not
know what it means.

It hasn't got any meaning to you at all?-- I do
not know what it means; I can give further interpreta-
tions.

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Mr. Resha, did you ever tell the people that on
the road to freedom they must expect that some of them
will have to be prepared to sacrifice their lives?-- Cer-
tainly.

And that some of them will have to be prepared to
die?-- Certainly.

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After you Magothe spoke, H.G.Magothe, according
to this report?-- Is that at the bottom of 8513?

Yes?-- That is so.

Both he and Nokwe had been overseas, not so?--
That is so.

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And do you remember that at these meetings in
Sophiatown they used to tell the people of their visits
overseas, the freedom struggles overseas?-- That is so.

Did you ever have to repudiate anything that
Magothe said from a public platform?-- Never, my lords.

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My lords, the next meeting that I want to refer
to is the one of the 18th July, 1954, Vol. 43, at page
8562 of the record. The passages that the witness re-
ferred to were at 8566. You referred to in your evidence
to page 8566, lines 27 to 32, Mr. Resha, and on page
30

8567 . . . that's right, line 27 to 32 on page 8566. 1

Mr. Resha, have you any independent recollection of
this speech?-- No, my lords.

You have no independent recollection?-- No.

You said at page 8567, line 5, that you don't
think you told the people to kill the police, and then 5
you referred to Afrikaners who are alleged to have shot
an African policeman. Do you remember ever having re-
ferred to such an incident?-- I think so, my lords.

You do remember. And then right at the bottom
of that page 8567 there is a reference to a clash in 10
Sophiatown - 'Sophiatown will bring a big clash - - will
bring a clash between the forces of Congress and the
forces of the Fascists'. Now, of course, that is the
view that you always held in Sophiatown, that if the
Government persisted in its attitude a clash would re- 15
sult?-- That is so.

And as far as the Government was concerned,
the Government wanted a physical clash?-- That is so.

And you told the people to expect that?-- That
isso, my lords. 20

The next meeting at Sophiatown was the one
of the 10th October, 1954, Vol. 46, my lords, at page
9164 of the record. . Mr. Resha this meeting starts at
page 9164, and to refresh your memory this meeting on
the 10th October, 1954, was held at the time of the 25
Transvaal Provincial Conference, was it not? Do you
remember the Conference in the Transvaal was held on
the 9th to the 11th October. It might assist your
memory if I refer you to RR.28 and RR.60. 30

BEKKER J: Is it 28 to 60, or 28 and 60? 1

MR. TRENGOVE: 28 and 60, my lord?-- That is so,
my lords.

This RR.28, Mr. Resha, is the same as A.40,
which is the Presidential Address which is to be found
at page 293 of the record, my lords. RR.60 is an Agenda 5
which was handed in, my lords, at page 4144. That
Presidential Address would have been delivered by the
accused Moretsele, not so?-- That is so, my lords.

Mr. Resha, just as a matter of interest, did
Moretsele write his own presidential addresses, or who 10
prepared them for him, if anybody did?-- If I remember
well Mr. Moretsele prepared, during the time he was
President, his own presidential addresses in Pedi and
would get somebody to translate it into English.

So the facts, the ideas and the news and so on 15
expressed in his presidential addresses would be his own
?-- That is so.

The translation would be made into English?--
That is so. 20

(THE COURT ADJOURNED FOR 15 MINUTES)

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ON THE COURT RESUMING:

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MR. FISCHER: My lords, just before my learned friend continues, I have been asked by the accused to make an application to your lordships. A number of them have personal problems to deal with after the period of detention, and they would very greatly appreciate it if your lordships could not sit tomorrow. I'm not pressing it, I'm leaving it to your lordships. It undoubtedly would be of great assistance to those who have not been home for so long.

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RUMPF J: We'll consider it, Mr. Fischer.

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Mr. TRENGOVE: Mr. Resha, I was referring to this meeting on the 10th October, 1954, that you addressed, and the passages that you referred to in your evidence yesterday started on page 9167. Mr. Resha, according to this meeting prior to you Sibande spoke, that was the accused Sibandi, and J.M. Kumalo. You can't remember that, or can you?--- My lords, I remember Mr. Sibandi speaking at Sophiatown once; this may have been the meeting.

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The accused Sibandi?-- That is so, my lords.

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And A.M. Kumalo, is he also a Sophiatown man?-- No, no, Mr. Kumalo used to live at Western Native Townships and I think later he lived in Evaton.

Mr. Resha, you explained certain passages at page 9167, line 3 - you explained what this reference to the police was - what that meant, and then you referred to page 9168, about the clash between the forces of freedom and the forces of oppression, the removal of the Western Areas - - and then that would again be warning the people of the possibility of a physical clash, at

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THE TOP OF PAGE 9168 - the possibility of a physical 1
clash you say provoked by the Government, not so?-- No,
my lords, I don't think I was referring to a physical
clash here.

Yes, well, I don't want to go into that - I 5
want to get on to something else, but I think if you
read that with line 14, Mr. Resha, you'll see the para-
graph there says 'The Government is trying to provoke
violence'?-- I don't think they should be read together,
my lords, in that sense.

Well, just before you get to that, you refer 10
to Mr. Prinsloo and a statement that he made about an
ex-chief that he met, and then the passage says - it
refers to 'These traitors you will find are arrested...
and daily gaoled'. It was a common thing at your meet-
ings, Mr. Resha, to refer to people who showed an incli- 15
nation to move to Meadowlands, to refer to them as
traitors, was it not?-- It never was.

It never was?-- No.

But you used to propagate the view that people 20
who went to Meadowlands without offering the resistance
that the African National Congress required, that those
people were traitors - they were to be regarded as
traitors?-- No, my lord, that is not so.

You see, why I ask you that is because I see 25
in A.157 'We shall not move', the pamphlet handed in
and subsequently in your evidence-in-chief another copy
was handed in, at 791 of the record. There in page 2,
under the heading 'War on Africans', the Government has
declared war on the African people, and telling the
people that the Africans were not going to surrender. 30

You have a paragraph 'Anyone who moves willingly is helping the Government to enslave our people; he is acting as a traitor and bringing shame to Africa'. Does that refresh your memory, Mr. Resha?--- On what? 1

On the statement that people who were prepared to go to Meadowlands were to be regarded as traitors to the cause?-- No; this statement does not say so. 5

Well, could you just explain the statement?-- Anyone who moves willingly is helping the Government to enslave our people; he is acting as a traitor and bringing shame to Africa', because he may be doing so unwittingly, therefore he is not just a traitor; he may be 'acting as a traitor'. 10

Now didn't you tell the people in Sophiatown 'Look here, if you move willingly we will be regarding you as traitors; we will regard your acts as those of people acting like traitors'; didn't you say that to the people?-- We said to the people, because the Government by removing us is robbing us of our rights, it is therefore important for every African to show his unwillingness to move to Meadowlands, and his non-co-operation with the Government when his right is being taken away. 15
Because the propaganda of the Government was that the African people were willing to go to Meadowlands, and therefore people who were moving willingly would be helping the Government and therefore acting as if they were traitors, when the majority of the people - which they knew very well - did not want to move. 20
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Now, Mr. Resha, according to this booklet that was handed in, Z.22, page 6, where certain statistics appear - some of them have been read in in chief - - at 30

Sophiatown and Martindale and Newclare, the size of the stands was approximately - mostly 50 by 100 ft, and at the top of page 8, paragraph 6, dealing with the question of the ownership, it says that it is difficult to ascertain the exact number of owners, because properties are only registered in the people's names when they take transfer, and many properties under the names of Europeans may actually be owned by Natives, and the Europeans may be bondholders. But then it gives, subject to the aforesaid reservations, the type of tenancy in Martindale, Sophiatown and Newclare, and the percentage in Sophiatown and Martindale owners was 4%; tenants 80%; sub-tenants 16%. And in Newclare the figures under these respective headings were 1%, 82% and 17%. So that in Sophiatown and Martindale they would be approximately 523 owners, and in Newclare 46 owners. Then it gives figures relating to Coloured people and Indians. Then, under the heading of 'Density and overcrowding', in Martindale and Sophiatown the average number of people - the average number of families per stand was 8.3, and in Newclare 7 families per stand, and the overcrowded families percentage of Africans was 55% in Sophiatown Martindale 56%, Newclare 66%. Then there's a note that the number of rooms required, based on a flat rate of $2\frac{1}{2}$ persons to a room, each person aged 10 and being counted as an adult, and for each person under 10 - half an adult - - and then it gives the standard of density in the Western Areas, on a percentage basis, overcrowded amongst the owners 26%; maximum occupation of the owners was 37%, uncrowded was 37%. Tenants - overcrowded 53%; maximum occupation 44%, and uncrowded 3%.

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And sub-tenants overcrowded 72%, maximum 27% and un-
crowded 1%. Now with that state of affairs, Mr. Resha,
I want to put it to you that your actions in holding
out to the majority of the 50,000 people in that area
that they would be acting as traitors if they were pre-
pared to go to Meadowlands, was nothing more than in-
timidation of people living in unfortunate circum-
stances?-- My lords, that is incorrect. To start with,
suffering of human beings should not and must never be
reduced to figures. Secondly, we have never been
opposed to the living conditions of the African people
being bettered by the Government; we ourselves agreed
thst therw were slum areas in Sophiatown, but what we
fought against was our rights which the Government was
taking away under the pretence that it was clearing
slums, and if the majority of the people were for the
removal no political organisation, no group at any time,
anywhere in the world, could ever intimidate the masses
of the people, and force them to do something they do
not like. So that it was never a question of intimi-
dation at all; the African people were conscious that
the intention of this scheme was to rob them of their
rights, to buy and own land in the land of their birth -
they were conscious of the fact that in Meadowlands
they were going to be under the restrictions of Muni-
cipal townships, and under the jackboot of the superin-
tendents and their police.

Mr. Resa, there is one other passage in
your speech to which you referred, 9168, I think at
line 15, after saying that the Government was busy trying

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to provoke violence, there will be conclusion between
truth and lies, let me warn the Dutchman that their
guns will fail as they have failed in other countries.'
And then you pointed out that you don't know that you
said 'We will our dirty fingers at them' - - that you
explained yesterday. What do you mean when you say
- or what could you have meant when you used the words
'Let me warn the Dutchmen that their guns will fail as
they have failed in other countries' - - what countries
did you have in mind when you said their guns failed in
other countries?-- Firstly, I do not concede that I said
this, but if I did say it, there are many countries
where guns have failed. Guns failed in India, they
failed in Tunisia, they failed in Veetnan, they have
failed throughout the world.

Then there was a passage in this evidence which
you don't think you said, and which you explained in a
way. 'They say we. . . .but we have come to a stage
where we have to sacrifice 9,000,000'. If that sacri-
fice were required of the African people in fighting
this Fascist Government, would you have called upon the
African people to make that sacrifice?-- We have called
upon the African people, my lords, to campaign against
the Pass Laws, in spite of the fact that official records
show that no less than 1,000,000 African people go to
gaol each year under the Pass Laws.

Mr. Resha, then it continues: 'We call upon
this Government to bring our leaders back before there
can be a riot in this country. It is through Chief
Luthuli, Dr. Dadoo, Mr. Sisulu that there is not yet
trouble. The young blood of the African people is

boiling'. Was that the position, that the young
blood of the African people was incensed and was boil-
ing, and had to be kept in control?-- I said, my lords,
that I do not concede that I spoke in this way, but
of 'fuming', that I did. I would say, as I said in
my evidence-in-chief, that it is a normal thing that
young people, of whatever race, always feel and think
that they can settle their problems physically, and
that you therefore needed able and mature leaders like
Chief Luthuli, Dr. Dadoo and Mr. Sisulu to guide the
people at all times - not only the youth.

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But now, Mr. Resha, in Sophiatown at that stage,
there were many young Africans, not so?-- That is so.

And you were in touch with the African youth
throughout the country; was the temper of the African
youth such that their blood was boiling and they were
becoming incensed against this oppression?-- I wouldn't
put it that way, my lords, that their blood was boiling.
But I would say that they were angered and still are
angered by the various repressions, measures, under
which they are controlled by this Government, and the
youth in Sophiatown like their parents were bitter
about the removal of the Western Areas.

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Mr. Resha, I want to put it to you that if the
Government did embark on what you call violence to
remove the people in the Western Areas, the mood of
the young Africans was such that they would have reta-
liated violently; that you knew?-- My lords, I must
confess I do not know what that means, because the
African people in this country - indeed the youth

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of Sophiatown - are not in a position to retaliate against 1
the Government violently. They haven't got the weapons; if
the throwing of one or two stones is retaliation, then I
have no respect for the word retaliation.

I see; I put it to you that they would have
used whatever means were at their disposal to retaliate 5
against an onslaught, because these young Africans were
always told to remember Chaka and Dingaan, and Moshesh,
and they would fight back with whatever physical means
they had at their disposal; that surely you knew, Mr.
Resha?-- My lords, I have been in this Court for more than 10
three years; I have not come across a single document
or statement to the effect that the youth in Sophiatown
were always told this. Knowing the place very well, that
is not correct.

You say they would have taken it lying down?-- 15
They took it lying down, in the sense of violence.

Mr. Resha, even bad food makes them resort to
violence; in a beerhall raid they resort to violence;
do you agree?-- The beerhall and food led to sporadic
outbursts provoked deliberately by the police. The 20
Western Areas was specifically under the control of the
African National Congress and it saw to it that such things
did not happen., and as I say here it did never happen.

One or two other matters, Mr. Resha. But
before stepping off this meeting I'll just ask you this: 25
according to the evidence, after you made this - - after
this meeting was concluded, the people went from there
to attend the session of the Conference; is that correct,
do you remember?-- I have no independent recollection of
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that, my lords. 1

You were at that Conference, not so?-- Where was the Conference held?

The 54th Conference of the Transvaal; it was held in the Communal Hall in the Western Native Townships?-- That is possible. 5

You were there?-- I was at the Conference.

KENNEDY J: There is reference to Mataba Hall, is it? Or Mathabe Hall? Page 9169, line 2. Do you know what Hall that is?-- There was a hall in Sophiatown which was known as Matabe Hall. 10

That was not the Hall where the Conference was held? Or don't you remember?-- Unfortunately, my lord, I have no independent recollection of this event.

MR. TRENGOVE: I just want to deal with one or two other meetings that are still outstanding, Mr. Resha; 15
There is the meeting of the 21st February, 1954, which was a Colonial Youth Day Meeting, at Alexander Township. My lords, this is at page 8778 of the record in Vol. 44. Mr. Resha, the report starts off by saying that Nene was the Chairman - that is at page 8779 - and then at the middle of the report at page 8780, line 10, it says that you were at that stage chairman at that meeting. Do you remember?-- I was, my lords, the chairman of this meeting from start to finish. 20

Oh, from start to finish?-- Yes. 25

It talks about Ruth First speaking at this meeting?-- I think she was one of the speakers.

And on these occasions subjects like Kenya, Malaya, the struggles in those countries, would be topics that would be discussed at these meetings by the speakers 30

?-- No, my lords, not topics. I would say that it would not be surprising if the speakers in the course of their speeches referred to these countries. But they were not topics as such.

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And the Liberatory Struggle going on there would be spoken of?-- That would be so, my lords.

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And Sidney Shall used to be a speaker -- do you know if he spoke at this Colonial Youth Day meeting?-- He spoke at some Colonial Youth Day meetings, but I cannot remember now which.

He was on the Transvaal Volunteer Board with you?-- That is so.

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And Molife?-- That is so.

Now . . .?-- Molife was one of the speakers at Colonial Youth Day meetings.

Yes?-- That is so.

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That is the accused Molife?-- That is so.

Then the report statement referred to by you in evidence-in-chief is at page 8789; remember that?-- No . . .

You said at line 15, 'We the oppressed people are prepared to sacrifice with our bodies or blood if freedom should be achieved in that manner': now, I think in your comment on this passage you indicated that the word 'sacrifice' here couldn't have any specific significance because you wouldn't advocate violence at a Colonial Youth Day meeting; remember your comment?-- Something to that effect.

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But now this passage here, 'We the oppressed people are to sacrifice - are prepared to sacrifice with

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our bodies and blood if freedom should be achieved in
that manner'. 1

KENNEDY J: Well, the witness' comment there was
that he didn't think he used those words, 'bodies or
blood', and that one would not necessarily have to be
violent if one used the words 'to sacrifice'. He said 5
'I don't think I used the words bodies or blood'.

MR. TRENGOVE: Yes, my lord. I might have taken down
the note wrongly, my lord, I haven't got it yet. Now,
Mr. Resha, when you tell people that they must be pre-
pared to sacrifice, you don't exclude sacrifice by death - 10
a sacrifice resulting in death or the shedding of blood
by the person sacrificing?-- Inflicted on the people who
were sacrificing . .

You don't exclude that?-- That does happen. 15

Mr. Resha, there was this meeting, the South Africa
Coloured Peoples Organisation meeting, down at Port Eli-
zabeth, on the 27th November, 1955, reported in Vol.47.
You said in your evidence, I think . . .?-- Could I
have the page number please? 20

Page 94722, and your speech occurs at page 9474.
You spoke for more than an hour I think you said and
you can't remember what you said but you didn't think
this was a fair report. Mr. Resha, does it contain
anything that you think you couldn't have said, or do 25
you mean it's not a complete report?-- Where does the
report begin?

Page 9474, line 10?-- Firstly, my lords, I think
in my evidence-in-chief I said in regard to this meeting
that I spoke for more than an hour. 30

That's right, that's what you said?-- And the

burden of my speech was to expound on the policy of the African National Congress which this report does not indicate at all.

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The policy of the African National Congress on what?-- The policy of the African National Congress of non-violence, the policy of the African National Congress in regard to racial harmony in this country.

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I see. Now the Interpreter who interpreted into Afrikaans, that was provided by the meeting itself?-- That is so.

You follow Afrikaans sufficiently well, don't you, to know whether he is interpreting correctly or not?-- My lords, my knowledge of Afrikaans is very limited indeed, to be able to follow everything, particularly when you are delivering a speech - you don't know, unless something attracts your mind - - you

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don't concentrate on the interpreter normally, but you apply your mind to what you are saying, so that when the interpreter is interpreting you are busy constructing the next sentence, and my knowledge of Afrikaans being so limited, I could not even do that, - being attracted by the interpretation.

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Then on the 18th September, 1955, which was the Freedom Charter Committee Meeting, at which Sejake made a speech - my lords, that is, the part dealing with Resha's evidence, is to be found in Vol. 38 at page 7597. You said you didn't hear Sejake's speech, you only came in for the last part because you were on the Credentials Committee?-- I don't know, I think I said I only listened to the last part of his speech.

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But I was in the Hall throughout - busy at one time
in the Resolutions Committee, and at another time in
the Credentials Committee. So that I didn't pay at-
tention to the whole of his speech. 1

Oh, I see, your attention was not given to
the speech?-- That is so. 5

Because you were dealing with credentials and
resolutions, is that correct?-- That is so.

Mr. Resha, was this a meeting where the cre-
dentials of the people attending the meeting had to be
checked?-- That is so, my lords. 10

And it was a meeting to which only Congressites
were admitted for a particular purpose?-- It was a meet-
ing where accredited delegates were admitted, whether
or not they were Congressites. 15

I see. And that is what you were checking?
With other people?-- That is so, my lords.

Mr. Resha, why were you so careful about
checking the credentials of everyone who came in?-- My
lord, I was not so careful at all; it is routine work
at any meeting, by any organisation, that where you
have decided that it is a meeting of delegates, you
must have a Credentials Committee. Firstly, you must
know who the delegates are, secondly from what organisa-
tion they come, thirdly how many delegates attended the
Conference. 20 25

Then your report on which you commented was
at page 7597, and this was a comment that you made at
the end of the meeting, at the time when it was under
your chairmanship, after a certain lady had spoken. 30

You said, according to this report, 'Our struggle is not violent, but if there is a pool of blood we will still have to go through.' What did you mean by that, Mr. Resha?-- What I meant by this, my lords, is that our struggle is non-violent, and we are not going to be deterred by the actions of the Government in this struggle. Even if we are gaoled, even if we baton charged, even if we are shot, the struggle will carry on.

And this reference - 'My prayer is that in five years time there should be no old ladies like this one moving about and having no food'. What did you have in mind there, what did you hope for?-- It was my fervent prayer then and now that in the shortest possible time, even in less than five years, we should be free in this country, so that no old people of the age of the old lady I was referring to, and even younger, should go about hungry in the midst of plenty.

I see. And that freedom would come when you had achieved your demands set forth in the Freedom Charter, which had then been adopted?-- I beg your pardon?

That freedom, which you visualised then, would exist when once the demands of the Freedom Charter, which you had adopted a few months earlier, had been implemented?-- That is so.

Mr. Resha, I now just want to ask you one or two questions about the Report on the Western Areas Removal Schemes - the Report of the Secretariat, A.162, my lords. For whose benefit was that Report prepared?-- The report, my lords, was a review of the Western Areas Campaign, prepared for the National Working Committee by the Secretariat.

And was it approved by the National Working Committee?-- It was, my lords. 1

And was it for them only, or was it for a wider body such as the National Action Council?-- My lords, I don't remember the Report being given to a meeting of the National Action Council of the Congress of the People 5 but it is possible that they were aware of the Report, that it was given to them for their information.

I see. You see why I ask is because I see Sidney Shall was with you on this Volunteer Board, and he also had a copy of this Report according to the evidence, in his possession?-- That is possible, my lords, because I think a number of copies was roneoed of that report. 10

And they would be given to others?-- They would be given to the sponsoring organisations for their information, and also to individuals - - or individuals could on their own pick them up at the offices. 15

Now, Mr. Resha, you dealt with most of this Report. I just want to refer to one or two passages again. Mr. Resha, the first point that I want to ask you about is this reference that you made in your evidence-in-chief to the paragraph, 'Various dates of proposed removals were announced, but in the face of the peoples preparedness they were subsequently postponed'. You said you thought that was an over statement?-- That is so, my lord. 20 25

But why, Mr. Resha, do you make this statement 'apart now from various dates which were announced' - this statement in the face of the peoples' preparedness the dates of postponement were postponed. Were the people 30

prepared to such an extent that the Government was under- 1
 taking a risk if they removed the people in the Western
 Areas at certain times?-- My lords, accepting the state-
 ment to read that the Government postponed the removal
 of the people in the face of the peoples' preparedness
 it is true to say that when the Government postponed 5
 the removal in 1954 the people were prepared, not to move.

Yes, but you say - do you really say, Mr. Resha,
 that the preparedness of the people was such that it
 influenced the Government not to move them?-- That is so.

On a certain date?-- That is so. 10

Now when was that, when the preparedness of the
 people had reached that pitch?-- I said, my lords, it
 was in 1954, after the passing of the Act, when the
 Government decided that it would not move the people to
 Meadowlands until such time as there were enough houses 15
 built in Meadowlands.

Yes, but the Minister had given you the assur-
 ance that they wouldn't be moved until houses were ready;
 he gave that assurance as far back as 1953?-- The Minis-
 ter, when he postponed this removal in 1954 - and that 20
 is the statement I am referring to - said the people will
 not be moved until sufficient houses were ready. In fact
 that was never the case, because when the people were
 moved on the 9th February, 1955, there were not suffi-
 cient houses ready; there were only 1,000 houses ready 25
 and the Government was to move 50,000 families.

Where did the Minister make this statement?--
 We read of the statement in the Press as usual.

Do you remember when?-- I say in 1954.

When in 1954?-- I do not know the date, nor 30

indeed the month. 1

I want to know, Mr. Resha; was it in June or July or August?-- My lords, suffice it to say it was made in 1954. I cannot now recollect the date nor indeed the month.

Mr. Resha, I read your articles yesterday and statements in June, 1954, where it said that it was quite clear that the Government was going to force through this scheme by any measures, even resorting to violence, and you accepted the position as such in June of that year. Is that correct?-- That is so. 5 10

Now, when did the Government decide to postpone removals; after that or before that?-- Naturally it couldn't be before that.

It couldn't have been before that?-- Certainly not. But nevertheless I do not know the date nor the month. 15

Now, you said in your evidence-in-chief at page 16452 of the record, 'We were of the opinion that if the removal had taken place in 1954 that the Government would have found it very difficult to remove the people because at that time they were more prepared than they were in 1955.' Now, what would have happened if the Government had tried to move the people in 1954, in view of the preparedness of the people?-- Our contention was that the Government would not have succeeded at all in moving the people. 20 25

How would that have come about?-- That would have come about because of the preparedness of the people at that stage. 30

The Government had the Army, the Police - at
their disposal?-- We have always known . . . 1

I just want to complete my question. The Govern-
ment had the Army and the Police at their disposal, and
the instructions to the people in the Western Areas were
that if the police come they must go, so how could the 5
preparedness of the people have stopped the Government in
1954?-- We have always known this Government to be ready
to use brute force in order to make people carry out its
wishes, but what we had in mind was that unless the
Government uses that force it would not get the co-opera- 10
tion of the people. Perhaps we over estimated this
Government by thinking it was so democratic a Government
that it would only deal with people by saying, "Now, do
you want to move?-- No, I don't want to move' - - it
would not then bring the army and the police. 15

Mr. Resha, you said as far back as June the
African National Congress attitude was that the Govern-
ment was prepared to use the army and the police to move
the people?-- I said so.

Yes?-- We have always known that. 20

Now, and the maximum state of preparedness that
you wanted was that the people had to be unwilling to go
and that if told by police to go they shouldn't offer
physical resistance. Now how could that preparedness
have deterred or prevented the removal by the Government 25
in any way?-- Perhaps, my lords, one has to take into
consideration firstly, that this is a review; secondly,
to find out what the position was at that time - at this
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to find out what the position was at that time - at this
time there were no houses built, except 200 to 300, in
Meadowlands. Secondly, the campaign at that stage was 30

at its height and therefore the preparedness of the people not to move willingly was at its highest. 1

If that your reply to the question? Is that what you want to say in reply to this question, Mr. Resha, or is there anything else that you want to add?-- There is nothing that I want to add at this stage. 5

Mr. Resha, you remarked in your evidence-in-chief, at page 16453, about constant intimidation and propaganda by the Government which increased the number of people who were prepared to move. You wanted that type of propaganda by the Government; you realised that would take place?-- We never wanted it but expected it. 10

You expected it?-- Yes.

Then you say in the fourth paragraph after that, 'The Secretariat after assessing the position attempted to strengthen the preparedness of the people to resist the removal'. Then you refer to the activities of the volunteers, etc. and it was evident that the authorities at this period were seeking a clash. Now, what do you mean by 'attempting to strengthen the preparedness of the people'?-- My lords, after the Government through its Minister of Native Affairs had said that it was not going to move people to Meadowlands until such time as there were enough houses built, there was a lull in regard to the campaign against the removal of the Western Areas, and also the notices were served to the people during the month of December when most of the families were away on holiday; thirdly, by that time the Government had built houses in Meadowlands which was an attraction to thousands of people who were looking for better accommodation. It therefore became the 20 25 30

arduous task of the African National Congress, which 1
was in charge of the campaign, to attempt to strengthen
the preparedness of the people, to resist removal.

Yes, but what do you mean by strengthening
the preparedness?-- Campaigning against the removal,
telling the people that 'Do not think that the Govern- 5
ment has decided to abandon its legalised robbery'.

I see...?-- And therefore be ready to resist
removal.

Yes. Now these pamphlets that were distributed
by Government agents, I think you said, and the Supreme 10
Council - inciting people to burn down shops - - Mr.
Resha, did you ever report that to the police?-- No,
my lords, I did not report to the police the distribu-
tion of Congress leaflets calling for people to come to
the meeting, but the police arrested them. 15

Did you report this to the police?-- I have never
reported to the police any distribution of leaflets.

Why not?-- Why should I.?

I want to refer now to a further passage in
this which you said you thought was an over statement. 20

'The authority of the A.N.C. prevailed and the work
of the A.N.C. and its volunteers created a situation
where the Government was forced to abandon its plans for
removing the tenants on the 12th and to anticipate it
by three days. It was compelled to use force, the force 25
of 3,000 police and army personnel'. Why/these over-
statements? Isn't that the truth, that you had created
an explosive situation?-- What am I reported to have said?

You are reported at page 16459 to have said, in
referring to this passage, 'What we mean here by authority 30

of the African National Congress, which I think again is
 rather an over statement - - what we mean - what we did
 mean was this: that our propaganda calling upon people
 to resist the removal was accepted by the people and it
 therefore forced the Government to abandon its plan to
 remove the tenants on the 12th February, 1955.' Now....
 ?-- I think I was referring rather to the use of the
 word 'authority'.

The authority of the A.N.C. prevailed?--Yes.

But you agree that it was as a result of your
 activities?-- Indeed, it was. . .

That a situation was created . .?-- It
 would have been a happier phrase to have said 'the pro-
 paganda of the A.N.C. prevailed and the work of the
 A.N.C.', but it was indeed as a result of our work that
 the Government had to anticipate the date.

If it had not anticipated the date what would
 have happened?-- If it had not anticipate the date our
 plans were that on that date we were going to have one or
 two or three volunteers with each of the families that
 were going to be moved on that day, in order to encourage
 those people not to move willingly, and to make sure at
 the same time that our plans were carried out. Secondly,
 on that day we were going to call upon the people of the
 Western Areas to stay at home, and that stay at home on

Saturday the 12th February, 1955, would have been a
 signal to other parts of the country to stay at home on
 Monday, the 14th February, 1955.

And that would have created a dangerous situa-
 tion in the country?-- That would have clearly shown the
 unwillingness of the people to go to Meadowlands, and it

would have the demonstration of the African people throughout the country against this measure.

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Mr. Resha, that would have created a dangerous situation in the country, if your plans had gone through?-- I do not know what you mean by that.

If there was a countrywide strike, everybody staying at home, and the Government in those circumstances had decided to remove the people on the 12th, that would have created a dangerous situation; do you agree or don't you agree?-- I don't know what you mean by dangerous situation. I don't agree to things I do not understand.

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Situation dangerous to the safety and security of the State?-- If by the State you mean the Nationalist Government, which is a minority Government because to me a State is a Nationalist government which controls the State -- if that is so, then their security and safety is always in danger because it is a minority government ruling the majority of the people of South Africa by force.

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KENNEDY J: Mr. Resha, was there any reason why you should not have had a universal stay at home on the Monday. I'm a bit puzzled as to why it was planned to have a stay at home for the Western Areas on the Saturday, followed by a universal stay at home on the Monday?-- Yes, my lord, the position is this: the people who were affected by the removal were the people of the Western Areas, but we wanted the African people throughout the country to support the opposition of the people of the Western Areas, and therefore we felt that if the people in the Western Areas demonstrated

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their unwillingness to go to Meadowlands on Saturday 1
 then it would only be logical that the country should,
 in support, do so on Monday, my lord.

Why not on Saturday?-- Because, my lord, to
 call upon people throughout the country to stay at home
 on Saturday when many of them at any rate do not go to 5
 work on Saturday would not have served our purpose,
 and the people would look at us as being stupid because
 they were perhaps not going to work in any case.

MR. TRENGOVE: Mr. Resha, you wanted 50,000
 people to be in Sophiatown on the day that the Govern- 10
 ment moved in to take away the 150 families; that was
 what you wanted?-- That is so.

Yes, and you wanted that because you knew
 that the presence of 2,000 police, and the presence of
 50,000 people who had subjected themselves to your 15
 propaganda for months, could be the spark to set off
 a conflagration throughout the country?-- My lords,
 we wanted the 50,000 people - - not 50,000 - - the
 50,000 people of the Western Areas to stay at home on
 Saturday the 12th; we did not want the Government to 20
 2,000 police - - in fact the Government did not tell
 us they were going to send 2,000 - - had we made an
 arrangement with the Government that 50,000 people would
 stay at home and 2,000 police would come, that would 25
 have started a conflagration - - but here we were con-
 cerned with our own method of resisting removal, and
 we had made arrangements to defeat the Government in
 using its brutal methods to effect this removal, and
 we succeeded in spite of the fact that we did not know 30

that the Government was going to send 2,000 police with
a view to start a conflagration. 1

Mr. Resha, I want to put it to you that you wanted
to compel the Government to bring as large a force as
possible to assist in that removal?-- It was, my lord, our
aim to compel the Government to use as large a force as 5
possible in order to demonstrate clearly that this scheme
was not being done because the people were willing to be
moved. But it was being done because the Government
wanted to do so against the wishes of the people, and
they could only do that by bringing fully armed men to 10
helpless and peaceful people.

Mr. Resha, the fact that a state of emergency
had to be declared, you regarded that as a victory?--
The fact that the Government in its desire to rob people
of their property would bluff the entire country into 15
declaring a state of emergency was to us a great victory,
and I have no doubt an eye opener, even to the European
electorate - that this Government could go to any lengths
to put across its policy, at whatever cost to the people
of South Africa. 20

Mr. Resha, do you say that the calling of the
state of emergency was a bluff?-- It was a bluff, as
this last one was.

It wasn't necessary?-- Ut was never necessary. 25

You see, I just want to ask you under 'Achieve-
ments' - the paragraph headed 'Achievements'. You say
there: 'Through the propaganda of the Congresses the
indignation of the people throughout the country has
been aroused. Mass meetings were held in Port Elizabeth,
Cape Town etc. on the day of removal. The people have had 30

to be removed by force, by a force of about 3,000, and the state of emergency had to be declared in Johannesburg and Roodepoort because of the hostility of the people against the removal.....' So you say that the state of emergency had to be declared because of the hostility of the people against the removal?-- To suppress that hostility. The people were hostile, indeed they were, because they were being robbed of their rights.

And I want to put it to you that in this report you regarded it as an achievement that the people were so hostile that the Government thought it necessary to declare a state of emergency?-- It is indeed an achievement, as I've said, and a demonstration to the people of South Africa, black and white, that this Government is prepared to do anything to force its will on the people of South Africa. And one might go further, and that the Government, the Minister of Justice told an untruth in Parliament as an excuse for this declaration of a state of emergency. He spoke of ammunition, weapons that were in Sophiatown, which information the Minister said he had got from the police, and yet not one policeman arrested one single person, not one policeman brought to the Minister one single weapon. All those were excuses which the Government used in order to suppress the people, and this was an achievement, because we were able to expose the length and depth to which this government could and would go in order to force its will.

Mr. Resha, do you know what information the Minister acted on?-- The Minister said

Do you know on what information the Minister acted?-- The Minister said- - - I don't work with the Minister, I couldn't know. I'm telling you what the Minister said; I have never worked with him. The Minister said that he got this information from the police and I say that information from the police, and as uttered by the Minister of Justice, was not true.

Mr. Resha, this removal by the Government - the anticipated removal on the 9th - you had already heard rumours on the 30th January that the date was going to be anticipated, had you not?-- It's possible.

I think evidence was given of a meeting at which you warned people that you had heard this rumour that the date was being anticipated?-- It's possible.

Mr. Resha, just one other thing under 'Achievements', where you make this statement: 'The Sophiatown branch of the A.N.C. is the largest in the Transvaal. Sophiatown has created a very solid local leadership. Congress ideology dominates in Sophiatown'. That, I take it, is a fact?-- That is so, my lords.

That the one place where the people have been told and know Congress policy is Sophiatown?-- I beg your pardon?

That the one place where the Congress policy is known and has been explained to the people would be Sophiatown?-- I wouldn't say it is only the one place but it is one of the places where the policy has been explained many times.

Yes: these explanations would take place at public meetings amongst other things?-- That is so.

Now, under the 'Failures and Weaknesses',
Mr. Resha, you say, just before 'What must be done' -
you talk of your failure to give the people an unequivocal
answer, and you say, 'Whilst this was substantially
the case in that I.L. was to be brought into operation in
the areas and possibly in Johannesburg as a means of lifting
the struggle to a higher plane,' this stay at home on
Saturday, would that have been for the whole Reef?-- For
the Western Areas.

Mr. Resha, you have given some explanation of
what you mean under the first paragraph of 'What must
be done', and these words, 'The basis of the resistance
must take the form of non collaboration of a quantity
and quality which must compel the Government to use all
its resources to impose its will at every stage. Non-
collaboration, both from the mass and the individual.'
That would be a spark of the whole campaign, of resistance
to apartheid?-- What would be a spark?

This non-collaboration, both from the mass
and the individual - - what you wanted to effect in this
country was a mass non-collaboration on a countrywide
scale with the Government in pursuing its policy that
you objected to in your anti-apartheid campaign. I see
your campaign was against Bantu Education, Native Re-
Settlement, Pass Laws, Group Areas Act, Suppression of
Communism Act, Anti-Trade Union Measures - they were all
the Acts that you were against. Now, as part of this
campaign you envisaged non-collaboration, both from the
mass and the individuals, designed ultimately to strain
the resources of the authorities and create a situation
more favourable to the Movement, and for more direct and

positive action?-- This paragraph, my lords, refers to
the Western Areas.

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Not to the rest of the country?-- This paragraph,
my lords, refers to the Western Areas.

You didn't envisage a mass non-collaboration
throughout the country?-- Not on the Western Areas, nor
does it say so in the paragraph.

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Apart from this paragraph, did you envisage a
state of affairs where there would be a non collaboration
on a mass scale?-- Certainly.

Throughout the country?-- That is so.

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And the object of that was to strain the resources
of the authorities and create a situation more favourable
to the Movement and for more direct and positive action?--
This paragraph, my lords, refers to the Western Areas
Removal Scheme.

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But did you in your non-collaboration campaign
that could be put in force throughout the country . .?--
Up to this time we have not yet embarked on a national
scale non-collaboration.

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But you envisaged it?-- Yes. But no plans have
been made up to this time. I therefore cannot deal
with this.

What would be the more direct and positive action
that you wanted in the Western Areas?-- Non collaboration
in regard to the Western Areas, my lords, had two faces.
One was the negative . .

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RUMPF J: I presume you use the word 'faces'....
?-- Faces, my lord; That is - on the one side, negative
where you refuse to give information, or have anything

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to do with the Re-Settlement Board. That we regarded
as negative, my lords. The other aspect of non colla-
boration was to refuse to move on the day in question.
That to us would be a positive action. The Industrial
Action on that day would be a positive action.

MR. TRENGOVE: But those things had already been
decided for the Western Areas?-- That is so.

But this report refers to something that still
has to be done?-- No, this report is a review.

It's under the heading of 'What must be done'?--
That is so.

And what must be done is to create a situation
for more direct and positive action?-- That is so.

What more direct and positive action did you want
?-- More direct and positive action that we wanted was
that the people - - because only a few people by the
way, a few hundred, were moved from Sophiatown by the
time this review was made - - and a more direct action
would be that of people refusing to move. Secondly,
it would be, that of a stay at home. Those were direct
and positive actions.

Mr. Resha, the paragraph, 'The aim should be
to make it necessary for the authorities to employ ever
more and more forces to effect the removals'?-- That
is so.

That I put to you is what you wanted - - that
the forces used, the 2,000 police - the Government should
be placed in a position of having to increase the forces
that they were going to use to effect the removals with
safety to the State?-- My lords, we wanted the Government
to use even more forces than the 2,000, and the safety

of the State as such was not endangered, but the safety
of the Nationalist Government was.

BEKKER J: Why did you want the Government to
use more forces, bearing in mind that the display of
force by the Government is, as I understand the evidence,
regarded as an act of provocation on the part of the
Government vis-a-vis the Africans?-- That is so, my lord.

You see, it strikes me this way: if this is re-
garded as an act of provocation, would not the object
of forcing the Government to use greater forces be a
greater act of provocation?-- My lord, the position is
this; as we saw it. If the Government is forced to em-
ploy even more and more forces to effect the removal it
meant to us that 4,000 or even 5,000 police would be
sent to Sophiatown, and that the public, the people of
South Africa would fight against such a thing. I have
no doubt that the European electorate in this country
would say to the Government, 'Look, that is the position
in which you want to effect the removal - we refuse - -
that so many police should be necessary and concentrated
in one area to force people who are unwilling to go,
negotiate with the people.'

MR. TRENGOVE: But how would the position arise
where the Government would think they need so many police?
Why would the Government send so many police?-- Because
the Government sent the police on the 9th February, because
it knew that the people were unwilling to go, and it had
failed in its campaign, to get the people to go to Meadow-
lands willingly. If I may explain, my lords, the notices
which were served on the people on the 27th and 28th of
December, 1954, called upon the people to move on their

own to Meadowlands, as from the 7th February; and that
the 12th would be their last day. On the 7th not a
single person, not a single person went to the Government
and said 'I want to go'. On the 8th not a single person
went to the Government, and the Government knew that if
they left it to the people, if they did not intimidate
them by bringing in 2,000 police these people would not
go, and we therefore say that if we could bring about a
state of preparedness whereby the people would refuse to
move, the Government would bring ever more and more
forces to effect the removal, and this type of thing
would not be tolerated by the people of South Africa,
particularly the electorate, my lords.

Mr. Resha, you say in this report, two or
three paragraphs down, 'All A.N.C. branches in Johannes-
burg and along the Reef should be organised and directed
to preparing the people for I.A. action at some appropriate
time', so you had in view some further industrial action
at an appropriate moment?-- That is so, my lord.

Then the last paragraph, 'The mistake should
not be made, however, of presenting I.A. to the people as
a decisive action which can solve all their problems, but
rather as a tactic of resistance which can lift the
struggle to a higher level'. Now that you gave some
explanation of yesterday, but I want to put it to you
that what you had in mind was that I.A. - industrial
action - would lift the struggle to a level that was
higher than industrial action, because this was only
a tactical resistance, and what you had in mind was
that a state had to be created in which there would be a

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violent clash between the Government and the peoples on
the Reef?-- My lords, that does not appear here at all,
and it cannot fit in - it does not matter from what
quarter - - we say here in the simplest terms that the
mistake should not be made, however, of presenting indus-
trial action to the people as the decisive action which
can solve all their problems, but rather as a tactic
of obstruction and resistance which can lead the struggle
to a higher level.

Yes, and your explanation . . .

RUMPF J: It is convenient to adjourn at this
stage.

MR. FISCHER: My lords, before your lordships
adjourn, may I put one further consideration before the
Court, when the Court considers the question of the ad-
journment. I understand from the accused, my lords,
that those accused who come from Port Elizabeth will be
able to organise transport in the form of a lorry leaving
tonight if the Court should adjourn until Tuesday, because
Monday is a public holiday.

RUMPF J: Yes, it's only the morning . . . I take
it you have no objections, Mr. Trengove?

MR. TRENGOVE: My lords, no, I don't think we
object.

RUMPF J: We are prepared to do that, Mr. Fischer.

MR. FISCHER: The accused will be very grateful,
my lord.

(COURT ADJOURNED UNTIL 2.15 P.M.)

ON THE COURT RESUMING:

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MR. TRENGOVE: Mr. Resha, just before the adjournment I put you one or two questions about the last paragraph in this Report, A.162, that the mistake should not be made of presenting I.A. to the people as the decisive action which would solve all their problems, but rather as a tactic of obstruction and resistance which would lift the struggle to a higher level. In your evidence-in-chief, Mr. Resha, you explained that that meant - - and this was at page 1664 - - where you said 'And some people have the idea here in Sophiatown that if you have an industrial action on the day of removal, then all their problems are solved, that the Government would not be able ever to remove the people from the Western Areas'. Is that your explanation for this paragraph, Mr. Resha?-- That is so, my lords.

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But who were these people in the Western Areas that were under this misapprehension?-- Even some of the members of Congress, and other people, the inhabitants of Sophiatown.

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But you hadn't told the inhabitants that industrial action was being planned for Sophiatown, had you?-- They were not told at public meetings, but some of them were aware that industrial action was one of the actions that could be taken.

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And did you represent to those people that you told that industrial action would stop the Government from removing the people?-- No.

That that would be decisive?-- No.

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You see, I want to put it to you that this seems
to suggest that in future you mustn't make people
think that industrial action can ever solve their prob-
lems, that industrial action was always at the most
a tactic of obstruction and resistance?-- 'A mistake
should not be made, however, of presenting industrial
action to the people as a decisive action which can
solve all their problems, but rather as a tactic of
obstruction and resistance which can lift the struggle
to a higher level'.

Yes?-- This refers to particular people; there
is no question of ever . .

Excuse me?-- You said, when we were reading
this, that it must never be regarded . .

Yes; in future - - the mistake should not
be made - - you say you are going to tell the people
on the Rand - that is paragraph 3 - you are going to
organise the people for industrial action, and then you
say 'The mistake should not be made, however, represent-
ing industrial action to the people as a decisive
action'?-- To the people of the Rand.

Yes?-- Yes.

Is that your explanation?-- That is what it
says.

Mr. Resha, you have as justification for the
steps that your Congress took in regard to the Western
Areas campaign - you have from time to time referred
to alleged viciousness and brutality of the Govern-
ment; you went as far back as the strike in 1946.
Is that correct?-- That is so.

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