

VOLUME 7.

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CASE NO. SHD. 1/66.

11th and 12th JANUARY, 1966.

THE STATE versus EPHRAIM MABUSO (And others)

Contents: Jacob Kraou (Cont.)
Zacharia Puyani.

Sam. Jamba

AANKLAER SPREEK HOF: Ek meen Beskuldigde nr. 12 was nog besig om te kruisvra.

GEEN VERDERE VRAE DEUR BESKULDIGDE Nr. 12.

KRUISONDERVRAGING DEUR BESKULDIGDE Nr. 13: Ken jy my?

--- I know you, Sir.

Hoe lank ken jy my? --- It is not yet about a year I have known you.

Van waar af ken jy my? --- From Bavianspoort.

As wat? --- As a prisoner.

Waar het ek geslaap en waar het jy geslaap? --- We slept in one cell, No. 9.

Wie van ek en jy het eerste by Sel nr. 9 aangekom?

--- I came first.

Het ek jou daar gekry met my aankoms? --- Yes.

Het ek en jy met mekaar gepraat daar in Sel nr. 9?

--- Yes, sometimes.

Wat gepraat? --- General discussion about life.

Was ons toe al goed bekend aan mekaar? --- We just introduced each other.

Wie het gekom en gesê: "Ek is Mabaso," of wie het gekom en gesê: "Ek is Khunoo?" Het jy gekom of het ek gekom? --- I've come.

Toe jy sê jy het al lank gewerk met die Kongres, jy het gesê jy is al lankal besig met die bedrywighede van die Kongres. --- Hoe meen jy lank?

Jy het mos gesê jy het aangesluit in 1964? --- Quite right.

Dit is mos 'n lang tyd, is dit nie so nie? --- Yes.

Toe ons met mekaar gepraat het, het ons baie gelag? --- Yes.

Hoe ver van my af het jy geslaap? --- I was the second person from you.

Het jy nie langs my geslaap nie? --- I have said

that you were the second person from me.

Die tolk moet net aan my sê wat hy die beskuldigde nou gesê het. --- I said I was the second person from him.

Toe Nkuna daar by die huis gekom het, waar het hy geslaap? --- He slept next to you.

Op wie se mat? --- On your mat.

Het hy daar na my toe gekom? --- No.

Na wie toe het hy gekom? --- He came to me.

Hy het dan na jou toe gekom, hoekom het hy na my mat toe gekom? --- I did not have a place that time, that is why I asked for him to sleep there by his place.

Op wie se mat het jy geslaap? Jy het dan gesê jy het op my mat geslaap. Op wie se mat het jy daar geslaap? --- We were three on two mats, three persons on two mats.

Wie en wie? --- No. 10 and No. 11 and myself.

Onthou jy, langs nr. 10 het daar 'n persoon geslaap met die naam van Hanta? --- Yes.

Toe Hanta na B-kamp toe is, het jy nie daardie plek van Hanta gevat nie? --- Yes.

Hoe kan jy nou sê jy het nie daar 'n plek gehad nie? --- I am talking about the time from when Nkuna was in the house.

Van waar het ek Ngkuna geken dat ek hom daar plek sal gee? --- He was requested, as I have said. Accused No. 13 was requested to give Solomon Nkuna a place to sleep for the night.

TOLK: Ons kan nie alles volg wat hier gesê word nie.

HOF: Dan moet daar 'n addisionele tolk verkry word.

AANKLAER: Ek het alreeds vanmôre probeer en die Senior Tolk se opdrag was dat mnr. Swart, die huidige tolk, alles moet doen, wat 'n onmoontlike saak is.

(HOF VERDAAG OM TOLK TE VERKRY).

(HOF HERVAT).

AANKLAER: Hier is nou twee tolke beskikbaar.

KRUISONDERVRAGING DEUR BESK. 13 (vervolg) : Wie is die persoon wat jy gesê het, wat daar op my plek moes geslaap het? --- Ek sê nie so nie.

Wie is die persoon wat gevra het dat hy daar op my plek slaap? --- It is me.

Wie is dit? --- It is me.

Toe jy by nr. 9 kom, watter kongres was dit?

--- He is asking whether I was a Congress when I arrested No. 9, so I was one, yes.

Het jy nie met die tyd, toe ons nou daar besig was, met my gepraat omtrent die kongres nie?

AANKLAER: Ek verstaan daar is besware weer. Nr. 5 het my 'n indikasje gegee dat hy 'n beswaar het.

TOLK: Die draad van die vraag sal verlore gaan as die tolk dit nie korrek oordra soos die vraer dit aan die getuie stel nie.

(HOF VERDAAG VIR ANDER TOLK)

(HOF HERVAT).

AANKLAER: Die ander tolk van die vorige dae het ek nou weer geslaag om in die hande te kry. Die beskuldigdes het almal hulle tevredenheid met hom te kenne gegee vanoggend.

CROSS-EXAMINATION BY ACCUSED No. 13: How long is it that you know me now? --- It is not yet a year.

As what type of person do you know me? --- A prisoner.

Who arrived at Baviaanspoort first, myself or you? --- Myself.

Did I find you there? --- Yes.

Did you and I ever speak to each other at Baviaanspoort? --- Yes.

Did we know each other? --- Yes.

Did we know each other already? --- When we discussed, we were known to each other.

Did you come to me and say "Mabaso," or did I come to you and say "Khunoa?" --- I came to him and discussed with him.

Did we sleep in one cell together? --- Yes.

In cell No. 9? --- Correct.

How far did you sleep away from me in Cell No. 9 --- The second person from you.

Did we chat and laugh? --- Yes.

Did you not discuss the Congress matters with me? --- No.

But you were already a member of the Congress? --- Yes.

What rank did you hold in the Congress? --- An organiser.

What is an organiser? I do not know what it is? --- An organiser is a rank. He is asking me about the rank, and I tell him I was an Organiser.

Did you not think to organize me? --- No.

Do you say that I am a member of the Congress today? --- Yes.

Since when? --- From the day he was sworn in by Accused No. 3.

Did I join under him? --- He was sworn in by him.

Did I go to Accused No. 3? --- You were introduced by Accused No. 5 to Accused No. 3.

Was it a meeting when I went to No. 5, or what was it? --- It was after a meeting.

After the meeting? --- That is what I said.

Do you remember that, during the course of last week, you told the Court that I was present at the first

meeting which was held by Accused No. 5? --- I said you were present in the house.

When I went to Accused No. 5, what did I say to him? --- You said also that you feel like joining.

For what purpose? --- He did not tell me.

Did I not tell you? --- He did not tell me what for.

Had the meeting already commenced when I went to Accused No. 1? --- Accused No. 5.

Yes, Accused No. 5. --- Yes, the meeting was closed.

How did you hear that I went to him and told him that I wanted to join if it was after the meeting, because you did not listen what I was saying? --- We were still sitting in the same place, but the meeting was closed.

Is that all I said, that I arrived there and said that I was joining? --- Yes, you said the words which were spoken, he appreciates them and he feels that he is willing to join.

What words? --- The words which Accused No. 5 had said.

Will you say that Nkuna is telling a lie, if he says that on his arrival at No. 9, three of us slept on two mats? --- Whose mat?

On my mat and yours? --- What I know, Nkuna slept on your mat.

Where did I sleep? --- You slept with him also.

Can you indicate to the Court, how wide the mats are there in gaol, that two persons can sleep on one? --- The width of the mat is approximately the same as the width of the table in front of the Court.

Do you think that two persons can sleep on a mat

which is as wide as this table? --- One sleeps one side and one that.

COURT: What is the width of the table? --- It is about 3 foot, if I am not mistaken. (Table is measured).

INTERPRETER: The width of the table is 2'6".

ACCUSED No. 13: You say that one sleeps on one side? --- I said if you sleep on one side, you both of you can sleep on one mat.

How merciful am I to sleep so uncomfortably only for the sake of the other man? --- You have to explain that merciful, because you let him sleep with you.

You say that I joined the Congress. Was it my last meeting in which I was sworn, or what meeting was that? --- It was not your last meeting that one.

When did we hold another meeting again? --- There was another meeting, the last one.

Does it mean that I attended only two meetings since I joined? --- What I know.

What type of meeting was the second one? --- The day when the secretary was elected.

You said yesterday that I know about the firearms? --- It is what I said.

Did you ever see me using a firearm? --- You told me.

That I used a firearm? --- You said so.

Did I just come to you and tell you that I know about the firearm? --- We were discussing.

About what were we discussing, that we touched the point of firearms? --- We were discussing about hooliganism outside.

For what crime was I arrested? --- I do not know.

Did I tell you that I am a robber? --- You did not say to me you are a robber.

What did I say to you, where did I use the fire-

firearm? --- As I have said, we were discussing about hooliganism. Places like parties, street fights and halls where jives were held, and so on.

Did you tell the Court yesterday that I ever told you that I held up people at parties, or I ever shot people at parties? --- The question was not referred to.

You told the Court yesterday that we are robbers. --- I said some of them are robbers.

Who are the robbers? --- Must I mention them?

Yes? --- According to our discussion, Accused No. 10 once told me that he is a robber.

Who else? --- At the present moment, Accused No. 11 told me also he is arrested with a firearm at the present moment. The case is undergoing now at the present moment. Accused No. 3 too. No. 1 too. No. 2.

Are these people you have just mentioned, people whom you have just thought now in your mind, or did you come here to tell the truth? --- It is what I am here for, to tell the truth.

You told the Court last week that we said we would catch the whites at Baviaanspoort and take their guns from them. How would we do that? --- As I have said in my evidence-in-chief, there were two ways of doing that: at the span and at the yard.

I am now referring this to the Court. I am making a request. I do not want to be contemptuous to the Court. I want to convince the Court that what this witness is saying, is a lie, because I have heart-break because the matter in connection with which I came to the Court is very serious and I have children outside. I want the Court to hold an inspection, in order to see the place there, as well as where the spans work. It is the places where this witness alleges that we would catch the whites. Because I believe there is no plan

with which we can catch the whites there, because we walk inbetween fences. And the second thing I want the Court to believe it. I will put my other questions to the witness when we return from that place.

PROSECUTOR: The witness has already answered this question, and he told the Court where this would take place. The witness must accept that. I can see no reason why an inspection should be held there.

ACCUSED No. 13: I will accept the answer when we come back. I want the Court to go and look at the place where it is alleged that we would catch the whites. The Prosecutor is not charged, I am charged. It is me who should die at any time in connection with a thing about which I do not know.

COURT: Where do you say were the arms to be found? --- I said others should have been found at the working place and the other should have been disarmed at the ammunition store in prison.

ACCUSED No. 13: That is the reason why I want the Court to hold an inspection, in order to see the place where the ammunition is being kept, as well as the place where the spans work.

COURT: Are the warders supplied with arms and ammunition? --- The whom?

Are the warders supplied with arms whilst they are guarding you? --- The European warders or the Bantu warders? The European warders carry ammunition and firearms, but not the Bantu warders.

INTERPRETER: Accused No. 3 asks for permission to address the Court in connection with this point.

COURT: Is there any objection, Mr. State Prosecutor, to such an inspection.

PROSECUTOR: No, I'll welcome it. I'll take a draughtsman along as well, in order to draw up a plan for the Court's

benefit. I have no objection whatsoever, but in my view, and I submit that with respect, it is just a way of procrastinating the proceedings and trying to escape, but I have no objection.

INTERPRETER: Does the Prosecutor now suspect that we are just procrastinating?

PROSECUTOR: I suggest that we adjourn at this stage, in order to enable me to make arrangements for going out to Baviaanspoort.

ACCUSED No. 3 ADDRESSES THE COURT: With all my respect to the Court, in reference to the point which has been taking place between the State witness and Accused No. 13, this question has been referred to the State witness in connection with the firearms. It is part of my submission in this Court that the inspection-in-loco should take place to prove the fact that it is impossible for our conduct with the warders, the European warders and the Bantu warders in the Baviaanspoort Prison.

COURT: Yes, but the State Prosecutor has conceded that an inspection-in-loco be held, and he says that arrangements will be made. Does that solve your problems for the present moment? --- That solves the problems.

(HOF VERDAAG OM INSPEKSIE TER PLAATSE TE DOEN).

(HOF HERVAT).

AANKLAER SPREEK HOF: Ek weet nie, weens die laatheid van die uur, of Beskuldigde nr. 13 nog wil voortgaan met kruisondervraging na die inspeksie ter plaatse.

HOF: Ja, sê vir die beskuldigde nr. 13, dat die nodige getuienis in verband met die inspeksie ter plaatse sal nog voor die Hof gelê word. Wil hy in die tussentyd enige vrae stel aan die getuie?

BESKULDIGDE Nr. 13: Ek het nog vrae te stel, maar voor die vrae gestel word, wil ek net aan die Hof uitwys: vanoggend

toe ek gevra het vir 'n inspeksie ter plaatse, het die Aanklaer gesê dat ons vra vir inspeksie ter plaatse omdat ons van plan is om te ontsnap. Waar het die Aanklaer daaraan gekom, wil ek graag weet.

AANKLAER: Ek is nie 'n getuie voor hierdie Hof nie. Ek sal voorstel dat hy voortgaan met sy kruisondervraging.

BESKULDIGDE No. 13: Ek wil graag net hê die Hof moet notuleer wat die Aanklaer nou net gesê het, want dit het my baie geraak. Ek het glad nie soiets in gedagte gehad nie, en daarvoor voel ek seer daarvoor.

HOF: Ja, sê vir hom dat ons het die inspeksie ter plaatse gehou en almal is nou weer terug en niemand van hulle het ontsnap nie.

CROSS-EXAMINATION BY ACCUSED No. 13 (contd.): Khunoa, you told the Court that we were supposed to catch the warders at the span or in the yard? --- It is what I said, that it was the plan which was planned by we, the P.A.C.

What type of plan was that? --- The plan was that there are two ways to do it: at work and at the yard.

Can you explain to me how the plan would be carried out, according to our discussions? --- Which plan of the two?

The plan that you are speaking about, that we would take the firearms. --- I am asking which one of the two, the one of the yard or the one of the span. Which one must I explain?

At the span, as also in the yard, as you have told the Court. --- I will do it.

Tell me. --- At the yard, it was planned that if we do not do it in the day, we will do it during the night. Now I'll say the plan of the night, how was it planned. We were supposed to have instruments to break the door during the night and catch the warder of the night duty,

the Bantu warder and after that we must wait for the European warder who will come and take round, while having all the keys. Then from there we will open up and go to the post and from there we will go to the watch house where the warders sleep during the night, and after that we will go for the revolver strongroom. That is how it was planned.

At night. And during the day? --- The day plan it was planned that some of us will ask to go and see the Chief at his office, so during Sundays, knowing that on Sunday there at the office there are only two or one officer there. Then we will catch those officers who will be there; as the ammunition store is nearby their offices. That was the plan of the day.

You say that you had planned to break the house. How many warders work there during the night in the C. camp yard? --- There is only one who does the round all over the whole cells, one warder.

Now, can you explain to me whether the warder working there would not be able to hear that the house was being broken. --- He can hear if he is nearby.

You say that you would make a request to go and see the Chief, not so? --- It is what I said.

Now, during the day, if we ask for permission to go and see the Chief, is there no warder at that post which we have seen? --- The top post?

Yes. --- There is.

At night? --- Yes.

Khunoa, is that now the truth which you are telling the Court, or a lie? --- It is the truth.

Do you remember that you told His Worship that at No. 9 we were three who slept together? --- I never said so. I said, myself slept on one mat.

Now, when we were holding the inspection-in-loco,

did you not say that I, Nkuna and Mbata slept together there? --- I indicated the place where Solomon Nkuna slept, and next to him Samson Mbata, next to Samson Mbata he, Accused No. 3. That is what I said.

Did you make mention of Samson Mbata when I put my question to you early this morning, that we slept together? --- You did not ask me who and who slept next to you.

When we were at the place where we changed our clothes, did you not say that you were speaking about the place where ammunition would be hidden? --- It is what I said in my evidence in chief.

But that is not what you said to me when I asked you questions early this morning. --- What did I say?

Did you not say that we would catch the Europeans at the span and in the yard? --- It is what I said, that was the plan.

You did not make mention of the plan. You only said that we would catch the whites. You are now speaking about the plan. How would we be able to catch the whites in the span? --- Must I explain it?

Yes? --- The plan which was planned at the span, it was planned that during when they are finished working, when they are sitting four-four, that time the Bantu warders would go to the guard room at the span, they are going to strip their overalls, their working shoes and wear their uniform as usual, and the European in charge of the span would also go to his office, also going to dress. Outside at the post, the warders also go off the post, they come with food, they come nearby now, the two sides. So, as the plan was planned, it was planned as follows:- As you, Accused No. 13 have shown the Court at Baviaanspoort the post where the warders who work inside, keep the

ammunition. It is true, it was planned that some of the P.A.C. who belong to the open camp, will be outside now for out post and for the other warders who stand outside from the post. And now, we who are in the closed camp, we were there now to kill the warders who were inside and from there we would go for the guns at the same post. That is how it was planned.

(COURT ADJOURNS TO 12/1/66).

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APPEARANCES AS BEFORE:

JACOB KHUNON, d.s.s.

CROSS-EXAMINATION BY ACCUSED NO.13. As you have told the Court yesterday that the persons who would first make an attack would be the B group - is it not the truth that you are telling the Court? ---- I never said it would be the B groups, I said it will be the P.A.C. from the open camps - that is what I said.

What type of persons are kept in the open camp? -- There are two classes Sir.

Which are the classes? -- A and B groups.

Are there members of the P.A.C. in the open camp? ---- Yes.

To which classes do they belong? --- I don't know to which classes do they belong.

Are they allowed to go about the whole place? --- they are prisoners I don't know.

Don't you know? ---

The time when you were in the open camp could you go wherever you liked? --- Not wherever I like.

Now how many members of the P.A.C. would launch the attack? --- It was not said.

The time you were arrested did you tell the whole truth that is everything you know in connection with the Congress? -- Yes.

Did you ever tell the Court that there would be members of the B group who would make an attack on the warders? ---- I told the Court it was a plan which was planned and the Court did not ask me to explain the plan.

You have told the Court that Cell No. 9 would be broken into, where would we get the instruments to break it? -- It was not said the day was arranged.

Don't we pass through the machine when we come from

the span? -- Yes.

You say you did not organise me? -- That is what I said

You say I brought myself into the Congress? -- Exactly.

I say you are not telling the truth? -- You say so, I am telling the truth.

Do you remember that you told me that you'd go out on parole in 1966? -- I never said so.

Did you not write a letter to the Headquarters asking for parole? -- I did.

That is why I say I know about it and that you told me about the Congress? -- I did not say to you that by next year 1966, it is definite that intervenes ...

Now how do I know that you ever wrote a letter? -- The letter was written plain in the house.

Can I write? -- I don't know.

Did you tell me to read the letter? -- No.

Now how do I know the letter was in connection with parole? -- There was people next to me asking me what are you writing during your presence.

Who was that? -- I do not recall, it was one of the convicts in the cell.

That shows what you are saying is not the truth? -- It is the truth because I know I did write the letter.

CROSS-EXAMINATION BY ACCUSED NO. 14

When did you arrive at the Baviaanspoort Prison? -- 1962 June Month.

From where? -- Witbank Prison.

How do you recollect that it was during the month of June? -- It is what I heard the day we came hear - arrive at Baviaanspoort.

From who did you hear that? -- The reception official.

What did he say to you? -- He did not say to me, he was telling somebody that this one who came from Witbank today he mentioned the date.

Do you want to say that if a person tells another one about a certain case he mentions that today is this day of the week and this is the date? -- That was not the case, it was a matter.

But you still remember that it was during the month of June? -- Yes.

When did you see Accused No. 3 for the first time? -- I started seeing him during the year 1963 late.

Where? -- In open Camp.

Were you also in the open Camp? -- Yes.

When did you see him again? -- Open Camp.

No when you saw him for the second time? -- That is besides the open camp? -- In close camp.

Which year? -- 1965 - last year.

During which month? -- I cannot remember but it was during winter times.

When did you arrive in the Close Camp? -- February, 1965.

When did you see Solomon Nkuna again for the first time, that is the first week there? -- I started seeing him at close Camp.

Which place in the Close Camp? -- In the span .

There are two spans in the closed camp, there is a span in the ran camp and the other span? -- I see him in the ran camp.

For what purpose did you go the ran camp? -- I went to Accused No. 3

How did you go to the ran camp because convicts in the ran camp cannot get into contact with others? -- I went in a prisoners' way sir.

Explain that way, that is what I want? -- I went - I look at the police and I see that the warder does not pay attention to me and then I went there.

How many warders are there in the closed camp? -- Which place in the close camp?

In the span yard? -- Sometimes four, five six it all

depends.

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Have you got time to look at all the people? -- The other warders were busy with the prisoners to see that they must work.

Were you not - are you not a prisoner? -- I am a prisoner.

Were they not busy looking after you to see that you should also work? -- They look to the work, they have got also - one has got the span of pick and shovel, other one got span of wheelbarrow and so on.

You are in one of those spans not so? -- Yes.

Were you not working? -- I'm working but when I want to go then I slip off from the work.

How do you slip off this warder who looks after you? -- It does not care the warder wherever you go, if you go and drink water or what so long he sees you when you come back and work that's all.

Now these people in their ran camp of whom you have made mention, what have they done, why are they kept in such a small camp? -- As far as I know some of them have stepped on other convicts, some of them are demoted and they feel they must put them in there. Some of them are wearing chains, and they put them there. That is all what I know that the prisoners are kept there.

For what reason is there a special camp built for them? -- You can ask the officer commanding.

Is it not because they are not supposed to get into contact with the other prisoners? -- As I have said previously you can not refer that question to me, I am not the warder.

Do you mean that you do not know? I don't know what's the reason in that they must be put in there.

Did you ever see those prisoners going into the other prisoners? -- Some of them they take them out and then they come this side to other prisoners.

Those are the ones who have been classed already? -- I am referring to those who are sitting there? -- I did not see them.

Why is it that you do not want to tell the Court the whole

truth? -- (Court intervenes)

COURT: The witness has already replied and said that he does'nt know what the reason was.

Has he any fresh questions to ask?

ACCUSED: Yes Your Worship.

On your arrival in February, did you not see Solomon Nkuna? -- No.

Do you remember that you told the Court that Accused No. 3 showed you Solomon Nkuna in June? -- No exactly that I said in June, but I said he introduced me - That Accused No. 3 introduced me to Solomon Nkuna at the working place at the ran camp.

When did no 3 arrive? -- Where.

At the close camp? -- I cannot say which month but he arrived during the year 1965.

When you saw him for the first time what month was that? - I can not say which month but it was during winter time.

Do you know that in prison there, the prisoner does not stay at one place for a whole year? -- How do you mean one place.

That the prisoner can be kept for a whole year in the closed camp or in the open camp, or to work in the store room for a whole year.? -- What I know out of myself I stayed a year at one prison.

But it happens that a prisoner is removed from his place during the course of the year? -- Which place.

Any place? -- From where he is to another place? -- Does it mean a transfer or what?

By means of a transfer or he can be removed from the place where he works to another - or he can be taken away from the place where he sleeps to another place? -- I have no experience of that.

If I put it to you that the reason why you do not want to mention the month to the Court, is because you know that the prisoner does not stay at one place for a whole year? -- That is

not the reason why I don't mention the month, the reason why I am not mentioning the month is because I am not entitled to a calendar in jail.

Do you remember the month when you arrived in the open camp at Baviaanspoort in 1962? -- As I've said.

Did you have a calendar on you that day? -- I've said previously that I heard from another warder, telling another one that they had a prisoner coming from Witbank today, and he mentioned the date and the month, that is how I heard what was the month.

But you still remember the day? -- I don't remember the day.

But you still remember that matter? -- The matter that I was - what was being said by the warder? -- Yes.

That is something which took place in 1962? -- Yes.

The time Solomon Nkuna went into No. 9, what month was that? -- When he went to No. 9 to do what.

To stay there? -- I do not recollect which month but it was during the year 1965.

The time Solomon Nkuna went into No. 9 had Accused No. 3 already introduced you to him? -- Yes.

Did you know each other as members of the Congress? -- Exactly.

You told the Court that you once saw me handing a letter over to Solomon Nkuna which was in an envelope? -- Correct.

Where did I give the letter to him? -- At No. 9.

Where did I come from? -- Food carrier.- carrying food.

What time? -- Night time.

Were we dishing up food? -- Waiting for the warder to open up the cells.

When we go through the gate and place the food on the ground, where do the warders go to? -- Which warders.

The warders in the yard? -- Everyone looks where you worked.

How many warders open the door? -- Only one.

Where do the others usually stand? -- All of them look where you work.

There is no span in the yard - the time when we bring food there, the warders are only there to see the food must be dished up not so? -- That is what you say, but I know that there is a span of warders with us in the yard.

What do the cleaners do? -- They clean the whole yard of the jail.

What do the cleaners do when we bring food? -- They work the whole day, ~~from~~ in the morning until tonight.

Do they go about with the warder wherever they work? -- No.

Is it not so that when food is being dished up the cleaners are all put into the store? -- When they dish up?

When we put in the food? -- No

Which people usually get their food first? -- Usually the cleaners.

Now why do you say that the warders look at the cleaners while they are cleaning, yet they come there to take the food?-- The question was about when they bring the food in.

Do we leave that food there and go away? -- They put the food and wait and then the commander says that the prisoners must fall in.

Where are the warders all the time? -- Some of the go to the cells, everyone takes his way in the yard, because he is in the yard. Some of them are there where the food are taken, under the shed.

According to what ^{say do you} you imply that the warders at the Baviaanspoort Prison do not perform their duties accordingly? -- I never said so.

Is it permissible for the cooks to go about into the cells when they give out food? -- They steal.

But how can they go there self, because you see how the camp is there in the Bavianspoort Prison, there are many warders? -- May I explain how? Where the Court has seen the shed where Solomon Nkuna yesterday was called, some of the warders are there that time when the Cell takes food for instance when C block goes for food in D block. All the warders pay attention - and they only look where the food is taken and that the prisoners must walk two-two and so on. Now behind the shed going to No. 9 there is a possibility that you can go to No. 9 and stand by the window. The warder can see you whilst you are from there or while standing there, but there is a possibility that you can go there.

Do you say that the warder can see me when I come from there or when I go there or when I am still standing there? -- He can see you while standing there, and he can see you while you come from there.

Why can't he still see me while I am still going there? -- Because you are still in there, he might not see you go in there.

But it is an offence to go there not so? -- Yes.

Why don't I walk stealthily when I come back to? -- They are still in there.

That is what you knew?-- That is what I said several times.

But you have never seen him arresting a person while you are still going there? ---Some of them.

But you have told the Court in your evidence that he can see you while you are still standing there, or when you came back you did not make mention of when you are still going to the place? -- I said if you are stealing you do not want to be seen, that is why he cannot see you, because you cannot take chances going there seeing that the warder is looking at you.

Look Butcher, you are an elderly person you should not tell a lie similar to the lies told by a young child who is

been caught stealing sugar? -- (Court intervenes)

COURT: This witness has already said he was telling the truth -- that he is still telling the truth to the Court. Tell the Accused the Court will decide who is telling the truth and who is lying. It is not the function of anybody else to decide. Has he any questions to ask?

ACCUSED: Butcher do you say that you saw the letter with your own eyes, that day I brought it to Solomon Nkuna -- That is what I said I have seen the envelope.

You say the envelope was addressed to Solomon Nkuna? -- Yes.

The address was Baviaanspoort? -- Yes.

You say the letters P.A.C. appeared on top of the letter? -- You misunderstood me, I said underneath.

You can see an envelope not so? -- Yes.

Was it written on the envelope? -- Yes.

The way in which the P.A.C. was written on the envelope, did everybody see it? -- It was clear yes.

Which Post Office stamp was on the letter? -- Johannesburg

Was there a postage stamp on it? -- The stamp which I have seen - I have seen a Johannesburg stamp.

Do you know whether the P.A.C. is allowed by the Law? -- No Sir.

Is it not allowed? -- As far as I know.

Is there a stamp or a store or a school which has the P.A.C. trade mark? -- Not what I know.

Do you know that the P.A.C. is a congress? -- Yes.

Now do you mean that at the various post offices there are no officials who know that P.A.C. are illegal persons? -- I don't know, I am not working in the Post office.

No, I mean in your own mind? -- I cannot draw conclusions.

You are now a very longtime in the Baviaanspoort prison, do you know the prison Baviaanspoort? -- Not so very well.

According to what you have heard, Baviaanspoort is a prison not so? -- As far as I know sir.

It is not a town? -- Prison premises.

That means that everything that is at the Baviaanspoort prison, belongs to the prison? -- That I cannot say.

Are there any private shops at Baviaanspoort? -- I only know the canteens.

Are there post offices at the Baviaanspoort prison which do not belong to the prison? -- I don't know.

Don't you know? -- That is what I said.

But you know Baviaanspoort a bit? -- As I've said Sir.

You know a bit that it is a prison? -- That is what I've said.

Do you perhaps know how Baviaanspoort receives its letters? -- I have got no idea.

Why don't you know? -- Because I am not working with the letters.

Have you never received letters? -- I receive letters.

How do you receive your letters? -- I get the letters from the warder, the official of the prison.

Are they closed, or how are they? -- Been opened.

Why are they opened? --

PROSECUTOR: Your Worship that question should be directed to the officials of the prison, when the time arrives that they are called to give evidence, not to this witness he was merely a prisoner in the Baviaanspoort.

ACCUSED: Did you ever receive a letter from your people? -- which was signed by a person who is not the person who sent the letter to you? -- All the letters which are received are signed.

How many signatures do they have? -- The signature of the writer,

Is that the only signature? -- I see a signature also and a date written there.

Now whose signature is that? -- Sometimes I get it on top of the envelope, sometimes inside the writing pads, on top is where I always see it.

Did it ever happen or did you ever hear that a prisoner received a letter which was supposed to go to a warder, or which was not supposed to be delivered to him? -- Not what I know.

Now according to your knowledge, does the law and the warders in the Baviaanspoort prison allow the P.A.C.? -- Do they allow it or what Sir?

Do they allow the existence of the P.A.C. in Baviaanspoort? -- Not what I know of Sir.

What will the P.A.C. europeans in the Baviaanspoort prison say when they see a letter with the letters P.A.C. on it, will they not arrest you? -- I don't know.

But is it not so that you were arrested for a P.A.C. letter? -- When Sir?

When arrested? -- I was not arrested for a letter.

But you were arrested in connection with P.A.C. matters not so? -- That is correct.

That means that the P.A.C. is not allowed? -- That is why I was arrested.

Is there a prisoner who is known to you in Baviaanspoort who works wherever he likes and who goes wherever he likes? -- Not a prisoner.

How do the prisoners work there? -- Which prisoner.

All the prisoners? -- There are four different classes of prisoners.

Let us make mention of the two classes A and B? -- The B as I have said they work under - they are not allowed to be sent away. The A Group they can send them, that is the difference.

Do they go alone when they are sent away? -- So of them yes.

Which are those who go alone when they are sent away? -- A Group.

My question was in connection with the A Group, and you said "some of them"? -- As far as I know, I said that A Groups of the workshop in prison, myself too I had the opportunity

while I was in A Group to be sent alone.

Are those the ones who are known to you who are allowed to go alone when they are sent away? -- Some of them which I can not recollect whether they are working and so on.

According to your knowledge, the prisoners in the A Group are they sub-divided? -- The privileges are sub-divided.

In which manner are they sub-divided? -- As I have recently said, I have mentioned one - A Group can be sent and the B Group cannot be sent, and some other things too.

Is that known on their documents that this is a member of the A Group and that he maybe sent alone? -- I have never seen the documents to prove that it is so.

Is it the Calendar which reminds you of the month? -- Yes.

And is it the memo book which reminds you where a certain event took place? -- Which memo book.

The one on which you write? -- In memory.

But do you want to tell the Court that your memory cannot remember all these important dates, the end of every month - the prisoners shout out that it is the end of the month and that we now start such and such a month? -- They did not tell me all those things the prisoners.

Since you went into prison, have you never heard them discussing about the month? -- What I heard was only about New Year and Christmas, is what I know Sir.

In which Group were you? -- When

Before you were classed into the C Group? -- I was in the B and I was in the A Group too.

Is there a group between the A's and the B's which is allowed to be sent away or to buy? -- To buy what.

To write or to buy? -- To write what?

To write letters home? -- The both groups are entitled to write letters, but the A Group is entitled to order groceries

Is there no date on the papers with which you buy food? -- I did not take notice of the date.

Why? -- But do you count your money, you know that last month I bought so much and I've so much over? -- A Group after ordering as you are entitled - we earn ten shillings per month and you can buy with half which is five shillings, and after ordering, every month after ordering there is a list which will be brought to you that you must sign that you have ordered those things, and at the same time on that list your balance is also stated there. That is how it happens Sir.

And at the same time, on that list your balance is also stated there, it is how it happens Sir.

On that very list is there no date? -- I did not take any notice of the list - the date Sir.

Why not? -- I am concerned of my money that is all, not the date Sir.

But you can remember in November I had - how much remains in November in December? -- I have said I consider what I have bought and my balance and I will inform the Commanding officers that my balance will be clear as usual.

Is there no stamp- there is a stamp on the letters which are given to you on which you write? -- Prison stamp yes.

Is there no date on the prison stamp? -- There is

Now can those things remind you that this is such and such a month? -- I am not considering the date, I am considering when I write the letter, what I am saying in the letter.

You said that the reason why you cannot remember the date is that you had no calendar to see the days and the months, that is why you did not know the dates? -- I said all the times that I said it in Court, there was no date Sir - there was no calendar, I mean.

But you received letters and wrote letters during those months, because every month the prisoner is allowed to write letters? -- I did not make a diary of that today I received a letter - the date and so on Sir.

Do you want a diary? -- I will make it clear for you Sir.

Now how did it come to pass that you held a diary of the letter which was given to Solomon Nkuna, that it had a Johannesburg stamp on it? ----..(Prosecutor intervenes)

PROSECUTOR: This witness didn't say that he held a diary.

ACCUSED 14: I only mean that you kept it in your mind but you cannot remember most of the other things? --It is what I assumed there - in my memory.

You saw all the other things? , but you can't keep them in your memory? -- Things like what.

That you wrote letters on which there - the prison stamp was embossed? --As I have said that I did not concentrate on that stamp of the prison department, I concentrated on the letter - what I must write in the letter.

Which month was that when I brought the letter? -- It was June, 1965.

Which month? -- I do not recollect the month.

Can it happen now that we are here in Court, his Worship can see something the Prosecutor cannot see? -- Why not one of them paying attention to what occurs, but they are faced with this case and they are paying attention to this case to what is happening.

You and Solomon Nkuna were interested and you paid your attention to the letter you have received? -- Yes Sir.

How is it that Solomon Nkuna does not know anything about this letter which was delivered to him with his name Solomon Nkuna on it? -- You just refer that question to Solomon Nkuna, not to me.

COURT ADJOURNS

COURT RESUMES

HER-ONDERVRAGING DEUR AANKLAER: Nou as julle nou briewe skrywe - julle wat bevoorreg is om briewe te skryf indie tronk - wera die papier aan julle uitgedeel of gaan vra julle

vir die papier? -- Die papier word uitgedeel aan ons.

Nou kan jy sê watter periode het jy altyd briewe geskrywe, elke week, elke maand, elke jaar of hoe, of kan jy dit glad nie sê nie? -- Ek ken net wat ek kan onthou toe was ek in C-groep.

Toe was jy in C-groep. Toe het jy elkewatter periode geskryf?-- Ek het na 3 maande geskryf.

Elke - na drie maande. En het die gevangenisowerhede self na jou gekom na elke drie maande en die papier aan jou ge gee, of het jy dit gaan vra? Hy het na my gekom met papier.

Nou jy dien lewenslange gevangenisstraf uit in die Baviaanspoortgevangenis nie waar nie? -- Dit is reg.

Het tyd enige betekenis vir jou daar of steur jy jou nie aan die tyd nie? -- Ekskuus?

Kyk laat ek dit net weer aan jou stel? -- Jy dien lewenslange gevangenisstraf daar uit nie waar nie? -- Ja.

Nou het tyd vir jou enige betekenis of lewe jy maar net van dag tot dag? -- Ek lewe net van dag tot dag.

Nou die datum toe jy daar aangekom het in Baviaanspoort gevangenis, het jy nou gehoor die een bewaarder sê vir die ander een daar is twee persone wat oorgeplaas is van Witbank af? - Het dit enige indruk op jou gemaak - did it make any impression upon you? -- It did make an impression to me.

And is that the reason why you remember that date? -- That is correct Sir.

Wie het beskuldigde Nr. 12 ingesweer? -- He was sworn in by Accused No. 3 Sir.

Nou was dit verpligtend dat jy elke gevangene moes inskrywe as lid van die Pan Africanist Organisasie? -- It was not my duty to write everybody as a member.

How many people did you enrol as P.A.C. members? Can you remember? -- What I can remember it is more than 20.

Are any of them present in Court today? -- The one that is present in Court is the one I have sworn in.

And that is No? -- No. 7

Now did anybody tell you that Baviaanspoort prison was the headquarters of the Pan Africanist Congress? -- Yes.

Who told you? -- Accused No. 3 told me.

Did he also tell you how many branches of this Pan Africanist Congress there were? -- He said the other branch is in the open camp.

Open Camp? -- Yes.

But did he make any mention of other branches? -- No.

Outside the jail, or did'nt he do that? -- He did not.

Can you tell the Court who conducted the first P.A.C. meeting at Baviaanspoort? -- The first meeting you attended? -- Who conducted the meeting Accused No. 3 as the Chairman was presiding.

He was presiding? -- He was presiding.

Now/^{did}No. 9 say anything when he was introduced by Accused No. 5 as a member of the Pan Africanist Congress or did he just accept the fact? -- He accepted only the fact he never said anything.

Now yesterday an inspection in loco was held at the Baviaanspoort Jail which you attended? -- That is correct.

Did you point out to the Court certain things there? -- Yes.

Now in Cell No. 9 did you point out anything there? -- Yes
What did you point out there? -- I pointed out where the meeting was held.

Where which meeting was held? -- Where all the meeting were held in the No. 9 Cell.

You mean all the Pan Africanist Congress meetings? -- Yes.

And did you point out anything else in Cell No. 9? -- Yes.

What did you point out there? -- I pointed out where accused No. 5 stood when he had to address the house as a whole.

Yes?-- Did you point out anything else? -- I pointed out where accused have stand the day he addressed the whole house in the Cell, and I pointed out where we used to sleep and where Solonon Nkuna slept.

Now Accused No. 3 and Accused No. 5, did they stand at different places when they addressed the whole house, or was it still the same place? -- Still the same place.

The same spot? -- yes

Will you just tell the Court where that was? -- Well it was where they were standing.

Can't you describe it more in detail? -- They were standing next to the grill.

Now the windows of Cell No. 9 were also pointed out to you yesterday? -- Yes.

Now at the meeting held in Cell No. 9 and by Accused No. 3 and 5 were these windows closed or where they open, when these meetings were held? -- They were open.

And did you say anything about the lights in the Cell in cell No. 9 at the inspection yesterday? -- I said it.

What can you tell the Court about the lights in the Cell when the meetings were held? -- I said that when the meeting was held it was not yet time that the lights must be switched on.

Was it still daylight? -- It was still daylight.

And did you also say something in connection with the warders? in the yard there? -- Yes.

What can you tell the Court about the warders when these meetings were held? -- I said the warders - there is only one warder who takes around the whole Cell Sir, during the night.

Where was he patrolling, the warder? -- He was patrolling in front of the whole Cell.

And did you people take any notice of the warder, when you were holding these meetings? -- We did not.

Were these meetings conducted in whispers or what was the position? -- It was not whispering it was plainly.

Did you also point out something at the dam to the Court yesterday where all those prisoners were working? -- Yes I pointed out.

What did you point out there? -- I pointed out where the ammunition should have been placed under the soil?

Can you just tell his Worship where that was agreed upon - which place was agreed upon to put the ammunition? -- Where we worked.

Just on the ground or should they have been hidden? -- They should have been hidden under the ground.

Under? -- Under the soil.

Under the soil - under the heaps of ground? -- Under the heaps of ground.

Did you see the arsenals there yesterday - where the ammunition are being kept? -- I have seen.

You saw? -- Yes.

Now at the time you people organised this attack, can you tell the Court where the ammunition was being kept at that time? -- that time it was being kept inside where the office was, where we pointed out for the second time - from outside where the old ammunition still was.

And did you point that out to the Court? -- Yes.

No how did it come about that you knew where the old ammunition store was, did anybody tell you about it, or what was the position? -- I was told my Worship during the planning.

During the planning? -- during the planning.

And who told you that? -- It was Accused No. 3.

Did he point it out to you or did he just describe it to you or what did he do? -- He described it to me.

In full? -- In full.

Did you have any trouble to know where it was after he had described it to you? -- After he described it to me I had the trouble to make sure where it is.

How did you make sure? -- I asked to go and see the Chief.

The Chief? -- The Chief warder.

AANKLAER SPREEK HOF TOE: (Deel Hof mee dat hy pers versoek het om nie die name te publiseer van die getuies wat van nou af sal

getuienis gee, in belang van die getuies se veiligheid.)

RE-EXAMINATION BY PROSECUTOR: -- No questions.

NO FURTHER QUESTIONS.

ZACHARIA PUNYANI, v.o.e.

ONDERVRAGING DEUR AANKLAER: Dien jy tans gevangenisstraf ter voorkoning van misdad uit? -- Ja.

In die Baviaanspoortgevangenis, Streekafdeling van Transvaal? -- Ja.

Die vonnis is jou opgelê op 14 Junie 1963 in die Streekhof Johannesburg weens diefstal? -- Ja.

Wat was jou beroep voordat jy hierdie vonnis opgelê is? -- Ek was 'n klerk buite.

Het jy miskien onderwys ook gegee? -- Ja.

Wanneer is jy vanaf Leeukopgevangenis oorgeplaas na Baviaanspoortgevangenis, kan jy onthou? -- Op die 9de April 1964.

Nou toe jy by Baviaanspoortgevangenis aankom, watter sel van die tronk was jy geplaas? -- Ek was in Sel Nr. 3 geplaas.

Is dit nou oopkamp of toekamp of wat se kamp? -- Dit is in die toekamp.

Hoeveel was julle ongeveer in die sel? -- Ons was Ongeveer 40.

Nou ken jy die beskuldigdes hier voor die Hof? -- Ek ken hulle almal behalwe Beskuldigde Nr. 1.

Nou waar het jy die beskuldigdes voor die Hof - behalwe beskuldigde Nr. 1 leer ken? -- Moet ek nou melding maak van hulle almal een vir een.

Ja, ek sal bly wees as jy by nommer 2 begin? -- Ek ken beskuldigde Nr. 2 van die Baviaanspoortgevangenis toe ek daar aangekom het en Beskuldigde Nr. 3 van die Fort af in Johannesburg dit is by Nr. 4. En ek ken beskuldigde Nr. 5 van Baviaanspoortgevangenis af. En ek beskuldigde Nr. 6 ook

van Baviaanspoort af. Nr. 7 ken ek van Leeukopgevangenis af. En ek ken Beskuldigde Nr. 8 van Stoffberggevangenis. Ek ken Beskuldigde Nr. 9 van Baviaanspoort af. Ek ken vir Beskuldigde Nr. 10 van Baviaanspoort af. Almal, 11, 12, 13 en 14 die ken ek van Baviaanspoortgevangenis af.

So al persone wat jy voorheen geken het toe jy in Baviaanspoortgevangenis aankom was Beskuldigdes 3, 7, en 8 korrek? -- Dit is so.

Nou wie was almal saam met jou in die sel, in sel 3 daar in Baviaanspoort, kan jy onthou? -- Wat saam met my geslaap het is nie hier nie.

Ja, naer noem die mense wat saam met jou geslaap het? -- Solomon Nkuna, Benjamin Nzamo, Eliza Butelezi, Samuel Vilakazi Robertson Kupong, ander Ngobo, Benjamin Nzamo en baie andere.

Nou hierdie persone wat se name jy hier opgenoem het, het jy hulle vantevore geken, of het jy hulle ook maar ontmoet daar in Baviaanspoort? -- Party van hulle ken ek van lankal af, en party het ek in die Baviaanspoortgevangenis ontmoet.

Solomon Nkuna, waar het jy hom ontmoet? -- Ek het Solomon Nkuna in die Leeukopgevangenis ontmoet toe hy van die Robben Eiland afgekom het.

Ken jy so 'n organisasie met die naam van die Pan Africanist Congress? -- Ja, ek ken dit.

Waar het jy nou die eerste keer van die organisasie verneem? -- Toe ek nog buite was het ek in die koerante gelees dat daar so 'n organisasie bestaan.

En het jy terwyl jy in die gevangenis was ook daarmee kennis gemaak? -- Ek het van die P.A.C. in die Leeukop gehoor.

Wie het jou daarvan vertel? -- Benjamin Nzamo het my daarvan vertel.

Nadat jy nou oorgeplaas is na Baviaanspoortgevangenis, het jy weer vir Benjamin Nzamo daar ontmoet, nie waar nie? -- Ons is saam hiernatoe verplaas, ons het saam geslaap.

Julle is saam in een sel geplaas? -- Ja.

Nou wat kan jy die Hof nou vertel omtrent P.A.C. of Pan Africanist Congress bedrywighede? -- Wat ek weet is dat hulle mense is wat briewe skryf en dit na buite stuur. NB

Waar word die briewe - waar is die briewe geskrywe in die Baviaanspoortgevangenis? - Weet jy? -- Byvoorbeeld, Benjamin het in Sel Nr. 3 geskryf.

Het jy gesien dat hy skryf, of het jy maar net verneem? -- Ek het hom gesien, en toe het ek hom gevra wat se brief dit is wat hy skryf.

En wat het hy toe geantwoord? -- Hy het vir my gesê dat dit 'n brief is in verband met sy P.A.C. organisasie.

Ja, en toe wat het hy met die brief gemaak nadat hy hom geskryf het? -- Nadat hy die brief klaar geskryf het, het hy dit aan beskuldigde Nr. 14 gegee.

Nou waar het hy dit aan Beskuldigde Nr. 14 gegee? -- By die deur van sel Nr. 3.

Was hierdie brief wat hy geskryf het op gevangenis papier geskryf of gewone papier of wat se tipe papier? -- Dit was op 'n skryfblok se vel geskryf.

Watter kleur was dit? -- Blou soos die dictabelt.

Nadat hy die brief klaar geskryf het, het hy dit in 'n koevert geplaas of het hy dit net opgevou, of wat gemaak? -- Hy het dit sommer opgevou.

Was daar enige adres opgeskrywe op die opgevoude brief wat hy ontvang? -- Daar was 'n adres op die brief geskryf.

Wie het die adres opgeskrywe? -- Dis hy wat die adres opgeskryf het.

Benjamin Zano? -- Benjamin Nzamo.

Het jy dit gesien? -- Ek het gesien dat hy die adres daarop skryf.

Kan jy nog onthou aan wie was hierdie brief geadreseer? -- Ek kan nie onthou aan wie die brief geadreseer was nie.

Nou behalwe die adres wat op die brief was, die opgevoude brief, was daar enige ander tekens of letters op daardie brief, of was dit net die gewone adres? -- Nee, ek weet van geen ander

tekens nie.

Nou wat het hy aan beskuldigde Nr. 14 gesê toe hy hierdie brief aan hom oorhandig het? -- Hy het die brief aan Beskuldigde Nr. 14 gegee en gesê hy moet die brief nooit wegneem.

Ja, het hy enige iets verder ontrent hierdie brief gesê? -- Nadat beskuldigde Nr. 14 weg is het ek hom gevra "Hoe gaan nou die brief weg".

HOF VERDAAG

HOF HERVAT

Jy sê Benjamin Nzamo het aan beskuldigde Nr. 14 gesê om daardie brief wat hy aan hom oorhandig het nooit weg te neem, is dit korrek? -- Ja.

Nou wat het beskuldigde Nr. 14 toe gesê? -- Hy het gesê die brief sal nooit gaan.

Het hy eers gekyk na die brief om te sien wat se brief dit is? -- Nee, hy het dit sommer geneem en is daarmee weg.

Het Benjamin Nzamo nie aan hom gesê wat se brief dit is nie? -- Hy het net aan hom gesê "hier is 'n brief neem dit weg".

So hy het glad nie melding gemaak wat se soort brief dit was nie? -- Op daardie tyd toe hy die brief aan hom gegee het het hy nie gesê wat se brief dit is nie.

Beskuldigde Nr. 14, wat het hy met die brief gemaak, nadat Benjamin Nzamo dit aan hom gegee het? -- Hy het dit in die sak van sy hemp gesit - in sy hemsak onder sy trui.

Onder sy trui? -- Onder sy trui ja.

Het jy die brief gelees? -- Ek het dit nie gelees nie, maar ek het gesien dat hy dit skryf.

Het jy gesien wat hy daarin skryf? -- Ek kon nie sien wat hy skryf nie.

Nou jy sê op daardie stadium het Benjamin Nzamo niks aan beskuldigde Nr. 14 gesê nie? -- Nee hy het net gesê neem die brief nooit weg.

Bedoel jy hy het op 'n latere stadium enige iets ontrent hierdie brief gesê? -- Beskuldigde Nr. 14 het baie kere daar gekom, sons het hy daar gekom en met hom gepraat sonder dat ek

iets kan hoor.

Is dit nou by Sel Nr. 3? -- Ja.

Nou die kere wat jy gehoor het wat hulle praat, waarom het hulle gepraat? -- Daardie dag het hy die brief aan hom oorhandig en gesê hy moet hom mooi wegneem.

Ja, maar die ander kere nou? -- Die ander kere het ek gesien dat hy daar kom en sê „Iswe lethu“.

Wie het so gesê? -- Beskuldigde Nr. 14 en Mzame het geantwoord „Nlazi“ (?) Afrika“.

So hulle het mekaar op daardie wyse gegroet? -- Ja.

Nou die „Iswe lethu“ wat is dit nou? -- „Iswe lethu“ is „Lefase la rona“ in Soetoe, en dit beteken „Ons Land“.

Nou wie se groet was dit? -- Dit was Beskuldigde Nr. 14 en Benjamin se groet.

Ja goed, maar watter organisasie se groet was dit of was dit nou maar net iets wat hulle vir mekaar gesê het? -- Dit is die P.A.C. se groet.

Pan Africanist Congress? -- Ja.

Ja wat weet jy nog van die P.A.C.? -- Daarna het ek vir Benjamin gevra waarom neem Sipho die brief weg.

Waar was beskuldigde Nr. 14 toe die Benjamin aan jou gesê waarom hy die brief wegneem? -- Hy was toe in die kombuis gewees waar hy gewerk het, hy was die kok.

Nou toe Benjamin met jou gepraat het en vir jou gesê het, was dit binne hoor afstand van Beskuldigde Nr. 14 of kon hy glad nie hoor wat daar aangaan nie? -- Hy was alreeds weg.

Ja, hy kon nie hoor nie? -- Laat dit naars staan.

Nou behalwe die groet wat beskuldigde Nr. 14 en Benjamin Nzamo aan mekaar gegee het, waarom het hulle nog gesels? -- Benjamin Nzamo het gesê dat sy tyd om ontslaan te word is naby.

HOF: Het Benjamin dit gesê? -- Benjamin het dit gesê.

AANKLAER: Het hy dit nou aan Nr. 14 gesê of wie? -- Hy het dit aan Nr. 14 gesê.

Was jy by toe hy dit gesê het? -- Ek was by.

HOF: Op watter geleentheid was dit? -- Dit was voor hy die brief aan hom gegee het.

AANKLAER: Voordat? -- Ja.

Nou hoe ver was jy van hulle af toe hulle met mekaar gesels het? -- Ek was ontrent so ver soos die deur van my af.

Kon jy alles mooi hoor wat gesê word, het hulle gefluister? -- Ek het net hier en daar gehoor.

Maar goed, sê aan die Hof wat het jy alles gehoor? -- Benjamin het gesê wanneer hy weer buite kom sal hy pogings aanwend om na Tanganyika te gaan, om na die militêrkamp toe te gaan, en wanneer hy terugkom sal hy soldate saambring. Hy sal in die nag kom en by die plek waar ons werk sal hy wapens versteek? -

Waar is dit nou - die plek waar julle werk, waar is dit nou? -- Hy het die plek bedoel waar ons werk.

Ja, waar is dit, is dit op die gevangensterrein? -- Ja, in die Baviaanspoortgevangensterrein. *Was Solomon Present*

By watter plek op die terrein? -- Hy het ~~gesê~~ hy sal hulle daar binnekant sit, en dit onder die grond versteek.

Is dit daar by die gruisgat, die dam of waar? -- Toe hy daar ontslaan is het ons nog nie die quarry begin nie, ons het nog in die tuine gewerk.

Ja is dit al wat Benjamin gesê het of nog iets anders? -- Hy het gesê hy sal sy P.A.C. soldate saambring om die ~~prisoniers~~ uit die tronk te neen. En sodra ons wapens gekry het sou ons die blankes dood maak van die klein kind af.

Het hy dit nou alles aan beskuldigde Nr. 14 gesê? -- Hy het dit alles aan beskuldigde Nr. 14 gesê.

Ja, het hy nog enigeiets verder gesê? -- Nee, dit was toe al.

Wat was Beskuldigde Nr. 14 se reaksie op hierdie dinge wat Benjamin aan hom gesê het? -- Hy het ~~tevrede~~ gelyk want hy het gesê hy sal vir hom op daardie dag wag.

~~Is dit wat hy gesê het?~~ -- Ja.

Is daar enige spesifieke dag gencen? -- Nee geen spesifieke

dag is genoem nie.

Is dit al wat Nr. 14 gesê het of het hy enigeiets bygevoeg?
-- Hy het nie iets verder gesê nie.

Nou waar was hierdie gesprek gevoer tussen Beskuldigde Nr. 14 en Benjamin Nzano waar jy gewees het? -- Dit was by die deur van Sel Nr. 3.

Buitekant of binnekant? -- Aan die binnekant van die Sel-deur is die tralies, beskuldigde Nr. 14 het in die tralies gestaan.

Dit wil sê aan die buitekant se kant? -- Hy was aan die binnekant van die sel gewees voor die tralies.

Dit wil sê tussen die deur en die tralies? -- Is dit reg?
-- Ja.

En Benjamin, waar was hy? -- Benjamin was binne.

In sel Nr. 3? -- Ja.

En jy? -- Ek was binne Sel Nr. 3 gewees, 'n entjie van die deur af.

Nou toe beskuldigde Nr. 14 nou weg is daar van die Sel af het hy en Benjamin mekaar weer gegroet? -- Hy het dikwels daar gekom, soggens in die dag en saans ^{saans} het hy daar gekom, want hy was die kok.

Ja, ek bedoel nou net by hierdie geleentheid wat jy nou van gepraat het? -- Ja, hulle het die „Iswe lethu" saluut gegee en toe is hulle weg van mekaar af.

Nou jy sê beskuldigde Nr. 14 het dikwels daar by sel Nr. 3 gekom omdat hy die kok was, is dit reg? -- Ja.

Het jy nog enige verdere gesprekke gehoor tussen hom en Benjamin Nzano, na hierdie geleentheid wat jy die Hof nou van vertel het? -- drie weke na laardie dag, het beskuldigde Nr. 14 net 'n brief daar aangekom.

Waar aangekom? -- By die tralies van Sel Nr. 3. Hy het na Benjamin geroep en Benjamin het na hom gegaan. Hy het toe 'n brief wat in 'n koevert was uitgehaal - dit was toe.

Wat se kleur was die koevert? -- die koevert was blou, hy het dit aan hom gegee.

Het Beskuldigde Nr. 14 dit aan Benjamin gegee? -- Hy het die aan Benjamin gegee.

Wat het hy gesê toe hy die brief oorhandig? -- Hy het gesê "hier is 'n brief wat van ons nense buite kom".

Nou, het hy gesê wie is die "Ons nense"? -- Lede van die P.A.C.

Is dit wat Beskuldigde Nr. 14 gesê het? -- Ja, hy het so gesê.

Ja en toe wie het die brief geneem? -- Benjamin het dit geneem.

En het jy gesien wat op daardie koevert geskryf was? -- Nadat Benjamin die brief geneem het, het hy na sy slaapplek gegaan. Ek het net gesien dat hy die brief lees, ek het nie eers gesien hoe hy dit oopgemaak het nie.

Ja goed, wat het hy ontrent daardie brief gesê?

HOF: Terwyl Nr. 14 daar was.

AANKLAER: Ekskuus Edelagbare, ek sal nou daarby kom ek wil dit eers op 'n ander manier kry, nie om Nr. 14 te impliseer nie, ek wil net die inhoud van die brief eers kry.

Het hy enigeiets gesê ontrent daardie brief? -- Hy het die brief geneem, toe hy by sy plek gekom het het hy dit oopgemaak en dit gelees.

Het hy enigeiets gesê ontrent die inhoud van die brief of nie? -- Terwyl hy besig was om te lees het ek hom gevra of hy 'n brief ontvang het, toe het hy die papier uitgehaal waarop die landkaart van Afrika gestaan het.

Ja, nou die landkaart, was dit 'n gedrukte een of was dit een wat geteken is, hoe was dit? -- Dit was 'n gedrukte een.

Ja, en toe? -- Hy het my toe gevra of ek nog iets kan onthou in verband met my aardrykskunde, toe sê ek ja, en toe het hy die grens van die Vrystaat en Basutoland aan my gewys en daar was 'n "X" merk daar gemaak.

Ja wat het hy daarontrent gesê? -- Hy het net toe 'n plekkie aan my gewys, hy het die nie aan my getoon nie.

NR

||

M. J. J. ... This

Watter ander plek het hy nog aan jou gewys? -- En hy het toe die grens van Rhodesië en die Transvaal aan my gewys naby Messina was 'n kruisie getrek.

Is dit al wat hy omtrent die kaart gesê het? -- Hy het gesê wanneer hy uit die tronk gaan sal hy by daardie plekke deur gaan Tanganyika toe.

Nou kyk nou na bewysstuk A, wat kan jy daarentrent aan die Hof sê? -- Die kaart is mooi geteken, maar daar is 'n foutjie hieronder.

Ja, maar goed, afgesien van die aardrykskunde gewaarde daarvan, lyk dit net soos die kaart wat daar uit die brief gehaal is of hoe lyk hy? -- Die kaart is soortgelyk aan die een wat aan my getoon was, maar daardie een het die verskillende provinsies gewys.

HOF: So dit is nie hierdie een nie? -- Dit is nie die een nie.

AANKLAER: Kan dit 'n afskrif wees van daardie kaart? -- Daardie een het die provinsies hieronder gewys.

Jy sê dit is nie daardie kaart bewysstuk nie? -- Nee dit is nie hierdie kaart nie.

Ja en toe, wat het Benjamin verder gesê?

HOF: Waar was Nr. 14 toe hy gepraat het? -- Nadat Beskuldigde Nr. 14 die brief aan hom oorhandig het, het hy gegroet „Iswe lethu" en toe stap hy weg.

AANKLAER: So hy was nie by toe daardie brief deur Benjamin oopgemaak is en die kaart uitgehaal is nie? -- Hy was reeds weg.

Laat ons dit net duidelik kry, voordat Nr. 14 nou weggestap het is dit toe wat hy gesê het „dis 'n brief van ons nense van die P.A.C."? -- Ja hy dit gesê voordat hy weggegaan het.

Nou het jy ooit gesien of Beskuldigde Nr. 14 weer daar briewe by Benjamin kon ontvang of aflewer het? -- Daarna het ek gesien dat hylesings ontvang het.

Wie het lesings ontvang? -- Benjamin Nzamo het lesings ontvang wat deur beskuldigde Nr. 14 gebring is.

As jy sê lesings, wat was dit nou? -- Hy was besig om Swahili te leer, hy ken die Swahili taal.

So was dit net Swahili lesings wat daar gekon het? --

Ja.

En was dit anptelik afgelewer, hoe was dit afgelewer? --
Toe hy die lesings gebring het was die bewaarders nie daar
nie dit was toe hy die skottelgoed kon haal het.

Was dit gesesoreer? -- Die lesings het nie van buite
afgekon nie daar was 'n prisonier wat Swahili gepraat het.

Het jy enige ander briewe gesien wat daar afgelewer is
deur beskuldigde Nr. 14? behalwe nou die lesings? -- Nee.

En het jy enige ander briewe gesien wat Benjamin aan
Beskuldigde Nr. 14 oorhandig het? -- Nee, behalwe die waarvan
ek reeds melding genaak het.

Nou is daar enige vergaderings in Sel Nr. 3 gehou? --
Ja, baie.

Wat se vergaderings was dit? -- Dit was P.A.C. vergader-
ings.

Wie het die vergaderings gehou daar? -- Dit was Benjamin
en beskuldigde Nr. 2, en Solomon Kuna, Robertson Kupong, en
Eliza Butalezi en Samuel Vilahazi.

Was beskuldigde Nr. 2 ook in Sel Nr. 3 opgesluit? --
Beskuldigde Nr. 2 het in Sel Nr. 10 geslaap, maar hy het soms
daar kom kuier en daar geslaap.

Wat was op die vergaderings gesê? -- (Hof kom tussenby)

HOF: Was enige van die beskuldigdes teenwoordig op die
vergaderings - jy het gesê Nr. 2 was teenwoordig? --

AANKLAER: Was beskuldigde Nr. 2 op hierdie vergaderings teen-
woordig?

HOF: Ja, hy het die vergadering gehou. - Benjamin Mzamo.

AANKLAER: Nou het hulle almal opgetree as voorsitters van die
vergadering? --

Of het hulle net die vergadering toegesprek? -- Toe
hulle daar gekon het het hulle gaan sit, die „Iswe lethu”
groet gegee, en die ander het geantwoord „Nzlasia Afrika”).
Ons mense wat nie aangesluit het nie kon nie hoor wat hulle sê
nie want hulle het gefluister, ons was 'n entjie ver gewees

en ons het op die vloer gesit.

Nou wie het nou daar gekon en die groet gegee? --

Beskuldigde Nr. 2.

Ja, en toe het die ander toe geantwoord, wie se name jy genoem het? -- Ja hulle het geantwoord.

HOF: Nou behalwe Nr. 2 was daar enige van die ander beskuldigdes op die vergadering? -- Nee hulle is nie hier nie.

AANKLAER: Hoe is die vergaderings afgesluit na dit klaar gehou was? -- Hulle het nie die vergadering op eendag gehou nie, maar dit was op verskillende weke gehou.

Maar hoe het hulle die vergaderings afgesluit as dit klaar was? -- Aan die einde van die vergadering het hulle 'n liedjie gesing hulle noem dit die Pan African Congress Liedjie.

Kan jy onthou waarom het dit gegaan? -- Hulle het baie liedjies gesing.

Kan jy van hulle onthou? -- Ja.

Ja, noen? -- Een is „Nkosi Sikalala Afrika”..

Wat beteken dit? -- Dit is „Here red Afrika”

Ja, nog ander? -- „Tse Mawatla Sobukwe”.

Ja, wat beteken dit? -- Dit is „Gaan oor die sees Sobukwe”

Wie is Sobukwe?, het jy geweet? -- Sobukwe is die hoof van die P.A.C.

Wie het vir jou so gesê? -- Benjamin het dit aan my gesê.

Was jy 'n lid van die P.A.C.? -- ~~Nee ek het nie aangesluit nie.~~

GEEN VERDERE VRAE DEUR AANKLAER NIE

KRUISONDERVRAGING DEUR BESKULDIGDE NR. 1

Do you know me? -- I saw you for the first time after you were charged - the time you are at the maximum.

In connection with what was I charged? -- You were locked up in the isolation.

For what purpose was I charged - why was I locked up there? -- I do not know why you were charged.

GEEN VERDERE VRAE DEUR BESKULDIGDE NR. 1 NIE

CROSS-EXAMINATION BY ACCUSED NR. 2: Can you hear well? --

I can hear well.

Do you want to tell me that you can hear well if a person says something being as far as that piece of iron? -- Even if a person stands far it goes according to his voice.

Do you mean that even if a person is as far as that chair you will be able to hear what he says? -- If he speaks loud yes, I will hear.

Like here in Court? -- Yes I will be able to hear it.

Does it mean that you could overhear everything which was being said here in Court that day you were sitting on the steps? -- On which steps did I sit.

Down here? -- When was that that I sat on the steps.

On Monday? -- I did not sit on the steps.

Were you not called up on Monday in the afternoon? -- Yes.

Where did you sit? -- I was told not to appear here but I was to sit near the door.

Was there any person like a policeman guarding you at that time so that you could not go away from the place where you were sitting? -- I was locked up being alone, and there was no constable with me.

That means it was possible for you to come up and sit near here because nobody was looking at you? -- But I would be contravening the law because I was told to sit down there.

But who would know that you had contravened the law by leaving your place? --

Because nobody was guarding you at that time? -- They would have arrested me had I come nearer, because they had given me instructions not to come up.

If a person says in Court here you can hear and if the Court rises when it is shouted "stilte in die Hof" then you can run down again when the Magistrate walks out, you are barefooted, you are not wearing any shoes nobody can hear you when you descend the steps? -- I say I would not come here

because I would be contravening the law.

But who would say so, because no plicenan was guarding you, you were sitting alone there? -- But I did not come up I was down there.

Who will know? -- That is the evidence I give that I was sitting down there.

In other words, we should just believe what you say?

PROSECUTOR: I object to that it is for the Court to decide that and the Witness has already answered and said that he had not been sitting on the steps.

ACCUSED NR. 2

I have no further questions your Worship because this witness was sitting here and he overheard everything - he was sitting here. My request to the Court is that I am not prepared to accept this Witness' evidence.

COURT: Tell the Accused that the Witness has given evidence and that he is giving evidence, the fact whether he sat at the - on the steps is a collateral matter, he has already given evidence that he didn't sit there. If you decline to cross-examine the witness you do so at your own risk. No body will force you to cross-examine him.

ACCUSED NO. 2: How will I be able to establish what he has overheard Your Worship because he was sitting down there.

COURT: Well the Court has given it's ruling. Has he any further questions to ask.

ACCUSED NR. 2.: Your Workship according to the complaint I have already mentioned to the Court, I have no further questions to put to this witness because the Court chooses the Witness's side.

COURT: He can make no such allegations. The Court is trying this case impartially. The Court is trying this case according to the rule of evidence. The Court/^{now}accepts that he has no further questions, unless he indicates to the Court that he has further questions.

ACCUSED NO. 2: I have questions Your Worship.

COURT: Well put then.

ACCUSED NO. 2: What are you? -- You know me I am a convict.

Is there something you know in connection with the P.A.C. perhaps? -- What I know I have already told the Court.

As what do you know me? -- I know you as a member of the P.A.C.

In which manner? -- I saw you present at the meeting in Cell No. 3.

Is that in which you know me as a member of the P.A.C.? -- That is the way in which I know you.

And when we spoke there could you not hear anything which was being said in connection with the P.A.C.? -- No I only saw you saluting.

That means it is the salutation which makes you believe that we are members of the P.A.C.? -- NO your friend Benjamin told me you were a member of the P.A.C.

How can you know a person is a member of the P.A.C. IF you are not a member of the P.A.C. yourself? -- If another person just tells you that the one is a member? -- You took the risk to walk from Cell No. 10 to come and attend a meeting in Cell No. 2.

Is that the reason why you believe that I am a member of the P.A.C.? -- Yes I believe.

Are there no other facts you can mention which make you believe I am a member of the P.A.C. except that I left my cell to come and attend a meeting in Cell No. 2? -- There are no other facts.

How many people leave their cells to sleep in other cells? -- I do not know about other persons, I only know about you because I saw you.

Did you never see a prisoner who was charged for having left his place - who was punished for it? -- I have not seen it. When you arrive at Baviaanspoort you are told that you are not

supposed to leave your cell.

You say that you could not hear anything being said there except the P.A.C. salutations? -- No I only heard you speaking but you whispered.

Is the P.A.C. as regards non-whites - a secret movement or a public movement? -- You should know you are a member of the P.A.C.

I am not one.

Does it mean that if a person rises up in Court here lifts his hand up and says "Iswe lethu" will he be a member of the P.A.C.? -- Yes he will be a member of the P.A.C.

In which manner? -- Because he says "Iswe lethu". It is only P.A.C. members who says "Iswe lethu".

And besides that will it mean that he is not a member? -- I do not know.

Is that what you know that if a person raises his hand and says "Iswe lethu" then he is a member of the P.A.C.? -- That is what I know.

Where do you get that mind from that if a person raises his hand to greet another he is a member of the P.A.C.? -- I saw what people of your organisation did, they say "Iswe lethu".

Can you remember when the meeting in Cell No. 3 was held? -- You frequently came to Cell No. 3.

Does it mean that on each occasion I arrived there I held a meeting? -- That is so.

How often according to your own estimation? - Many times I do not know how many times.

Why do you say on many occasions, which occasion can you remember? -- I remember the day after which Benjamin left there, it is the day you were present.

When was that? -- It was towards the end of February, last year.

Can you remember the day? -- I cannot remember - I cannot remember the date.

Why can't you remember? -- I have many things to remember I can only remember that Benjamin was discharged in February, but the exact date I can't say.

Does this mean that this is something you cannot think in your mind? -- Which thing.

The thing I am asking you now, the date? - The day, can't you remember the day? -- I can't remember but it ^{was} towards the end of February.

That means these things that you say you remember, are perhaps things which arise from your mind, because you say there are many things you have to think? -- If that is the case you can make a request that the books be checked that it can be ascertained when Benjamin was discharged but you will find that it was during the month of February.

No I am putting the question to you because you say you know that I came on several occasions there? -- Your question is whether there is a date that I can remember precisely.

Could you not overhear anything in the meetings we held there? -- No I was not interested in your matters and I never kept them in my mind.

Now how do you know whether we were discussing matters in connection with the P.A.C. or whether we were just discussing generally how we stole outside, or how we got drunk? -- I say when you met each other, you saluted and said "Iswe lethu", and the other would all reply "Afrika", and thereafter you would start discussing.

At what place in Cell No. 3 was the meeting held? -- You know very well it was in front of the place where I used to sleep.

You are the person who knows, you are not giving the explanation to me alone but also to the Court? -- The first mat from the door there was a prisoner who slept there, nine was the second mat, the third one was Solomon Nkuna's, the fourth one was Benjamin's and from there Samuel Maloi and others downwards.

Was that the place where the meeting was held? -- You held the meeting on your mat.

Just there? -- Yes, just there.

Where were you at the time? -- I was present in the Cell, either gambling or washing, there are many other things I can do in the Cell.

You say you had no interest in the meeting whatsoever? -- I only heard you saluting "Iswe lethu" and I went on chatting with others.

Does it mean that if you greet an ordinary person in that fashion you are also a member of the P.A.C.?--you must be having some knowledge in connection with the P.A.C.

COURT: Have you any further questions?

ACCUSED NO. 2: I am still thinking your Worship.

COURT: The Court will give you five minutes to think.

COURT ADJOURNS

COURT RESUMES

CROSS-EXAMINATION BY ACCUSED NO. 2 CONTINUES:

Can you recollect who the persons present at the last meeting were, that is the meeting which was held in No. 3? -- It was yourself, Benjamin, Solomon Nkuna and others.

Don't you know then? -- I can't remember then.

Where did those persons sleep? -- They also slept there in No. 3.

Why don't you know then then? -- I tell you that they slept in Cell No. 3

I am not asking you about where they slept, my question to you is why don't you know then if they also slept there in Cell No. 3? -- Eliza Buteleziwas present at that meeting, Robertson Kupong was also present at that meeting Samuel Vilakazi was also there.

Do you know then now? -- Well I still recollect because it was the last meeting and it was Benjamin's farewell before he left.

Why did you not make mention of them when I asked you the first time? -- I did not understand your question well.

Which language do I speak? -- You speak Zulu and I speak Sothu.

But you have been answering me although I speak Zulu not so? -- I do not know Zulu very well.

Now if you do not understand a question why don't you say I do not understand the language? - You wait until the question is carried further?-- I have answered you as you have asked me.

Are these persons just the people who originate from your mind? -- No it is not the first time I make mention of these names in Court, I have mentioned them previously.

I leave it there.

COURT: Is that all.

ACCUSED: No. 2: Were there other persons about whom you have made mention who were also present and also members of the P.A.C? -- Yes because they also used to say "Iswe lethu".

NO FURTHER QUESTIONS

CROSS-examination by ACCUSED No. 3

You have told the Court that you know me from No. 4 is that correct? -- Correct.

Was it the first time you have seen me with No. 4? -- Yes.

As what? -- You were awaiting trial prisoner at the time.

At this juncture we were discussing Pan Africanist Congress? -- Was I perhaps a member of Pan Africanist Congress? -- I cannot say whether you were one at the Fort in Johannesburg.

Did you see me after that? -- Yes I saw you again after that.

Where? -- At Leeukop, I again then saw you at Baviaanspoort prison.

Are you able to recollect when was that? -- It was during the course of last year.

Approximately in which month? -- I cannot quite remember

the month.

Do you still recollect that on my arrival in the close camp at Baviaanspoort I was at the isolation? -- That is where I say I saw you again.

But you don't remember when? -- It was during 1965.

Name the month? -- I cannot remember the month.

Do you know that I was once at the ran camp and sleeping in C Block? -- That I remember.

And do you know the first time when I was out with the span after I was in the isolation? -- Yes I do remember when you went out with the span.

When was this? -- Do you now say it was after you were discharged from the isolation.

After? -- I cannot remember the month.

Do you still recollect when I was classed out of the ran camp? -- I remember but I cannot remember the date and the month.

In the Baviaanspoort prison, what kind of convicts have we got? -- There are many gangsters in Baviaanspoort prison.

Is there any fights amongst them or riots? -- You mean injuring each other.

Direct or indirect? -- I only know about **assaults**.

After fighting or when they have fought each other are there any consequences like death? -- Well many have died there.

During the period of last year was there any convicts who died? -- Yes.

Could you state the cause of their death? -- The first took poison and that one died here in a hospital in Pretoria.

And others? -- After that two convicts were killed by the Big Five. That happend **in** Cell No. 4 in Baviaanspoort.

When was that last year? -- I cannot say exactly when but it was during the course of last year.

Did they die outside of the cell or inside the cell or out of the yard? -- This is what I heard. I slept in another

cell in Baviaanspoort.

You will agree with me if I put it to you that anxiety and fear was established amongst the prisoners during those days? -- Yes some were in anxiety and some were not in anxiety, all were not the same your Worship.

Do you still recollect the day when I was sent into No. 9? -- I do not know I only heard that you were now sleeping in No. 9 Cell.

NO FURTHER QUESTIONS

ACCUSED NO. 5 HAS NO QUESTIONS

ACCUSED NO 6 HAS NO QUESTIONS

CROSS-EXAMINATION BY ACCUSED NO. 7

Do you know me? -- Very well.

From where do you know me? -- From Leeukop.

Which year? -- 1963

Who arrived at Leeukop first, you or I? -- I think I arrived first.

What type of person was I at Leeukop, was I a member of a gang or not? -- I do not know anything about your gangsterism.

You do not even know whether I was a member of the Congress or not? -- No I do not remember.

And at the Baviaanspoort prison, when did you see me for the first time? -- When I saw Accused No. 7 at Leeukop, it was a man who was going out. The next time I saw him he arrived on transfer at Baviaanspoort prison.

Can you remember the month I arrived there? -- I cannot remember the month, many transfers arrived at Baviaanspoort prison.

Was it at the beginning of the year, in the middle of the year or towards the end of the year? -- I think it was during the middle of the year.

Where did I sleep on my arrival at Baviaanspoort? -- I cannot remember.

When you saw me at Baviaanspoort prison, where did I sleep? --- When transfer arrives at Baviaanspoort prison, they are kept

at certain sections and they sleep there, and after the arrivals are finished - after they have been checked then they are put into different sections and different cells.

Was the same done to me when I arrived there on transfer?

--- Yes.

Did I not work in the ran camp? -- I did not see you in the ran camp.

Would I be telling a lie if I say that I worked in the ran camp? -- I can not dispute it.

Were you in charge of the reception that you should know that when prisoners arrive there they are first checked before they are distributed? -- I can only speak of what happened to myself. I arrived there at the reception and the same was done to me and then we were distributed.

Where do you sleep at the Baviaanspoort prison? -- At the present moment in No. 13 cell.

During last year where did you sleep? -- The first quarter of last year, I slept in Cell No. 3.

And thereafter? -- When another transfer arrived last year, we were taken out of cell 1, 2, and 3 and I was then removed to Cell No. 13.

But as I am a person who is known to you since 1963, did you not take any trouble ^{to look} / where I slept? -- No I did not check where you were sleeping.

You do not know whether I am a member of the Congress or not? -- I do not know.

NO FURTHER QUESTIONS

ACCUSED NO. 8 HAS NO QUESTIONS

CROSS-EXAMINATION BY ACCUSED NO. 9

Did you ever see me? -- I have known you from Baviaanspoort prison.

What did you see me doing there? -- You were working there, I know you from the working place.

Where did you see me the second time? -- After that I saw you locked up in the isolation section.

For what reason was I locked up in the isolation section?

--- I do not know.

After you have seen me the first time did you know that you'd later see me in the isolation? -- No I did not know.

But did you know that we would later meet each other?

PROSECUTOR: Your Worship with respect, the witness can't answer that.

ACCUSED NO. 9: How is my question Your Worship.

COURT: Continue with your questioning.

ACCUSED NO. 9: Now as you have seen me the first and second time do you believe we will meet one another again?

PROSECUTOR: Objection Your Worship

COURT: Any further questions?

NO FURTHER QUESTIONS

COURT ADJOURNS

COURT RESUMES:

WITNESS: Your Worship I have something to tell this Court. Just before the lunch break, No. 9 Accused asked me a certain question. He did ask me whether I know him and I confirmed that Your Worship, and then he mentioned the fact that we would meet again and then we adjourned for the lunch break Your Worship. As we were going down the steps to the cells, Accused No. 9 and Accused No. 2 said "Do you know that your life is in our hands". They said to me you must remember whether you are at Baviaanspoort or here in Pretoria they would see that I get injured, and I have mentioned this fact to the warders your Worship here in Court and I want the Court to know this as well.

COURT: Anything arising out of that No. 2.

ACCUSED NO. 2 : When did I say this? -- When we were going down the steps for the lunch hour.

Where were you at the time? -- You were ahead of me going down the steps and I was following you people.

Who else heard when I was supposed to say this? -- The
I think
Chief warder/who was with us at the time, must have heard it

Your Worship.

How far was this Bantu headwarder away when this was said? -- He was accompanying me in order to see that I do not mix with you.

I would like the Bantu warder Your Worship to come and tell this Court whether he overheard this.

COURT: Is that all.

ACCUSED NO. 2. I know nothing about this allegation by the witness.. I again say I did not say these words -- I know nothing about it.

COURT: If the State doesn't call this headwarder, you are at liberty to call him.

ACCUSED NO. 2. I want him to be called now.

PROSECUTOR: Your Worship it is the States intention to call the Headwarder, I was informed about this.

COURT: No. 9 is there anything arising your of this?

ACCUSED NO. 9 : Who said these words to you? -- You mentioned these words.

How far away was I from you? -- I passed amongst you, you were standing.

By whom were you accompanied? -- Zonga, the headwarder was accompanying me at the time.

Did he overhear it? -- Yes he overheard this.

I'd like Zonga to be called into the witnessbox as to whether he'll also testify the same.

NO QUESTIONS BY ACCUSED NO. 10

NO QUESTIONS BY ACCUSED No. 11

NO QUESTIONS BY ACCUSED No. 12

NO QUESTIONS BY ACCUSED No. 13

CROSS-EXAMINATION BY ACCUSED No. 14

When you arrived at the Bavianspoort prison on the 9th April, 1964? -- Yes that is correct.

Do you still recollect that you arrived on that date? -- Yes I do.

In which cell were you placed on your arrival on the 9th April, 1964 at the Baviaanspoort prison? -- Cell No. 3

All the time since 1964 up to the present day were you in the closed camp at the Baviaanspoort prison? -- Yes I was.

Is it true when you say that you arrived at the Baviaanspoort prison together with Solomon Nkuna and Benjamin Nzamo? -- That is correct there were 300 of us who arrived at that time.

From that time was Solomon Nkuna and Benjamin Nzamo ever transferred from Baviaanspoort prison? -- Yes Solomon Nkuna was classified under B and then he was transferred to the open camp. Benjamin Nzamo was kept at Baviaanspoort up till the date of his discharge.

Was there a time when Benjamin Nzamo ever went to the open camp to have a look at it? -- No he did not.

Is there a way in which Benjamin Nzamo could know about things or about persons in the open camp? -- The open camp at Baviaanspoort is not far from the closed camp, even from where we worked in the open camp we could see the people working in the closed camp.

How do they work? -- Some work in the garden, some work in the road, some doing building work, such as being carried out now at Baviaanspoort.

Do you see all those people? -- Every day when you go to the span you see the people.

Can you tell me when did it start that prisoners are used as builders at Baviaanspoort? -- When the opportunity arises they use them as builders and they used them as builders last year as well.

What do they build? -- Electric Installation was erected last year.

Where? -- During 1966 they were busy building quite a number of houses.

Did you see them building the houses? -- With my own eyes.

When you went to the span? -- Yes.

Where do they build? -- I said last year they erected Electric Installation.

But my question to you is whether you have seen them building the houses, as you say that they built houses similar to these they are building now in 1966?

PROSECUTOR: With respect Your Worship I can't see the relevancy of these questions about builders. I object to that.

ACCUSED No. 14: There is something I want to prove Your Worship? -- I do see them building the houses.

How far does your span work from the place where the buildings are being erected? -- About 150 yards.

Are there no other old buildings between you and the span which can confront you from seeing? -- From where these buildings are being carried out to where the span is working is open veld, there is nothing that obscures your view.

PROSECUTOR: Your Worship with respect may I just point out at this stage that the dates in the Charge Sheet are 8th April, 1960 to the 15th October, 1965. It has nothing to do all these questions with what is happening now, so I can't see the relevancy of these questions, I have to object.

ACCUSED No. 14: The witness brought that out in his evidence about the place about where buildings are being erected as well as the open camp.

COURT: When are you coming to the point you want to bring out.

ACCUSED No. 14: I am just about to come there Your Worship.

I am sure that what you say is not the truth that you could see where the people in the open camp worked? -- I can see most of things not all the things.

I am speaking about these things which you have mentioned to the Court now? -- I am again referring to this Electric Installation that was erected last year behind the search and Accused No. 14 is well aware of that Electric Installation.

Where did I see it?-- You should have seen it. When you are in jail and something is erected there you can see it.

Let us not waste the Court's time, we must bear in mind

that the Court has a plan of the Baviaanspoort prison and that the Court had visited the prison yesterday? -- If the map of Baviaanspoort jail is given to me I'll point out this Electric Installation.

It is not necessary for us to produce the map, because the Court has seen the place? -- What do you want now?

When you arrived at the maximum you say Solomon Nkuna was classed? -- After a time he was classed he was not classed immediately after his arrival.

When was he classed? -- He was classed in 1965.

Which month? -- It was in the early stages of 1965, I cannot say which month.

After Solomon Nkuna had been classed did he come back again? -- He came back and worked then in B Section together with you - both of you were cooks.

According to your estimation how long did he remain there? --- In the kitchen?

Yes? --- I don't think it was longer than a fortnight.

And thereafter where did you see him? -- I then saw him again in the isolation section.

Since Solomon Nkuna left the isolation in 1965 until he returned and worked together with you in the kitchen did he never come back - did he not come back between that time to stay with you in the closed camp? -- Yes he came back.

When did he come back? -- After he had come from the isolation.

On the time of your arrival at Baviaanspoort during April, you say that you saw me handing a letter over to Benjamin Nzamo? -- I did not say April.

When did you see me? -- That time you were already working in the kitchen.

Which month? -- It was Christmas time, the beginning of 1965.

Since Christmas 1965? -- I say during that time December

up till February.

1965? -- Yes.

For what purpose are jerseys given to the prisoners? -- We are issued with jerseys during the winter when it is cold.

You told the Court that I took out a letter from underneath my jersey, that is from my shirt? -- I just want to point out - mention to the Court this fact, this morning when I left Baviaanspoort all the cooks were wearing jerseys, they wear jerseys throughout. The purpose for that is because the cooks get up very early.

I did not ask you all those things, my question to you is whether you told the Court that you saw me taking out a letter from my shirt underneath my jersey? -- Yes.

Do you know all the rules at the Baviaanspoort prison? -- such as what?

All the rules in connection with the prisoners at Baviaanspoort prison? -- Rules laid down by the Europeans, or which rules?

Rules regarding the prisoners how they are supposed to work? -- As far as the work is concerned that I know your Worship.

At which places did you work? -- I work in the span uptil now.

Do you know the rules regarding the prisoners in the hospital, how they work? -- I did not work at the hospital before and I do not know.

Did you ever work in the kitchen? -- The B Section worked in the kitchen, I have never been in the B Section.

Now how do you know that the prisoners in the kitchen wear jerseys because they get up early? -- They bring the food in the yard to us in the morning.

My question is, how do you know because you have never worked in the kitchen you are not in the B Group, or how do you know that they wear jerseys because it is cold.

PROSECUTOR: I object to that question, the witness has already answered.

COURT: Any new questions?

ACCUSED NO. 14: Yes Your Worship.

Which jail uniform do the prisoners in the kitchen wear? --
-- They wear clothes of the Baviaanspoort prison.

Is that the uniform used in the open camp or the closed camp? -- I cannot say.

To whom was the letter you alleged to have seen addressed? -- I said I do not know to where this letter was addressed too.

Did you not look at it? -- I could see an address written on this letter from a distance.

Are you not related to Benjamin? -- Benjamin is a Zulu, Nzamo and I am Mponyani.

Were you not friends and did you not each other well? -- We were well known to each other.

Did he tell you most of his secrets? -- He told me secrets that he wanted to and some he didn't tell me.

Did Benjamin Nzamo ever tell you that is a member of the Congress? -- Yes he did tell me.

What did he say? -- He wanted me to join up with him.
What did he say/^{what}is he in the Congress? -- He did not say/^{up till}
what position he held in the Congress, he only told me that he was a member.

Did you agree to join? -- I refused.

Why did you refuse? -- Because I didn't want to.

Was it because you do not like the Congress or what was the reason? -- I do not hate the Congress, but I just didn't want to join the Congress.

But do you like Congress matters? -- No I do not.

You say you once heard me speaking to Benjamin or chatting with Benjamin in connection with Congress matters? -- That is so.

Did I go into the cell through the door and called him as you say? -- Yes.

How far away from the door was he? -- I indicate as far as from the European side of the witnessbox to this door of the Courtroom.

Was that the place where he slept? -- No it was not the place where he slept. He slept on the fourth mat from the door. I was the second person.

Which person from the door were you? -- I was the second person.

Were you the second person? -- Yes I was.

Where were you when I entered the door? --- I was standing near the door.

Standing near the door? -- Yes.

How far away from the door do prisoners sleep at Baviaanspoort? -- I indicate about the first mat from the grill - about a pace away from the grill.

For what purpose did you go to the grill? -- I was sleeping near the grill and Benjamin was just - I was the second one and Benjamin was the fourth one from the grill.

Did you not tell the Court that you slept as far as the European portion of the witnessbox from the door, not so? -- I did not say that.

What did you say about the witnessbox? -- I said that is distance where Benjamin's mat was lying from the grill.

How did you know that the letter contained the map? -- Benjamin opened the letter he received then he called me and then he asked me do you still remember your geography you learnt at school.

Did you see it when Benjamin called you and asked you about geography? -- Yes I saw it.

Did you not ask him for the address from which the letter came? -- No I did not.

Why did you not ask him? -- I was just not interested, that is why I did not ask him.

Now if you are not interested in the letter why did you know that there was a certain place where Benjamin Nzamo was

supposed to go? -- Benjamin Nzamo held this map in his hand and then he indicated where he wanted to go when he gets out.

How were the marks made on that map, you have made mention of certain marks? -- It was an X.

Is it possible that these marks were made by Benjamin? -- When Benjamin opened this map - this letter he read it halfway through and then he called me and then the X's were already on the map.

You were at your place not so? -- When I entered the house? --- Yes.

Benjamin took the letter and went and sat at his place? -- Yes.

He opened it? -- Yes.

You were not there all the time? -- I was at my place.

You were at your place? --- Yes.

And after Benjamin had opened the letter he called you? -- Yes.

Now what definite evidence can you give that when - that the letter arrived there with the marks on it because when Benjamin called you he had already opened it? -- These X marks were brought onto this map with a ballpoint pen and no prisoners had a ballpoint pen in his possession in that cell.

How do you know that there is no prisoner who has a ballpoint pen in that cell? -- After three months a prisoner is allowed to write letters to his people and then we borrow pens one from another in order to do this writing, and I have never seen a ballpoint pen.

Do you know what all the prisoners have in their possession? --- The writing is done all at the same time and I can see what they are using when they are doing the writing.

When we cooks take out dishes at Baviaanspoort how do we take them out? -- A warder opens the door and then the cooks follow the warders, then sometimes the door of the cell is opened and only the grill is locked and then the cook comes in all by himself and he collects the dishes through the grill.

When did that start? -- Since my arrival at Baviaanspoort I found it to be like that.

Do you know the chief called Mkozana? -- Is he a Non-European?

No no the one nicknamed Mkozana by the prisoners? --- I do not know this nickname.

He is Chief warder Meyer? -- Yes I know him.

Do you remember when he arrived at the Baviaanspoort prison? -- If I am not mistaken it was January or February, 1965.

Did he alter certain regulations at Baviaanspoort on his arrival? -- Yes as far as the writing was concerned it was changed by him.

What else? -- And the system of the clothing, that is what I can remember.

The machine about which you speak that was installed there, was it brought there during the headwarder Meyer's time or before that? -- Which machine are you referring to now.

The electric installation which was made there? -- The building was erected, whether the machine was installed that I cannot say.

Was the building erected before his time or after his arrival? -- Must have been after his arrival because it was erected in 1965.

Did he arrive there after the erection of that building? -- I do not know, it was in process or it was after it was completed. I am not positive about it.

The day you allege that you saw me delivering the letter to Benjamin Nzamo, where was Solomon Nkuna? -- He was in the same cell.

Where about in the cell? -- I cannot exactly say because Solomon Nkuna is a man who - gambling dices.

Was he perhaps sitting at the dice, gambling there? -- He was in the cell but I cannot say exactly where.

When Benjamin Nzamo showed you the letter was Solomon Nkuna not yet there? -- It was before his arrival.

With what was the letter written on top? -- With a ball-point pen.

You say that you are not interested in the Congress matters not so? -- It is so.

Why did you listen so much attentively when I spoke to Benjamin Nzamo about the congress matters? -- You see I slept near the door, sometimes I am not thinking about a lot of things and when something is said I overhear it.

Do these Congress people do their things plainly - that is publicly? -- You should know I don't.

I am putting it to you because you have overheard Congress matters? -- Some try to conceal the Congress matters.

Now how did it happen that this was discussed in front of you? -- I say again I was sitting there and my mind was'nt busy and I heard what was being said.

How far is this cell No. 3 from the place where food is being dished up? -- The length of this Courtroom.

How many warders are usually present in the yard when it's time to dish up food? -- They vary, sometimes 3 sometimes 4 sometimes 5.

Are the Europeans present? -- Sometimes Europeans are present, sometimes not.

Can you remember that the cooks are being stabbed in the yard? -- Yes they do.

And the law tries by all means to prevent them - to protect them? -- Yes they try.

How are they being protected? -- Well the police are there to keep observation.

Did they guard them so that they cannot be stabbed? -- Yes.

Will it be difficult for a cook to go in amongst the prisoners without a warder who is guarding him? -- They do go amongst the prisoners without being accompanied by a warder.

How are they being protected then if they can go amongst the prisoners even if there is no warder accompanying them? --

What I am telling the Court is that the warder is not near this cook when he goes amongst the prisoners he stands for instance as far as that door of the Courtroom and then he looks on and then the cook goes in amongst the prisoners.

PROSECUTOR: It is about 15 paces Your Worship.

ACCUSED NO. 14: Can you tell me when were the cooks driven out of the yard? -- They were chased away twice, I do not know to what occasion you are referring now.

The first occasion? -- It was when Chief warder Meyer arrived, that was the first occasion.

Was that in January? -- I did'nt say January exactly, I said January or February.

Did he say that he does not want to see them on the yard anymore? -- Yes he did.

And the second occasion? -- On the first occasion the cooks were chased away for about a week and then on the second occasion it was near the end of the year. Excuse me it was about April of May, not near the end of the year. They stayed away then for about a month.

COURT: Has he any further questions to ask?

ACCUSED NO. 14: Yes Your Worship

You say they were away for about a month? -- Yes on the second occasion they stayed away for about a month.

Where did you sleep at that time? -- In No. 13 Cell.

Do you remember when - during which month did you sleep for the first time in Cell No. 13? -- March, 1965.

Are you still sleeping in that Cell since since you entered it in March, 1965? -- Yes.

Was there a place where you ever met Solomon Nkuna to chat with him? -- I last saw Solomon Nkuna at the span and that was the time we were still sleeping in Cell No. 3.

Did you not see him after? -- Well I am referring when we were speaking to each other. I often see him coming to the kitchen

After he had left the kitchen and after he had left the isolation? -- When he came out of isolation he came to work but he did not work with us.

COURT ADJOURNS

COURT RESUMES

CROSS-EXAMINATION BY ACCUSED No. 14 CONTINUES

Did you say that you slept together with Solomon Nkuna in Cell No. 3? -- Correct.

As you now sleep in Cell No. 13 where did you ever see Solomon Nkuna? -- When I left Cell No.3 that time Solomon Nkuna was classed then he came back to work in the kitchen with Accused No. 14 and then I used to see him in the morning when food was dished out.

You should not waste the Court's time please, I am referring to the time he left the isolation? -- Since he left the isolation I did not come in contact with him again he worked on one side.

Do you know that most of the things in connection with this case happened in Cell No. 9? -- That I do not know.

How did you know that you were required as a witness to come and testify that you saw me giving a letter to Solomon Nkuna?

PROSECUTOR: Your Worship I object to that. The State calls the witness, I called him.

As Solomon Nkuna was sleeping Cell No. 3, if he alleges that he was present that day I gave the letter to Benjamin Nzamo and when Benjamin opened it, will he be telling a lie? -- I said that Solomon Nkuna was in that cell at that time but where exactly in the cell I cannot say.

You said that you were near the door and that I called Solomon - I mean that I called Benjamin Nzamo to the door because I could not enter through the door? -- That is correct.

Now how did it happen that you saw me and Benjamin Nzamo but you could not see where Solomon Nkuna was? -- I did not see

Nkuna there then, I only saw you calling Benjamin Nzamo, and I saw Benjamin Nzamo going to where you were at the door.

That means Solomon Nkuna did not speak the truth, you are the man who speaks the truth? -- Your Worship I am telling the Court of what I saw, of what Nkuna told this Court has got nothing to do with me.

You have told the Court that Benjamin Nzamo opened the letter and called you? -- I said that he opened the letter, he read half through - way through the letter and then he called me.

Was he at his place all the time? -- Yes.

You said to the Court that when Solomon Nzamo called you - when Benjamin Nzamo called you you were only two? -- He called me to where he was and then we were two together.

If evidence is produced that a certain person was together with Benjamin Nzamo when he opened the letter and that there was no other person present, would he be telling a lie? -- I did not see anybody else, he would be telling a lie.

If evidence is produced that the time I brought the letter as you say I was working in the office from which letters are delivered, would you say that the evidence is not true? -- Those letters containing the map was brought at the time when accused No. 14 was working in the kitchen.

If evidence is produced that I delivered that letter containing the map while I was working in the office, would you say that the evidence is not true? -- I would say I don't know.

But why will you say that you do not know because you have seen the letter and you know where I worked? -- I am testifying to what I have seen and what I know.

You say that the map on the paper which the Court has shown you is not the same map you saw in the possession of Benjamin Nzamo that day? -- It is similar but there are certain things which is not on this map I saw this morning which was on that map which I saw with the letter.

The Court asked you twice or thrice if I am not mistaken

whether this is the same map and you said no, what were you still thinking all the time? -- Well I had a look at the map.

But it was after you had seen it? -- After I had a look at this map, I noticed that the provinces was not on the map.

Does it mean that the provinces were marked? -- Yes on the first map they were marked.

Don't you know the map you have seen in Court? -- No I don't know this one I saw in Court.

Are you now sure that you are telling the Court the truth? -- I am telling the truth.

NO FURTHER QUESTIONS

RE EXAMINATION BY PROSECUTOR:

Now in Cell No. 3/^{there} is a grill is'nt that so? -- Yes there is a grill.

When Accused No. 14 /^{came} there to deliver this letter to Benjamin Nzamo was the door of the grill closed? -- The grill door was closed but the outside door was open.

And did Accused No. 14 enter into the space between the outside door and the grill door? -- That is so.

Could he be seen from the inside of the Cell by all the inmates? -- Yes.

Now in which year was Benjamin Nzamo discharged? -- February, 1965.

NO FURTHER QUESTIONS

ONDERVRAGING DEUR AANKLAER

SAM JOMBA v.o.e.

Op die ~~10~~ Maart 1964 was jy 'n vonnis ter voorkoming van misdaad weens diefstal opgelê in die streekhof te Knysna Korrek? -- Korrek.

Ken jy die beskuldigdes voor die Hof? -- Some I know .

Which of them do you know? --

Watter beskuldigdes ken jy? -- Nr. 3, 5, 8, 9, 13, 12, en Nr. 10 en 11.

Nou wanneer is jy oorgeplaas na Baviaanspoortgevangenis? -

Ek was oorgeplaas gedurende 1964.

Kan jy onthou watter maand dit was? -- Dit was die derde maand van 1964 gewees.

Van watter gevangenis af het jy toe gekom? -- Van Leeukop af.

En in watter sel is jy geplaas te Baviaanspoort? -- Die eerste keer is ek geplaas in Nr. 3 sel daarna is ek oorgeplaas na Sel Nr. 9.

Hoe lank was jy in Sel Nr. 9? -- Tot nou toe nog.

Nou het daar enigeiets plaasgevind gedurende jou bewoning van Sel Nr. 9? ---- Ja terwyl ek in Sel Nr. 9 was het Nr. 5 beskuldigde voor die Hof daar gekom.

Ja nou watter maand het hy daar gekom watter jaar? -- Dit was gedurende die winter van 1965.

Nou is hy daarin geplaas of het hy net daar kom besoek aflu wat het hy daar kom maak? -- Hy is daarheen oorgeplaas want hy het sy komberse alles saangebring.

Op watter dag van die week was dit, kan jy onthou? -- Dit kan ek nie onthou nie.

Nou die dag toe hy oorgeplaas is in daardie Sel het daar enigeiets gebeur daardie dag? -- Ja, hy het daar gekom Nr. 5 beskuldigde en toe het hy 'n vergadering daar gehou.

Nou watter tyd van die dag was die vergadering gehou deur Nr. 5? -- Dit was in die namiddag gewees en die blankes was al weg gewees vir ete. --

Vir aandete of vir middagete? -- Nee dit was toe vir die aandete.

Goed, wat se soort vergadering het Nr. 5 daar gehou? -- Nr. 5 het gesê almal moet nou stil bly, hy het 'n saak wat hy hier wil bespreek - hy is daarheen gestuur om 'n saak daar te kom bespreek.

Hoe het hy gesê wie het hom gestuur? -- Hy het gesê Duncan Mhlongo het hom gestuur. Wel ons het toe stil gebly om te hoor vir wat is hy nou gestuur na ons toe deur 'n persoon wat ons nie

ken nie.

Ja, gaan voort? -- Hy het toe sy saak gestel.

Hoe het hy sy saak gestel, wat het hy gesê? -- Hy het gesê manne julle moet nie skrik nie ek is 'n man van die P.A.C.

Nou wat is die P.A.C., waarvoor staan hierdie letters, weet jy? -- Hy het gesê hy is die man wat met die blankes baklei hy is 'n Poqo hy is van die Kongres.

Het hy gesê van watter soort kongres was hy of nie? -- Hy het gesê hy is van die kongres wat met die witnense wil baklei, hulle wil die land terug hê.

Watter land? -- Hierdie land.

Ja, gaan voort? -- Hy het gesê Duncan Mhlongo het hom gestuur sodat hy die manne kon vertel.

En het hy toe iets aan die manne vertel? -- Hy het gesê hy wil ongeveer 'n 100 soldate hê.

Onder wie wou hy die soldate hê? -- Die soldate sou wees onder hierdie persoon Duncan Mhlongo.

Ja, en uit wie sou hy hierdie soldate kies? -- Toe dit nog aan die gang was toe sien ek ander manne gaan hou 'n vergadering daar in die hoek.

Ja en wie was die manne sien jy hulle vandag hier? -- Hulle is hier vandag.

Waar sien jy hulle hier? -- Dit is Nr. 3., 5, 8, 9, en daardie vier daar agter. 23

10, 11, 12 en 13? -- Ja.

Ja, en toe? -- Manne julle moet nie skrik nie want ons - voordat 90 dae om is sal julle sien wat gaan gebeur.

Wie het so gesê? -- Nr. 5 beskuldigde nou voor die Hof.

Ja, goed en het die ander toe onder Nr. 3 maar aangegaan met hulle vergadering daar in die hoek? -- Ja hulle is toe nog almal daar in die hoek.

Ja, gaan voort? -- Hy het ook gesê daar is gewere wat sal aankom.

Is dit nou Nr. 5? -- Ja.

Hoe het hy gesê waar so die gewere vandaan kom? -- Hy het gesê die gewere sal van buitekant deur hulle soldate gestuur word.

Watter soldate? -- Van die P.A.C., van hulle mense.

Ja? -- Hulle sal die witmanne slaan - hulle het gesê hulle sal die blankes slaan en as hulle nie daarin slaag nie sal hulle vlug en iets nuuts gaan soek.

Ja? -- Hy het ook gesê daar het 'n boodskap deur gekom dat hulp sal verkry word van die Kongo af en van Nyasaland af. en as hulle daarin slaag sal hulle die blankes almal in die see in dryf, dan het ons nou ons land teruggekry. Maar hulle het gesê hulle forseer nie 'n persoon om aan te sluit nie.

Wie het so gesê? -- Nr. 5 het so gesê.

HOF VERDAAG TOT 13 JANUARIE 1966

en John Kalima:

Moet by dit gesê het ek geen hulle vergoed alleen in die boek; dit was 3, 5, 9, 8, 12, 12, 11 en 10; Kalima Nkema, Boy Kalibe; Namis en basy. Moet hulle klad geprent het, het hulle begin sij.

— In 11/05 en die ander

hulle het gering "nkoni hyle yphai"

Moet hulle gering het, het hulle weet jou

sit Dit was die 2^e geleentheid dat

Nbō toe geprent het. Dit was die laaste geleentheid want die 3^e dag daan het die

klabas nizehan. Die geleentheid was die geleentheid toe Nbō daan ghou het

Dit was die 1^e dag toe by daan ghou het, by het die wese van de huij omme om op te staan.

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