

chance to put you in gaol for 18 months whilst they are investigating and there shall be no bail allowed. The second charge is sedition, is a plan by people to frame a strike against Government. I explain these two charges because police entered our houses and officers searching. What is happening here, Swarts, Strijdom, Verwoerd have realised that by not going to beerhalls, and gather here in square, you want freedom. They have realised that by this weapon of non-violence to teach you here you at last gain the freedom. During removal the police were prepared to shoot Africans, were warned by African National Congress not interfere with them. They were standing like fowls in streets of Sophiatown. Congress of the People is going to change the Government of South Africa. The Government wants to take all the leaders to concentration camps. The nationalist government only stands for apartheid. Police searching will make Government to remain in power. We are going to prove this in the court of this country that is lying for this high treason. If it is treason if I say the women must carry passes and that children must not accept this education. The Government of South Africa has committed more high treason and sedition. Mayibuye! Sixth speaker, R. Resha, spoke in English, Interpreter Jonas Matlou into Sesotho. Chairman, Sons and Daughters of Africa. Eight years ago a man was sentenced to death by judge for high treason. Rembrandt went to Germany and came back to South Africa as a spy. The Government of Germany is the same as the Government of South Africa to implement the nazism. Yes, the wise men who sent Rembrandt to South Africa to implement Afrikanerism, where is Rembrandt today? The police were in African National Congress Office from 9 to 4 looking for high treason. It is not my intention to argue with you, but to speak to you as a human being and to hell with Government people. We must struggle to free ourselves. Since early last year African

National Congress calling people for Congress of People. The Government was looking for treason when Government was trying to investigate high treason he wanted to excite people. We African National Congress have reached the stage and not prepared to go back. Today African National Congress is led by young boys. The charge so-called high treason is going to stop Africans from going to China and Russia. There is no prevention to us to like people of China and Russia. Today they are oppressing us in gaols and kill us. As for the Dutch people are Europeans or Hollands but born in this country. There is nothing on earth that present Government is doing. There is no high treason in this country but is fear that Africans will take over. When Nationalist Government get into power they promised people better labour. These people are not afraid to get seize documents sent from China 11 years ago. They went to Mr. Mandela's house and Mandela was not in, but they are not ashamed to seize somebody's property while away. Government of Strijdom is not only determined but to crush the African National Congress. The Government of this country is special branch. When the leadership is arrested the new leaders will come up. Where is J. Marks, D.L. Bopapi, D. Tloome, Mandela, Tambo and Sisulu, Dadoo. There are certain leaders here who are like those banned. There are certain leaders here who are like those banned. Our Government leaders were once arrested for suppression of communism Act. If the African people are being misled by Russians why they do not take their guns and shoot Russians. They want to send Chief Luthuli and sentence him to death in gaol. We do not want China or Russia to rule this country we want to it ourselves. When sing this song say Unsima Contwalo. We remember bones of late Moshoeshe Dingaan when the event of Blood River took place. Mayibuye!

Seventh speaker: David Mahope, spoke in Sesotho, interpreted by Tshabalala to Zulu. Chairman, Ladies and Gents, I have nothing to say. I am sent by Sophiatown branch. The Dutches entered our houses searching for high treason. They also said they want resolutions passed at Congress of People, Kliptown. I brought you a message of conference of Transvaal. We must elect delegates to do work which make Dutch people tremble. We must elect delegates which will be sent at the conference at Orlando. Mayibuye! Chairman. Africans I will now close the meeting I will call our minister who has no collar to pray and close the meeting. The money you collected is £4 which I thank. Prayer by N.D. Lujiva. Africans, let us believe to God. This work needs religious ministers as it is their work to lead nation, but because the truth needs people to die, God created us of being the same. So let us believe because God did not throw us away. We see today the ministers are bitter. Leaders of this Government accept the blessing. The name of God the Father, God the Son and God the Holy Ghost be with you all and lead our leaders with struggle of Christianity."

Do you know this person S. Tyiki ?-- Yes. (75).

Tshabalala ?-- Yes. (77)

Dr. Press ?-- No.

Matlou ?-- Yes. (38)

Resha ?-- Yes. (63.)

Those people, can you identify them.

Are they amongst the Accused ?-- They are.

(Notes handed in as G.158:)

NO CROSS-EXAMINATION:

COURT ADJOURNS:

COURT RESUMES 21/3/57:

APPEARANCES AS BEFORE:

MR. COAKER ADDRESSES COURT:

(Position of absent accused same as 20/3/57.
Medical certificates S. Malupi, 31 and S. Nathie, 50, handed
in.)

DEFENCE ADMITS PRESENCE OF ACCUSED No. 60, DR. PRESS, at
meeting 2/10/55 as testified by Nat. Det. Joel Camane.)

JOEL CAMANE, duly sworn, (Zulu/English - Ebenezer Mazwai)

EXAMINED BY P.P. (MR. VAN NIEKERK): (30/10/1955)

You were giving evidence yesterday ?-- I did.

On 30/10/1955, did you attend an African National Congress
Meeting held at Sophiatown ?-- I did.

And did you take notes at this meeting ?-- I did.

Have you got your notes in front of you ?-- Yes.

Did you check these notes against a typed transcript ?--
Yes.

In the presence of a representative of the Crown and a
representative of the Defence ?-- Yes.

Is this the typed transcript ?-- Yes.

This was a meeting of the African National Congress
Youth League, is that right ?-- Yes.

Looking at your transcript, can you say what happened
at this meeting ?-- (Witness reads G.160.)

Do you know the people, Peter Nthithe (57) ?-- Yes.

H. Tshabalala ?-- Yes. (77)

J. Matlou ?-- Yes. (38)

Patrick Maloao ?-- Yes. (42)

J. Modise ?-- Yes. (41)

Can you identify them ?-- Yes.

Are they amongst the Accused ?-- They are.

(Notes handed in G.159; Transcript G.160.)

(No further questions.)

NO CROSS-EXAMINATION:

FURTHER EXAMINATION BY P.P. (MR. VAN NIEKERK): (27/11/55.)

On 27/11/1955 did you attend a meeting of the African National Congress at Sophiatown?-- Yes.

Did you make notes at this meeting?-- I did.

Have you got those notes in front of you?-- Yes.

And from those notes can you say what happened at that meeting?-- "African National Congress Meeting, corner Victoria Road and Morris Street, Sophiatown. Attendance 250 natives of both sexes from 11.50 a.m. to 3 p.m. Chairman, S. Tyiki. Respectfull meeting is now opened. This meeting is called by the Western Areas Region. This meeting is called to assist the people in connection with removal as this Government is troublesome. It is called to discuss about the bus-fare increase to know if the people who accept the 1d. increase. But if we accept it you must know you kill yourselves. First speaker - P. Magofe. Chairman and the children of black nation. I would like to give you the soldiers of South Africa" The sentence is incomplete. "The Chairman has put strongly the point on busfare increase, but people do not understand why we must boycott this 1d. increase. People say they do not pay the 4d. but 3d. because on wek-ends we are not at work. I want to ask you about these people who walk from and to town on foot since Monday to Saturday. There is a boycott now because the queue of people used to reach Edward Road but now is more less. The company has no new buses which can cause the P.U.T.C. to raise up faires. People who are dwellers of Western areas supposed to attend these meetings. It is now time that the natives must get away from Europeans because the Europeans are preaching the apartheid. Beware of the Dutch people who preach the ethnic grouping areas. You will notice that since this Government took over there is no peace in South

Africa. In Northern Transvaal they have taken away all the cattles of the Africans. What this 4d. shall result to? You shall remember that before this Government took over there were many organisations so-called Brandwag etc. which were working for the nationalist. We know about our people as long as they get the leader they act. Africans leave nice times and work for freedom. Here are passes now to be carried by wives. You heard their managers saying that he increase the fare if there is any trouble he will call Swarts. It is always the case with Dutch people they send native constables to face the trouble then if they see nobody is dying they come near. This municipal beerhall is built to get money from Africans and educate their Dutch children. The teachers shall not be allowed to teach they shall become the informers. Do not be deceived by people saying Sophiatown is removed there is no such. The boycott shall be continued until the P.U.T.C. manager is coming out with straight points. You must remember that the Dutch people do this apartheid because they know that when it come into force they leave S.A. to overseas. Unite and be one person. Second speaker J. Rampoloane. Chairman, Sons and daughters of Africa I greet you. It is painful today our own people are Europeans. The way of white people is to parasite the blood of Africans. Europeans do not know the home now. The P.U.T.C. depend on police. Tomorrow you will be arrest for 4d. and not passes. The previous speaker stated that Erasmus want overseas to buy ammunition which will be tried on Africans. The money we pay in this buses is not for police but is ours. They stole Sophiatown and minds of children. Every European should be charged under murder. They must be also ruled by us and let them carry passes and pay these 4d. Tomorrow everybody who travels in bus must take himself as a traitor. We have our brothers who owned trollies can pay them. Afrika Azikwelwi! "

What does that mean ?-- 'We don't want buses.' Third speaker J. Mashile: "Today Sons and Daughters of Africa it is outside to every European. Where the European is always think to oppress the African. Today we are here to discuss about the bus fare increase. Others shall ask if that is politic of course it is politic. Europeans thought when they come here that the way they can live on is to oppress the African. Now they have seen that the African the money he gets is able to live with his family therefore the ld. increase be made so that he should suffer. Our children are starving and yet you think this penny is nothing. Today our children are being named tsotsies and malaitas. The penny to pay P.U.T.C. we have not got it, because we are poor. I have mentioned to you that all the deeds by Europeans is to oppress the Africans. These Dutch people are united when they do a thing is always a success. Let us unite also so that we shall understand each other. As we meet and say that Azikwelwi it must be in mind of everybody. To see that you unite with us walk on foot to town. The truth is difficult. Many Africans joined as soldiers in 2nd Great War being promised of the land. When they come back they did not get that land but instead were given pedal cycles. The leaders had been long preaching to you. We see today Strijdom has changed and is chasing out his brothers Strauss in Parliament. That is why we stand firm. We know that the P.U.T.C. is not engaging the police and is not the Government. Why the police interferes with P.U.T.C. It is because Mr. Freetz himself wants to oppress us. As soon as you enter the door of P.U.T.C. bus you must know that the money you pay there is the food of your children. Before we have these buses we used to go on foot. Why today if we go on foot they fight us. Go on foot from now. Europeans do not like you. This penny is a big money. Afrika!

Mayibuye! Azikwelwi. Fourth speaker Motha Tau. I have nothing that is important to speak here. The buses are only to parasite our money from our pockets. I work hard for money which my children are to live on, then take it to the Dutch and support their children. I shall never do it. We do not side the buses. Tomorrow Monday do not use buses because you have no money. Do not feed European children with your own money. Fifth speaker, S. Malupe. Chairman and fellow slaves: The Speakers have shown you the way which is the truth. Before I go on I want to say that we A.N.C. people must have people who think that we must go first. We are not like Strijdom and Verwoerd who first give Dutch people the braaivleis and wine so that they must elect them. We are here to advise you that P.U.T.C. is coming with a black cloud to take away your pennies. I request your faith to what you have decided you must work on it. We have also seen that all Europeans were after to live on an African. You heard Mr. Freetz saying that those who do not want to pay this penny he will call Swarts, and his armed Police. It is only one thing I say to Dutch people that when we take over our land, they will themselves run into the sea with their guns. You heard Swarts when speaking to police that "Shoot first then ask question." We are also going to do the same to people. Africans with my words "Halikalangoe."

What does that mean?--"We do not want buses."

"Sixth speaker, J. Matlou. Azikwelu, Asipeni. As an African I say we are not going to use these buses. While we were walking on foot but when we reach Brixton we saw in the bus some people. To reach freedom we must foot here to town. Why the Europeans when want us to pay the ld then they want the armed police. This means this penny is of most work. We here in Western Areas are looking towards this with a sharp eye. Today the P.U.T.C. is like Government."

Do you know this person S. Tyiki ?-- Yes. (75)

P. Makgofe ?-- Yes. (26)

S. Malupi ?-- Yes (31)

J. Matlou ?-- Yes. (38).

Can you identify them ?-- Yes.

Are they amongst the Accused ?-- Yes.

On 28/11/55, did you compile a report on this meeting
?-- Yes.

Is this your report ?-- Yes, this is the report.

When did you complete that report ?-- 8.30 a.m. 28/11/55.

Were the facts still fresh in your memory when you drew
up that report ?-- Yes.

Did you note down in the report the persons who had at-
tended this meeting ?-- Yes.

Would you read those names that I have marked ?-- Bob.
W. Ngwendu (53); Andries Chamile (8); Fish Keitsing (15);
Isaac Bokale (7); Peter Nthithe (57); Robertson Tunzi (76);

Do you know these people ?-- I know them.

Can you identify them ?-- Yes.

Are they amongst the Accused ?-- They are.

(Notes handed in as G.16.)

(No further questions)

NO CROSS-EXAMINATION:

PETER NKHI, duly sworn. (Sesotho/English - Ebenezer Mazwa)

EXAMINED BY P.P. (MR. VAN NIEKERK): (12/6/55.)

You are a native detective constable, S.A. Police, stationed at Jan Smuts Airport ?-- Yes.

On 12/6/55 did you attend a meeting of the African National Congress at Benoni Location ?-- I did.

Did you take notes at this meeting ?-- Yes.

What happened to these notes ?-- I destroyed the notes.

When did you destroy them ?-- After I had written out my report.

Did you put in your report everything that you had in your notes ?-- I did.

And when you drew up this report were the facts still fresh in your memory ?-- Yes.

Did you check this report of yours against a typewritten transcript ?-- I did.

In the presence of a representative of the Crown and a representative of the Defence ?-- Yes.

Is this the transcript ?-- Yes.

Was the chairman one Nobadula ?-- Yes.

Did he talk about the Congress of the People ?-- Yes.

Will you read the last sentence of his speech ?--
(Witness reads G.163. Remember.....) The next speaker is Ntsi Sibande.

Did Sibande also talk about the Congress of the People ?-- Yes.

Read his speech from the 6th line ?-- (Witness reads G.163 "Are those)

Did a person by the name of Maake speak ?-- Maake, yes.

And who was the last speaker ?-- J. Makoe.

Will you read his speech from the 7th line from the bottom ?-- (Witness reads G.163: "Now again.....)

Do you know the person Sibande ?-- Yes. (69)

And J. Makoe ?-- Yes. (28)

Are they amongst the Accused ?-- Yes.

Can you identify them ?-- Yes.

Now, this person Maake, is he amongst the Accused ?--

No.

(Report handed in G.162; Transcript G.163.)

(No further questions)

NO QUESTIONS: MR. BERRANGE:

CROSS-EXAMINED BY MR. SLOVO:

I notice that you have certain numbers behind the names of some of the persons who appeared in your notes ?-- Yes.

Could you tell His Worship what those numbers refer to ?-- Reference numbers.

What reference numbers ?-- Of files.

In respect of the persons mentioned in your notes ?-- That is correct.

Did you fill the reference numbers in at the time that you made the notes, or did you fill them in afterwards ?-- At the time when I made the report.

When you say file numbers, I take it you mean police file numbers ?-- That is correct.

(No further questions.)

MR. COAKER: NO QUESTIONS:

NO RE-EXAMINATION.

JOSIEL MOKOENA, duly sworn, (Sesotho/English - Mazwai)

EXAMINED BY P.P. (MR. VAN NIEKERK): (10/10/55.)

Are you a detective constable S.A. Police stationed at Johannesburg?-- That is correct.

On 10/10/55 did you attend a meeting of the African National Congress, at Dadoo Square?-- I did.

Moroka?-- Yes.

Did you take notes at this meeting?-- I did.

Have you got those notes in front of you?-- Yes.

Looking at these notes, can you tell what happened at this meeting?-- A.N.C. meeting held at Dadoo Square, on 10/10/55. Meeting commenced at 12.30 p.m. to 4.15 p.m. Mr. O. Motsabi acted as a chairman of the meeting attended by about 70 natives of both sexes. Chairman opened the meeting and said: "Our meeting has been opened during our difficult times. You see there are some houses behind you that has been built by the Government. We meet here today that we must come and give report of the Transvaal Conference. Therefore I am not going to waste any time. I will call upon my first speaker from Trade Union. Mr. L. Nkosi, stood up and said: "I am tired but I will still carry my duty. Our land has been stolen by these Europeans. Most of people they are not aware of the fact that they must open their eyes. Now is about some many years that we have been troubled by these Europeans, but when we tell them that we want our rights we are being told that we must go to Ford Hare where there is a great starvation. They said African people are not yet civil they must take about 300 years to become.... before they can get their freedom. Now we said we are prepared to get our freedom now without any war. In other words, the 300 years of apartheid is not going anywhere. The young boys of this land they said 'Ons polla hier' we are not going

anywhere.

What does that previous sentence mean?-- They spoke in Afrikaans and I tried to write it down. When they say 'Ons polla hier' they mean that we are not moving from here, we remain here. "The time is coming that people will have equal rights. Friends, one of my topics is of houses. They said you cannot build a house for you in this land, that is why most of Western Areas people have been moved from their homes. They said a black man have got not right to own his own properties, the removal of Sophiatown is still unfair. Dr. Verwoerd is a doctor of land. A place like Lady Selborne and Western of Cape They are also going to be moved. Now the A.N.C. is struggling hard to fight for their land. Even Orlando people they had to ask Mpanga to give them land. Mpanga with 400 people they had to break the law of the city council. This year the city council and his wife Government have decided to build some lavatories for the people." There is another speaker here: M.W. Shope, came forward and said: "This is a meeting of A.N.C. and I am coming to tell you about the working classes. There are classes of people who are the majority, whose duties is to employ people. I am coming to tell you about the Trade Union and most of Africans are all employed as workers. Some of you are clerks, some are only general labourers, and all these are called classes. Some are working on the richest classes. When they said classes they mean everybody who is working. It makes no difference whether he or she is a European so I appeal to you as a whole that we must unite. What would we do to unite. We are all members of Trade Union with A.N.C. to achieve freedom without the workers that they must join A.N.C. and Trade Unions. I will give you some examples. When the Government of this country makes some laws in Parliament they always to oppress the workers. Let us suppose tomorrow the Government increases

the rents, we are all going to suffer. It makes no difference whether you are a police in South Africa. We are told that we know nothing about the trade unions. Is because most of our people they don't understand what is the trade union. They are not interested to improve their work. In order to dissolve all this is that we must unite. Now the time has come that whenever we work we must all see that we must belong to the trade union. Even if you don't know what you can join the trade union, you must consult your A.N.C. Branch. Today in some other parts of Transvaal there are some places where most of people still don't know almost the trade union. There are some certain workers who have never suffered since they begin to work. I appeal to you A.N.C. people that we must all see that our people join the trade union. Anybody who don't know where to join he must consult the S.A. Congress of Trade Union in 156 Commissioner Street, City." Then another speaker, L. Ngoyi, came forward; interpreter N. Sejake. "Chairman and the Gathering: I am going to speak about the women of this country, as they are the foundations of everything, even these detectives are born by the women. The A.N.C. men they usually say Africa will come at their lifetime. I appeal to you the women of this country that we must stand with two feet to build our land. Today Malan has done everything with our husband. They are all useless so we must try to cure them up. Some other people had a belief that they will ever do anything towards the Europeans but that is not true. I will speak as mother of children. We have lost our native customs, that is why we are nowhere. Really, if we were all the women of South Africa we would all go to Verwoerd on the 26/10/55 during the passes problems of men. A.N.C. has decided to take a defiance campaign but Strijdom just defeated them. Marks and Kotane during their time break out the laws. But today our men are not taking any part, it makes

no difference whether you are a rich man or graduate, we are all classified under the same class. So I appeal to you all daughters of Africa that on 26/10/55 we must all go to Pretoria to make a big protest against the women's pass laws. Every woman must go to Pretoria. We are also going to take our babies with and we must put on our Congress uniform. Then we must show these Dutches that we are serious on this matter. Today our children are being taught the real education in Orlando High School. But today they are informers of Verwoerd because they said half of a loaf is better than nothing. So I appeal to you all that we can rather keep our children away from Verwoerd Education. They will live like anybody. We cannot be threatened by only 2,000,000 people and yet we are 10,000,000 in this country. During the removal of Western people were moved by armed police and yet they were not fighting. In Orlando we are going to take out 60 buses, Moroka 60, Pimville 10 and Springs 50 buses. They will all go to Pretoria and we are going to make a big protest in Pretoria. We afraid nothing even if they can lock us in. Police are trying to make any effects to stop Congress because they have seen that Congress is growing more and more. These native detectives they will go to Madagascar island. In China all men and the youths are all prepared to fight for their own country. Today they are free. Mr. Monare is gone to Free State through the fact that he was fighting for his own country people." The next speaker Jonas Matlou, came forward and said: "I come to speak to you about the ethnic grouping and site and service scheme. Right on the spot in speaking about the ethnic grouping. It must properly understood by the African people. Ethnic grouping means the people should be separated into their tribes. You must understand it is also associated with the removal of Western people, also Bantu

Education Act. You must understand that when you marry a native who is not belong to your race. Why does the Europeans decide to separate us. In building up the A.N.C. is so successful. You must also realise that Dr. Verwoerd has taken a big step which is proposing to kill the African people. By so many things like Bantu Education and also removing the people out of their village to a place where there are no houses. Then people will begin to suffer again. It means that all these schemes is only to making that people should never have their own proper places. The City Council is now being like Verwoerd by removing the people to be moved. Day by day is nothing else but suffering. You will keep on losing day by day is an oppressive and you have heard that you African women are going to carry passes. Today Africans of Western area people have been robbed, their homes. You know that is not needed that your homes should not be raided like some previous weeks. If I said people must not be moved or allow Bantu Education all these they said is treason. Perhaps as I stand here my grandfather was buried here. I don't know it seems as if the Nationalist Government is trying to make a stream of Bantu Education for Africans. That stream has been made by Nationalist Government and our only duty is to organise our people." The next speaker, R. Resha, came forward and said: "We are here today but treason can't threaten us. When the previous Congress began to build up, the Government had to realise to employ more detectives. Africans they today informers of the Government, some of them are from Orlando High School. Where they all recommend to the Government School by the principal. They are oppressing their own people because they want to get a piece of work and the school is also called Bantu High School. All these people who believed on Bantu those are the people who are working for the

Government. What does Bantu Education mean? There are many people who are describing education in many ways. They said it was brought by Jan Van Riebeeck. By education we mean that when every child be taught how he should behave at his home, a girl will be taught by her mother, boy by his father. From now onwards every child should be taught by her parents. Why these Dutches were killed by Chief Moshoeshoe at Thaba Besinbi is because he realised that they will come to take his land that is why these Europeans they called him cunning devil. We know all these by education. Even Chief Dingaan did the same thing in Natal when he killed them all. Why Chief Sekukuni never had a belief on Bible stories. By education we want to put it clear to our children that Jan Van Riebeeck was a thief. He was a criminal. That is why he had build all these gaols. I said to those who does not believe they must know that their days are numbered. When these Europeans arrived in this country, everybody was still educated in this country. In Cape people has never been defeated by the Dutches, and in Natal the Zulus were never defeated too at Blood River. We should all forget on reading these Bibles because they are only misleading the African people, through them. We will never get our freedom except we unite and stand together. The Bantu Education is only that our children should be taught that white people are superior to Africans. Dr. Verwoerd is the one who had moved Moroka/Jabavu, and Sophiatown people to Meadowlands. How can a man be moved to the lavatories and yet he have got a family. There in Springs police have raped two African children and tomorrow these police will rape our women when they demand passes from them." The Chairman stood up and requested the gathering to collect some money. The money was collected but not announced. Resolutions moved by a native

female, an unknown speaker. She stood up and said "This is the resolutions regarding passes. This meeting held on 10/10/55 at Dadoo Square strongly condemned the passes laws to the African women. It resolved to the mothers and the people to right and also to the mothers of this country." S. Tyiki another speaker stood up and said: "The women of this country are prepared to fight against pass laws. Now, I said on the 27/10/55 men should do something on that day. I appeal to you that on that day all men should throw away these passes. On the same day we have been disappointed when Mrs. Ngoyi said we are not men we are all cowards. So I will be glad if we can all agree together in this meeting and say we are going to throw these passes away. I am a chairman of Sophiatown A.N.C. Branch. It might be that I will be soon deported. I will ask some more money of collection." Meeting was closed.

Now, do you know the person O. Motsabi ?-- I do. (47)

L. Nkosi ?-- I do. (55)

M.W. Shope ?-- I do. (68)

L. Ngoyi ?-- Yes. (52.)

Jonas Matlou ?-- Yes. (38)

R. Resha ?-- I do. (63)

S. Tyiki ?-- I do. (75)

Can you identify all these persons ?-- Yes.

Are they amongst the accused ?-- Yes.

There is another one who interpreted, N. Sijake, do you know him ?-- Yes. (65.)

Can you identify him ?-- Yes.

Is he amongst the accused ?-- Yes.

On 11th October, 1955, did you draw up a report on this meeting ?-- I did.

Were the facts then still fresh in your memory ?-- Yes.

And have you noted down in this report the people who

had attended this meeting, or some of the people who had attended this meeting ?-- I did.

There are three names on this report -- is this your report ?-- Yes.

The three names marked, will you read those names please ?-- L. Masina (34); P. Selepe (66); B. Hlapane (10).

Do you know those people ?-- I do.

Can you identify them ?-- Yes.

Are they amongst the Accused ?-- Yes.

(Notes handed in as G.164.)

NO CROSS-EXAMINATION:

JEREMIAH MOLLSON, duly sworn.

EXAMINED BY P.P. (MR. VAN NIEKERK): (19/6/55.)

You have already given evidence in this case ?-- Correct.

On 19/6/55, did you attend a meeting of the African National Congress, Newclare ?-- Correct.

Did you take notes at that meeting ?-- Correct.

Have you got the notes of the meeting in front of you ?-- Correct.

Can you from those notes say who were the speakers at this meeting ?-- The speakers at this meeting were Frank Madiba, Andries Chamile; Guy Khositsile.

Do you know the persons Frank Madiba (23) and Andries Chamile (8) ?-- Correct.

Can you identify them ?-- Correct.

Are they amongst the Accused ?-- Correct.

On 20th June, 1955, did you draw up a report on this meeting, the day after the meeting ?-- Correct.

And have you noted in that report people who have attended this meeting ?-- Correct.

What is the first name ?-- Fish Keitsing. (15)

And what is the last name ?-- Isaac Bokala. (7)

Do you know those two persons ?-- Correct.

Can you identify them ?-- Correct.

Are they amongst the Accused ?-- Correct.

(Notes not handed in)

NO CROSS-EXAMINATION:

FURTHER EXAMINATION BY P.P. (MR. VAN NIEKERK):(31/7/55)

On 31/7/1955, did you attend a meeting of the African National Congress, Sophiatown ?-- Correct.

Did you take notes at this meeting ?-- Correct.

And from those notes, can you say who addressed this meeting ?-- Yes. Simon Tyiki was the first speaker, next speaker was P. Maloao.

Before Maloao, ?-- Joe Matlou.

What language did he speak ?-- He spoke in Sesotho.

Was that interpreted ?-- Yes, by H. Tshabalala.

The next speaker ?-- P. Maloao, he spoke in English.

Who was the speaker after him ?-- Johannes Modise, he spoke in English.

Do you know these people ?-- Yes.

Can you identify them ?-- Yes.

Are they amongst the Accused ?-- Yes.

(Simon Tyiki 75; Modise 41; J. Matlou 38; Tshabalala 77; Maloao 42;)

(No further questions)

CROSS-EXAMINED BY MR. BERRANGE:

Tell me, how do you spell your name ?-- J-e-r-em-i-a-h
M-o-l-l-s-o-n.

You lived at one time in Western Native Township in Ntsale Street, did you not ?-- Yes.

You've got an aunt there ?-- Yes.

When you first came here to give evidence, what did

you describe yourself as -- did you describe yourself as a coloured man ?-- Yes.

Is that true ?-- Correct.

You're sure it's true ?-- It is true.

Well, let me ask you a few questions about that. You were born in the Makapanstad district, weren't you ?-- I was born in Pretoria.

Who told you that ?-- My late father.

Now, I want to put to you that your real name is Moloisane -- do you deny it ?-- Yes.

What does your aunt call herself -- or don't you know ?-- (No reply)

Why have I got to ask you the question three times. What is your answer ?-- I don't understand the question.

I asked you a simple question; what does your aunt call herself ?-- My aunt?

Yes, your aunt in Ntsale Street, Western Native Township -- you know who I'm talking about ?-- I haven't got an aunt in Ntsale Street.

You haven't got an aunt ?-- No.

You never had an aunt in Ntsale Street. Western Native Township ?-- No.

Then I don't know why you said you had, because I want to put it to you that your name is Moloisane, and that in fact you are not a coloured man, but a Basuto, and you have been trading under your appearance, which does look as if you're a coloured man -- do you deny it ?-- Yes.

Now, tell me, what was your father's name ?-- My late father's name was Dan Mollson.

You must remember you're under oath ?-- Yes.

I want to put it to you that your late father's name was Malebye Molosane -- do you deny that ?-- I deny it.

When did your father die ?-- At Pretoria.

When did your father die ?-- I can't remember the year, I can't remember when did he die.

How long ago, how many weeks, months or years ago ?--
A few years back.

How many ?-- I can't remember how many years back.

You can't even give an estimate ?-- It can be about eight or ten years back.

When I first asked you these questions, you admitted that you had an aunt in Ntsale Street in Western Native Township, and now you are denying it. Would you please tell the Court which of these two statements is true ?-- I haven't got an aunt in Ntsale Street.

Why did you say so in the first instance ?--

BY THE COURT: Have you got an aunt in Western Native Township ?-- No.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

Well, you said you had, and I put the question to you quite clearly ?--

BY THE COURT: Did you understand that you were asked whether you had an aunt there ?-- Yes, I said 'No, I haven't got an aunt there.'

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

You said nothing of the sort, until later on. You see, I deliberately asked you in the first instance whether you had an aunt there, before I directed your attention and before you knew what I was driving at. And it was at that stage you admitted that you had an aunt there. Do you deny having said that ?-- Maybe I didn't hear the question well.

Do you usually answer when you don't hear the question, is that the way you give evidence as a policeman ?-- No.

(No further questions)

NO QUESTIONS: MR. COAKER & MR. SLOVO:

RE-EXAMINED BY P.P. (MR. VAN NIEKERK):

Have you got an aunt anywhere ?-- Yes.

Where does she stay ?-- She stays at Pretoria, Atteridgeville.

What is the name of the street ?-- Mashiwane Street.

Where do you stay ?-- I used to stay at Pretoria. 11

Did you ever stay in Ntsale Street ?-- Correct.

With whom did you live there ?-- I stayed with some people, - the owner of the house there.

(No further questions.)

SOLOMON DUNGA, duly sworn. (Xosa/English, Mazwai)

EXAMINED BY P.P. (MR. VAN NIEKERK) (10/7/55.)

You have already given evidence in this case ?-- I have.

Did you attend a meeting of the African National Congress, held at Alexandra Township on 10/7/55 ?-- Yes.

Did you take notes at that meeting ?-- Yes.

Were you present when these notes were checked against a typed transcript in the presence of representatives of the Crown and the Defence ?-- Yes, I did.

And is this the typed transcript of your notes ?-- Yes, it is.

Who was the chairman of this meeting ?-- Charlie Ndaba.

What language did he speak ?-- He spoke Zulu

Who was the next speaker ?-- Hadebe.

Was an interpreter used ?-- The interpreter was Maemola.

Will you read Hadebe's speech ?-- (Witness reads G.166: "Just as the sun rises....")

'F.C.' -- what does that stand for ?-- Freedom Charter.

(Witness continues reading G.166. Mashamaite J.P. to end.)

Do you know this person Hadebe ?-- Yes, I do. (61)

And Masimula ?-- I do know him. (33)

Are they amongst the Accused ?-- Yes.

You can identify them ?-- Yes, I can.

(Notes handed in G.165; Transcript G.166)

(No further questions)

CROSS-EXAMINATION RESERVED:

JOHAN TABETHA, duly sworn, (Zulu/English - Mazwai)

EXAMINED BY P.P. (MR. VAN NIEKERK): (17/7/55.)

You have already given evidence in this case ?-- Yes.

On 17/7/55, did you attend a meeting of the African National Congress at Jabavu, district of Johannesburg ?-- I did.

Did you make notes at this meeting ?-- I did.

Have you got those notes in front of you ?-- Yes.

Did you also check these notes with a representative of the Crown and the Defence against a typed transcript ?-- Yes.

Is this the transcript ?-- Yes.

Will you tell the Court what happened at that meeting -- you can read from the transcript ?--(Witness reads G.168: "Sunday 17th July, 1955 Nkosi Li Zalisidinga Lako. Tixonkos. Ye Nya-Niso.")

Is that the song -- will you just translate that please ?-- No; I cannot. (By Interpreter: Lord fulfil they promise; God Lord of Truth.) (Witness continues reading G.168: "Then the crowd sang the song..... to end.)

What does 'Bantu N. Congress' stand for ?-- Bantu National Congress, that is another organisation, the leader of that is Bengu, the man who was arrested.

Do you know L. Nkosi ?-- I do. (55)

Do you know Nimrod Sijake ?-- I do. (65)

Do you know Obed Motsabe ?-- I do. (47)

Can you identify them ?-- Yes.

Are they amongst the Accused ?-- Yes.

(Notes handed in as G.167; Transcript G.168.)

(No further questions.)

CROSS-EXAMINED BY MR. SLOVO:

I think you told us on a previous occasion that you write English very slowly ?-- Yes, that does happen.

And that you passed Std. IV and that your understanding of the English language is not particularly good ?-- That is correct. My knowledge is not (inaudible)

I think you also told us that your knowledge of Sesotho is not good either ?-- Yes, that is correct.

What do you say about your knowledge of Xosa ?-- Where a man speaks in Xosa I do understand, but I may have difficulty is going to pronounce words.

But you can understand Xosa ?-- I do.

And I believe you told the Court that you can understand Zulu ?-- Yes.

Now, will you have a look at the transcript of your notes. Please look at the speech of L. Nkosi on the first page, and read again the words appearing at the beginning of the third paragraph ?-- "Nkosi li Zalisideinga Lako. Tixonkos. Ye Nya-Niso."

You have no difficulty in reading that ?-- It is Bantu language.

It is in fact Xosa ?-- There is not much difference between Xosa and Zulu.

And you understand what this says -- I'm not asking you to translate ?-- Yes.

Now, tell me, when the prosecutor asked you to translate these words you will recall that you said you couldn't ?-- In English?

Yes ?-- Yes. I do not know them.

Although you do not know what these words mean, your English is so poor that you cannot translate these five or six words which you understand well, is that correct ?-- I cannot interpret it into English.

Do you recall the language in which these speakers spoke ?-- I do not remember, except Mr. Sijake who spoke in English;

And, of course, I take it that in terms of your previous evidence you could not record what he said in English, but you waited for the Zulu interpreter to tell you what Mr. Sijake said ?-- I could hear, but I then decided to wait until the interpreter interpreted in case there is something that I may have missed.

So what he said is the interpreter's Zulu translation which you again interpreted back again into English ?-- That is correct.

And you'll agree with me..... ?-- Just as the interpreter said.

And you will agree with me that a great deal of what is contained in your notes is from the point of view of whether it makes sense or not a lot of unmitigated drivel ?-- I do not know whether it is so, but I wrote down as the speaker uttered.

Well, I don't want to waste too much time on this, but I just want to put one or two sentences to you, but before I do so I wish to ask you whether you understand what you wrote down in these notes ?-- Yes, I do, because I heard this man, as this man uttered it.

Now, I will read you from the speech of Nimrod Sijake: "Some people shit others to get profit" ?-- Yes.

Could you explain to His Worship what this means ?-- When he says people shit others to get profit ?

Yes ?-- Perhaps in native language it would mean that others cheat others so as to get profit.

Can you tell me in this case, what the Zulu interpreter you have already told us that Nimrod Sijake spoke in English, but it was interpreted in Zulu, and that you

translated back from the Zulu into the English; now, could you say into the mike the words that the Zulu interpreter used, for these words "some people shit others to get profit." What Zulu words were used.

BY THE COURT: Now, you mustn't translate this in your own words; do you remember what the interpreter said at the time when you translated it?-- Yes. (Witness speaks in native language.)

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

Now, could the interpreter say what that means?--
By Interpreter: Others ill-treat others so as to then get gain.

Your interpretation of the phrase 'others ill-treat others' so as to get gain, is that some people shit others?-- Yes.

Do you know who Abraham Lincoln is, by the way?-- No.

And you're sure the speaker said that Abraham Lincoln said that a man must use the fist to another man?-- Yes.

And you just tell me what this means, you say you understand it: "We shall have politically solgers which
What does that word 'solgers' mean?-- Soldiers.

Is that how you spell 'soldiers'?-- As a person who is not well-educated that is how I spell it.

Which will 'puch' -- what does that mean?-- Do you mean in Zulu?

No -- well, it may be a Zulu word, I don't know; I can't understand it in English. Read the third line from the end of the paragraph. ?-- "...we shall have political solgers which will puch the clic with mobilising forces"

Now, just tell me what that means, before we get down to the spelling. "We shall have politicaly solgers which will puch the clic with mobilising....."

BY THE P.P.: The witness said 'push.'

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

May I have your spelling of the word after the word 'will' ?-- P-u-s-h.

How is it written in your notes ?-- My handwriting I know it and my 'n's sometimes face upwards, but I know what it is.

We'll accept that. What is the word which appears after the word 'the'?-- C-l-i-c.

What does that word mean ?-- In Zulu.

Just explain to the interpreter what the word means and he will tell us ?-- In Zulu I would say it means a small crowd or a few. (Witness indicates with his hands.)

Now, tell us what the sentence means: "We shall have politically solgers which will push the clic with mobilising forces" ?-- To me in Zulu it would mean that he would have soldiers and when there is that crowd, that crowd will be pushed out. Say something like that.

Push what ?-- I would take it in this way, if I and the interpreter could go somewhere, anywhere, if we come across anything may be difficult or heavy then we would push it.

Is that what all that means ?-- From what I remember it is so.

Now, just look further on in Nimrod Sijake's speech, page 3 of the transcript, at the bottom. ?-- "People so far they can see that we are oppressed. How much to us?"

Apart from from the fact that you say that people can see that we are oppressed, what does that phrase 'How much to us' mean, in that context ?-- If a man says from outside, I can see that these people is like this and this to these people, then I would say: 'How much then' to me.

That's what the speaker said ?-- Yes, that is what it says.

Just read on that particular paragraph ?-- "People so far they can see that we are oppressed Far people sees

that force must be used, that is enough prove that people of South Africa are oppressed but one day will be the day."

What day is the speaker referring to?-- I would not be able to say what his intentions are.

I want to put it to you again that your English is so appallingly bad that you are a semi-literate person?-- That is so.

And that you are not capable, not possibly capable of conveying to any court of law.....

P.P. OBJECTS:

DISCUSSION:

OBJECTION SUSTAINED:

(No further questions)

CROSS-EXAMINED BY MR. COAKER:

You have already told me that the Zulu language is one which is full of figures of speech, is that so?-- Yes.

And when you report a figure of speech in Zulu and translate it into English, you translate literally every word of it?--

BY THE COURT: Perhaps you had better illustrate; the witness may not understand it.

CROSS-EXAMINATION BY MR. COAKER CONTD.:

(To interpreter:) Is the witness having any difficulty in understanding it?-- (Interpreter: That is what he says, he does not understand exactly what I understand.)

Let me give you an English figure of speech. If you mean that a person is a bad man, you might say of him he is a mad dog?-- (Interpreter puts question to witness)

DISCUSSION BETWEEN MAGISTRATE AND INTERPRETER:

CROSS-EXAMINATION BY MR. COAKER CONTD.:

?--- If the speaker says the word 'dog' I would use the same word, and if he said he was a bad man I would use bad man.

So if you heard the words 'that person is a mad dog' you would write down in your notes 'that person is a mad dog' ?-- If he said in Zulu I would just write what he said. If he said it in English I would just write it as he said it.

And if he said it in Zulu you would translate it into English and just write it down like that ?-- Yes, that is what I would do.

(No further questions)

CROSS-EXAMINED BY MR. BERRANGE:

When you are at a meeting, or when you were at this meeting, that is of 17/7/55, taking notes, were you taking notes in a pocket-book, in a notebook ?-- In a notebook.

And were you using ink ?-- Yes.

And have you got a pen ?-- Yes.

Got it on you ?-- Yes.

Just take it out. Where was this meeting held, at Luthuli Square, Jabavu ?-- Yes.

So you were standing up then when you were taking your notes ?-- No, I was sitting on a motor-cycle.

Sitting astride ?-- (Witness demonstrates) I was sitting like this.

On the saddle ?-- Yes.

You were sitting with your legs together sideways on the saddle of a motor-cycle ?-- Yes.

Whose motor-cycle ?-- Government's.

Were you driving it ?-- Yes.

Got a licence ?-- Yes.

I am going to read out a speech in English; stay where you are, if His Worship will allow it. I am going to ask the interpreter to interpret it into Zulu, and then I am going to ask you to write in English what you hear me say and what the

interpreter interprets to you; do you understand ?-- Yes.

BY THE COURT: How did you hold your notebook when you were writing -- you were sitting on the motorcycle -- how did you hold the notebook while you were writing ?-- (Witness demonstrates.) Like that.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

And your saddle would be about as high as this table, wouldn't it, more or less ?-- Yes, about this table's height. A little higher than that.

I want you to therefore rest yourself on that table, as if it was the saddle of the motor-cycle, take out your notebook ?-- I haven't got one.

Well, pocket-book ?--

BY THE P.P.: I must say that the conditions as demonstrated now are not the same as that on a cycle.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

The way you are sitting now, is there any more or any less comfort and convenience than the way in which you were sitting on the cycle ?-- This table is very high.

Give him a chair ?--

DISCUSSION BETWEEN MAGISTRATE AND MR. BERRANGE:

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

Now, you are much more comfortable than sitting sideways on a motorcycle ?-- Now lower.

I know you're lower; I'm saying you're much more comfortable. I am not going to make any bones about this, I am going to suggest to you ultimately that the notes that you have produced in court here are notes that were not taken at the meeting but were written afterwards; I'm warning you now. I won't conceal what my object is ?-- We take notes at meetings.

BY THE COURT: In other words, did you write down as the speakers were speaking ?-- It does happen at meetings that as you write one speaker speaks fast and then you do not complete what he

has said and then you continue to write on.

Do you complete that afterwards, or what?-- No, you never get the chance to come and complete it, because you keep on carrying on as the speaker carries on.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

I am putting to you that those notes were not notes made at the meeting itself, but were made at a later stage; do you admit it or deny it?-- I take notes at the meeting and the thing that I write afterwards is the report.

I'm putting it to you, and I want an answer to that question: Those notes I am suggesting to you were made afterwards and not at the meeting. Do you admit it or deny it?-- I took these notes at the meeting.

And the second thing I am going to put to you that in my submission you are too illiterate to be able to write that which the speaker says to you, even though you have the benefit of interpretation. Now, I may be quite wrong, but you will now have the opportunity of saying if I am wrong?--

DISCUSSION BETWEEN MAGISTRATE AND MR. BERRANGE:

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

?-- This is my handwriting.

You have told us that you held the notes, your notebook in your hand, not on your knees, you showed us; show us how you held your notebook. His Worship asked you how you held the notebook when you were at this meeting on the motor-cycle?-- (Witness demonstrates.)

No, that is not what you demonstrated; however, I will give you the benefit of that too. Let's give you all the advantages?-- I was sitting on a motor-cycle and I had my book on my lap.

We'll see later on how you have a book on your lap sitting on a motor-cycle. Now, I am going to speak. I am not going to speak very slowly. I'm not going to speak very fast; I'm

going to speak in a way which I imagine a man makes his speech. I'm going to ask the interpreter to interpret it into Zulu, and I want you to write down what it is you have heard both the interpreter and me say. And I am now going to read from the speech made by Hadebe in G.166. I shall leave a couple of sentences out as I go along, because I want to read out that which is completely sensible. "Friends, just as the sun rises and sets at the same time our struggle has its vicissitudes. And yet we see many of our brothers and sisters...." ?-- You are fast, I do not hear what you say.

But isn't that the speed at which the speaker talks at a meeting ?-- No.

All right, I'll go more slowly. What have you written down ?-- "Friends, as the sun rise....."

Is that all you've got down ?-- Well, I stopped and then I told you that you're going too fast.

All right, we'll start again.

COURT ADJOURNS:

COURT RESUMES 22/3/57.

APPEARANCES AS BEFORE:

MR. COAKER ADDRESSES COURT:

(Accused No. 31, S. Malupie, now returned to Court.
Absent Accused: No. 4, H. Barsel, medical certificate
handed in.
No. 19, Joseph Kumalo:
No. 50, S. Nathie:
No. 52, Lilian Ngoyi:
No. 55, Lawrence Nkosi:
No. 98, L.B. Lee- Warden:
No.146, D.A. Seedat, certificate to be
handed in.)

JOHAN TABETA, duly sworn, (Int: Ebenezer Mazwai)

CROSS-EXAMINED BY MR. BERRANGE (CONTD.):

DISCUSSION BETWEEN MAGISTRATE & MR. BERRANGE:
(Motor-cycle combination cannot be brought into Court)

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

You have told us that at meetings where English is spoken and where it was interpreted then into Zulu, you then listened to the English and you listened to the Zulu and then you write in English; is that correct?-- At the meetings when the speaker speaks in English, generally there are two interpreters, one interpreting in Sesotho and the other one in Zulu.

You know, I knew that you were going to say that, that's why instead of going on with this test, I thought that I'd ask you this question. Did you say that before in giving evidence, that there were two interpreters; have you ever said it before?-- Yes, when I came in here first I said when the speaker speaks in English there are two interpreters, Sesotho and Zulu.
BY THE COURT: When was that, on a previous occasion when you gave evidence?-- I think it was on the first occasion.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

I was talking about the meeting of the 17th July, 1955, the meeting to which you have been testifying, and the meeting in regard to which I am cross-examining. Is there anything on your notes to show that there were two interpreters?-- No, we do not write that.

You have told His Worship that you can only speak a few words of Sesotho, is that correct; did you say that?-- I said I understand Sesotho though my knowledge of Sesotho is not good.

Did you say that you could only speak a few words, is my question?-- No, I will say again, I understand Sesotho, though I do not understand it well.

Do you deny that you only said you could speak a few words, it's a simple question; I'm not interested in anything else that you may have said?-- I was never asked whether I could speak it.

I never asked you to tell me what you were asked; now, for the third time, I'm asking you, did you say that you only speak a few words; why don't you answer my question?-- I did not say that.

DISCUSSION BETWEEN MAGISTRATE AND MR. BERRANGE:

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

Are you able to remember this meeting that you attended on 17/7/55?-- You mean the one we spoke about yesterday?

The meeting of the 17th July, to which you were testifying yesterday; do you remember it of your own recollection, or do you remember it only because of the notes?-- No, I would not remember it because we had many meetings.

Therefore you can't remember what interpreters were used, if any, other than what your notes show?-- You mean what they said, that I should remember that?

My question was, you do not remember whether any interpreters were used, if any, at this meeting, other than what your notes show ?-- There were interpreters used.

Why do I have such difficulty in getting an answer to the simplest of questions that I put to you; do you or do you not remember of your own recollection, with regard to this particular meeting, whether interpreters were used, if any; now, that's a simple question ?-- There were.

Do you remember it, is my question, for the fourth time ?-- I know there were.

You know, the stage is coming very soon that my patience will be exhausted, and I will ask His Worship to deal with you. You are deliberately avoiding my question. Now, I'm asking you for the fifth time, not whether you know, not whether there were, but do you yourself remember today, standing in that witness box, that interpreters were used, and I'm not going to ask the question again, I hope ?-- There were.

Do you remember that ?-- I know.

Do you remember that, for the seventh time ?--

BY THE COURT: How do you know that interpreters were used ?-- I know because this man Sijake spoke in English, and then he had to have two interpreters, one interpreting into Sesotho and one into Zulu.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

I'm asking you, do you remember that, and it is the eighth time I'm asking you, or are you merely saying that ?-- Yes, there were interpreters.

The witness is deliberately refusing to answer that question, in my submission.

BY THE COURT: I don't know whether this is deliberate. Is it because you remember it; can you throw your mind back to that meeting and do you remember that there were two interpreters

or are you merely drawing a conclusion because you say Sijake speaks in English ?-- I remember and I know.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

Now you remember. At this particular meeting, that he spoke in English ?-- Yes.

Why did you tell His Worship a few moments ago that you didn't remember this meeting at all ?-- I did not say that.

You deny having said that ?-- You asked me a question, do I remember the meeting. I then put a counter-question, do you mean the meeting of the 17th, and because there are many meetings, that's what I said.

And you said you did not remember this meeting -- did you did you not say that ?-- I did not say that.

And if it is so recorded on the machine -- I suppose the machine is lying ?-- I asked you a question

Don't tell me what you asked me.....

BY THE COURT: No, I think that is my recollection too, that the witness said that he doesn't remember this particular meeting.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

Do you deny having said that ?-- What?

That you don't remember the meeting yourself except for your notes -- do you deny saying it, that's all I'm asking you ?-- I said I do not remember what meeting you are talking of because there are many meetings.

Again you refuse to answer the question, do you. Tell me, who spoke at this meeting -- don't look at your notes. You remember the meeting now, tell me who spoke ?-- Maybe I will not remember them all because there are many.

Tell me whom you remember having spoken ?-- Nkosi, Motsabi, Lengene, B.M. Lengene and J. Lengene, Mrs. Mbalete, Mr. Sijake, -- have I mention Hlalokane?

Don't you remember whom you mentioned ?-- And Hlalokane.

But you gave this evidence yesterday; why can't you remember it ?--

BY THE COURT: He seems to have mentioned all those that I have here in my notes ?-- Yes, these are all that I remember.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

Tell me, in what language did Langene speak?-- Which one?

John Langene ?-- Sesotho.

You remember that ?-- I do.

In which language did the other Langene speak ?-- Sesotho.

You remember that ?-- I do.

This is a meeting you don't remember. Now, if they both spoke in Sesotho, why did you find it necessary to ask me the question, which one ?-- It's because they had the same name.

I know, but if they both spoke Sesotho, does it matter which one. Why ask me the question ?-- I wanted to know which Langene you referred to, because there are two.

Why, if they both the same language, why did you want to know ?-- These people did not speak at the same time. A man stands up, he speaks, and then there are other speakers.....

Why don't you answer my question ?-- Which one?

You know what my question is ?-- When I asked you which one, which Langene, because there are two.

Is that the only answer you've got ?-- About what?

About my question ?-- I asked you which Langene you referred to because there are two.

Is that the only answer you have got ?-- Yes.

What language did Mbalati speak ?-- Shangaan.

Do you understand that ?-- No.

What language did Motsabi speak ?-- Sesotho.

You remember that ?-- I do.

What language did Sijake speak ?-- English.

You remember that ?-- I do.

What language did Motsabi speak ?-- Sesotho.

You remember that ?-- Yes.

What language did Nkosi speak ?-- Zulu.

And Hlalokane ?-- Xosa.

You remember all that ?-- I do.

Of your own accord -- you remember that about a meeting which you said you didn't remember at all ?-- Yes. I remember that because I was there.

You've attended dozens of meetings, many meetings?--Yes.

And you are able now, without referring to your notes, to tell us in regard to any particular meeting what language was used by any individual speaker ?-- You mean all the meetings that I have attended.

Well, what else do you think I'm talking about ?-- No, I cannot do that, because sometimes there are Europeans and then they generally speak in English.

And that is why you can't remember what language the other speakers used ?-- (No reply.)

Is that why you can't remember what language the other speakers used ?-- If there are no Europeans or Indians, each man speaks his own language.

I thought that's what you were doing. ?-- Except that there is a certain document which they read from which they read out.....

You are wanting to tell this Court then, that a man who is a Zulu, always speaks Zulu; a man who is a Shangaan always speaks Shangaan; a man who is a Sesotho always speaks Sesotho; is that your evidence ?-- No, it is not so.

Well, then, I don't understand your evidence, will you kindly explain that.

BY THE COURT: I think he qualified that by saying that when there are Europeans then they would speak English.

BY MR. BERRANGE: I didn't understand that, Sir. I'll ask him again.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

You are able to remember the language that is used by every speaker, at every meeting that you have attended, where no Europeans were present; is that your evidence?-- Please repeat the question.

Repeat it to him 20 times, if you like. ?-- (Interpreter repeats question in English for benefit of Court, and Zulu to witness): No, it is not so. Even if a man is a Zulu when he feels like it sometimes, he speaks English; even if he is a Sesotho.

Even when there are no Europeans present?-- That is correct.

That is what I say, then you are able to remember the language that is used by every speaker, at every meeting that you have attended?-- No, I cannot.

Then why are you able to remember the speakers and the languages used by the speakers at this meeting of the 17th July; why do you remember this particular meeting then?-- What makes me remember is because when Sijake spoke in English, he had a document that he read.

Do you mind stopping talking nonsense; I know that's the technique of some witnesses when they can't answer the question, but please answer my question. ?--

BY THE COURT: Let the witness go on, he may have some other reason; is that the only reason because Sijake read from a document?-- Yes, that is the only reason, because on this day when he had this paper from which he read, when he mentioned the name Joseph Lincoln.

Yes, but I don't understand, what that has to do with your remembering in what languages all these people spoke; it doesn't sound sense at all ?-- And another thing that makes me remember, it was only non-Europeans that were at this meeting, and he spoke in English whilst looking at this paper.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

It is still not an answer to the question.

BY THE COURT: Sijake spoke in English, is that what you're saying ?-- Sijake spoke in English.

And you say there were no Europeans there ?-- No, there were no Europeans.

It seems obvious that he is merely drawing a conclusion from the facts that he can remember.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

I thought you told His Worship that when there are no Europeans there, the speakers did not speak in English -- didn't you tell us that ?-- I said when there are no Europeans, these people normally speak in their own languages, but it does happen that sometimes, when a man feels like it, he speaks in English, though he may be Sesotho or Zulu.

And because Sinake spoke in English on this occasion, you are able to remember the language which all the other speakers used ?-- I know these people; I stay with them. I know they normally speak in their own language and it's only on very rare occasions when a man does speak in English .

And do you keep a note of these rare occasions ?-- I do.

You didn't keep a note on this occasion; where is your note that Sijake spoke English ?-- In all these notes, I don't think there is anywhere in them where it is written that Hlalo-kane spoke in such and such a language, because at that stage we had not yet received instructions to do so.

Where is your note that Sijake spoke English, is my ques-

tion ?-- (Reply not interpreted.)

BY THE COURT: No, please answer the question; have you got a note that Sijake spoke in English ?-- No.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

Why did you tell His Worship that on these rare occasions when people speak in English you always keep a note -- do you deny having said that ?-- I never said that. That I wrote down and say 'so-and-so has spoken in English.'

You know perfectly well what I'm talking about -- if you don't you're not fit to be in the Police Force. Now, you have told us also that you don't understand Shangaan -- do you remember saying that or do you want to deny you said that too ?-- I do not know Shangaan.

A man speaks in Shangaan, into what languages is it interpreted ?-- Sesotho and Zulu.

Always ?-- Always.

You remember that happened here ?-- Yes.

Now, I'm going to give you the advantage, of having two interpreters when I make my test on you; you never claimed that yesterday, but I thought you'd think of it during the night; it will give you a little bit more time.

(To interpreter: Would you be able to interpret that into Sesotho and Zulu ?-- Yes.)

(Pad handed to witness, seated on a chair.) Just give me those notes, first of all. A chair is more comfortable than sitting sideways on a motor-cycle saddle, isn't it ?-- All the same, as long as I am sitting down.

All right, we'll start again where we started yesterday: "Just as the sun rises and sets at the same time..."

COURT EXPLAINS TO WITNESS:

it will not be like when counsel dictates.

BY THE COURT: Do you mean you will have more time to write down?-- Yes.

DISCUSSION BETWEEN MAGISTRATE AND MR. BERRANGE:

BY THE COURT: Is there anything else you would like to say in connection with this test?-- No, there is nothing else, except that if counsel goes a bit too fast, I will tell him.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

It doesn't matter tuppence how fast counsel goes; what matters is how fast the interpreters go.

BY THE COURT: I think we can ask the interpreter to pretend that he is addressing a meeting; I think some of the interpreters at these meetings are actually addressing the meetings. Would you be quite comfortable on that chair; are you in as good a position as when you sit on a motor-cycle?-- No, it is the same, it is all right.

Do you feel you can go ahead now with the test?-- Yes, carry on.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

(To interpreter:

You will interpret a certain portion of this speech in both languages; after that, in order to get the conditions which exist when a man is speaking Sesotho, and only one interpreter is used, I'll tell you then to interpret only into one language.) Well, you should know the first sentence by now, you've heard it many times already. "Just as the sun rises and sets"?-- You are speaking in English now?

Don't you understand me?-- How many interpreters are going to be here?

Two.

DISCUSSION BETWEEN MAGISTRATE AND MR. BERRANGE:

POSITION EXPLAINED TO WITNESS:

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

?-- I would like to have another interpreter.

Don't you understand this interpreter ?-- I do understand the interpreter but the position is this. When the interpreter has finished interpreting into the first language, he will just carry on; it will not be the same as when another man takes over.

Why not ?-- It will not be the same.

Why not ?-- I know it will not be the same.

Why not ?-- Bring another interpreter.

Why do you not answer my question. I'm asking you, why is not the same ?-- (No reply)

No answer ?-- I cannot answer that question; but I ask that there be another interpreter.

Why don't you answer my question ?--

BY THE COURT: He says that he can't give a reason for it; he feels that it is not the same.

BY MR. BERRANGE: Well, the Court can judge that in due course; I don't propose to waste any more time over this question.

BY THE COURT: Are you prepared to go through the test with the one interpreter, interpreting into two native languages, Zulu and Sesotho ?-- No.

DISCUSSION BETWEEN MAGISTRATE AND MR. BERRANGE:

BY THE COURT: Tell the witness that Mr. Berrange will now dictate a speech; that will be interpreted only into one language Zulu, and he must try and get down as much as he can of this speech. Tell him that that is now my decision, that he should undertake this test as best he can.

BY THE P.P.: I'm sorry to interrupt. I don't know whether the witness didn't say there were two interpreters. I don't know what test my learned friend wants to make now with only one

interpreter.

BY THE COURT: In some cases, I understood there would only have been one interpreter; actually, from Shangaan they were interpreting to Zulu and Sesotho.

BY MR. BERRANGE: The witness said the Shangaan was interpreted into Zulu.

BY THE COURT: And Sesotho.

BY MR. BERRANGE: No.

BY THE P.P.: Yes, into Zulu and Sesotho.

BY THE COURT: Yes, I have this note, Shangaan is interpreted into Zulu and Sesotho.

BY MR. BERRANGE: And the English?

BY THE P.P.: The English also to both languages.

BY THE COURT: A speech in English into Zulu and Sesotho. So actually the effect of the test will be lost if you insist on one interpreter.

BY MR. BERRANGE: Very well, I propose to go ahead with the interpreter interpreting in both languages, with Your Worship's permission.

BY THE COURT: Tell the witness to get ready now, that we have now decided that the speech which Mr. Berrange will dictate in English will be interpreted by you into both Zulu and Sesotho ?-- That is what I do not agree with.

What do you agree with -- you want two interpreters, do you ?-- Yes.

But it is my decision that you must make the best of this test, in these circumstances ?--

BY THE P.P.: May I ask another question; at what stage must the witness start writing?

BY MR. BERRANGE: Whenever he likes.

BY THE COURT: He must get ready and write at once; he can lis-

ten to the English, if he wants to; I don't know whether that is usual procedure, whether he listens to the English speeches, and then to the interpreter's interpretation of the speeches.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

"Just as the sun rises and sets at the same time....."

BY THE COURT: Mr. Interpreter, I doubt whether interpreters would rush off at that rate; there is really little point in having a test -- I can imagine myself at a meeting like that the interpretation is just not rattled off, as the interpreter is doing it now.

BY MR. BERRANGE: Well, Sir, it seems to me that it is going to be completely impossible to have two interpretations in this way; may I make this point that quite obviously could I ask the witness a question at this stage. (Witness returns to box.)

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

When a speaker speaks in Zulu, how many interpreters are there?-- One.

When a speaker speaks in Sesotho, how many interpreters are there?-- One.

So we don't need a double interpretation.

BY THE COURT: At this meeting you had the position that there was a speaker who spoke in Zulu, and there was only one interpreter into Sesotho, or vice versa.

DISCUSSION BETWEEN MAGISTRATE AND MR. BERRANGE:

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

Which do you understand better. English or Sesotho?-- English better than Sesotho.

So that will be of considerable assistance to him.

BY THE COURT: So your speech will now be interpreted from English into Zulu; what is your mother-tongue?-- Zulu.

The speech which is being dictated to you in English will

be interpreted only once, into Zulu. (Magistrate asks interpreter to speak more slowly.) (Witness returns to chair to undertake test.)

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

?--- What must I do now?

Record the speech that I am going to make, through the interpreter: "Afrika! Just as the sun rises and sets at the same time, our struggle has its vicissitudes, and yet we see many of our brothers and sisters....." ?-- Counsel is fast.

I am going to talk as I like; if you can't get it down, His Worship will judge whether I've been fair or unfair; now just go ahead and don't let us have any more interruptions.

DISCUSSION BETWEEN MAGISTRATE, MR. BERRANGE AND INTERPRETER:

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

"..... And yet we see many of our brothers and sisters without any hope of betterment towards national enlightenment. Friends, the words that are written in the freedom charter drop like gentle rain on our hearts urging us towards freedom. (Applause on instruction) !... because its words have upset the plans of our oppressors. And it has shown the world that we are a people that can and should live in this country. We of course accept the principles of the Bible and we respect it now for its historical background."

BY THE COURT: Tell him he must make the best of this and forget about anything else; he must get down what he can, and don't get up again.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

"But it has been responsible for our oppression, and now we are going to set it aside and devote our efforts to the implementation of the Freedom Charter." Now, we have a pause for clapping, or cheering, or defence, whatever it is.

"Nobody can bluff us by flattery that the Freedom Charter is just another scrap of paper, but we shall recognise its importance as the only way towards our freedom. We should have a share in these stupendous fortunes of South Africa"

Pause, clapping, cheers, defence

BY THE COURT: No, no; don't do that, just pause Mr. Berrange.

BY MR. BERRANGE: I'm just trying to indicate to the microphone, to get it on the record that we are pausing.

BY THE COURT: I think that disturbs the witness.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

"Anyone who wants to monopolise the sharing of the wealth of this country, should evacuate the country, like such men as Mr. Swart, who goes about blackening our country's name, in such a great world-renowned organisation like the United Nations Organisation. We have been working for years and years, but we have not been given one penny to save for the future of our children.....Pause Our viewpoint is that we should capture the economic means of the country from such capitalistic men like the Oppenheimers, so that everyone should share in the ownership of the country's wealth and the land of their birth. Such a situation in South Africa shall never be permitted to be perpetuated in South Africa, In this country, there are many industries, and the Verwoerd clique with his colleague, the Minister of Labour, is aiming at enslaving the Africans in this country. They have robbed the Africans of their right of voicing their complaints, and have made it a point that what the African has to do is only to do and die..... Pause We should do away with such pieces of vicious legislation, like the Industrial Conciliation Act. We should do away with starvation, by putting the wealth of the country in the hands of the nation. We should do away with poverty since we ourselves are not a lazy

people. The working class is earning very insignificant salaries, and they fail to understand what they stand for, and the world at large is surprised at our exploitation which seems to be perpetual..... Pause To fight poverty and disease is the way to capture the industries and to distribute the wealth amongst those who work for it." I have read from Exh. G.166, which was a series of speeches reported by the witness Solomon Dunga. I read a portion of Hadebe's speech, which is the first one, and I read a portion of Ngobe's speech, and altogether I have read approximately a page and a half of type, not even that -- double spacing. May we now see what you have written. (Handed to Mr. Berrange) Where's the rest of it?-- That is all, and on the other side.

Approximately 140 words the witness has written. I will read it out: "Afrika! Just as the sun rise and set at the same time....." Then there are some words which are indecipherable, "these way of our brothers and sisters. Friends the words are written in Freedom Charter. Our freedom have changed our lifetime. It has shown the world that we should stay in the country but been for our oppression to the Freedom Charter. No-one can bluff us to say freedom is a scrap of paper. We should have in South Africa anyone who wants he should go back. Unlike for yourself to save pay for the future of our children like Oppenheimer. In the land of our birth in this country are many industries. People of this country to be slaves, Africans to die. We should do away with starvation; we should do away with pover, low salaries, which secures to me to fight pover and deases..." Supposed to be 'diseases.' May we put that in as an exhibit. (G.169.)

COURT ADJOURNS:

COURT RESUMES:

JOHN TABETE, still under oath:

May I have a look at your pen -- how long have you had this pen?-- It is sometime, I do not know how long.....

Well, how long?-- and I have many pens.

How long?-- It is some time, and I have many pens.

Have you got more in your pocket?-- I have got two.

Two more, three altogether?-- But this writes red.

And the other one that you have got in your pocket?-- Just the ordinary ink.

So you've got two on you at the present moment, that write in black ink?-- Yes.

How long have you had them?-- The one that is in my pocket it is quite some time that I have had it.

What do you mean by quite some time; six months or six years?-- I think about two years.

And this one that I have got in my hand?-- A year and some months but I'm not sure.

Did you have this pen at the time that you recorded this meeting, the one that I have in my hand?-- I do not remember whether I used the pen that counsel has in his hand now or the one in my pocket, or the one at home.

My question was, did you have this pen, had you already acquired this pen at the time that this meeting took place?-- Yes, I had it, but I do not remember whether I used that pen.

Do you carry ink with you?-- No.

Can you remember which pen you used at this meeting?-- No.

You were writing very quickly at this meeting?-- No, you do not write very fast at the meetings, because the speaker speaks and then there are the interpreters, and then you write.

So you had plenty of time to write at this meeting -- did

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