

MEMORANDUM ON NAT/DET/CONST - MADYUTA.

This witness is obviously very poorly educated, and although there is not much in his notes which is unintelligible, the notes are written in such poor English that it is obvious that the speakers did not talk in the manner in which the witness has recorded them, but that the language is that of the witness and not that of the speaker. The witness also is not a Zulu and admits that he does not speak it well. P. 1756 (V.9). and when a speaker used the vernacular he, the witness, did his own translation into English. p. 1756 (V.9). He concedes that the Court will have to rely on his own translation. p. 1756 (V.9).

At 1757 (V.9). witness concedes that when compiling his report it would be wrong for him not to follow his notes and to change words. He denies that in so compiling his report he did not add anything not in his notes - nor did he change any words. p. 1756 (V.9). After witness's attention had to be drawn to discrepancies between his report and his Notes. p. 1757 to 1756 (V.9). the witness then admitted that in his report is to be found matter not contained in his notes - and that things which appear in his notes have been omitted from his Report. p. 1761 (V.9).

(R.B. Mene (51) at meeting No. 7 spoke Zulu, Peter Selepe (66) spoke English and Sesuto and Mavuso (39) spoke Zulu and English. p. 1755 & 6 (V.9). Baruda is the witness's language.).

Meeting No. 60.

p. 2376. (V.12). The evidence given by witness about this meeting illustrates how sentences which appear in the/....

the notes or reports, although very damaging on the face of it, can nevertheless be shown to be quite innocuous. See p. 2377 (V.12)., Motsela (K.A.), says "...it will be the history of Western Areas and every African must give himself up ~~but~~ but on the day it will be the day of death and the blood will flow". but see the continuation of this speech, especially on p. 2378 (V.12). where it is clear that the speaker envisages that violence will be directed against the African community and that it is the resisters in Western Areas that will be killed and whose blood will flow. The next speaker Jonas (N.A.), at p. 2380 (V.12). pursues the same theme. Then Motsela (N.A.) again on p. 2385 (V.12), speaks about "those who are going to shoot our people in the western Areas".

Furthermore, the witness concedes under x-examination p. 2402. (V.13), that the ~~speeches~~ ^{speeches} were given in Sesuto and Zulu and that it was he who translated into English and that the vernacular has flowery expressions and figures of speech which are capable of differing interpretations. As to this, see the words "The fight is on - give us money for buying ammunition so that we can fight our oppressors". on p. 2385, (V.12). The witness on p. 2408. (V.13), concedes that these words may have been prefaced with words such as "money is our ~~am~~ ammunition". and on p. 2409 (V.13). he also conceded that the words "Rebatla -aruma" can mean either "We want guns or assegais" or it can be an appeal for money - the latter he says is an expression that is commonly used.

The witness, I suggest, should be x-examined along the lines suggested above.

on pp. 2377, 2378, 2379, 2381, 2382, 2385 (V.12) are to be found examples of recording which is quite unintelligible and see p. 2404 (V.14) where witness admits that he has crossed out sentences in his notes because they did not make sense.

See also p. 2403 (V.14) where witness concedes he polishes his reports when compiling them from his notes.

See also p. 2405 to 2407 (V.14) when it would appear that witness is lying when he repudiates the suggestion that Ex. 92 is in fact his rough draft of his report and not his notes at all. see also p. 3140 (V.16).

Meeting 124:

p. 2843. (V.15).

Ex. G. 209. At this meeting there was repeated reference made to Madzunya, the effect of which was that the latter had been expelled from A.N.C.

Collection: 1956 Treason Trial
Collection number: AD1812

PUBLISHER:

Publisher:- Historical Papers, The Library, University of the Witwatersrand

Location:- Johannesburg

©2011

LEGAL NOTICES:

Copyright Notice: All materials on the Historical Papers website are protected by South African copyright law and may not be reproduced, distributed, transmitted, displayed, or otherwise published in any format, without the prior written permission of the copyright owner.

Disclaimer and Terms of Use: Provided that you maintain all copyright and other notices contained therein, you may download material (one machine readable copy and one print copy per page) for your personal and/or educational non-commercial use only.

People using these records relating to the archives of Historical Papers, The Library, University of the Witwatersrand, Johannesburg, are reminded that such records sometimes contain material which is uncorroborated, inaccurate, distorted or untrue. While these digital records are true facsimiles of paper documents and the information contained herein is obtained from sources believed to be accurate and reliable, Historical Papers, University of the Witwatersrand has not independently verified their content. Consequently, the University is not responsible for any errors or omissions and excludes any and all liability for any errors in or omissions from the information on the website or any related information on third party websites accessible from this website.