

members, non-SASM members, objected to having special textbooks specially written for them because they felt that a lot was kept away from them that was in the ordinary textbook. Did you share that view? -- No.

You did not share it. And you say that if you had not been expelled in this way that you were expelled, you would have been quite happy to go on and to matriculate. Is that so? Even though you had a certificate which did not mean you had any knowledge. -- Yes, had I not been expelled.

Now there were students - I am not saying they were (10) right or wrong, please - there were students there who felt very strongly about what they called Bantu Education because they felt it was inferior. Is that correct? -- Yes.

There were many students that you had met perhaps from other institutions who had the same view, rightly or wrongly, that was their view. -- No.

You do not know? -- I do not know.

Fair enough. You have heard of people, rightly or wrongly, who felt so strongly about what they thought was a lesser, inferior education, that they said they would (20) rather go overseas to other countries to get what they thought was a proper education. You have heard of such people? -- No.

Not at all? -- No.

The accused, they had heard of quite a few such people. You have not. -- No.

THE COURT ADJOURNS FOR LUNCH. THE COURT RESUMES AT 2,15 P.M.

VUYO PETER BALENI: still under oath:

FURTHER CROSS-EXAMINATION BY MR KIES: Do you remember saying earlier this morning that in the car with you when you went to East London, there was a man called Paike? -- Yes. (30)

And I think you said that he had not been to Healdtown.

Is that right? He is not a Healdtown student? -- He is a Healdtown student.

Do you know which form he was in? -- Form 3.

And I am told that his surname is Fees. No. 10 on Annexure A. David Fees. -- Yes.

Now, you said that accused No. 4 was helping to organise that meeting and he was at the meeting with the parents in Port Elizabeth. -- Yes.

Do you know whether accused No. 4 applied for re-admission to Healdtown? -- He went to Healdtown by truck, we all (10) did.

And he says he re-applied for re-admission as people had to do, but he was turned down. He was not re-admitted. Is that correct? -- This is so.

And the same applies to accused No. 5. -- That is so.

Do you know what the position was with regard to accused No. 3? -- I do not know.

And there were a good many students, I understand, who were not re-admitted. -- Yes.

As I understand your position, you had decided that (20) you did not want to go back. -- Yes.

You were finished with Healdtown. -- That is so.

And you say you had firmly made up your mind you wanted to leave the country. -- That is so.

And am I correct in saying that you wanted to go out for military training and further education as well. On that you were quite firm. -- Yes.

Now, to come to Healdtown for a while .. (intervenes)

BY THE COURT: You say you had made up your mind you were not going back to Healdtown? -- Yes. (30)

Did you not say just now that all of you went back by truck/...

truck? -- We did go by truck.

Why did you go? -- My friends pleaded that I go along with them.

Why did you go if you did not want to return to Healdtown?
-- They pleaded with me.

Did you change your mind? -- I decided to go along with them.

Were you going to apply for re-admission or did you just go to keep them company? -- For re-admission.

For re-admission? -- Yes. (10)

MR KIES: And at what stage then did you change your mind about applying for re-admission? -- On the 25th. They came to me on the 25th for me.

Your friends? -- Yes.

But you had already discussed the matter with your parents. -- Yes.

And you had told your parents that you were not going back.
-- Yes.

And you said that they accepted the position. -- Yes, they did. (20)

You told your parents that you were not going to re-apply therefore. -- That is so.

And this they accepted. -- That is so.

So you went along with your friends in the lorry. -- Yes.

And then what happened? Did you apply or didn't you apply? -- I did apply.

You did in fact apply? -- Yes.

And then you were refused? -- Yes.

Are you sure of this? I do not want to rush you, because I got a different impression this morning. You did in fact apply. -- Yes. (30)

BY THE COURT: Did you not say this morning that you were told that you had to receive six cuts, so you left? -- That is so.

Was that when you applied for re-admission? -- Yes.

MR KIES: Then I must have misunderstood you. I thought that - I was asking you why it was that you were expelled and you said that there were other reasons and then one final one was that you had to get 6 cuts, you refused to accept this and then you left. Now, you said that. At what stage did that happen? -- They said they would re-admit me if I submitted to 6 cuts. (10)

Who told you this? -- The principal.

And if you submitted to 6 cuts, he would have taken you back? -- Yes.

At that stage did you seriously want to go back? At that stage when you went to see the principal and you were applying for re-admission, did you seriously want to go back to Healdtown? -- I had a change of heart. My friends and their parents and mine had pleaded that I should go back. So I decided to go back to Healdtown. So I was quite sincere to resume my studies. (20)

And then a condition of your re-admission was that you should receive 6 cuts. -- Yes.

What for? For doing what? -- They said we had gone on strike. They said we just walked out and went home and did not want to return to class and the 6 strokes were in respect of your refusal to go back to class.

Was it true that you had refused to go to class and just walked out? -- No.

Not true? -- No.

Was it true that you had gone on strike, as you put it? -- It was not a strike. (30)

Are you now then in a position to tell me why it was that you left Healdtown? As I understood it you were being expelled. What for? You did not strike, you did not walk out of their classrooms. Did you do anything at all as far as you were concerned to justify your being expelled? -- The principal would not listen to our requests and we decided to give this up, we were fed-up. He alleges now that we went of our own accord, he did not expel us and they then said this was a strike.

I see. And you did not think that it was worth while taking 6 cuts to enable you to continue your education (10) to matriculate? -- I was fed-up, I was angry.

What about? -- Some were being re-admitted whilst others were not being re-admitted.

Yes, but the question is you thought it was not worth while submitting to 6 cuts just to enable you to continue with your education. -- I was not prepared to accept the 6 cuts.

So when you went back home, did you tell your parents this? -- I did not tell my parents this.

So as far as they knew, you had just refused to go back or what? Or did they think that you had been refused (20) re-admission? -- They thought I had been refused.

Now, you told us that you were a member of SASM from which month was it? -- April.

You first said yesterday that you took part in the activities during the second session of 1975 and you were asked the month and you said August, 1975. Do you remember saying that? -- I said what?

Yesterday you said first of all that you took part in the activities of SASM, you were asked when. You said during the second session of 1975 in the month of August. Do you (30) remember saying that? -- Will you remind me please what it is

I said?

But I just told you twice. -- I joined SASM during April.

Yes, you went on to say that.

BY THE COURT: My note of your evidence reads: I started during the second session of 1975 in August. Before that I joined it during April. In other words, you started off by saying that you joined it in August and then corrected yourself and said during April. Is that correct? -- I did commence in April.

MR KIES: Can you remember saying that yesterday first (10) of all saying August? Do you remember or don't you remember? That is all. -- I do not remember.

Fair enough. But you can take it from me and His Lordship has read out to you what you said yesterday but you do not remember saying that. First August and then later on saying that you joined in April. You do not remember saying that. -- I do not.

All right. If you have got a bad memory, you have got a bad memory; that is all. Now, SASM had a national president last year, didn't it? A national one, a president over (20) all the branches. -- I do not know.

You do not know? -- I was never told about a national president.

Does the name Vusi Tshabalala mean anything to you? -- No, it means nothing.

Well, my instructions are that he was last year the national president of your organisation. -- I never saw this person at Healdtown.

No, I am not asking you if you saw him. I am merely asking you if you knew who the national president of the organi- (30) sation was. -- No, I did not.

Do/...

Do you know whether there was a national general secretary or not? -- I do not.

Does the name Willie Masentla mean anything to you? -- No.

Did you know that there were other branches of SASM apart from Healdtown? -- I was told there was a branch at King William's Town.

Did you know of any other branches? -- No.

You did not know too much about your organisation, did you? My instructions are that there were branches in other places, in the Transvaal as well. Nobody told you that? (10)
-- No.

My instructions are that Willie Masentla was the secretary-general. You do not know? -- No, I do not.

Does the name Suzele Cindi mean anything to you? -- I do not know the name.

Well, first of all I am instructed that he is from the Eastern Cape, I could not tell you where, and secondly that last year he was the vice-president. -- I was not told anything about it.

I am instructed that the vice-president, national (20) vice-president in fact came from King William's Town. You do not know about that? -- I was not told about those people you mentioned.

You have never heard of this man at all? -- No.

And a Mr Masondo who was the national organiser, you had not heard that either. -- I only know the members at Healdtown.

You did not enquire any further? -- No.

Now, I would like to jog your memory on one or two other little things. You told us about certain meetings. Do you remember that some time there were meetings all over (30) the week-end, Friday, Saturday and Sunday? -- I recall the

Friday/...

Friday meetings.

And sometimes Friday, Saturday, Sunday in a row. -- The ones on Saturday we went there voluntarily. We were not forced to attend.

You haven't said anything about anyone forcing you to attend a meeting on Friday.

BY THE COURT: No, he did not say that.

MR KIES: Didn't he?

BY THE COURT: The ones on Saturday you were not forced to.

MR KIES: Yes, but earlier has he told us that they were (10) forced to go on Fridays?

BY THE COURT: No.

MR KIES: That is my question. -- We were told it is an important meeting, that the meeting is held on Friday.

But nobody forced you to go. -- No.

The question is do you remember that sometimes, it did not happen every week-end, there were meetings on Friday, Saturday and Sunday in a line? -- I do not.

You do not remember? -- No.

Well, all the accused say that that happened. Did (20) you ever go to a meeting on Saturday night? -- I went to the meetings on Fridays.

Not on Saturdays? -- No.

Sundays? -- No.

Did you never go to a SASM meeting on a Sunday? -- No.

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

I think on my instructions the accused say that there were many meetings, then you must have missed many SASM meetings. -- It is possible? -- It is possible, yes.

Now, the/accused say that at these meetings many things (30) were discussed. I will tell you some of the things that were discussed/...

discussed and you can tell me whether you were present in this meeting. They say that sometimes there were talks or discussions on tribalism, that it was a bad thing. Were you ever in any such discussion or talk? -- This was discussed, yes.

And you said it was a bad thing. -- Yes.

And also they discussed regional committees inside the school particularly, they said this is a bad thing to have committees for various regions because this divided the students. -- Yes, because they were not united.

And that the school was being divided on a regional (10) basis, that this was a bad thing. -- This is correct.

Sports was discussed. -- I do not remember or recall sports being discussed.

Accused No. 1 once gave a lecture that is before June, before he left in June, and he did leave, on sports, the question of multi-national sports, multi-racial sports and that sort of thing. Were you at such a lecture? -- No, I do not recall a lecture to this effect.

All right, well perhaps it was on a Saturday or Sunday. There were discussions on liberalism in South Africa. (20) Were you at any such talks or discussions? On liberalism. -- Liberalism?

Liberalism. L-i-b-e-r-a-l-i-s-m. South African liberalism. Have you ever heard such discussions? -- You mean the Liberal Party?

No, liberalism in general. -- I do not recall this being discussed.

Have you ever heard of something called South African liberalism or liberalism? -- No, I do not not.. (unintelligible)

You were never taught the history of Healdtown then (30) or Fort Hare. -- No.

Were/...

Were you ever present when various news items were discussed? -- Such as?

Various items that came up in the newspaper or over the radio concerning things in general. Sometimes there were discussions on that, I am told. -- It was not discussed. We were given pamphlets that were to be circulated - I beg your pardon, not pamphlets, newspapers.

The ordinary newspapers, the Despatch and the Herald? -- The Daily Despatch, the Sunday Times.

These were distributed so that members must know (10) about things going on. Right? -- Yes.

And sometimes these things were discussed as well. Were you ever present at any such meeting? -- No.

Accused will say that there were such and many other similar discussions. So you have spoken of the radio which you say belonged to accused No. 1.-- Yes.

He says that is his radio. The same applies to the tape-recorder. But I am putting it to you that in fact there were many students in the school who had radios. Is that correct? -- Others had radios too, yes. (20)

Do you know Bipo Matshembozi had a radio? -- Other people who were not members of SASM also had radios.

You know Matshembozi? -- No.

Matoti, Kaya. -- Yes.

He had a radio. Right? -- I do not know that he had one.

All right, accused say he had. Konwabo Kiva, he had a radio. -- I do not know.

But you agree that there were other students who had radios. -- Yes.

You remember Robert Kasana, he was called Qobi. (30) He had a radio. -- Qobi, yes.

Grant Mpontshe, do you know him? -- No.

All right. In fact Qobi was in the dormitory with you, a room-mate. -- He was.

And he and others often listened to the radio. -- Yes.

To all sorts of programs. -- Yes.

In fact some of the students took their radios into the room with them during study periods and used their ear-phones. Right? -- I do not know.

You do not know about that. All right. I am instructed that many people were listening to their radios too (10) often at the wrong times. You did not see students with their ear-phones right in the classroom there? -- No.

All right. And you spoke of people listening to Radio Zambia. -- Yes.

How many students listened to Radio Zambia? -- The members of SASM listened.

Apart from them. There were many other students. -- I do not know about those.

Radio Swazi. -- No.

B.B.C. -- No. (20)

You do not know. Voice of America. -- I have not heard. What were you hearing? Just jazz all the time? -- Songs mostly.

Songs mostly? -- Yes.

Jazz songs? Folk songs? -- All songs. All these appear on broadcasting.

Including some of those songs that you mentioned that you call freedom songs. -- No, I haven't heard any of those.

The accused say sometimes you heard people singing in the bathrooms, singing freedom songs and other songs as well. (30) -- No.

You/...

You have never heard that? -- No.

Radio Zambia was it on on Friday and this ANC program, was it on on Friday nights only? -- We listened to it on Friday.

I did not ask you that, I asked you is it on on Friday nights only. Did they broadcast only on Friday nights? -- I cannot comment. I do not know.

Are you serious that you do not know if it was on on any other night? -- I only knew about the Friday.

Did you ever listen on a Friday night? -- Yes.

Are you sure? -- Yes. (10)

Then you must surely have heard them say that they broadcast every night of the week. -- They did not say so to me that they broadcast this every day.

I am talking about the broadcast that you say you listened to at a meeting, a SASM meeting on a Friday night. I am telling you that over the radio, over the air, it was announced that they were on the air every night of the week at a certain time. -- I listened to songs and talks.

What I am putting to you is that at the beginning of this program I understand, and at the end they said tune in (20) every night between 19h00 and 20h00. It starts at 19 and ends at 20, for this particular ANC program. This was last year. -- This is correct.

So in fact you knew that you could tune in every night of the week. -- This is quite correct.

And I am putting it to you that there were people in the hostels, dormitories, round the place who did listen to this on other nights of the week, not just Fridays. -- I did not know about this.

And you were never interested to listen on any other (30) night of the week? -- No.

You/...

You are sure of that? -- No, I am not sure.

Do you think you may have listened another night? -- Yes.

But you cannot remember. -- I cannot recall. The day I was sure about was Friday that I would listen to Radio Zambia.

And usually Friday night was enough, once a week was enough for you. Is that what you are saying? -- Well, I had no radio.

Yes, but you have agreed that there were many people with radios. -- Yes.

One was your dormitory mate, Coba. -- Qobi. (10)

Qobi, I am sorry. So any time you wanted to on a week night you could have found someone listening surely. -- ... (inaudible) .. secretly listening to Radio Zambia.

No radio program was banned in the school last year. Do you agree? -- That is so.

As I put it to you earlier, some of the students who did not want to disturb their neighbours, used their ear-phones for listening. -- That is so.

You saw students using ear-phones? -- No, I did not see them. (20)

You heard about them? -- No.

A minute ago you said that this is so. -- I am saying that there were students that had radios at school or at the college.

I am talking about ear-phones. -- No, I do not know about the ear-phones.

Now you said, I think, that you were told to tune in on the 25 metre. -- Yes.

Is that right? -- That is right.

Have you ever tried this? Tried to get Radio Zambia (30) on the 25 metre band? -- No, I had no radio.

Because/...

Because I am told that you would not be able to get it on that metre band anyway. I am told that on band 1 you get it on 49 and band 2, 31, but there is no 25. What do you say to that? -- I was told 25.

But I am told that at the beginning of this program, Friday nights and other nights and I am told it was a program that you catch up very loud and clear, at the beginning of the program and at the end of the program they told you 49 metres, 31 metres. Didn't you hear them? -- No.

Are you sure you listened to it? -- It is possible (10) that this was said, but I know about 25.

My instructions are you cannot get it on 25. Now, which of the freedom songs you say you heard? -- Hambe Kahle Umkonto, Mayibuye E Afrika and others.

Are you just calling them freedom songs? That is your name for them? -- I say they are freedom songs.

Your name for them in other words. -- Yes, I call them by this name.

Did you learn to sing any of them? -- Yes.

And did you ever hear this song over Radio Zambia, (20) "We shall overcome"? -- No.

Never heard of it at all? -- I am not sure, I am not certain.

On any other program, have you ever heard this song? -- I do not know the song.

Well, I do not want to compete with you, you probably know more about this subject than I do, but have you heard of a woman called Joan Bies who sings? -- No.

She made this song famous. It is a very sad sort of a song, a sort of a hymn. You have never heard it. -- No. (30)

Mayibuye, can you remember the words? -- Yes, I think I can/...

can recall them.

Let us hear them. -- (Witness takes over the microphone)
.. (unintelligible) E Afrika ... (witness is speaking in some
Bantu language)

That is a very old song. Do you know that? -- I did not
know that.

You can take it from me they were singing that song long
before you were born when your father was a young child. As
a historian you did not find that out at all. -- No.

Now, you have mentioned the Sons of Africa. -- Yes. (10)

This is a drama group and that was a play they put on.

-- Yes.

You started at Healdtown in 1975. -- That is so.

Did you ever see this play? -- No.

I am told it was put on mainly in 1974. Had you heard
that it had been put on at Newtown and at Lovedale? -- This
was the general talk, yes, that it was staged at Lovedale.

And it had also been staged at the Federal Theological
Seminary at Alice. -- That is so.

And then the students wanted it back at Healdtown (20)
and it was put on there. -- That is so.

And then the then principal, the late Mr Swarts was
visited by the police and after that he said that they must not
put on the play any more. -- This is correct. It was banned.

So you had the players there without their play. They
could not put on their play in 1975. -- Correct.

Do you agree that the members of the Sons of Africa did
not like the SASM people? -- At the beginning of the year
this is so, yes. They said that we were informers.

And Healdtown is very rough with informers. It (30)
would seem that at Healdtown they handle them very roughly.

-- I do not recall them being handled roughly.

Wasn't this the accusation that was made against Sergeant that he was an informer? -- Yes, he was accused of being an informer.

Yes, somebody or other, I do not know who, handled him very roughly and injured him, not so? -- This happened late in October

Yes, I know, you get informers in all seasons. But what I am saying to you is that he was rather badly treated, wasn't he, by somebody. -- Yes, he landed up in hospital.

Well, I thought it was rather serious. And this was the (10) man that your friend Nkabinde was accused of beating up. -- Yes.

Yes, he got off, I know. -- Yes.

Do you remember at one SASM meeting you were worried about accused No. 2, you thought that he might be .. (inaudible). Remember? -- I do not recall that I accused him of that.

You know that he at one stage, was more than now, semi-paralysed on the left side; his arm? -- Yes, this is so.

Yes, it was very serious still last year, wasn't it? -- Yes.

Well, he says that you were one of the people who was very suspicious of him. You thought that he was semi- (20) paralysed because he had been beaten up as an informer and he had to explain himself at a SASM meeting. Do you remember that? -- No, this is not so.

I think you have forgotten this as well as other things, you know. He says he had to get up in the meeting and explain that he had been the victim of an ordinary assault and that is why he was semi-paralysed and he was never beaten up as an informer and he says you were there. -- I do not remember or recall him being accused of being an informer.

He says you were not the only one, but he says (30) you were one of the people who were very doubtful about him.

Have you forgotten? -- I do not recall it.

All right. Many things have happened since then, it is possible; I understand. You have got no recollection at all of his getting up in a meeting and explain how he became semi-paralysed. -- No.

You did know last year what the reason was for his semi-paralysis, didn't you? You did know how he had come to be semi-paralysed. -- I do not know what happened to him.

Now the Sons of Africa you have said you will agree, used to be very suspicious of SASM? -- Yes. (10)

And in the dining-hall and elsewhere they used to make very uncomplimentary remarks about SASM. -- This is so.

And that I am putting to you, was the big reason why especially in the earlier part of the year, SASM used to meet out in the open air and away from the buildings. They were very concerned to get away from the Sons of Africa. -- That is so

That is right. Because the Sons of Africa could be very unpleasant, not so? They could say nasty things. Do you agree? -- Yes.

I am putting it to you that the Sons of Africa (20) could make themselves very unpleasant if they thought people were informers. -- That is so.

They would say things and they could do things as well to people if they thought they were informers. -- Yes.

Nkabinde was a friend of yours? -- Yes.

At one stage he was a leading member of the Sons of Africa, wasn't he? -- Yes, he was.

And he later on became converted to SASM. Is that right? -- Yes.

Accused No. 5 in the early part of the year, well, (30) not the early part, before September, had also been one of the Sons/...

Sons of Africa. -- Correct.

And so you were running away from them until you later got some of them to join. Right? -- Yes.

In fact, do you remember a meeting where Nkabinde who had just come over to SASM was elected to one of the delegations to go and talk to the Sons of Africa? -- That is correct.

You are sure of that? -- Yes.

Didn't that meeting take place on a Sunday? -- Sunday afternoon.

So you were at least at one meeting on a Sunday. (10)
-- Sunday afternoon, yes.

Now, your friend Dippa, did he have - he was a friend of yours? -- Yes.

What about [?]Qupe, was he a friend of yours? -- No.

What was his other name? What did people call him? --
Buzy.

Now, you told us yesterday that the last time you saw accused Nos. 1 and 3 was when they left in June of last year.
-- Yes.

And the first time after that was yesterday. Is (20)
that right? -- That is correct.

Accused No. 3, you saw him yesterday. When last did you see him? -- I saw him in Port Elizabeth last.

Walking around? -- He and I had gone to Firestone to seek employment.

What month was that? -- December.

About what date in December? Can you remember? -- I do not remember the date.

But you were both looking for a job. -- Yes.

Accused No. 4, you saw him yesterday; now before (30)
then when was the last time you saw him? -- December.

Where/...

Where? -- At Mdantsane.

In East London. -- Yes.

Accused No. 5? -- At his parents' home.

Where is that? -- Port Elizabeth.

Now do you know if accused Nos. 1 and 2 whether they are in Glamorgan jail with you? -- I do not know.

You know nothing about that? -- No, I do not.

Do you know if accused 3, 4 and 5 were ever in Glamorgan jail with you? -- I do not remember.

Now do you remember saying yesterday that accused (10) No. 4 and you were discussing the question of going away, going overseas? Accused No. 4. Do you remember that yesterday you told us of a conversation that you had with accused No. 4 about going away overseas? -- Yes.

And do you remember saying yesterday that you told him that it was not convenient for you to go because you were going to a circumcision ceremony? -- Yes. This was in June.

In June. Was this your own circumcision ceremony? Were you going to be circumcised? -- Yes.

And in June in fact did you go to such a ceremony? (20) -- Yes.

Did anything out of the way, anything unusual happen to you personally there? -- No.

You were quite happy with the whole ceremony and afterwards? -- Yes.

There was nothing that bothered you or worried you about it? -- No.

Are you sure? -- No, there was nothing the matter.

Quite happy. Now, accused 3, 4 and 5 say that they were in Glamorgan Prison about mid-March while you were there. (30) You say you do not know anything about it, but they know that you/...

you were there. Accused No. 3 says he was right opposite you, sleeping in opposite cells. You do not know about that? -- No, I do not know that.

Accused No. 4 says that he was a few cells away. Do you know about that? Accused No. 4 says that about mid-March he (accused No. 4) was in Glamorgan jail while you were there and that his cell was a few cells away from the one that you were in. -- I know nothing about that.

And accused No. 5 says that he was in Glamorgan in mid-March while you were there and his cell also was a few (10) cells away from yours. Do you know anything about that? -- No.

They were each in separate cells, but you were in a cell on your own too. -- I was.

Now they say about mid-March towards the evening, you started shouting and crying out: "Yako, Yako!" Do you remember that? -- I do not.

You do not remember that. And they say that you also shouted out "Bisa, Bisa!" Do you remember calling that out? -- No, I do not.

Bisa is No. 5 on the list, M'Lord, Qupe. You do not (20) remember calling him? You do not remember calling that name? -- No.

They say also, 3, 4 and 5, that Bisa once answered "y-e-a". Do you know anything about that? -- I do not know, but I did shout.

And they say that in fact you were raving, you were really shouting like someone who was out of his senses, and hitting the door of your cell. Do you know anything about that part of it? -- Yes.

They say that you were shouting in Xhoza, in your (30) mother tongue: "I had agreed to go to Mozambique. God does not like/...

like something bad." Do you remember saying that? -- Yes.

Hmm? -- Yes.

And after that you quoted a psalm. -- Yes.

The accused do not know which one it was. Do you remember?

-- I read the Bible at prison.

Yes, but you actually were shouting out at the top of your voice, but they are not sure which one. -- I like to read Psalm 13.

Do you think that was the one or are you not sure? -- I am not sure. (10)

BY THE COURT: The question was that you were shouting out a Psalm. Do you agree that you were shouting out a Psalm? -- I do.

MR KIES: Why were you doing it? -- It just happened.

Why were you calling Yako? -- (No reply)

Why were you calling Yako? You said you could remember shouting and you could remember shouting the Psalm aloud. So that much you can remember. I am asking you why you were calling Yako. -- He was a resident of East London and he was a member of SASM. I thought that it was he who had caused our (20) arrest in East London.

So, did you know if he was in Glamorgan at the time or not? -- I had heard his voice.

You got no answer from him? -- He used to like speaking to the watchmen, the people who used to watch us.

I do not follow that. -- He liked to converse with the watchmen.

You liked to? -- He did.

Yako? -- Yako.

And you overheard him? -- I heard by the voice (30) this was Yako speaking.

And what about Bisa? -- I knocked on the wall and I asked who was in the cell next to mine. He did not reply, the person did not reply.

The question is why did you call out Bisa? -- I got to know that it was Bisa. Somebody peered into my cell and greeted. I asked this person who is next-door to me. He said Bisa.

Well, the accused say - Nos. 3, 4 and 5 say that he answered you "yea", but he did not go any further, you kept on shouting. You don't remember anything about it? -- It (10) could have happened.

Nos. 3, 4 and 5 say it did happen. They say that after you shouted out at the top of your voice: "I have agreed to go to Mozambique. God does not like something bad" and quoted the Psalm, the African guards came running to your peephole and they spoke to you for a long time. Do you remember that? -- Did the prison authorities come and speak to me?

Yes. -- They did come and asked me why I was making a noise.

But you carried on - 3, 4 and 5 accused say - carried on shouting till late into the night. Do you know about (21) that? -- No.

And eventually because apparently they could not quieten you down, the African wardens or authorities, whoever they were, went to fetch certain of the European guards who also talked to you. -- (No reply)

Had you swallowed any pills that night? -- No.

Because accused No. 3 says that the talk in that area there was - and he was sleeping opposite you - was that you had swallowed four pills. -- Who were they given to me by? (30)

I do not know. You tell me. He said he heard you

had/...

had .. -- No.

You do not know anything about it? -- I do not.

And accused No. 3 says he heard a Security man speaking to you as well and trying to quiet you down. That was the next morning already, the early hours of the morning. -- Yes, that is correct.

What was his name? -- He is a prison sergeant.

Do you remember a Security man called Qambata? There at Glamorgan. -- Yes.

Well, the following morning after you had been (10) making all this noise, he came to you to reassure you. Do you remember that? -- I was approached that morning and asked why I was shouting.

BY THE COURT: The question is in the early hours of the morning a member of the Security Branch came around and tried to quieten you down. -- It happened that morning early, yes.

What happened? -- I was asked: why did you shout like that, last night.

MR KIES: And this same Security man said to you, Qambata, said to you you should not be afraid, they are not going (20) to harm you because you are still young. -- No, this was not said.

You do not remember it being said? -- I do not.

In your condition, whatever was happening to you that night and morning, it is possible at this stage you just cannot remember. -- Yes.

You definitely were not well that night and that morning. Do you agree? -- I agree.

3, 4 and 5 say - I am still speaking of mid-March - that you were silent during the day, but that night you (30) started shouting again. Do you remember that? -- I do not.

And/...

And this shouting went on for quite a little while - this is mid-March I am talking about. Do you remember, there was quite a period when you were not yourself? -- That is correct.

And accused No. 3 says in May he was transferred to another cell. This was in May, last month. And one night you again went on as you had done in mid-March. -- That is so.

And this time he says you were raving at the top of your voice: "God help my comrades." Do you remember what you shouted? -- No, I do not. (10)

And also: "God help ma radio". Now do you know who is called 'Ma Radio'? -- Yes, I do.

Dippa? -- Dippa, yes.

No. 13 on the list. By the way, this Yako that you mentioned, he is Monwabisi Yako? -- Yes.

And "God help Ma Radio", do you remember shouting that? -- I do not.

Do you know whether Dippa was there at the time? -- Yes.

He was? -- Yes.

That is correct. And then later in May accused (20) Nos. 1 and 2 say they were there at Glamorgan. It was a separate occasion. They heard you shouting over and over again: "Every man for himself, gentlemen, and God for us all!" Do you remember that? -- Yes, I do.

And accused Nos. 1 and 2 say when you were shouting this and repeating this, you were beating the door and in between you were making all sorts of raving noises, not speaking at all. Do you remember going off like that? -- Yes.

You were rather sick. -- Yes.

Accused No. 1 says that when he first heard this, (30) he thought that there was a drunken man behind the prison who

was going beserk but then later on he worked it out that it was you, so it must have been rather bad. He says it was. It must have been rather bad. You were very sick yourself though. -- Yes.

He says that this went on for quite some time. Accused Nos. 3, 4 and 5 say that between mid-March and May at intervals, not every night, at intervals you went off in this sort of way. Sometimes they could not make out what you were saying, you were raving and beating at the door. Do you agree that you were sick for quite a long period? -- I remember (10) being ill during March and during May.

Well, they say in between as well from time to time. -- February as well. I beg your pardon, February and May, not March.

Well, they say mid-March and May and in between as well. You told us earlier that your mother and father came to see you on March the 3rd. Is that right? -- My mother came to see me.

Only your mother? -- Yes.

Had she been specially sent for? -- She had applied to see me. I was asked whether I want to see her, so I said (20) yes, she must come and see me.

In fact you were still being kept under the Terrorism Act, Section 6. -- Yes.

Did you tell your mother that you had not been well? -- No. You did not tell her. Why? You did not want to worry her? Because you knew she would be upset. -- Yes.

She was upset in any case. And then you agree that it started up again in May. -- That is so.

And you also in your general raving, accused Nos. 1 and 2 say that you shouted out: "Please God, help me because I (30) do not want to be a State witness." Do you remember saying that/...

that? -- I do.

And you also shouted out: "Madoda, know that I am an informer now" and you called out your name. -- That is so.

You remember that. -- Yes.

You were shouting other things as well. -- Yes.

And then at a later stage, accused Nos. 1 and 2, they were near enough to hear, say you repeated "I am now an informer because I am a coward." Do you remember saying that? -- I do not.

And then these two periods that you can remember, (10) February and May, these are periods when you can remember that you were sick? -- Yes.

And you can remember some of the things that you said when you were in this condition. -- Yes.

Because there might well be, I do not know, but there might well be other times when you were sick that you do not remember. -- This is possible.

It is possible. Now, accused Nos. 1 and 2 say you said: "I am now an informer, I am a coward - because I am a coward" sorry. "When I was circumcised I did not say Ndi Mdoda in (20) a loud voice, I said it in a low voice." Do you remember shouting out this? -- Yes.

Did this in fact happen when you were circumcised, that you did not say Ndi Mdoda in a loud voice but in a low voice? -- No, I said it loudly.

But you agree that here when you were raving you said "because I am a coward, when I was circumcised I did not say Ndi Mdoda in a loud voice, I said it in a low voice." That you said when you were raving? -- Yes.

And you also said, accused No. 1 and 2 say: "I (30) was told to repeat it, but I repeated it in a low voice."

In Shangaan. "I was told to repeat Ndi Mdoda, but I repeated it in a low voice." Do you remember? -- Yes, I recall that.

And also in connection with this circumcision, you said something else, on this occasion when you were shouting about it. Can you remember what it was?-- No.

Nos. 1 and 2 say you said: "The man said to me at the circumcision ceremony 'Aaiee' in a loud voice." But you said it at the top of your voice. You do not remember that? -- No.

You do not remember? -- No.

And then the following day, it was not at night now, (10) the following day you cried out that accused No. 1 and No. 2 and you mentioned them by name, Sotomela and Jack, you said: "They recruited me." Do you remember shouting that out? -- Yes, I do.

And it was in the daytime that you were raving like this. -- Yes.

And then you shouted also "No. 1 threatened me." You shouted that out. -- I do not remember that.

Accused No. 1 and No. 2 say that you certainly shouted out "No. 1 threatened me." It was not true, he had (20) not ever threatened you, not so? -- No.

And you called out "Hempe" that is accused No. 4 "misled me and now I don't know where he is." Do you remember shouting that out? -- No.

Hempe in fact was in Glamorgan at that time. You did not know. -- No.

And then you shouted out "Hempe said Gatsha Buthelezi was once a State witness in the case of Mr Mandela." Do you remember saying that? -- Yes.

But first of all, it is not true, is it, that Mr (30) Gatsha Buthelezi was once a State witness in the case of Mr Mandela/...

Mandela. It is a fact it is not true or don't you know? --
I did not know.

In any case, accused No. 4 says that (a) he never told you anything like that and (b) he knows for a fact it is not true. Then they say that you called out "Sotomela" that is accused No. 1 "and Hempe" accused No. 4 "are going to be taken to death". -- That is so.

You shouted that out. -- Yes.

Why did you shout that out? -- I do not know.

You do not know. It was just in your illness that (10)
you were shouting that? -- Yes.

And then you added: "I also want to be sentenced to death because I said 'Africa for the Africans. No Coloureds, no Indians'." -- Yes.

You said that? You remember that? -- I do.

"I also must be sentenced to death because I said Africa for the Africans, no Coloureds, no Indians." Do you agree with me that that is nonsense? "I also must be sentenced to death because I said that"? -- Yes.

You do not know why you said it? -- No. (20)

And this was now May last month. -- May last, yes.

Have you any idea of the date in May? -- No, I do not know.

Now, while this was going on in May were you getting any regular medical treatment? Did you get any pills or did the doctor come to see you or something like that? -- The doctors called at the prison and he who requires pills is given pills.

Did you get pills? -- I did.

Regularly? -- Yes.

Was this the ordinary prison doctor, the district surgeon? -- The warden supply us with medicines on (30)
request.

I am not talking about us, I am talking about you. Did you get pills from the doctor or from the warden or both? -- I did not receive any pills from a doctor.

Are you sure of that? -- Yes.

But from a warden? -- Yes.

More than one warden? -- No, no, no, not only the one.

More than one? -- More than one.

Was this when you asked for pills or did he just give it to you as a matter of routine? -- I asked for them.

What sort of pills did you ask for? -- Nerves. (10)

Do you know what sort of pills he gave you? -- Roche 2.

R-o-c-h-e? -- Yes.

Is that the name of a firm, of a pharmaceutical chemist. You just got the pills. -- Yes.

Did you get a box? -- Yes. I used to ask for them.

I merely asked for the pills for my nerves and they supplied them.

Not the doctors, the wardens. -- Yes.

This was going on already from mid-February? -- Yes.

February, March, April, were you getting these pills? (20) -- Yes.

May also? -- Yes.

Well, what I just put to you now, this last part, "I also must be sentenced to death" this happened in May. You agree?-- That is correct.

The pills were not helping very much, were they? --(No reply)

Then you also said, according to accused No. 1: "White man coming to help me. No-o-o I am afraid of the White man but I know he is going to save me." Do you remember saying (30) that? Have you got it? "White man coming to help me. No-o-o

I am afraid of the White man, but I know he is going to save me." -- I do not remember.

You do not remember saying so. -- No.

Says accused No. 1 and 2 that on the same occasion when you said: "I also must be sent to death because I said Africa for the Africans, no Coloureds, no Indians". Did you ever say "Africa for the Africans, no Coloureds, no Indians"? -- At meetings, yes.

The accused say that you never said it at any meetings where they were present. All the accused say that. They (10) say at one meeting you said Africa for the Africans - full-stop. -- I said Europe for the Europeans, Japan for the Japanese, Africa for the Africans.

Accused say all you said on one occasion was 'Africa for the Africans'. Did you ever say 'Africa for the Africans, no Coloureds, no Indians'? -- Not at a meeting, no.

Privately? Have you said it privately? -- I do not know.

So you do not know where this came from on this day when you were shouting this way? -- No.

Now, at the time when you were shouting in May, (20) last month, did you know that you might be called as a State witness? -- No.

In May I am talking about. Last month. You did not know yet? -- No.

When did you know for the first time that you might be called? -- (No reply)

When did you know for the first time? -- I realised this would happen.

Yes, but I am asking you when you were told for the first time. -- (No reply) (30)

Come on, you must remember this surely. What is the answer/...

answer? -- (No reply)

Come on, are you really trying to remember? Hmm? What do you say? Do you understand the question? -- I do not understand it.

When were you first told, informed that you might be called as a State witness in this trial? -- I do not know, I was told that you will have to be in court, that is yesterday.

Did you ever think that you might be an accused? -- No.

You said earlier: I realised that this was going to happen, that you would be called as a witness. -- I did (10) not say it would come to pass.

I am merely repeating what I understand were your words not so long ago. You thought it might happen? -- It was going to happen, yes.

Who came to tell you you were going to be called as a State witness; that you might be called as a State witness and that you were going to come here to Grahamstown? -- I was not told that I would come to testify in Grahamstown, but I was told that I will have to go to court on the 3rd June.

Did you think you might be coming here as an (20) accused? -- No.

You understood then that you were going to court as a witness. -- To give evidence, yes.

When was that, you say? -- I was told this by the police.

BY THE COURT: Counsel's question is when. When did you arrive in Grahamstown? -- On Wednesday.

How many days before that did you know that you were coming? -- On the 26th.

You were told on the 26th that you were coming to court? -- Yes. (30)

Before that had anybody told you that you would have to come/...

come to court? -- No.

MR KIES: On that same day, the 26th, were you given a copy of your statement? -- I do not remember the date when it was given to me.

I asked on the same day. -- No.

BY THE COURT: You say the 26th. Is it the 26th May you are talking about? -- Yes.

MR KIES: When were you given the statement? -- At the end of May.

Do you know on which day? -- I cannot remember. (10)

Are you serious that you cannot remember? -- Yes.

You are not just being evasive. You are trying hard and you cannot remember? Because this morning you told the Court last Thursday. Do you remember telling the Court it was last Thursday? Do you remember telling the Court? -- Yes.

How many statements did you get? One, two or three? -- One. One? -- Yes.

Which one? -- The one that I had made.

You made a statement in your own handwriting. That I think was on the Thursday, the 8th. There was another (20) statement taken over Wednesday, Thursday, Friday, which you signed. -- Yes.

And then much later you were brought back to the Special Branch office and something was added to that; there were amendments to it. So there were three altogether, not so? -- They were all put together.

All three of them? -- Yes.

And this was what you were studying from last Thursday? -- Yes.

Tell me, while you were in Glamorgan, did you ever (30) try to cut yourself with pieces of broken razor blades? You did/...

did? -- Yes.

Which parts of yourself did you cut with the razor blade?

-- Arms.

And then the wardens came to stop you? -- Yes.

And you were given treatment? -- Yes.

Did the doctor see you or don't you know? -- No.

No doctor? -- No.

Why did you cut your arms with the razor blade? -- I do not know.

You do not know.

(10)

THE COURT ADJOURNS.

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