

with their reports which they made later on from these notes. Is that evidence correct? -- To the best of my knowledge it is correct.

BY MR. COAKER: NO QUESTIONS.

BY MR. SLOVO: NO QUESTIONS.

RE-EXAMINATION BY P. P. In certain instances it has come to the notice of the Court that the original notes have not been traced or are not available. Do you know what the reason is.....

BY THE COURT: Do you know that certain original notes are not available? -- Yes, I do know about it.

Can you offer an explanation for that? -- Perhaps mislaid or wrongly handled. I can give no other account for it.

BY P.P. Now when when it comes to these Native Detectives, if they would hand in notes or if they would take notes at meetings, what would they do with them normally? -- There is a different procedure over the period. Before they used to keep their notebooks and it was filed afterwards. They were instructed to hand in their original reports together with the notebook into the Section Head the following morning at the office.

BY MR. BERRANGE: I take it it is clear, Sir, that my question that I addressed to this witness had not to do with notes that had been mislaid. The question I directed to this witness was a question regarding the destruction of notes. May I just take this further then, Sir? At no time were any instructions given that notes should be destroyed? -- Not to my knowledge.

I mean to say, that would be quite irregular? -- As far as I am concerned, Sir, it will be irregular.

BY P.P. Your Worship, it seems as if the notebook - pocket book of M. Masele about the meeting of the 4th

April, 1954, has not gone in as an Exhibit.

BY THE COURT: Yes, the notes as regards the meeting of the 4th April, 1954, were not handed in.

BY MR. BERRANGE: As far as I am concerned, Sir, they can go in by consent.

Notes handed in - EXHIBIT "G" 12.

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THE CROWN CALLS:

GERHARDUS ARNOLDUS HATTINGH, Sworn States: (INTERPRETED).

EXAMINED BY MR. VAN NIEKERK:

Are you a Detective Constable, South African Police, stationed at Johannesburg? -- That is right.

And on the 2nd May, 1954, did you attend a meeting at the corner of Victoria and Morris Streets, Sophiatown? -- That is right.

Do you remember what kind of a meeting this was? -- A meeting in connection with the African National Congress.

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

And what did you do after the meeting? -- The following day I drew up a report from my notes which I took at the meeting.

What happened to your notes? -- My notes were attached to my report.

Do you know where they are now? -- I don't know.

Did you look for them? -- Yes.

Did you find them? -- No.

Now, this report of yours, did you write it out or did you type it out? -- I typed it.

Was this the next day? -- Yes.

Is this the report that you typed out? -- Yes, also signed by me.

Would you say that whatever was in your notes is included in that report? -- Yes.

- Using -

Using the report, can you tell the Court what transpired at that meeting? -- "It was a meeting of the African National Congress at the corner of Morris and Victoria Streets, Sophiatown, on 2.5. 54. from 10.30 a.m. until 2.30 p.m. Attended by approximately 200 Natives of both sexes. The object of the meeting was to consider the removal of the Black Spots and Native Education and Unreasonable Laws. A collection was made. Amount obtained not ascertained. The spectators - the audience, I'm sorry - identified themselves with the object of the meeting. The audience associated themselves with the remarks of the speakers and egged them on with words like 'Mayabuya, 'Afrika and Shame'. Samba William Ngwendu acted as Chairman, and a Native male Lovedale Mfeka, requested to open the meeting with prayer, after which Nkosi Sekelela was sung. The Chairman advised the meeting that they have come together in order to consider the removal of the Black Spots - discuss the removal of the Black Spots. He said inter alia that the Europeans were taking the land from the Natives and doing so daily, taking land from the Natives. That the Natives own a very small percentage of the land in Africa and were still being robbed of the little they do possess. B. Nphete was the following speaker and said inter alia:- "We are being oppressed in our land by the Europeans. We have got sores already the way they are oppressing us and are still daily being injured in the old wounds. The time has arrived that we have got to stand together like Africans. There is quite a considerable time that we have been hurt by means of the oppression laws. We are the dogs of the Europeans. They want to remove us from our homes and place us in the open veld. Nobody can rejoice about the new laws because we are dominated. We fight against these laws of the Europeans and over our dead bodies they will walk. I see the Boers are also here. They are telling the people a

a lot of lies. I am not afraid and shall tell them what I have got to say in my heart. The Boers in the land will oppress you." The Chairman thereupon addressed the meeting and told them that they clearly understood what Nphete had to say and in his speech he made it clear that the audience must answer with deeds. He thereupon requested the following speaker to speak:- Amod Mahomed Kathrada and he then addressed the meeting in English and said inter alia:-

"We have come here today to discuss the mad Government. If an animal is beaten to death it usually gives a last kick; this is a very dangerous kick. The Government is like an animal giving its last kick.

Malan and his henchmen have been beaten and are giving their last kick. The life of the Government is short. We live in the era of the defiance campaign. This is the age of the common people. No Fascist dog can stop the common people. I see Malan has sent some of his dogs here today to take down every word that is said back to their masters. Besides the people that we know are members of the South African Police there are pimps who claim to be our friends. They are, however, just sent to spy on us. There are many ways to earn a living besides being a dirty dog and spy on your people. We have been talking to the white people in this country for many years. We have been passing resolutions, signing petitions, begging them to please stop the injustices against our people. They just don't want to listen to us. Now we must talk to the whites in the only language that they understand and repeat the Defiance Campaign. That spirit will liberate our people. They talk overseas about "Sunny South Africa" but the majority of the people here cannot appreciate the sun here because they are oppressed. What happens on the farms at Bethal. You find the big fat farmers/<sup>but</sup> who grows the food but the Black people. They have to work like slaves. In the Transkei thousands of African children die from starvation yet tons and tons of food is being dumped by the Government in order to keep

- the -

the prices of food constant. Our people die in this country of hunger yet we export food to other countries. Our schhols and universities all built by the Blæk people; also the sports grounds for the European children are built by the Black people. Yet the African children are not allowed to play on these sports grounds. They are condemned and must play in the streets where they are daily run over by the European cars and die. Everything in this country is made by the black man. The Government has banned our leaders. Now they have started this mad scheme to remove a hundred thousand people from Western Areas. Now we say 'Thus far and no further'. Malan has gone so far. We can assure him that when he attacks our homes we will defend ourselves. The Government can come with its dirty Police Force. We have our force which is the strag est force in the world, namely the force of our labour. We are not uncivilized like they are. We are civilized and we will fight like men and we will win. They can arrest us. We will re-act like human beings. We have been kicked and insulted for many years in this country by the Whites. With them you will reamin a "Kaffer" You may be a doctor or a teacher and if you think you have reached the same standard as the Europeans because you have received education you make the biggest mistake in your life. With them you will remain a Kaffer, a Hotnot or a Coolie. Thus you will remain in the gutter for ever. We must react like human beings. By fighting we will win. Look at the world war in Korea. The White Americans thought that they could kick the Korean people as they liked. America has the biggest military machine in the world. They called the Korean people 'Cooks' just as we are called by the Europeans 'Coolies', Kaffirs' and Hotnots They started the war in June 1950 and the great American General, General McArthur, said that by Christmas, 1950,

he will have walked over the Cooks. They were mistaken because they cannot do a thing if the people of the country are against it. So Christmas 1950 came and Christmas 1952 and 1953 they were eventually kicked out by the Black people of Korea. They destroyed everything in Korea. They killed three million people there but they could not conquer the people. The Whites were kicked out of Korea and you must remember the Whites of 17 countries fought against the Korean people. The French soldiers are dying like flies at the hands of the people of Vietnam daily; and look at the weapons that they used against the people of Vietnam. They used germ-bombs. These germ-bomb released millions of germs of all kinds of deadly diseases. These germs destroy all life, even the life of plants. Then they used the Nappam bomb. This bomb is also known as the "Jelly Bomb" which when it explodes has a terrific heat which burns everything to death. The American soldiers shot the Korean babies through their heads and stabbed them to death with bayonets but they could not conquer or destroy the people of Korea. The White supremacy is today buried on the battlefields of Vietnam and Korea. We will get nothing unless we struggle for it. This Government will use these same methods against us. They will imprison us by the thousands. At present thousands of our people are in gaol for their passes.- what I call a 'dog licence'. It is an honour to go to gaol for your people. They will kill us as they are doing elsewhere today. Our babies are dying from starvation. Let us show everybody we want to live. The White children in this country are clothed in silks and satins while the Black children are clothed in sores and diseases. Why this unfairness? We want peace, freedom and happiness for everyone irrespective of race. We want to put an end to this system that one section of the population is happy at the cost of the others. We want justice for all. Two years ago I went to Germany. There

in Hungary a few years ago the people were also oppressed; placed in gaol and shot and their leaders banned. The Prime Minister, Mr. Ragushi spent 16 years in gaol. In Czechoslovakia President Kotwell (?) spent 10 years in gaol. In India Nehru is the Prime Minister. He was not liked by the White people but he fought and won. Mr. Nehru spent 19 years in gaol. In the Gold Coast Dr. Nkuruma walked from gaol right into the Prime Minister's seat. Superiority of Whites is the greatest bluff. All people are equal. No one is superior to the other. Madmen talk about White Superiority. Then I say move Kotane, Sisulu and Lethuli into Parliament and we will teach them to run a country. What justice is is not to hide behind guns and Police. Don't let them be cowards and send Dutchman from the Platteland to our meetings. Don't worry about them. They are doing their duty for a feeble £20 per month. Malan has no guts to listen to the people. They send people in a car to listen to us. We want justice for all and will work with the White people. This is their country as well as ours. We invite them all to work together with us on our programme. We are the majority. The population of Africa is 160,000,000 and the Whites are less than 5,000,000 in this country. Tell the Police to take back to the Government that White Superiority is a myth. We outnumber the Whites and we are superior to them in brains. We want votes for all. We want elect madmen like Malan. We will elect and talk the language of the people of Africa. We will work for happiness and freedom. I appeal to everyone of you to be prepared for the struggle. In India they kicked out the Whites. In China they have too. Massadaung (?) is the son of China. In Korea and Vietnam the same thing happened. The only place that remains is Africa. We must warn them to work in harmony and justice. If they carry on with their dirty work the same will happen to them in South Africa as in Korea and the

other places. They cannot see what happens in the world because they cannot read. They only know White superiority and 'I am the baas'. They forget the lessons of the history. They have now reached the last straw and 'saw' now or never, You must be prepared for this struggle because it will be a hard struggle. Many of you will go to gaol. Many will die but we will only rest when Lethuli is our Prime Minister, Afrika."

Yes, proceed? -- Joseph Molife was the next speaker:-  
He said amongst others :- That their organisation at the moment was much stronger than that of the Government and as it grows it weakens the Government. We might fight hard against the unreasonable laws of the Government. Only Natives carry passes, but not the Boers of Linden and Melville. The Police arrest the Natives in Sophiatown and Alexandra for passes, but not the Europeans. Daily Natives are being hanged in Pretoria, while the European gets scot-free from the Courts. We don't want to be removed from Sophiatown. We live in peace here. The time of Imperialism is at an end. We fight at the moment for our possessions, our land, for which our fathers have worked very hard. This removal of the Black Spots is a thing that touches every African in Africa. You must just wait for the word from your leaders as what to do and how to fight. We warn the Europeans that although we are their tools by removing us from our homes that we are not going to be the tools of Verwoerd. If you take up these weapons you will get big battalions from Alexandra and elsewhere who will help you in the struggle. You must be prepared to die for your freedom. It won't matter much as you are daily dying from hunger and disease and being shot by the Police." After this a collection was made. The Chairman requested the audience that everyone should give as much as he could afford. After the collection was made the Chairman further announced that the following Sunday a big meeting will



be held at Newclare where there will be speakers from the Cape and Natal. Robert Resha was the following speaker and he said:-

"We have met ~~many~~ a time on this Square. What we are doing actually we are digging a grave for the Malan Government and the Socialists. We have been oppressed for more than 300 years by strangers in our own country since 1652. The Whites are standing with the Bible in the one hand and the assegai in the other to fight the Black man. They took 87% of our land. They tell us that God sent them but they have raped our Mother Africa from us, and all our present privileges are taken away under the pretext of Christianity. The only real Christian in this country, I can assure you, is Father Trevor Huddleston. From him you can take the standard of a human being and of Christianity. We are called Agitators because Malan claims this country as his. When we demand a sane Government we are called Communists. We are happy to be called Agitators and Communists if it is to fight for a sane Government. Malan is afraid to face the people of Africa. Dr. Verwoerd said that the people will be glad to be moved to Meadowlands. He is mad and Swart dreams. Malan uses the innocent, uneducated and starving Dutch to report for him. He does not come to the meeting himself. The Dutchmen come here to the meeting to keep Malan in his position, so that when the kaffirs run amok they will kill the poor Dutch Policemen. Malan uses the money to educate his children. You will never see one of his sons a Detective at a Kaffir meeting. That is why our leaders are banned because these people that take notes here are so uneducated that I am sure that they do not understand what I am saying here. Swart thinks that he will shut the mouth of the people by banning their leaders. We have proved that all the Dutch people are uneducated and stupid. The Government wants to stop the start of a Mau Mau and Chesa-Chesa movement. There is no such organisation here. Let me educate the Government. We have no intention even to start such organisations here. We struggle in our own way. The

struggle of Kenya is being fought in the forests of Kenya. Our battle will be fought in Eloff Street. There it took the Kenya people only 18 months to make their own machine guns. Our sons and daughters must dig potatoes at Bethal. Dr. Verwoerd is a Minister of Madness. The Afrikaners are stupid today because they were taught that they are superior. The Afrikaners only receive inferior education. They can understand nothing today. The Native Affairs only consist of Afrikaner people. They want to poison our children with the Bantu Education Act. If I had to have the mentality of a Boer I will go about arresting young Africans for nothing. Our solution is unity. Then the Europeans will come forward and show their colours." The Speaker then spoke against the Bantu World and described the newspaper as an agent for the Government, who supplies information to the Government and that they should boycott the paper. If the Head Committee appointed by the African National Congress to ascertain that that is the case..... the Speaker following in English...."No White will be happy here if the Blacks are unhappy. The Government is frightened. Dr. Verwoerd is just like a horse with blinkers. You must be prepared to fight and you must be prepared to fight Dr. Verwoerd who will fight you. Our present Government is a very desperate clique. Before we achieve freedom some of us will have to die. What I say today may be the cause of my death. The Dutchmen here might form the opinion that what I have said here today I must be arrested for. The Government shoots the Africans from behind. You must be ready every hour. The hour may be very near. We want same rights for all people irrespective of race, colour or creed. The meeting was then closed by the Chairman, after he again warned the audience about the big meeting that will be held the following Sunday. The meeting closed at 2. 30 p.m.

Now, Mr. Hattingh, you describe the Chairman as Sambo William Ngwendu - can you identify him? -- Yes.

The next speaker is Nthithe, can you identify him? -- Yes.

And the next one was A. M. Kathrada, can you identify him? -- Yes.

The next one was Joseph Molife, can you identify him? -- I am not one hundred per cent. sure about him but I think so.

And the other one is Robert Resha? -- Yes.

Will you please step down and identify these people? -- Witness identifies ACCUSED No. 18, A.M. KATHRADA; Accused No. 63, ROBERT RESHA; Accused No. 53, WILLIAM NGWENDU; ACCUSED No. 27, JOSEPH MOLIFE; ACCUSED No. 57, P. P. NTHITHE.

BY THE COURT: According to my list Joseph Molife is not No. 27? -- I am not one hundred per cent sure about it, Your Worship. I took down his name as announced by the Chairman of the meeting.

Perhaps it would be advisable to ask the man in question to stand up so the witness can see him - perhaps he is in a position to say that that was not the man? -

BY P. P. I think the Crown is satisfied, Your Worship, that the witness did not point out the person.

That concludes the evidence, Your Worship.

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COURT ADJOURNED TO 21st FEBRUARY, 1957.

COURT RESUMES 21/2/1957:

MR. COAKER ADDRESSES COURT:

Accused No. 114, V. Mini , absent.  
Accused No. 149, Debi Singh, absent, medical certificate  
handed in.

DISCUSSION:

Cross-examination of Det.Sgt. Hatting to stand over.  
Notes handed in as Exh. G.13.

ISAAC SHARP. duly sworn

EXAMINED BY P.P. (MR. LIEBENBERG)

Have you already given evidence in this case ?-- Yes.

On 9/5/54, did you attend a meeting that was held at  
the corner of Bevan Avenue and Hamilton Road, Newclare ?--  
That is correct.

Did you make notes of the speeches delivered at this  
meeting. ?-- I did.

At the time the speeches were made ?-- That is correct.

Are these the notes that you made at the time ?-- Yes.  
(Handed in by consent, G.14.) These are the notes I made at  
this particular meeting.

By what organisation was this meeting arranged ?-- It  
was called by the African National Congress.

Who was the chairman ?-- P. Vumdhla.

Will you refresh your memory from those notes and  
say what was said at this meeting ?-- Yes. "The Chairman,  
opening the meeting, said Ladies and Gentlemen, our leaders,  
Our loudspeaker is not in order. This meeting has been  
called by the A.N.C., Newlcare Branch. I can assure you  
that this meeting will be one of the important meetings,  
because I am going to give you important speakers, Dr. Ngongwe  
Dr. Ncooca (Conco) and the Secretary-General, things which  
are going to be discussed here are things which affect non-  
Europeans concerning the removal of the Western Areas. My

first speaker will be Mr. Resha. R. Resha said: Before I speak I want all the people to go to the front and leave the police behind. We are meeting at a difficult time <sup>under</sup>, this Government of Malan under bad laws of Swart. <sup>be said</sup> When I say that the Africans must be moved from their homes and also be given lower education we must know that ~~then~~ we are meeting today, we are digging our graves. Are we digging the graves, for whom, ~~is it~~ for us or for the Boers? I say Malan must go to these graves. <sup>1</sup> There are many foolish people who are going about saying that these graves we must not put Malan in ~~them~~, but Africans. There are people who go by the night and tell the Government that the people want to go to Meadowlands ~~and~~ also the papers do not report what we say and discuss and decisions taken <sup>by</sup> the Bantu world. It was reported that Vundla wants to boycott us. They don't say that the people want to boycott us and yet there are thousands of people who make these decisions. <sup>Not</sup> The Bantu World is represented by any African. It was reported that a committee has been formed to defend the Bantu World. To defend it from what. There are leaders of the African people who will support the Bantu World. The imperialist papers we don't want our leaders to speak at the police station. We know that Newclare is a police station. When we are having meetings in Sophiatown there are many flying squads here, but here in Newclare there are few policemen because Newclare are many policemen. I want you to show Africans that when we call a meeting this meeting is not for police but for you, because the police oppress you. A number of women were arrested. This is not one of these leaders went to the police station to find out why the people were arrested. They know to discuss Sisulu because is against that sort of thing. They are speaking like Swart. There are now ..... Sisulu is still

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