

Western Areas?-- Yes, it was supposed to be the day of the removal, my lord.

MR. PLEWMAN: In fact, mylord, it was the 6th June, the meeting was supposed to take place on the 6th June.

BEKKER J: On the 9th.

RUMPF J: You mean this meeting?

MR. PLEWMAN: Yes, my lord

RUMPF J: The 12th of Feb. was the day of the removal.

MR. PLEWMAN: Yes, I'm sorry, my lord. 1

RUMPF J: Well, if he said this and he had in mind the day of removal at Western Areas, when he says "Dark clouds are gathering, the day of reckoning is not far off, Saturday the 12th February is going to mark the day of the turning point in the history of South Africa, on that day we are going to offer our last prayer to God to hand us over to Heaven or to Hell because we are not going to remain under oppression", how would you explain his state of mind; what had he in mind when he said this?-- I would say, my lord, that he had in mind not only the people affected by the removal as such - that is the people in the Western Areas. "I determined to fight against the removal," and further I would say he saw in this removal scheme the deprivation of the African people of their right to land as a whole. 1 2 2

Yes, I know that, but what did he have in mind as to what was going to happen on that day?-- That is the point I'm coming to, my lord. Then he refers again to us offering our last prayer to God, to hand us to Heaven or to Hell. Now that in itself to me 3

suggests that Mr. Magotha in fact had in mind - and I think he successfully conveyed to the public - that on the 12th it would be decided in South Africa whether the African people are determined to protect the legal rights they had, or they would let those rights go without a word. I think that is what he was conveying there.

Yes, well, now the people in Western Areas were supposed to resist the removal?-- Yes.

They were supposed not to go voluntarily?-- Yes. That's how we understood it.

Yes. Now if they were removed by the police, or by the authorities, what was going to happen, as far as your knowledge is concerned?-- As far as the little knowledge I have about it is concerned - because I was not on the spot - - we understood the African National Congress to be saying that the people in the Western Areas must resist the removal non-violently, until such time as the Government shows beyond reasonable doubt that it is resorting to force, and only then must the people move to Meadowlands.

Yes..?-- And that to us appeared to be proved by the armed police force which was in Sophiatown on this day, that is the 10th - - and that proved, not only to the people of South Africa who were not convinced at the time, that the Nationalist Government was so vicious that it could do anything to deprive the African people of the legal rights they had, and the resistance by the people in the Western Areas showed us, and the entire world, that the African people had won; that was shown by the police armed - - thousands of armed police

Yes, I only asked you as to your intentions, as to your knowledge or expectation of what was going to happen on that day?-- That is exactly . . .

Now had you organised for industrial action on that day?-- My lord, on that day, as reflected in this speech by Magothe and many other speeches, we - not only in the Eastern Cape, but I think throughout the Cape Province - we organised prayer meetings.

Was that equivalent to a stay at home?-- One could put it that way, but it was not a stay at home because in the Eastern Cape this meeting took place in the afternoon - - that was on a Saturday afternoon

Well, apart from the prayer meetings, had you organised a stay at home?-- No.

On the 12th?-- On the 12th, no, my lord.

Were you supposed to do anything on the 12th?-- We were instructed by our Provincial Executive to organise these prayer meetings, but I wouldn't say there was no talk about a stay at home; but directives to that effect were never sent to our branches, as far as my memory serves me.

Yes. If you had received a directive for a stay at home, would that have happened in the Eastern Cape?-- Yes, we would have organised it, my lord.

How long would you take to organise it?-- I don't understand your lordship's question.

Assume that on the 11th instructions had come, for a stay at home on the 12th, would it have been possible for you to have a stay at home on the 12th?-- It is very difficult to say, my lord, because of the conditions under which we were working at the time.

I think that higher organs of Congress were aware of the difficulties which confronted Congress in the Eastern Cape, and besides they would not send directives at the last moment, my lord. I presume this; I don't think they would have sent directives on the 11th; they would have given us at least five to six days. I think that is one of the reasons why we were sent directives then to organise prayer meetings. I don't know, my lord.

What time of the day was the prayer meeting held?-- We held the prayer meeting on a Saturday afternoon, my lord.

On what date?-- The 12th, my lord.

Were not the people removed before the 12th?--The removal took place on the 10th, my lord; that was on a Thursday night, if I'm not mistaken.

I think it was on the 9th.

MR. PLEWMAN: The 10th is the day that has been referred to in evidence, my lord, and people were moved on the 9th.

RUMPF J: Well, actually I think the evidence is that the Government anticipated, and started the removal on the 9th?-- That is the position, my lord. And then we had already organised.

You had organised a prayer meeting?-- Yes, we had organised a prayer meeting for the 12th.

For the Saturday?-- For the Saturday, that was the day of the removal.

Yes, thank you.

MR. PLEWMAN: I want to come now to a meeting of the 20th March, 1955; the bulk of the meeting appears in volume 49, my lords.

BEKKER J: Well, now, this meeting we are busy with at page 9687; the following words are attributed to you. 'The traitor commits suicide, Judas Iscariot did the same. The detectives taking notes are the same as Judas Iscariot. When Jomo Kenyatta decided the children must go to school, and when detectives came to investigate" Do you see that passage at the top of page 9687?-- Yes, my lord.

Did you refer to the detectives taking notes as being Judas Iscariot?-- Yes, I did.

Why?-- It has always been my belief that the detectives, that is the African detectives who were taking notes are part and parcel of the oppressed people, more particularly the African people, and I regarded them as people who were doing exactly what Judas Iscariot did,

Even though they may have been instructed to do so in the course of their duty?-- Yes, my lord. That was my belief and I conveyed that several times to people, that they must not worry about the detectives, they themselves will hang - - they would hang themselves just like Judas Iscariot did,

And at line 10 it is said that you said 'The time is coming when these detectives will be going about trying to find out where the Executive Committee will be held, but they will reap it with bitter experience.'" Did you say that?-- I doubt if I could have said it in those words, my lord. I may have said something like that but not in those words. I think it's one of those wrong interpretations.

Yes.

MR. PLEWMAN: Can I now refer you to the meeting of the 20th March, 1955; the first page of the meeting is reported at page 9700 which merely gives the date of the meeting as being the 20th March, 1955. It's still the witness Segone who says it is an African National Congress meeting held at Desai's Yard in Korsten. In the next volume of the record, vol. 49, part of your speech is given; perhaps if the Crown will give you the record. Before you look at the record, do you remember the meeting specifically? - - No, but I wouldn't deny that the meeting was held. 1

Now if you'll look at the record at page 9702. On the previous page it says that you were the speaker and that you spoke about Bantu Education, and then it quotes an extract of your speech, 'The leaders of the African National Congress are leading us day and night, we don't pay them anything. The capitalists drew down our nation. Judas Iscariot hanged himself. In the new Africa we don't promise people happiness, and before we achieve freedom blood will be shed. Mothers and fathers and sons of traitors need not worry about wearing mourning dress. The African nation in South Africa is going to act as Kenya people did and achieve freedom. To achieve freedom . . . ' Well, that phrase may be just repetition. 'The B.A.C. O.P. organisation, S.A.I.C., and Congress of Democrats are supporting the A.N.C. to freedom', and then you refer to Mr. Swart and his going overseas, and his making a statement that before the Africans could achieve freedom there will be bloodshed. Can you remember if those were your exact 20 21 30

words, or do you think they are?-- No; although I can't remember what I said specifically at this meeting, those cannot be my words exactly. Again here it's a question of interpretation. I don't think this gentleman knows the Xosa language so well as to be able correctly to interpret what is said at these meetings.

You said that the African Nation in South Africa is going to act as Kenya people did, and achieve freedom. Do you think that those could be your words?-- No, they cannot be my words, my lords.

RUMPF J: Why not?-- Because of what I believed happened in Kenya, and I wouldn't advise and encourage people to adopt those methods; those are the methods in fact which the Congress is fighting against, my lord.

MR. PLEWMAN: Now I want to deal with a meeting of the 1st May, 1955; it's reported at page 9711 of the record, my lords. Do you remember the meeting at all? It was apparently a large one?-- I recall that we had a meeting on the 1st May, 1955, at New Brighton.

There are a number of speakers. I want to deal with a statement said to have been made by you. You'll find this at page 9721, and if you look at page 9722 you'll see you deal generally with the African National Congress, stating what the policy of the Congress is, who its leader is and so on, and then there is again, starting at line 30 and going over the page, - - well, perhaps starting a little higher up, 'I want to tell the traitors that there are a few days left before the 25th and 26th June, and I call upon them to come to our side before the river is in flood. Mr. Swart

is giving instructions to the police to shoot first and ask afterwards, and also said that before the black people get their freedom all the rivers of this country will be full of blood, and in our reply we say "If it is necessary for hundreds of people to die before freedom is achieved, it's alright." Can you remember this speech at all?-- Yes, this record brings back to my mind some of the things I said at this meeting.

What would your reference in the passage I've read been to; to what were you referring? -- Here I would be referring to the two statements which were made by the Minister of Justice, Mr. Swart, instructions to the police to shoot first and ask afterwards.

KENNEDY J: The same as that to which you already referred to previously?-- Yes, my lord, two of them in fact.

Yes.

MR. PLEWMAN: I want to come to a meeting which I see I missed, at page 9687 of the record; that's vol. 48; this is a meeting held on the 10th February, 1955. If you look at the record, at page 9687, it is said there that this was a meeting at which you were chairman; it's a meeting of the African National Congress Youth League. Do you remember it at all?-- I remember that on this day -- that is on the day the people in Sophiatown were removed -- we had a meeting at New Brighton, a meeting of the African National Congress Youth League.

And were there references there to the removal? Can you remember the speeches and the contents of the speeches, or not?-- No, I cannot recall them offhand;

probably if I read the record I may be in a position of remembering.

I'd like to refer you specifically to a speech recorded at page 9691, said to be a speech delivered by Magothe. Do you know someone by the name of Magothe?-- I remember Magothe, yes.

Is it Magotha?-- Yes, Mago-b-a.

I see. I just want to ask you about the passage at the bottom of page 9691. 'The Sun has set, we are now marching to freedom. The time has come when the leaders are going to hesitate. The time of darkness has come. You must come and join the freedom volunteers. On Saturday we are going to the mountain.' Now what is that, 'We are going to the mountains' - what does that phrase mean?-- It means, my lords, is that we are going to pray.

One finds it in other meetings in the Eastern Cape. Is that an expression which is used about prayer meetings?-- Yes.

Now if you turn over the page at 9692, you'll find there a statement said to have been made by you, at the bottom of the page, line 20, 'Nobody is allowed at our meetings to use abusive language, no matter to whom it refers, even the police, more especially at this hour when we expect the police to raid New Brighton and perhaps we may have blood flowing, the same as 1952; we have received this information from our police at the organisation that the police are going to carry out a raid.' Having read that do you remember the incident at all?-- Yes, this brings back to my mind what I said at this meeting, but not in this way.

What did you say and what were you referring to?--

I said here 'Nobody is allowed at our meetings to use abusive language'. It refers to the police. Then I went further to say 'more particularly this hour'.....

Just a minute, before you go on to the rest. What was that a reference to?-- As I was saying I heard somebody uttering a remark and I understood this remark to be referring to the police, the Special Branch men who were taking notes.

What sort of a remark was it, an abusive one?-- Very abusive.

And is that what gave rise to the comment which is recorded here?-- Yes.

Now what about the rest of the statement?--- Before we proceed, I recalled that I even went further to say I'm more than certain that whoever made that remark is not a member of Congress; in fact, he is a Government spy.

BEKKER J: Why?-- Because members of the African National Congress don't use that language; they know that they have not to interfere with the Special Branch men taking notes.

But you said they were Judas Iscariat?--Yes. I said they are Judas Iscariats because . . .

Is that not abusive?-- No, my lord.

MR. PLEWMAN: What about the rest of the statement?

RUMPF J: What did the particular person say about the police which you regarded as abusive?-- I can not recall what actually was said, but this person said something very abusive which in fact no Congress member would ever utter, nor a chairman, a responsible leader

of Congress would ever allow.

MR. PLEWMAN: Do you know what the rest of the meeting was about, 'The blood may be flowing, the same as happened in 1952'?-- Yes, that referred to the fact that the police -- we had information that the police would be raiding New Brighton, looking for dangerous weapons, and that they are armed, so then the people must be careful of the language they use, because that the police could use as an excuse for shooting.

I want to turn to a meeting recorded at page 9629 of the record, my lords. This is said to be a meeting on the 27th May, 1954, of the African National Congress Youth League at the Victory Hall. .

BEKKER J: Page 9629?

MR. PLEWMAN: Page 9628 and over to 9629, my lord. There is at line 8 the next speaker who was F. Mangane; I take it that this refers to Ntsangani?-- Yes, my lords.

Do you remember the meeting specifically?-- No, I don't remember the meeting specifically.

Is it possible that you were present and spoke at that meeting?-- Yes, it is possible.

I would like you to look at the whole of your speech on that page; I only want to ask you about one sentence in it?-- Yes, I've read it.

Does it bring it back to mind, or not? Does it bring your speech back to mind?-- Yes, I recall now that this meeting was organised by the Korsteh branch of the Congress Youth League.

I want to take one isolated sentence and I want to know if this can be in fact a sentence uttered by you.

Towards the bottom of the page you've dealt with Kenya and the A.N.C. doesn't expect arms to be carried and so on, and then you say: 'If a man beats you, one is there to retaliate. The Europeans are going to force to form up Mau Mau in this country and we have already heard about the Cheesa Cheesa Army'. Can you make any comment on that little portion that I've read to you?-- The only comment I can make is the same as the previous comments I have made, that is in regard to the recordings of these gentlemen. I could never have uttered such a sentence, such nonsense. In fact that is reflected in what I had to say about Kenya and so on.

Would you have said 'If a man beats you one is there to retaliate'?-- No, not at all.

I want to come to another matter. You've heard evidence given in this Court of a speech said to have been made by the accused Ndimba, and you've heard the evidence of the Magistrate as to the explanation which Ndimba gave in Court. Is it necessary for me to remind you of that evidence by reading it to you, or do you remember it?-- No, I recall the statement.

The statement that he said that volunteers must kill, and he said that that was the oath of volunteers. Now, as far as you are aware, was there ever such an oath used in the swearing in, or recruiting of volunteers in the Eastern Cape?-- No, we never had such an oath.

Can you remember the terms of the volunteer's pledge you used, or can you tell me whether it was a written document or where I'd be likely to find it?--

We had a written document for the pledge of the volunteers and the volunteer code; I think that would be found in statements which are exhibits . . .

I'll show you portion of Exhibit "TT.25"; it doesn't, my lords, tend to be a complete document, but the witness may be able to identify the document and comment on the pledge that appears in it. This, according to the evidence, was taken from the accused Tshume. I wonder if you will look at it, Ntsangani?-- Yes, my lords, the pledge appears on the second page of this document.

Is that annexure 'B'?-- Yes, annexure 'B'.

And the Code of Discipline, Annexure 'C'?--Yes.

Now I think both those have been read into the record, so I won't read them in again. My lords, I am not in fact certain that they have been read in and if they haven't I'd like to be able to do so at a later stage, but I wouldn't like to read them in unnecessarily.

BEKKER J: They have been read in.

MR. PLEWMAN: That is the pledge that you used?-- That is the pledge we used.

I want to ask you one other general question. Have you studied Communism?-- No, I have not.

Do you know anything about the Social, economic and political systems of Great Britain or of Russia, or of China?-- No, I don't; I've never studied these things seriously; as a fact the little knowledge I have is from general reading of newspapers, that's all.

You've heard evidence in this Court about three lectures; do you recall the evidence?-- Yes, my lords, I do.

Having heard that evidence, can you put your mind back to the Indictment period and tell their lordships whether you ever saw those lectures, or copies of those lectures yourself?-- Yes, I think I saw one, two or all of these lectures some time in 1955.

Do you know if you read them at all?-- I think I read them, but one would not be in a position to-day of saying I read them all.

There has been some evidence that these were lectures for study purposes. As far as the New Brighton branch of the African National Congress is concerned, were these lectures ever used for study purposes . . .

BEKKER J: Stick to basis for discussion.

MR. PLEWMAN: As your lordship pleases. Were they ever used as the basis for discussion at meetings or were they ever used as lectures, or were they ever used to instruct people in the New Brighton Branch?-- Not in the New Brighton Branch; they were never used in that branch.

RUMPF J: Why not?-- These lectures never came to the knowledge or the notice of the New Brighton Branch Executive, my lord. Just as much as I would say they never even came to the notice or knowledge of the Eastern Cape Regional Committee of the African National Congress.

MR. PLEWMAN: Did you serve on both those bodies?-- Yes, I did.

Where did you in fact find the copies that you saw; where did you get them?-- I got the copies that I saw at Court Chambers, that is the Trade Union offices in Town.

The offices of?-- Trade Union offices.

Were they given to you officially, or how did you come to get hold of them?-- I'm not quite sure whether they were given to me officially, but I think I found them lying on one of the tables and I just picked them up - - something like that. But I am certain that I got them from these offices.

Is that all you remember about these three lectures?-- That is all I can say so far; perhaps I may think over it again, as to other matters.

Now I want to ask you another question and I don't want you to give me a specific incident, I just want to know your state of mind. Do you believe that the police - - perhaps I should rather put it this way: did you believe over the Indictment period that the police would use violence on Africans, even though Africans were completely non-violent?-- That has always been my belief, my lords.

My lords, I have no further questions, but the witness may well be in the witness box for a long time. I wonder if I may make a request, that he may be allowed to be seated.

RUMPF J: Yes, certainly. Is there any cross examination?

MR. PLEWMAN: There is no cross examination, my lords.

RUMPF J: Yes. Mr. Trengove.

XXD. BY MR. TRENGOVE: Mt. Ntsangani, I want to ask you some questions on your activities as a member of the African National Congress during the period of the Indict-

ment, 1952 to 1956. What position did you hold in the African National Congress, or the African National Congress Youth League during that period?-- I was a member - in fact I was vice-Chairman of the New Brighton Branch of the A.N.C. from 1953 - from the end of 1953 up to the end of 1955, my lords. And during that period as well I was a member of the Eastern Cape Regional Committee of the A.N.C.

KENNEDY J: I take it that's the Executive?--
Yes, my lord.

MR. TRENGOVE: Yes?-- And I was chairman of the Eastern Cape Region of the Congress Youth League over the same period, and from 1952 to the end of 1954 I was the Branch Chairman of the African National Congress Youth League, that is the New Brighton Branch.

Did you hold any other positions?-- I was a member of the Cape Province Executive of the African National Congress Youth League from 1952 I thi k to the end of 1954, I'm not quite sure, my lords. And then in 1954, in June, I was elected to the National Executive of the Youth League.

That was at the Conference in Uitenhage?--Yes.

Now what about the Action Committee of the Congress of the People. you were a member of that too, were you not?-- I was not a member of any Action Committee, either Regional or on the Branch level.

Did you ever represent the Action Committee at the Congress of the People at New Brighton, as a delegate to any Conference?-- None whatsoever.

Now . ..?-- But I think I attended one or two

meetings of the Eastern Cape Action Committee, representing the Eastern Cape Regional Executive of the African National Congress.

Now when you were elected to the Executive Committee of the African National Congress Youth League in 1954, at that time J.G. Matthews was still President of the African National Congress Youth League, National Body; was he not?-- Mr. Matthews at that time was banned; I do not know whether -- yes, I should think he was, I'm not quite sure -- but all I can say is that Conference elected him to that position in 1954, though he was banned.

Yes. And the other members of your Executive were the accused Robert Resha, was he not?-- Yes, Mr. Resha was elected as President.

And your general secretary was the accused Nokwe, not so?-- Yes.

And your treasurer was Dr. Conco, accused No.29?-- I'm not sure but it is possible; Dr.Conco was not president -- I'm not too sure . .

And on the Executive, but not holding any official positions, were T.Tshume, the accused; he was on the Executive with you, was he not?-- Yes, I think Mr. Tshume was also elected at the same conference.

And H.G. Magothe?-- Yes.

Who was an accused with you at the Preparatory Examination?-- Yes.

And also Dr. Ngee?-- I doubt about him.

You're not sure?-- I'm not sure.

And on this National Executive to which you were elected in 1954, June of 1954, how long did you

remain on that National Executive of the Youth League?--
I remained a member of the National Executive until
1956 or 1957 - - I'm not very sure. But all I know is
that I was not re-elected in the National Conference
after that.

Now, did you ever find that there was any conflict
between the methods and policies and activities of the
African National Congress Youth League and those of the
African National Congress mother body?-- No, not as far
as I can recollect; there was never a conflict. In
fact the African National Congress Youth League, as an
auxiliary body to the A.N.C. carried out instructions
of the A.N.C, and as a body of that nature it was not
supposed to work outside the policy of the A.N.C.

And as far as your experience goes the African
National Congress Youth League carried out its duties
in that respect faithfully and conscientiously?-- I do
not know about that, about conscientiously, but I would
say as far as I know - - I am speaking now purely from
my knowledge of the activities of the Congress Youth
League in the Eastern Cape - - that we did. We did
nothing outside the policy of the A.N.C.

Ntsangani, apart now from attending all the
public meetings and making these speeches, what did
your activities as a Congress member really consist
of; apart now from your public appearances. Did you
hold branch meetings and executive meetings and so on
?-- Yes.

Meetings of your branches, how often was that
held?-- During the period 1952 to 1954, 1955, if I'm
not mistaken the New Brighton Branch of the A.N.C.

held one meeting per month; that was a general meeting of members.

Not of the executive?-- I'm coming to that. Then meetings of the Executive were held weekly.

Were held weekly?-- Yes.

I see. And what was discussed at these weekly executive meetings?-- We discussed the implementation of the various directives on campaigns emanating from the National or Provincial Executive. We further discussed the problems with which the people were confronted in our branch. 10

And I take it you also arranged the public meetings for that week, and got speakers to address those meetings?-- Yes, speakers were elected by the executive.

For that purpose?-- For purposes of addressing these public meetings. 15

Yes. Who were your co-branch executive members at New Brighton? During this period, 1952 to 1956?-- In 1953 - I would say from the beginning of 1954, Mr. Meintjies was the branch chairman . . .

Is that the accused?-- Yes. And I was his vice-chairman. Mr. Tshume was our secretary, and I think Mr. Euyani was the vice-secretary, assistant secretary. And I think again - I'm not quite sure - Mkwai was our Treasurer, and the late Mr. Mjo was also an executive member. 20 25

Yes. I could perhaps refresh your memory with one or two names. T. Mqota?-- He was not in the A.N.C. executive.

At no stage?-- No; until 1956 - early 1956. 30

And V. Mene?-- I do not think he was ever in the A.N.C. branch executive.

I see...?-- I'm not quite sure, but I don't think so. I know he was in the Youth League executive of New Brighton.

Alright, then, seeing that you are mentioning it, who was on the Youth League Executive at New Brighton over this period?-- I was the branch President from 1953 as I've said before; rather, from 1952 to 1954. Mr. Mqota at one time was our secretary; Mr. Tshume was a member of the executive. 1

Is that T. Tshume, the accused?-- Yes. Mr. Kepe was also in the executive; that is the Youth League?

Yes?-- And some others.

Yes. Now, you were President from 1954, and then a new president was chosen for 1955, that was W. Mate?-- Yes. 1

And at the time that you were president in 1954 Mqota was secretary?-- Yes.

And he was replaced by Mene?-- Yes, Mene was elected in 1955. 2

And in 1954 you were chosen as the speaker?-- Yes.

What is that, what is the speaker?-- He is one who presides over general meetings and conferences, public meetings. 2

Now this election of the executive for 1955, did that take place at the annual meeting in 1954?-- Yes. Some time towards the end of 1954.

Now is it customary at annual meetings to report 30

on the activities of the branches and tell the members - give them a review of the activities over the past year, the future and so on?-- Yes.

And to prepare reports?-- Yes.

What happens to those reports? Are they send through to the Provincial Executive?-- Those reports are supposed to be compiled and sent to the Provincial Headquarters. In some cases I think once or twice we sent a report to the National Executive, but mostly they were sent to the Provincial Headquarters.

Now what was the object of all these public meetings that were held two or three times a week over a period of about four or five years? Why did you hold all these public meetings?-- In 1952 we held public meetings to recruit members, to explain the Defiance Campaign - to explain the policy of non-violence to the public and the membership, and in these other years we had other campaigns like Bantu Education, Economic Boycott, the Congress of the People and so on.

Yes. Now, according to the evidence that a large number of these meetings were held, you got very good attendances - 400 people, 500 people, 2,000 people attending these meetings - - was that your experience, that people in large numbers used to attend your meetings?-- I don't know to what period you are referring, but I would say from - - during the whole of 1952, in New Brighton the attendance at our meetings was well over 20,000.

Ntsangani, seeing that you were trying to explain the policy of non-violence to people, people who were not ideologically trained, or politically trained,

I take it you tried to put across what you wanted to say in clear but simple language, so that everybody who attended the meetings could understand what was being said?-- We spoke clearly at these meetings, and the people understood us.

The ordinary people who attended, ordinary members of the African National Congress, I take it had no difficulty in following what was said, if he could understand Xosa?-- The whole matter depended on how a speaker would explain himself to the public.

I take it Mr. Ntsangani, that you tried to get speakers who could explain matters to the public so that the public could understand what this policy of non-violence was?-- Yes, that was why the executive was responsible for electing people to speak at these meetings.

And on many occasions you even provided interpreters for those who could not understand Xosa?-- At New Brighton there was never an interpreter. We spoke in Xosa only, and only when one Mr. Mate spoke in English because he couldn't speak in Xosa did we provide an interpreter.

I see on some occasions you acted as interpreter?-- Only when a speech was delivered in English.

Then you would interpret into Xosa?-- Yes.

I see. Now, were you, apart from being a Defiance Campaign volunteer, were you also a freedom volunteer? When the call was made in 1954?-- Yes, I was.

Were you an ordinary volunteer or did you hold any particular position in the Volunteer Corps at Port Elizabeth?-- I'm not quite sure because of the many

positions that I held, but I would say I was a volunteer. I'm not sure whether I held any position in the Volunteer Corps, but in fact the position is this: as a member of the Executive, that is the Eastern Cape Executive of Congress, and my branch executive, I was regarded as being superior to the rank and file of the Volunteers.

Yes, but now forget your superiority; were you or were you not --?-- I think I stated all along . .

An ordinary volunteer?-- I don't recall holding a position in the Volunteer Corps while I was a volunteer.

You took the pledge?-- Yes, I did.

Now, you said in your evidence in chief that you attended African National Congress Conferences; now conferences of the African National Congress, the National Body, which did you attend?-- I attended the special conference which was held in Port Elizabeth in 1955; that was the special conference on Bantu Education.

Yes. Any other national conference?-- No.

You were not elected as a delegate to go to the National Conference at Durban in 1954?-- Yes, I was elected to represent the New Brighton Branch, but I couldn't attend that conference.

You couldn't attend that conference?-- No.

Did you attend the conference in 1953, the A.N.C. National Conference in 1953 at Queenstown?-- I did not attend that conference; I was out of Port Elizabeth.

So one can take it for the moment that you only attended this one national conference at Port Elizabeth; this special one?-- That's the only one that I can think of at the moment.

Provincial conferences? In the Cape?-- I attended

all except the 1953 provincial conference which was held early in 1953.

That one you did not attend?-- No.

But otherwise you attended them all?-- Yes.

The African National Congress Youth League Conferences?-- There was only one national conference that I attended of the Congress Youth League; that was in 1954 where I was elected.

At Uitenhage?-- Yes. And provincial conferences, I attended I think about two or three.

When were they?-- The first one was early in 1952 - in fact it was not a Youth League Conference as such, but the Youth League had a session which lasted only an hour or so. Then the second one was some time in 1953 - I don't know whether it was at the end of 1952 or in 1953. Then the next one was in 1954.

Ntsangani, where did you get your - - you see you made a lot of speeches on behalf of the African National Congress - - where did you get your knowledge of what A.N.C. policy is?-- I get my knowledge from documents like the Presidential Addresses that are delivered at conferences, and again from speeches and also addresses delivered by the Provincial President of the Cape, more particularly Prof. Matthews who has been the President of the Cape for a long time.

Executive reports?--That's correct, from executive reports, provincial and nationally.

And...?-- And from documents like the African Claims, and other documents.

Now you've been listening to quite a lot of evidence on African National Congress policy?-- Yes.

Evidence given by witnesses called by you, like 1
the first witness, A.J. Luthuli, Dr. Conco and so on;
having listened to their evidence, are you satisfied
that you knew Congress policy, Congress activities,
Congress methods, the objects of Congress as explained
by them in their evidence?-- Yes, as far as I understood 5
them.

Now?-- But I would not claim to know as much
as they knew.

Now the African National Congress, apart from 10
these meetings which you addressed, also made quite a
lot of use of written propaganda material to tell the
people what the struggle was about, the liberatory
struggle. You know that, don't you?-- In the Eastern
Cape we relied more on public meetings.

Yes, but I'm not asking you that, Mr. Ntsangani. 15
?-- May I be clear on the question then? Probably I
didn't understand.

The Congress Movement, the African National
Congress had publications, bulletins and so on which 20
were issued to tell the members what the struggle was
about, what was the Congress view on many topics. Do
you know of such bulletins?-- No, I would say the
African National Congress explained each and every
campaign which we embarked on through the President, 25
the Executive; when I say the President I am including
the Provincial President . . .

(THE COURT ADJOURNED UNTIL 2.15 P.M.)

ON THE COURT RESUMING AT 2.15 P.M

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MR. TRENGOVE: Mr. Ntsangani, at the adjournment I just asked you about bulletins published under the auspices of the African National Congress that were being used to tell people of the Congress views, and matters generally of interest to Congress. You know of such bulletins, don't you?--- I know of one bulletin which was a Cape Congress bulletin; that is Inyanye (?), and it reflected the activities of the various branches of Congress in the Eastern Cape as a whole. Also campaigns such as the Bantu Education Campaign, if I'm not mistaken the C.O.P.

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Is that the only bulletin that you know of?-- Well, A.N.C. bulletin.

As a member of the National Executive of the African National Congress Youth League, didn't you know that provincial branches of the African National Congress Youth League made great use of bulletins such as 'African Lodestar'- didn't you know that?-- You asked me about bulletins which were published by the African National Congress, not the Youth League.

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Oh, I see. Well, what about 'Isizwe', do you know that; that was published in your area?-- You see Isizwe was an independent journal; it was not a Congress organ.

Other witnesses disagree with you on that; but do you know that bulletin?-- There is no witness who will disagree with me on this because I live in the Eastern Cape, Port Elizabeth, and that is where in fact this bulletin Inyanye was published.

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Who published it?-- Mr. Mate.

Mr. Mate?-- Yes.

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Who is he?-- He was at one time secretary of the Cape Province of the A.N.C.

He often made speeches with you from the same platform?-- Yes.

R. Mate?-- Yes, R. Matshi.

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And he was on the Provincial Executive of the A.N.C.?-- Yes, from 1952 up to 1954.

On the National Executive?-- To my knowledge he was never on the National Executive.

Did that bulletin have international Congress support?-- We supported that bulletin insofar as it reflected the activities of the A.N.C.

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In the Congress Movement?-- I don't understand what you mean by in the Congress Movement.

Well, . . .?-- It reflected the activities of the various congresses.

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Yes, the Liberatory struggle?-- The activities of the various congresses.

I want to ask you something about one of the speeches that was referred to this morning; it's the speech of the 1st May, 1955, and is reported at page 9712 of the record, Vol. 49. This was a meeting at Izwalteni Square (?) and you gave evidence on a passage in your speech this morning, a speech you made at that meeting. Now Myakeso was the chairman at that meeting according to the evidence and it was a meeting at which he told the people that he expected to be arrested because he volunteered to hold that meeting on that square at that time, and he told the people they could expect the police to come and ask for their permit to hold the

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meeting; if he was arrested he'd be prepared to go; do you remember that day?-- Yes, I recall that on that day we held a meeting on that Square. 5

Yes. Now, during the course of his speech on page 9712 of the record, line 23, he said this: 'In the new Africa spies will be dealt with accordingly. Among Europeans during wartime any spy charged was sentenced to death. We are not going to do that now, but in the new Africa. Let us build the new Africa which will be governed by the people.' Do you see that passage?-- Yes, I see the passage. 10 15

And then the speech goes on, and if you look at page 9716, in the middle of that page, at line 11, you will see it says: 'Our last day in this country is when we reach freedom, when the oppressors will be called up for trial'. and then if you turn to page 9721 there is a speech alleged to have been made by Mkwai about the new Africa, and at 9721 Mkwai says: 'I want freedom volunteers who will obey orders. Chaka, the Zulu king, foresaw the arrival of Europeans in this country. Through vision God is above. The traitors will face trial in new 20 25

Africa. The A.N.C. will deal with them. We must see that we organise people along the streets for the Congress of the People'. Now, if that is correctly reported, Ntsangani, do you agree that what the speaker there said was that spies, traitors and oppressors will be brought to trial in the new Africa?-- I don't agree with that, because of one reason that appears at page 9712, where it says 'In the new Africa spies will be dealt with accordingly'. Now he is not actually referring to spies, as I read it, he does not refer to 30

spies which we have at the moment. Here, it appears to 5
me, that he is dealing with the spies which we will have
in the new Africa. In the new Africa spies will be dealt
with accordingly.

I see. Alright. Turn now to page 9716, 'The 10
last day in this country when we reach freedom, oppres-
sors will be called up for trial' . .

MR. PLEWMAN: My lords, the full passage is
'Our last day in this country is when we reach freedom
, oppressors will be called up for trial....'.

MR. TRENGOVE: Yes?-- I cannot get the sense 15
of the first sentence - 'Our last day in this country
is when we reach freedom': I don't know what that means
my lords. Then he goes on to say: 'When the oppressors
will be called up for trial'. As I read it, to me all
it conveys is that when freedom is achieved anybody who 20
oppresses us - - in other words it will be a crime to
oppress -- that is how I read it.

You mean once you have your freedom?-- Yes.

But there won't be any more oppression when 25
that time comes?-- That is the point; it will be made
a crime to oppress anybody. That's how I read it.

Do you read that in the same way, on page
9721?-- Which portion is that?

Line 6, 'The traitors will face trial in 30
new Africa'?-- Yes; there, again, standing by its
own, to me suggests that he is here dealing with
traitors in the new Africa. In other words, all
he says is that we won't tolerate traitors in new
Africa.

But are traitors tolerated in any country?--

I suppose not.

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You see, what made it necessary to say this, if he didn't mean that the traitors at the moment are going to be tried in the new Africa, because that was what you were telling the people. You were warning people. If there were traitors they had to be careful because in the new Africa they would be brought to trial?-- That is not how I read it.

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But isn't that what you propagated, the views that you propagated from your platforms?-- You mean I as an individual?

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The African National Congress?-- No.

That traitors had to be careful, traitors and spies, because they would be brought to trial in this new Africa?-- We hated traitors, but I don't recall any member of the African National Congress saying that traitors who betrayed the nation now will be dealt with in the new Africa. I don't remember that at all.

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BEKKER J: What do you make of the passage at page 9717, Matchi's speech, at line 12. What does that mean: 'I did not expect an African detective to take notes down at our meetings and I want to know what will you do with such people in new Africa'; what does that mean?-- Well, to me, as that sentence stands, my lord, more or less it means the same thing, in that he says 'I do not expect an African defective to take notes at our meetings'. He probably was referring to that particular meeting, or to other meetings, and I want to know what will you do with such people in the new Africa. As I read it, my lords - I may be wrong, I don't know - - all he is saying here is that

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'What will we do with traitors in new Africa',
 isn't that it?-- Yes, that's how I read it, my lord.
 Should we have traitors in the new Africa what will we
 do about them?

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What will we do?-- Yes.

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KENNEDY J: Will you look at page 9722, line
 27. It looks there as if the speaker allegedly knew
 - he is speaking of the Press - 'I want to tell the
 traitors'?-- 'I want to tell the traitors that
 there are a few days left before the 25th and 26th of
 June, 1955 and I call upon them to come to our side
 before the river is in flood'.

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Does not that suggest that the other passages
 already referred to mean that you regard traitors as in
 existence when those speeches were made, and not in a
 future State?-- My lord, confining myself to this por-
 tion alone, appearing in this speech - that is, 'I want
 to tell the traitors that there are a few days left
 before the 25th and 26th of June, 1955', and 'I call upon
 them to come to our side before the river is in flood' - -
 here, again, my lord, this portion does not suggest to
 me anything other than saying those of us who would be-
 tray the cause for which we stand must come to our side
 before it is too late. In other words they must re-
 turn. And here I must say again, as I was speaking
 in Xosa, I think that is what I said at this meeting;
 I'm not sure. Yes, as I was speaking in Xosa I think
 I used there again a language which probably the gentle-
 men who were reporting this meeting couldn't under-
 stand, my lords.

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Do you suggest you didn't use the word 'traitor'?--

No, I used the word 'traitor'; in fact I often used it. 5

MR. TRENGOVE: Did you tell the traitors to come across before the river was in flood?— Yes, I was conveying this in Xosa, that they must repent and come to side, they must follow us

"They will be tried in the new Africa"?— No, no, it doesn't suggest that. 10

Why this warning to traitors?— Yes, it is written as a warning, whereas when I conveyed this in Xosa it was not at all a warning.

I see. 15

It was a friendly invitation?— A friendly invitation. Those who were betraying us must repent.

You see, Ntsangani, in the Isizwe of 1956 EM.73, there is an article headed 'Editorial' 'Murder will out'; it is read into the record at page 2638. 20
Have you got that article there on page 2638?— Yes, I've got it.

Have you got the article headed 'Murder will out'?— Yes.

Now you see it deals with some incident where Africans were shot by police, and then it refers to the trigger happy neurotic wielding the Sten gun. 25
Have you got that?

BEKKE R J: Line 20 to 25, Ntsangani.

MR. TRENGOVE: Have you got that now, Ntsangani? There is a paragraph which starts 'As far as our people are concerned?— Yes. 30

It says: 'The creation of a Peoples Democracy will mean a sure guarantee that the people will be safe from any form of legalised murder. It is then

too, after the establishment of the Peoples rule, that we can deal with those responsible for these crimes against the people. After all, prescription does not run in the case of murder'?'-- Yes, I see that portion.

Now, isn't that exactly what Mayekeso and Mkwai said from the public platform, that these people committing crimes against the people are going to be tried after a Peoples Democracy has been established, before a Peoples Court?-- I don't know whether, in following the language there, it is correct -- to me some of it is beyond my understanding. But I wouldn't agree that what appears there is similar to what has been said by various speakers at various meetings of the A.N.C.

You agree?-- No, I wouldn't agree. Apart from that, if I recall, I think that was the March issue of Isizwe. Here, again, as I said, this was not a publication of the A.N.C. The A.N.C. could not be held responsible for such an article.

I didn't ask you that, Ntsangani; I said it's the same type of thing that Mayekeso and Mkwai was propagating from the platform?-- On that I have already said I don't agree.

Why not?-- Because Mayekeso and Mkwai, myself and others, spoke clearly on this subject because we knew for a fact that the A.N.C. never discussed such things, the trying of certain people; we were inviting them to repent and come over to our side.

BEKKER J: Repent what?-- From their wrongdoings, my lord.

What wrongdoings?-- Spying on the activities of the African National Congress, my lord.

Well, now, as I understand the position you all knew the people were there; they were members of the Security Branch taking notes?-- No, my lord, this was a reference more to the people we did not know, who were planted within Congress, apart from the C.I.D. and so on.

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But you referred to the C.I.D. as traitors?-- Yes, Referred to them as being Judas Iscariats.

Yes, well, that's a traitor; he was a traitor, wasn't he?-- I was referring specifically to the C.I.D. my lord.

15

Yes, you regarded the C.I.D. as traitors?--Yes.

Right. Now I'm trying to find out why you regarded the C.I.D. as traitors? As I understand the position you knew they were members of the Security Branch; you knew they were taking down notes; you knew they were doing it in the course of their duties, whether they liked it or not they had to do it. You had nothing to hide. Well, now, why were they traitors?-- In my opinion they were traitors because they were part and parcel of the oppressed nation. In other words, they do not differ from me and the next man, so therefore they could be of great use if they would join our cause, if they would come to our aid and fight with us, rather than doing a job which they were doing.

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MR. TRENGOVE: But your meetings were being held in public; anybody could hear what you were saying, anybody could take down notes; newspapers could take down notes; why were they traitors?-- I have already said why I regarded them as traitors.

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I'm putting to you, Ntsangani, that you, the

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African National Congress didn't tolerate any difference
of opinion or opposition from anybody, and that anybody
who opposed them were branded as traitors, pimps and spies
and were threatened with a trial when the new Africa
would be established; that was your attitude, your
Congress attitude?-- I'm afraid, Mr. Trengove, you don't
know what you are talking about.

Now I want you to have a look at this Editorial,
'Murder will out'; have a look at it, it's on page 2739.
There is another part of the Editorial dealing with the
Freedom Charter, the adoption of the Freedom Charter?--
At what line is that?

Have a look at this document and give me the
record. The last paragraph on that page, Ntsangani, it
deals with the question of the Freedom Charter, and the
necessity to make it come to pass so that the people of
South Africa could be saved. And then it says: 'Nothing
is so difficult as planning for counter offences at a
time when the enemy is attacking on all fronts. To fight
a war of attrition which pins down the bulk of the enemy's
forces, to wear him down, to husband and consolidate
your own forces during that time as to plan for the
counter offences and final victory'. Now, at this time
in March 1956 who was the enemy that was attacking on
all fronts?-- I don't know which enemy the writer had
in mind, or rather which enemy he was referring to, but
as far as we of the African National Congress were con-
cerned - that was in 1956 - we were being attacked by
the authorities in the country.

How?-- By way of Legislation, unjust laws

and such things. 5

I see...?-- We had for instance the Bantu Education Act which we regarded as a bad law. That was an attack on the rights of the African people.

I see; so you say there was the Government attacking by means of Legislation?-- Yes. 10

And is it correct to say that what you were trying to do was to fight a war of attrition which brings down the bulk of the enemy's forces?-- I don't know what the writer meant there.

He means to wage a war to wear down the enemy, to tire him out. Was that what you were trying to do with the Government?-- We of the African National Congress were in a political battle with the Government. I don't know what the writer means by that phrase. This man is not expressing the view of the African National Congress. These are his opinions. 15 20

Alright. Will you just identify Mqota's signature, as secretary of the African National Congress Youth League, on that document?-- Yes, this is Mqota's signature. 25

This document is VM.15, my lords, it was read into the record at page 3989. Mqota signs as secretary of the African National Congress Youth League and this is a secretarial report submitted to the Annual General Meeting of the African National Congress Youth League on the 9th November, 1954. Remember that was when your branch was still under your presidency?-- Yes, I was still president in 1954. 30

And it would be Mqota's function at the general meeting to present the secretarial report at New Brighton, not so?-- Yes. 35

(Witness). In the sense that the report would first 5
have to go to the Executive for confirmation.

And before it was presented the Executive
would have considered it, and would either have rejected
or approved of the report?-- The executive would be 10
expected to do so, yes, but one does not know whether in
fact that report was presented to the executive. I wonder
if I couldn't look at some documents . . .

I'll show you what you want to see just now.
Mene became secretary after Mqota, didn't he? You said so
this morning; in 1955 Mene replaced Mqota as secretary 15
?-- Yes.

And the secretary usually has the records of
the branch in his possession?-- The secretary or his as-
sistant.

Now you see the evidence is that this report 20
although prepared by Mqota and apparently for submission
to the November Conference, was subsequently in Mene's
possession. Now I take it that at the General Meeting
in 1954 the secretarial report was presented?-- Mene at
the time was the assistant secretary. Mqota was the 25
branch secretary. A report to this annual general meet-
ing was read by Mqota without first sending it to the
executive for consideration, and whilst he was reading
this report one member of the executive by the name of
L. Kepe raised an objection. If my memory serves me 30
correctly this objection was to the fact that what the
secretary had read up to that time - - I think it was
as late as about something to ten, and we had only about
fifteen minutes left - - and Kepe wanted to know what
actually the secretary read up to then had to do with 35

the activities of the Youth League on the branch level, 5
 on the provincial level, and also on the national level.
 I think he also went on to say that the secretary up to
 then had merely dealt with matters which to him, and to
 the membership, were of a national character which the
 members were not interested in, and he further demanded 10
 to know from the chairman - - and I was presiding - -
 whether this report in actual fact had been considered
 by the executive. I recall replying to Mr. Kepe - -
 in fact he was supported by other members - - telling
 him and the meeting as a whole that in fact this report 15
 had not been considered by the executive owing to cer-
 tain matters which the executive was then confronted with,
 various organisational matters . . . At this particular
 time we had many matters to deal with, not only matters
 of the Youth League, but also matters of Congress; with 20
 campaigns, with meetings to attend to, in the evenings....

BEKKER J: Was the report submitted to the
 executive?-- No; that is the point I'm coming to, my lord,
 it was not submitted to the executive. So the executive
 never in fact considered this report. That is why this 25
 gentleman, L. Kepe, objected to this type of thing being
 read in the general meeting, without it first being con-
 sidered by the executive.

Yes, and then what happened?-- The meeting
 then in fact decided that this matter must go back to 30
 the executive.

Yes, and then?-- Then the executive met, I
 think, a day or two after that; after having gone
 through the whole report the executive decided to abandon 35
 this report.

RUMPF J: Why?-- The decision was that the report had very little, if nothing to do with the activities of the Youth League in the branch, or provincially for that matter. It discussed matters which members of the Youth League had no knowledge of and had no interest in. 5
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What matters were those?-- I think, if my memory serves me correctly, it discussed some ideological questions -- something to that effect. I will be in a position to know exactly what it discusses when I get the documents, my lord. And I think, if my memory serves me correctly, it discusses some matters pertaining to Russia -- something like that. 15

MR. TRENGOVE: Did the executive find that that report was contrary to A.N.C. policy?-- As far as I can recollect the executive came to one conclusion and that was that the executive had nothing -- rather that the report had nothing in it dealing with the activities of the New Brighton Branch or the Provincial Cape Province branch, or the National . . . so on the question of whether it was within or outside the policy I don't remember the executive discussing that; they may have. 20
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But you heard the report, and you subsequently studied and considered the report; did you find anything in the report contrary to public policy?

BEKKER J: Contrary to A.N.C. policy. 30

MR. TRENGOVE: Yes, did you find anything in it contrary to A.N.C. policy?-- Today I am not in a position to say whether the executive in fact did consider that aspect, but this I may be able to say if I were given the report to look at to refresh my mind. 35

BEKKER J: Did you keep minutes of your ex-Co. meetings?— Yes. 5

And minutes of this meeting where this objection was raised?— I don't quite follow the question, my lord.

Were minutes kept of this meeting whereat L. Kepe raised his objection?— Yes, they were kept. 10

Do you know whether these things were minuted, the objection - was that minuted?— That would appear more from the discussion which took place by the executive, my lord. 15

Yes, now, do you know where these minutes are; are they available or not?— I don't know, my lord, because here again we have the problem that most of our books, including minute books, were taken by the police in their various raids. I would say that if a Minute Book of the New Brighton Branch could be available, it could only be available in the property of the police. Nobody else could have it. 20

Will you make enquiries, Mr. Trengove, as to whether there is such a Minute Book available. 25

MR. TRENGOVE: My lord, if we had one it would have been handed in?— Except, my lords, if I am allowed to interrupt . . .

RUMPFEE J: Yes?— If my memory serves me correctly I think that report, together with other documents of the A.N.C, that is the African National Congress, and Minute books which were kept by the Assistant Secretary at the time - who was Mene - are still with the police, because when we reviewed the activities of the Youth League in 1955 - that was before the 30 35

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