

JOHN NKOSI

BY THE COURT TO ACCUSED NO. 4:

Accused No. 4, what have you decided? --- My Lord, I have decided to give my evidence out of dock.

Under oath? --- No, my Lord.

You just want to make a statement? --- Yes, my Lord.

I have explained to you the value of a statement, haven't I? --- Yes, my Lord.

You realise it hasn't got the same weight as a statement under oath? --- Yes, my Lord. /10

ACCUSED NO. 4 ADDRESSES THE COURT: (Speaks in English.)

I do admit that I am a member of the Pan-Africanist Congress, and we old members of P.A.C. find it difficult in these days, because things have just become so tough for us.

The first thing is that the aim of P.A.C. is to get a Government of one man - one vote, and as a result of the Government in power, with its laws, it has become so difficult, even to our leaders, who have been preaching non-violence right from the beginning. Even to/20 us members who are against violence.

We find that there is a group that is swimming right within the P.A.C., that is preaching violence. It is most unfortunate that I cannot call my leader Robert Mangale Sosobukwe to come and give evidence...

(Sobukwe ? --- Yes, my Lord.)

... and to testify that P.A.C. stands for non-violence. It was a big surprise for me, this year, to hear other members of the P.A.C. preaching violence. That ^{even} ~~wasn't~~ our leader, Mr. P.K. Leballo, could not do anything /30 about it. As far as I know, P.A.C. stands for non-violence.

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MR. HARWOOD TO THE COURT:

Before he continues, my Lord, at the risk of further unpopularity, may I point out that these accused are not charged with being members of the Pan-Africanist Congress. They are charged with perpetrating, or conspiring to perpetrate wrongful and wilful acts, with the result of endangering public and private property...

BY THE COURT TO MR. HARWOOD:

I have no doubt, Mr. Harwood, that you are going to argue that, because they belong to an organisation called the Pan-Africanist Congress, and because of what that particular body stands for, therefore a meeting ~~is~~ --- Oh yes, that I have every intention of arguing, my Lord, but what I want to point out is this, that the dock of this Court is not a political platform, insofar as that they may be ...

Oh, you can leave that entirely to me, Mr. Harwood. I'll look after that.

BY THE COURT TO ACCUSED NO. 4:

You realise, of course, that you make a statement only about the case. I'm not interested in all the political aspects of the thing. You have now said to us that your organisation was a non-violent organisation; that there was unfortunately a group within the P.A.C. who preached violence; that you would have liked to have called Sobukwe to testify that this is not an organisation that stands for violence, and that it would appear to you that even Leballo could do nothing about the group which preached violence. Right. You can go on from there.

ACCUSED NO. 4 ADDRESSES THE COURT: (Contd.)

Yes, my Lord. I say this to explain the position I am in now. There were some witnesses who came into the witness box and who said that at times I spoke about violence and the like. I am bringing these things in in order to explain, my Lord.

So, at the beginning of this year I have realised that there people who were preaching violence in the P.A.C. These people preached it because they became impatient, because Sobukwe said that the campaign /10 that P.A.C. was launching will be like, staying at home, and at times, even when things are very difficult we will have even to sacrifice our lives; that is when we are suffering under ..(coughing: unreadable).. and not to get our independence through violence.

Now, I am surprised, because when I came back from Basutoland, no meetings were held whatsoever; and now, as I am in this Court, there were witnesses who came here and testified that I was preaching of violence in meetings. /20

Because of my not agreeing with violence, when I came back, I never even gave the report, as even those who are above me testified in the dock6: they said I never gave the report. After my coming back from Basutoland, no meetings were held whatsoever. And so, my Lord, it explains the whole position in which I am.

BY THE COURT TO ACCUSED NO. 4:

Anything more you wish to say? ---

ACCUSED NO. 4: (Contd.)

No, my Lord. The only thing is that I think /30 the witnesses who spoke about my saying that we are

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going to preach violence, that we are going to get our independence through violence, must have heard the thing somewhere else, but not from me, and it is then that they said the thing came from me.

And then there is this thing again, which I want to explain: the matter of bombs, my Lord. I remember one day I was discussing, with a certain young man called Obambard. He started by asking money from me, to get to a bioscope, and then I told him that I had no money. Where I was working I was underpaid. I /10 earned only £7-13-4 a month, and then the young fellow could not understand why I had no money, even at the end of the month. Then I started explaining ways of getting money.

I told him when I was young I used to go about picking up bottles and selling them to get money to get to the bioscope, and even picking up pieces of iron and selling them. And then he came about the idea - this thing was picking iron up but it was dangerous. He told me of young boys who picked up some bombs and tried to /20 sell them.

Well, the idea stuck in my mind and I remembered having seen some bombs in a certain house, which were put there as decorations, and then I saw that if we could just collect them, get some means of removing their power from inside, we could sell them for some money. It is then that I asked for volunteers at a meeting, beyond the railway line, my Lord.

Belt 70(b)

The other members did not know about this thing. It is only myself who knew about this. And then this /30 young man with whom I was talking about this thing, I

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said to him before the meeting that I am going to ask for volunteers for that particular job. Then he volunteered too, and then I told him that I am leaving everything to him, and if possible, they should pass nearby No. 1's school and request him if he would accompany them to the mountain, and I think he did.

After that I was given the report that they had found those bombs, and then the problem was to get the power out. Later on, it was then that I went to Basutoland. But I am surprised, because I never took any diagram of these bombs. Even the map of Pretoria was to be brought by a member of the Regional Committee, and not myself, because I had nothing to do whatsoever with the Pretoria branch. Mine was just Atteridgeville branch. Matters of the Atteridgeville branch. /10

No. 1 even said about those bombs, that if they can be removed away from places where children were getting access to them, it will even be doing good to society. That much I can say, my Lord. Thank you.

BY THE COURT TO NO. 4:

/20

You don't want to call any witnesses then, No.4? --- I don't think it is necessary, my Lord, because the witness I want to call is very far, my Lord, and it would cost money to bring him, my Lord. And those I have called, my Lord, refuse to come.

PETER EUGENE REKOTSO, ACCUSED NO. 5, s.s.

(Continued on next page.)

P.E. REKOTSO

ACCUSED NO. 5, PETER EUGENE REKOTSO, s.s. (Speaks English.)

I don't know what story to tell about the Pan-Africanist Congress really, because I have never been a member. There have been approaches from Jimmy to ask me if I could be a member, but I resisted all his approaches.

I have never attended Pan-Africanist Congress meetings. I have never taken part in any activity of the Pan-Africanist Congress. My Lord, that concludes my story.

CROSS-EXAMINATION BY ACCUSED NOS. 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16: NO QUESTIONS. /10

CROSS-EXAMINATION BY MR. HARWOOD:

At the risk of further upsetting accused No. 1, I must put it to you that in his confession, he says that he indicated that you were the secretary of the executive of the Pan-Africanist Congress in Atteridgeville. Is that not true? --- It is not true.

It is a portion of his confession which he says was not dictated to him by the police, but which was in fact given of his own free will. --- It is not true.

Is there no truth in it whatsoever? --- None./20

Can you imagine any reason why accused No. 1 should say that, in a voluntary statement to a magistrate? If it is untrue. --- He must have confused my position as secretary of the Atteridgeville branch of a Teacher's Association, with the Pan Africanist Congress.

Now is it not possible that that confusion might exist in view of the fact that apparently the Student's Association turned out to be the Pan Africanist Congress? Isn't it possible that it might have its tentacles in the Teacher's Association as well? --- I don't think it is /30 possible.

Now, how long have you known accused No. 1?

--- Since 1956.

You taught previously, did you not, in the school out at Kilnerton? --- No, my Lord.

Were you a pupil at the school at Kilnerton?

--- No, my Lord.

Have you never had anything to do with the school at Kilnerton? --- No, my Lord.

Where did you go to school? --- I attended school at Lemana in the Northern Transvaal. /10

And up to what standard did you go there? Matriculation? --- Up to Matric.

Now after you left school, did you go into teacher's training? --- Yes, my Lord.


Where did you train as a teacher? --- At Lemana, the same place.

And after you had qualified there, did you go and teach? --- I went to teach at Bronkhorstspuit.

But never at Kilnerton? --- No.

Do you know if No. 1 taught at Kilnerton? --- /20
No.

Have you taught on the same staff in any school here in Pretoria? --- No.

Now No. 1 is not alone in this betrayal of you because Ramasodi^{says} that you were also a member of the executive of the P.A.C., AND HE RECOLLECTS YOUR being at certain meetings of it. --- No. 

What have you got to say about that? --- He m must have made up the story, because one evening I went to his house to go and correct a mistake in the rent receipt. That is where I found him and talked to him. /30

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He must have made that mistake and thought I was, because he had actually asked me to become a member and I had refused. So when he saw me at his house, he thought I was coming to join his organisation.

So you are imagining then, that because you were talking about rents and receipts, and he was talking about Pan-Africanism, that he must have assumed that you had become a member of the Pan-Africanist Congress?-- Yes.

Now there is third person, who unfortunately seems also to be endowed with the idea that you are a /10 member of the Pan-Africanist Congress, and that is Branda, who was the Chairman of the executive. He also says you were a member of it. --- He must have wished that I must have been a member.

Do you think that you might have been a valuable asset to the organisation? --- Yes.

Why were you not able to fulfil Branda's wishes? --- Because I had too many things to do on my hands.

What are the sort of things that you do? --- Reading, studying, recreation, teaching. /20

And so you had nothing whatever to do with the Pan-Africanist Congress at all? --- No.

Have you any idea at all as to why, any serious idea now, why these persons should deliberately have involved you in being a member of the Pan-Africanist Congress, if you weren't? --- Possibly because their leader Jimmy has come to me and asked me to be a member many times, and I refused. He must have gone to tell them that I was a willing horse, and yet was mistaken.

Are you then suggesting that actually what you /30 are suffering from now, is the classic result of the

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intimidation which is offered by persons like accused No. 1 and accused No. 3, in respect of this organisation? --- I do not.

Don't you think that they are falsely accusing you as a means of getting back on you, because you wouldn't join? --- That is possible.

Well, that is what I meant, in another way. Now that being so, it would appear that you regard this organisation as an undesirable one? --- Yes.

Do you in fact? --- I do. /10

Do you know anything about it? --- Not much.

Can you tell me why it is an undesirable organisation, in your point of view? --- I think it is undesirable because it is bad.

Now that's just the same as saying it is bad because it is bad. Why is it bad? --- I think it is undesirable because it is banned by the Government.

Banned. Oh, I see. So you say that because the Government have banned it, that automatically means it is not good? --- Yes. /20

Now tell me, is it true what Walter said, that you had taught him in history, that the Whites had taken away the land from the Blacks, and that it was high time that this position was reversed and that the Blacks should take their land back from the Whites again? --- No.

You remember he said that? --- Yes.

You remember he very specifically denied that he was at all confused with your history notes which you showed us, portion of which is an exhibit? --- Yes.

He specifically said he did not confuse the two? --- Yes. /30

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Do you consider in fact that the Whites have robbed the Blacks of their land? --- No.

Now I want to know that because, you see, according to your history notes, the Blacks never came further West than the Fish River, did they? Before the White civilization arrived. I wouldn't like to argue with you - it might be the Kei River, but somewhere in the Eastern Province. --- It depends on what you mean by the Blacks, because the Bushmen and the Hottentots were in the Cape Peninsula. /10

That's true. I'm talking now about the Bantu. --- That is not said, and there is no history book that says certainly what the position is.

I see. Would there be then, some justification, do you think, for stating that the Bantu really did own the whole of the Republic's land? Originally. --- I don't know where there is justification.

All right. Now this other boy was uncertain. He didn't seem to be a good history scholar. Ewart. He also said that you had taught them something like that. Is he also wrong? --- Yes, they might have conspired. /20

Well, if they conspired, I can assure you they did it exceedingly badly. If I'd thought they'd have conspired, I would have at least made a decent job of seeing that they both said the same thing. Do you really think they conspired?

BY THE COURT TO MR. HARWOOD:

I don't think the witness included you in the conspiracy, Mr. Harwood. /30

CROSS-EXAMINATION BY MR. HARWOOD: (Contd.)

You never know, after what No. 1 has had to say, my Lord.

If they'd have conspired, don't you think they would have made a better job of it than what they did, in their evidence? --- I think so.

Yes, I think so, too. Now it is said that certain executive meetings were held at your house. Is that untrue? --- Yes.

Ramasodi has said so, and accused No. 1 said /10 so. Admittedly he said that apparently that was one of the things that had been forced out of him by Detective-Sergeant Geyser, but he does mention it. Ramasodi certainly said so. You don't recollect that? --- No.

Do you know accused No. 6? --- Yes.

He too, has made a confession. Now, in his confession, No. 6 accused said the following:-

"I know that Mr. Rekotso, a teacher at Hofmeyr, is a member of the P.A.C. He was our history teacher. During lessons he told us that the White people came/20 here, and then molested the poor Bantu people; took their land and cattle. So he said we must fight for our country and for our rights, to get that land back. That influenced us."

Now what have you got to say about that, in the light of not only these two poor history students, but also accused No. 6 saying that in his confession. Do you think that's correct? --- No. 6 was told by Walter Mashilwane, and he told me, that he said those words, and that he was told by Walter. So it is not surprising that Walter had said /30 those words. I knew about it before.

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Just to get this position quite clear, because I don't quite understand it. Has No. 6 accused told you that he said what I have just read to you, in his confession, because Walter told it to him? --- He said to me that Walter had said what you have just read in his confession.

Oh, I see. He never said that he said it in the confession because Walter said it? --- No.

He and Walter were, I take it, in the same class? --- Yes.

And you were their history teacher? --- Yes.

At Hofmeyr School? --- Yes.

-: NO FURTHER QUESTIONS :-

BY THE COURT TO ACCUSED NO. 5:

Anything further you wish to say in evidence?

--- Nothing, my Lord.

Number 5, before you sit down, are there any witnesses you wish to call? --- No, my Lord.

Yes, your case is then closed.

-: COURT ADJOURNS :-

THE STATE vs. MASEMULA & 15 OTHERS

ACCUSED NO. 6: DIKGANG ERNEST MOSENEKE. Belts 71(b)

et seq.:

During the recording of Belts 71(b), 72(b) and the first half of 73(b), it is stated by the Court recorder that the microphone of the witness was not serviceable, and that this state of affairs obtained until the time of the morning adjournment, when the microphone was changed.

Consequently, for interim pages 73 to 90 inclusive, of the evidence of accused No. 6, the interpreter was difficult to hear, and at times was completely inaudible, resulting in gaps in the transcription of the witness's evidence, denoted thus: ...

TRANSCRIBER.

-: COURT RESUMES : 24TH JUNE, 1963 :-

ACCUSED NO. 6, DIKGANG ERNEST MOSENEKE, s.s.

(Speaks through Interpreter.)

BY THE COURT TO ACCUSED NO. 6:

Belt 71(b)

You were a scholar at which school? ---

Hofmeyer High School.

That is in Atteridgeville? --- Yes, my Lord.

In what Standard or Form were you? --- Form

III.

At the beginning of this year? --- Yes, my /10

Lord.

You passed Form II last year? --- Yes.

And how old are you? --- 16 years.

Yes. What do you wish to say?

ACCUSED NO. 6 ADDRESSES THE COURT:

Last year at the end of December, Isaac Olifant came to me and said I had to be a member of the South African Student's Union .. At the beginning of the year school term he told me that there were others who were members of the Student's Union of South Africa. /20

We went to a meeting of the South African Student's Union; when we got there ... spoke about Isaac Oliphant. ... bursaries. He said to me if you are a member ... you will be able to obtain one. You can go to the University. He also said the Student's Association of the P.A.C., they always go together. To get the bursary you must be a member of the P.A.C. and the Student's Association. If you are lucky you might obtain a bursary of the P.A.C., as also of the Student's Union of South Africa. The majority of the students /30 that were there, my Lord, became members of the P.A.C.

D.E. MOSENEKE

... because they wanted bursaries.

On a day in the middle of January this year, No. 16 came to my house. It was on a Sunday. We went to a certain house, my Lord, and found the people at this house. He was a spokesman at that house. He said that we had to get a thousand members, and we had to do our best for the P.A.C. ('Work hard' is the words used by the witness.)

He said 1963 is the year of destiny. Those people that were there, my Lord, were divided into cells./10 He said every cell had to have its own ... There was a meeting of the central cell at No. 7's house. At this meeting I was elected as a temporary cell leader. There was another meeting again at No. 7. There we spoke about ... cells, football matches. No. 7 was not present. Then we left, my Lord.

Another meeting at No. 7 where elections ... There a cell leader was elected. ... was elected as vice-leader.

BY THE COURT TO ACCUSED NO. 6:

/20

Who was elected leader? --- I was elected as cell leader, my Lord. Vishi Kwatwa (?) was the one who was elected ... There was another meeting at the football ground. There ... spoke. I told them to ... their 2/6d's ... to bring their chums along with them. There was another meeting at the football grounds. I told them there again, my Lord, that they had to pay their 2/6d's and they had to bring their friends along. ... instructions, but I have not yet received them.

BY THE COURT:

/30

Pardon? I couldn't hear that?

ACCUSED NO. 6:

I was to wait for instructions, my Lord, but I had not yet received them. After that we had a general talk. There was nothing that we spoke about, it was just a general talk.

There was a meeting at No. 1's place. I came there late. When I got there, No. 4 was busy speaking. After that No. 2 spoke, then the meeting ended. There was another meeting on the other side of the railway line, and there No. 9 spoke. He spoke about petrol bombs. /10

There was another meeting again at the back of the cemetery. No. 4 gave me a paper and asked me to read it. I read it. That is a ... I did not attend, my Lord. I'm sorry, that is a meeting I did attend.

On a day, my Lord, No. 4 had said to me that I must try and get 2/6d's from the people of the central cell.

BY THE COURT:

Just one moment. Was what you said, the meetings that you have mentioned, 'those are the meetings that I have attended.' Is that what you mean? --- Yes, my Lord. /20

Right. Now you were saying further? Somebody approached you...?

ACCUSED NO. 6:

No. 4 told me to collect 2/6d, from the people of the central cell. I think I only got it from three or four people, my Lord. I took it to the house of No. 1. When I got there I was asked to go and call Ramasodi. He said he was busy. I then went home. That is all. /30

CROSS-EXAMINATION BY ACCUSED NOS. 1 AND 2:

NO QUESTIONS.

CROSS-EXAMINATION BY ACCUSED NO. 3: (In English.)

Dikaak, you remember some witnesses came here in the witness box and alleged that at one time or another you had a panga at one of the meetings. Is that true? --- That is not true.

You remember the meeting we held at the cemetery?
--- Yes.

Where you say an oath was read? --- Yes. /10

Did this oath contain in it any words about death or killing? --- No.

Do you perhaps know where this oath comes from?
--- (Inaudible.)

BY THE COURT:

No. 4.

CROSS-EXAMINATION BY ACCUSED NO. 3: (Contd.)

But nowhere in that oath do you find the words 'death' or 'killing'? --- No.

You spoke of a meeting I attended at accused No. 1's place? --- Yes. /20

And if I am not wrong, you say you found No. 4 speaking, and thereafter No. 2 spoke. Did you address this meeting or not? --- I did not address that meeting.

-: NO FURTHER QUESTIONS :-CROSS-EXAMINATION BY ACCUSED NOS. 4, 5, 7 and 8:

NO QUESTIONS.

CROSS-EXAMINATION BY ACCUSED NO.9: (Through interpreter.)

How did it come about that I ... meeting?
I told somebody about this meeting, and when I told this person, you heard about the meeting, and you said /30

you wanted to go to this meeting.

Did I say at this meeting that I was sick?

--- I do not remember.

Was I ... to speak there? --- There were only general discussions, my Lord.

:- NO FURTHER QUESTIONS :-

CROSS-EXAMINATION BY ACCUSED NO. 10: (In English)

Dikaak, do you know me? --- Yes, I do.

How many times did you see me at your meetings?

--- Once or twice.

Could you tell me where you saw me the first time? --- I saw you at No. 7's house.

/10
~~/10~~

And the second time? --- At the football ground.

Did I address the people there? --- I don't remember you addressing the people.

Did I say anything about weapons? --- I don't remember anything being said about weapons.

Did I in fact say anything about violins? --- No.

/20

:- NO FURTHER QUESTIONS :-

CROSS-EXAMINATION BY ACCUSED NOS. 11, 12, 13, 14, 15, 16:

NO QUESTIONS.

CROSS-EXAMINATION BY MR. HARWOOD:

Will you please put those papers away. Is this exhibit 15 your diary and in your handwriting? --- Yes.

And this exhibit 17, is that in your handwriting? --- No.

It was found on you, was it not? --- Yes.

Whose writing is it in? --- Vishi.

/30

The names there are all members of the P.A.C.,

are they not? --- No.

What does that mean, that list? --- People who are interested, my Lord ...

Interested in what? --- ... soft-ball team.

What is the 25c. behind their names for? --- On the 24th February we went to Vlakfontein ... soft-ball club. We went to play against them.

I asked you what the 25c. against their names meant? --- ... people who paid ... to Vlakfontein.

How many are there in a soft-ball team? --- /10 I wrote down some of them ... Vishi wrote that list, and the 2/6d. was required from the people who ...

Don't fall into the same error as some of the other accused have done. I asked you a simple question. How many people are in a soft-ball team? --- There are many of them. Those who come to play at the school, there are about 40.

How many are in a team, to play a match against another team? --- 9.

This is the full list, I take it, of the people/20 who were interested in the soft-ball? --- No.

Where is the other list? --- The one, Vishi Kwakwa had. He was collecting monies from other people.

Vishi Kwakwa had the list in your handwriting? --- No.

Why did you have the list in his handwriting? --- He wrote it and he asked me to collect from those people.

And you only collected from five of them, I see? --- Yes.

/30

Belt 72(b).

One of them was yourself? --- Yes.

One of them, I see, was Vishi Kwakwa too?

--- Yes.

So there are only three people that you collected from, on a list in Vishi Kwakwa's handwriting? --- With the exception of myself, my Lord, I collected from all of those people. ... Vishi ...

Quite correct. I said except you and Vishi, there are three others. Did you constitute the whole team that went? --- That is correct..

Did you 5 constitute the whole team that went? /10

--- No.

Well, where were the other people? --- It wasn't one person only who were collecting those monies. There were about three or four.

All right. You will agree with me that every person from whom you collected here, was a member of the P.A.C., won't you? There is Kwakwa and yourself - the cell leader and vice cell leader. There is Kenneth Molatedi, Godby Pitsu and Percy Masala who is accused No. 8. No. Accused No. 11. --- I won't say, my Lord, that/20 they are members of the P.A.C., because those people are just people that hadn't paid.

Now Kwakwa was a member of the P.A.C. and so were you and so was Kenneth. Do you agree? --- We attended other meetings.

Percy Masala, accused No. 11, did he attend the meetings? --- He also attended a meeting.

And Pitsu, did he attend the meetings? --- No.

Did Absolem attend the meetings, No. 15? ---

Yes.

/30

Bernard Kaas? No. 13 I think he is. ---

--- I have seen No. 13 only once, my Lord.

Now I see on the 29th January, according to you diary, you had a very successful football meeting, and you were chosen the Chairman of the Methodist Football Club, and the meeting was very inspiring about it. Who was elected? --- ... other person who was called E.D.

That, of course, is Ernest Dikgang, which is you? --- ... call the accused.

Yes, but it certainly wasn't you, because /10 actually the witness who gave evidence right at the beginning of this trial, said that you had nothing whatever to do with the Methodist Football Club. --- I wasn't elected, although I was a member ...

And I see this very successful football meeting, when Mr. E.D. was chosen Chairman of the Methodist Football Club, was held right in the middle of summer. Isn't that rather unusual? It was also in the middle of summer. Was it not unusual? Will you answer my question, please.

--- No, it was not unusual. /20

You don't think it is an unusual thing for a sport which is played in winter, to have a meeting to elect a captain and a Chairman, in the middle of summer? No, my Lord, it is not unusual because the football season starts in March and ...

Tell me, what happened at this meeting? --- There the executive was elected.

Yes, and anything else? --- The secretary was elected, the treasurer and the vice-Chairman.

And is that all that happened? --- That's /30 what I remember, my Lord.

You remember nothing else about it at all? ---

D.E. MOSENEKE

--- ... said the club was getting more members and becoming strong, and it is hoped that it will be big next year again.

And is that what was very inspiring about it?

--- Yes.

Those, of course, are just the usual things which are said at these sort of meetings, aren't they?

--- They spoke about the club that came last year, and got the worst of it.

Yes, well, don't worry about it any more. /10

Tell me, on the 19th February, I see the following entry:- "Thirteen people who are expected to be saboteurs were convicted. Today they appeared in the Magistrate's Court, and were remanded to March 26th." Why did you write that in your diary? --- I thought it was interesting.

And why were you interested.? --- My Lord, it was interesting because I read it in the paper and I saw people had been arrested for sabotage under the new laws.

What did you find interesting about that? A /20 youngster of 16 ? Well, it was people that were arrested under the new law ... many people who had been arrested ... the new law. That is what I saw.

Why did you find the new law interesting? --- ... under ... when they were promulgated I was small, and now that I am grown-up, I found ... new law ...

Well, three months before there had been a lot of publicity. --- When this law was made, my Lord, then I could see ...

Did you anticipate that anything might happen /30 to you in connection with sabotage? --- No.

D.E. MOSENEKE

And now it has, hasn't it? --- Yes, it has.

On the 26th February, I see you write a note here that a certain Special Branch sergeant, Matsiki Matsela, is in a coma, as from the 26th January. Now what did you find so interesting about that? --- My Lord, because the first time that I have ... in a coma for such a long time.

Was that what interested you? --- Yes.

There's been a tremendous amount in the papers over the recent years - possibly you're just too young - /10 of various people who have been in comas for great lengths of time. It is just peculiar that here again there is some connection with the Special Branch of the police. Now tell me, what does this mean on the 1st March, 1963: "Mr. John Nkosi, the expert dancer, is leaving today for the European night-club, of the headquarters." ? Now first of all, before we go any further, did you read that in the newspaper? --- Yes.

You did really? You are quite serious about it?

--- Yes. /20

Who is Mr. John Nkosi? --- I saw it in the paper.

Who is he? --- An expert dancer.

And where does he live? --- Johannesburg.

And what does he do for a living? --- I do not know what his occupation is, my Lord, but I do know that ... he is an expert dancer.

And does he do ballet, or ballroom dancing?

Or jiving? --- Ballroom dancing.

Do you know No. 4? --- I do. /30

Is that the expert dancer? --- No. 4 can not

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dance. He is not an expert dancer.

Well, he is John Nkosi. --- Yes, that is correct. He is John Nkosi.

Well, doesn't this mean that it was he who was leaving for the European night-club of the headquarters? --- No. That is ... my Lord.

You see, it was on the 1st March that he left to go to Leballo in Basutoland. And don't wriggle about the date, because that is evidence: it is correct. --- That was a coincidence. /10

Yes, but not an exceedingly remarkable coincidence, was it? Or was it? --- I am surprised.

Well, quite frankly, I am not. Now, Mr. Walter Sisulu I see, on the 4th March, was sentenced to 6 years imprisonment in the Johannesburg Magistrate's Court. --- Yes.

Did you read that in the newspaper? --- Yes.

And I see that on the 5th March, you record that a strike broke out today, at Lovedale Institution. 500 students boycotted classes because of 11 students who/20 were expelled. --- Yes.

Why did you record that? --- I saw it in the newspaper.

Now I see that on the 9th March you record that "Mr. Justice Kuper was attacked yesterday by unknown people. He was shot." --- That is also what I read in the newspapers.

And I see that on the 6th March you record that "Lucas Scott was killed by an African mob. He was noted for his music." --- It may be that I do not remember. /30

Well, you recorded it here. I am reading from ~~your ow-~~

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your own diary in your own handwriting. And then you are happy to note - it was on the 14th March - Special Branch man Sergeant Masiki is still in a coma.

Practically a world's record for comas, now. Now why did you record these sort of things in that diary of yours?

--- Because I read them in the newspaper.

But about that time there were very much more important things going on. Despite the fact that Mr. John Nkosi, the expert dancer, might have been going to Basutoland. Around about that time there were world /10 events going on. I see nothing here about Kruschev, or President Kennedy, or Macmillan, or any of the other world figures. It is just peculiar little things associated always with some type of violence, except for the expert dancer. Now why is that? --- My Lord, which things there are associated with violence?

I'm not going to read them over to you again, you're quite intelligent enough to know. I am asking you why these things associated with violence find their way into the diary of a little boy of fifteen, which /20 you were then. Or sixteen. --- Because I read it in the papers.

Is it the only thing that you read, or is it the only thing that attracted you, and that's why you wrote it down? --- I bought "The World" and that's where I saw those things ... It is a newspaper, my Lord.

It's a banned newspaper, isn't it? --- At the time of my arrest, it wasn't banned. I do not ...

How long have you been at the Hofmeyer School?

--- About three months. /30

Where were you at school before you went to the

Hofmeyer School? --- Kilnerton High School.

Did you leave that school when it was closed down? --- Yes.

Now do you know Kenneth Molatedi very well?
--- I do.

Also Walter Mashibane? --- Yes.

Also Ewalt Ramatsui? --- Yes.

Also Philip Magoshwa? --- No.

Don't you know him? --- My Lord, I said the first time in Court that I have heard that he was attending school at Hofmeyer. /10

Do you know Bisto Nathan Molopi? --- Yes.

Now apart from Philip Magoshwa, you knew all the rest of those people? --- I knew the others, yes.

You knew them very well? --- No, I won't say that I knew them very well.

Well, you were in the same class with certain of them, were you not? --- I was in the same class, my Lord, with some of them.

You were in the same class certainly with Walter and Ewalt, weren't you? --- No, just Walter. /20

The same standard as Ewalt? --- Yes.

I know that because of course, in the confession that you made to the Magistrate here, you said that "I know Mr. Rekotso.." - that's No. 5 accused - "a teacher at Hofmeyer. He is a member of the P.A.C. He was our history teacher, and during lessons he told us that the White people came here, then molested the poor Bantu people, took their lands and their cattle." --- ... is there in the confession. /30

I know, and it is exactly what Walter and

Ewalt say too. --- Yes.

Now, it is true, what you say in this confession, is it not? --- It is not true.

Why did you tell the Magistrate, then? --- Sergeant Vermeulen, before I went to the Magistrate, in his office he read out to me Walter's statement, and also Ewalt's statement, and he said I had to give the same as they did. Or more or less the same.

Just Ewalt's and Walter's statement? No other statement? --- At that point there, my Lord, he only /10 mentioned about Ewalt and Walter.

All right. Now, then, did you then in this confession combine what Ewalt and Walter had said, because Vermeulen had told you to do so? --- Yes.

Well now, why did you not then say in this confession anything about your having that weapon at a meeting? Or a similar weapon like this, at a meeting? Exhibit 12, my Lord. --- Because I never had it.

But they said that you had had it. --- I say I did not. /20

You were told to say to the Magistrate what they had said. --- They only told me ... on that point.

Just on what Mr. Rekotso had had to say? --- Of what was said in the statement of Walter and Ewaslt, I was told also to say.

Yes, that's true. And what was said in the statement of both Walter and Ewalt was, that you had had a weapon like this at a meeting. --- (Inaudible)

That is not what you said just now. What you said just now was that Mr. Vermeulen had read out the /30 statements to you, and you were told to say what they

had said. --- I said so what I said in that ...

Belt 73b

No, you didn't. If you had, it would have been different. And why did you not mention that No. 11 had had a weapon at a meeting? --- Because I never saw it.

But both Walter and Ewalt are the people who refer totthat weapon. --- Are you asking me if Walter and Ewalt had weapons?

I am not asking you that, and you know it. I am saying that both of them said that No. 11 had a /10
weapon at a meeting. And don't ask unnecessary stupid questions. --- (Inaudible)

Precisely. And it's in their statement too. It must have been read out to you, and if you are truthful in saying that Mr. Vermeulen read that out to you, and told you to follow what they said. --- He read out to me the part that speaks about No. 5.

Why did you not say that at the beginning? Instead of saying that he read the statements of these two people to you, and told you to follow them? --- /20
I said so.

Well, we will leave his Lordship and the gentlemen assessors to judge what you did say. Now, tell me, why did you mention about No. 9 accused and the bombs? In your confession. --- I was at that meeting, my Lord, and I heard them speak.

And it's true, is it, that No. 9 accused was at this meeting? --- Yes.

And he told you all about how to make petrol bombs? --- Yes. /30

And he told you that you put certain amounts of petrol in bottles? --- Yes.

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And I am going to read to you what he said. You needn't translate this, because he understands English perfectly well. "At the meeting he explained.." - this is No. 9 accused - "...and described how to make a petrol bomb. He said we take a bottle and pour sand and petrol into it, but it must not be full. We shake the bottle for about three minutes, and then we throw it. Then it will explode." Now is that true? Did he say that? --- Yes.

At the meeting? --- Yes, at the meeting. /10

Why was he telling you this? --- I don't know why.

This was by no means the first meeting of the P.A.C. you'd been to. --- Yes.

Nor was it the first time you had heard of violence at P.A.C. meetings, was it? --- But you weren't talking about violence, my Lord.

Well, what is the object then of making a bomb out of petrol and sand in a bottle, shaking it for three minutes, and then letting it explode? --- I don't know. /20

Did you ask him? --- Maybe he knows, my Lord,

Did you ask him? --- No, I did not.

This was the association to which you belonged, and this man was talking at one of its meetings? --- He spoke at meetings, yes.

Are you seeking, having in mind what you wrote in your diary on various occasions, to try and convince his Lordship and the gentlemen assessors that you didn't know what these bombs were going to be used for? --- I do not know, my Lord, because it wasn't said as to what /30 they were going to be used for.

All right. But he said it would explode?

--- Yes.

Where was it going to explode? Did he say?

--- I did not remember where.

Did he say what was going to happen? Where it would explode? --- I don't know, my Lord. ...

Now then, the next thing he said was, he said there were still two other kinds of bombs. The first one you scrape off a match-stick head; when you have sufficient, you pour it into a bottle. Then you pour in a little bit of petrol and benzine; you shake the bottle for about three minutes, and then you throw it against something. It will then explode. Now why did he tell you that? Did No. 9 tell you that? --- Yes, he did. /10

So it is true that he told you that? --- He told us so.

All right. Now, there is again something that would explode. Did he give you any idea what you were to throw it at? --- If I remember correctly, my Lord, you throw it at some hard object. /20

Now what sort of hard object was it? --- It may be a plank, stone.

And then he told you also that you had a third kind, in which you poured in sand, petrol and a bit of rag dipped in oil. You would put it into the bottle, and you stand from a distance and light the piece of rag. The fire will run along the rag until it gets to the bottle, and the bottle will then explode. Did he tell you about that one? --- Yes, he did. /30

Is that also true? --- What he told us, yes.

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Now what did you have to do with this sort of bomb, did he explain to you? --- I do not know what had to be done with it.

Did no one ask him any questions at this meeting about what had to be done with these extraordinary bombs? --- No. Not that I ...

Kenneth was at that meeting, was he not? --- I'm not sure.

Well, he says he was. Now he said that this third type of bomb was for putting under a motor-car, /10 so that you could blow up a European's motor-car.

--- If that is what he spoke, I didn't hear it.

Oh no, that is what he says No. 9 said. --- I did not hear it.

Now, if that was said, then of course the idea of these bombs could be explained, but what I find difficult to understand, is why no one asked this man what these bombs were for; if he had just said what you have told us. --- I did not hear anyone asking questions about it. /20

Now your confession goes on, and you say this:

--: COURT ADJOURNS :-

ACCUSED NO. 6, s.u.o.

CROSS-EXAMINATION BY MR. HARWOOD: (Contd.)

Now at the same meeting where No. 9 spoke about the bombs, you then said in your confession this: "Then, while we were at the meeting, we saw about three cars standing at the other side of the river. Isak (that's No. 9) told the fellows that if those people come near, we must molest them." Now was that true, what you told /30 the Magistrate? --- Yes.

Why did Isak want you to molest these people?

--- I don't know.

Did you ask him? --- No one asked him.

Now then you go on and you say this: "Then there were boys wearing white shirts, so I told them, next time not to wear white shirts, they must wear dark clothes because white clothes attract attention."

Did you hear what I read? Is it true? Did you say that? --- It is true, my Lord.

And you said it? --- Yes, my Lord.

/10

Why did you not want them to wear white clothes at meetings? --- It was decided at a meeting that they had not to wear clothing which drew attention.

Why? --- Because it would be clothing that would draw the attention of the people.

Why should the attention of people not be drawn? You wanted members. --- Because not to be seen by the people, where we are.

But why did you want to blush unseen? --- Because it was said that it was a secretive movement.

/20

Well, did you know that it was a secretive movement? --- I didn't know. I only heard when being told.

Are you quite serious when you say that? --- I knew that it was banned.

So that you knew it was an organisation which was wrongful to belong to? --- Yes.

So why did you belong to it? --- I wanted a bursary.

Do you know, you are the first person who has ever said a word about bursaries being given to members

/30

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of the P.A.C.? --- Those are the words told us by Isaac Olifant, and there were others present too.

What was the amount of the bursary you were going to get? --- It was a bursary that would take us to the University, or to an industrial school.

Will you just listen to my question? What was the amount of the bursary you were to get? --- We weren't told what the amount was to be.

So you never knew what the amount of the bursary was, either? --- No, I did not know. /10

You joined the P.A.C. nevertheless? --- I wouldn't say I was a member of the P.A.C.

And how were you going to get a bursary if you weren't? --- I had to pay 2/6d. first. That was to get membership.

You had paid 2/6d. --- No.

Did you never pay your 2/6d.? --- No.

Why then were you constantly asking other people to pay their 2/6d.'s when you had not paid yours? --- Because I was instructed to tell them to pay. /20

By whom? --- No. 4.

All right. Now you have told us about this meeting that you were at, at which Isaac Olifant addressed you? --- Yes.

And you also told us about a meeting at Jimmy's house to which you went with accused No. 16. --- Yes.

Who were the other people at that meeting? --- I only remember one or two.

Who are the one or two? --- No. 1, 2 and 4.

No one else that you can remember being there? /30
--- No.

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Wasn't Kenneth Molatedi there? --- Yes, he was.

Well, now, he's another one. Wasn't Bisto there? --- He was there.

And wasn't Walter there? --- He was there.

And wasn't No. 11 there? --- I don't remember.

Well, you said so in your confession. --- He may have been there, but I do not remember, my Lord.

Well, I will read them out to you, and we can see. You said in your confession, about this meeting /10 at Jimmy's house: "In there I found people, but I cannot remember all their names; but those I still remember are Moses Zulu, Jeff Masemula, (that's No. 1) John Nkosi, (that's No. 4) Klaas Mashishi, (that's No. 2) Patrick Mtume, Percy Masala." Percy Masala is No. 11, is he not? --- Yes, that is No. 11.

Well, is it true, what you told the Magistrate? --- I wouldn't say it is true, my Lord, because I do not remember clearly any more. It may be true.

Now why I am interested is because you did say /20 to the Magistrate, did you not, and he noted it down, that you were hoping that this confession might help you in Court? Did you say that to the Magistrate? --- Yes.

I don't suppose you were going to tell the Magistrate a tissue of lies, were you? --- No.

Now then, you have told us that Jimmy said that the year 1963 was the year of destiny? --- Yes.

Now what was going to happen in this year of destiny? What did he say? --- African people are /30 going to get their freedom.

How? --- He did not say.

Didn't you ask him? --- No.

Weren't you interested? --- No, it is not to say that I wasn't interested to know, but he didn't say.

Well, you did want to know, didn't you, how you were going to get your freedom? --- I wanted to know, yes.

Why didn't you ask him? --- I didn't know anything, my Lord, it was the first time I came to a meeting of the P.A.C. /10

I think you're wrong, actually, you had been to the previous meeting, according to what you told us. Isaac Olifant presided. --- It was a meeting of the association. The Student's Association.

Now what you said in your confession about this meeting at Jimmy's house was that "Jimmy then said that 1963 is the year which the African people are going to fight against the Whites. He said that we have long been struggling, so we must prepare to fight against the Whites and to kill them." Did he say that? --- No. /20

Why did you say it in your confession? --- Sergeant Vermeulen said that I had to say that in my confession, that he spoke about fighting and about killing.

Did he say that you had to say this about Jimmy? --- He said I had to say that that is what he had said at that meeting.

Did you have to say it about Jimmy? --- Yes.

Now what would have been the point in Sergeant Vermeulen asking you to say that Jimmy had said this, /30 when Jimmy was already out of the country? --- I don't

know.

Anyway, you say that Jimmy did not say it?

--- Yes.

And you further say Klaas Mashishi stood up - that's accused No. 2, isn't it? He said more or less the same thing as Jimmy? --- Yes, it is in the confession.

Is it true? --- No.

Why did you mention it? --- My Lord, I was confused as to who was Jumbo or who was Klaas.

Take me into your confidence and tell me what /10 on earth you are talking about? --- My Lord, I say I was confused. I didn't know who was Klaas and I didn't know who was Jumbo.

Well, that man is Klaas, isn't he? --- I've heard that it was Klaas, yes.

And he is also not Jumbo? --- Yes.

So why are you confused at all, when you say that Klaas stood up and said the same as Jimmy? --- I don't know which was which, my Lord. I didn't know which was which. /20

Do you mean it was Jumbo said the same as Jimmy? --- I said Jumbo spoke.

So you say it wasn't Klaas that spoke at all? --- Afterwards, my Lord, when I saw who Klaas was, I then knew that it wasn't him that had spoken.

Why did you mention Klaas at all, if you didn't even know him, in your confession? --- My Lord, as I say, I confused - I didn't know which was Klaas and which was Jumbo.

Belt 74b

But did you know that Klaas was involved in /30 this type of thing? This P.A.C. movement? --- I saw

him at the meeting.

Obviously, it was not the police told you to mention Klaas in this instance? --- No.

Now I see that the cell leader of the old location cell was accused No. 1, not so? --- Yes.

And that the Black Rock cell leader was No. 11? --- No.

I beg your pardon - No. 8? --- Yes.

And you say that No. 3 accused was the cell leader of the Metmalong cell - Watermelon cell? --- Of what I heard, yes.

You remember accused No. 7 coming to you at your home? --- Yes.

And telling you it was a pity that the Central cell had no place to meet? --- Yes.

And so he said that the Central cell could have its cell meetings at his house? --- Yes.

Now was he a keen member of the P.A.C., No. 7? --- I don't know, my Lord. I saw him twice at the meeting at his place.

/20

You were speaking about the meeting that you had at the football-ground. Do you remember it? --- Yes.

As I understood your evidence, you said that you spoke at this meeting? And that all you had to say to them was, that they had to pay their subscriptions and they had to drum up membership? --- Yes.

And I understand that there was another meeting at the football-ground at which you spoke again, and then you said the same thing? --- Yes.

/30

Is that all that was said at those two meetings?

--- Yes.

Is that all that you said? --- My Lord, at the second meeting I only spoke about I was waiting for instructions, but I had not yet received them.

Now is that all that you did say, is what I asked you? --- Yes.

Did anyone else have anything to say? --- After that there was a general discussion about bicycles and football.

Nothing else about the Pan-African Congress? /10

--- No.

Now this is what you said in your confession about the other meeting at the football-ground: "I was instructed by John Nkosi, who is a member of the executive, to tell the members that they must get pangas, axes and weapons, which they will use when they kill the White people. I told them so." Did you say that? --- I told the Magistrate so.

Is it true? --- No.

Well, what is untrue about it? --- My Lord, /20 I did not say about axes and pangas, and that the White people had to be killed.

So it is all untrue? --- Yes.

Can you give me any idea then, why Kenneth, Walter, Ewalt and Bisto all say that you said that at a meeting? --- Two of them said so, but that is not true.

You say it is not true? You never said anything of the kind? --- I said two of them spoke in that way, my Lord, but that is not true. /30

Now is there also no truth in the suggestion

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that you were told by No. 4 to say this? --- Yes.

Well, what do you mean? That you were, or you weren't? --- All that is not true.

All right. Now we will go on with what you said: "Then we had another meeting, again at the football ground. John Nkosi told me I must tell them to tell their parents that they must buy a 180-lb. bag of mealie-meal, and that members must get strong khaki clothes. I told them so." Now you told that to the Magistrate. Is it true? --- No.

/10

Why did you tell it to the Magistrate? --- Sergeant Vermeulen said that I had to say so.

Now did Sergeant Vermeulen also tell you to say that the members must get khaki clothes? --- Yes.

Did he really? --- Yes.

I thought you yourself said, that at a certain meeting you told them that they must not wear white clothes? --- It is true, my Lord, that I did say that they mustn't put on white clothing, but I did not say that they had to put on khaki.

/20

That was Sergeant Vermeulen's idea, was it? --- Yes.

Now why on earth should Sergeant Vermeulen tell you to say that? Have you any idea? --- He knows. I don't.

Have you any idea why he should tell you that they had to get a 180-lb. bag of mealie-meal?

-: COURT ADJOURNS :-

ACCUSED No. 6, s.u.o.

CROSS-EXAMINATION BY MR. HARWOOD: (Contd.)

Now can you give me any idea why Sergeant Vermeulen should suggest that you should mention a 180-lb. bag of mealie-meal? --- He knows. I don't.

It is a silly pointless sort of thing to say, isn't it? --- I don't know.

Now do you remember that at the third meeting, you said: "Jeff Masemula instructed me to tell them that they must pay half-a-crown's membership fee, and they /10 must get more members. I told them that, at this particular meeting, the way I was instructed by Jeff Masemula." You told that to the Magistrate. Is that true? --- Yes.

No. 1 told you to drum up this custom of the half-a-crowns, and you passed it on to the meeting? --- Yes.

Why was No. 1 so interested in these half-a-crowns, can you tell me? --- I don't know.

Now do you remember the meeting at No. 1's house?/20 --- Yes.

You said that you arrived while No. 4 was speaking? --- Yes.

Now what was he talking about? --- He was talking about the fees of 2/6d. which had to be paid.

It is a sterling subject to discuss. What did he say about it? --- He said that they had to be paid.

That is all that was said? --- What I remember, yes.

Now what you said in your confession was this: /30 "Simon Branda told them that they must prepare because

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"this year there is going to be a fight between the Bantu people and the Europeans; and he told us we must work hard for the P.A.C." That is No. 3 accused said that. Is that true? --- No.

Why did you say it to the Magistrate, if it wasn't? --- Because Sergeant Vermeulen had said I must connect their speeches and I must also mention of some of them having said and talked about the fighting.

And so you just told these lies to the Magistrate to make it easier for yourself in Court? /10
--- No.

Well, I mean you told the lie to the Magistrate, that's clear, isn't it? --- It was said that I had to say so.

Now you then go on, and you say: "John Nkosi, (that's No. 4) stood up and said more or less the same, and he said that time was near to fight." --- Sergeant Vermeulen said that I had to say so.

"And then Jeff Masemula stood up. He told the people present at the meeting that they had long been /20 struggling and that they must now fight for their country." Sergeant Vermeulen again? --- Yes.

And "Klaas Mashishi (No. 2 accused) then stood up and he told them that they must be secretive, and they must see to it that they pay their 2/6d. membership fees." Is that true? --- Yes, it is true.

Didn't Sergeant Vermeulen tell you to say that? --- My Lord, he has told me some things which I had to say. I have forgotten, because he had told me so many things. /30

You don't know whether this is true or false?

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--- But that, I wasn't told by him.

Do you remember a day when No. 9 accused came to you, and told you he wanted to collect a member of the executive to attend a meeting at Vlakfontein? --- Yes, he said he wanted one of the executive.

So did you meet accused No. 4, and was it suggested that he should go? --- Yes.

And you went to this meeting? With No. 4?

--- He asked me to go with him.

And you went with him? --- I did.

/10

And it was a P.A.C. meeting, was it not? --- The way I saw it, my Lord, I would say it was a meeting of the P.A.C., although he did not say so.

Well, he said he wanted a member of the executive of the P.A.C. to come to Vlakfontein, didn't he? --- Yes.

So one imagines it would have been a P.A.C. meeting? --- Yes.

Now this was the meeting, was it not, where No. 4 was asked how many members you people had, and was told that the target number was 1,000? --- Yes.

/20

And it was also the meeting where he was then asked - and I am reading now from your confession - "Did you send a delegate to Basutoland? And John said no." Is that right? --- Yes.

That is true, is it? --- Yes.

And was he then told that they were supposed to send a delegate to Basutoland? --- Yes.

Now your confession goes on, and you say this: "Then we went home. (That's after this meeting) A week thereafter, John Nkosi came to my home. I still remember/30 it was on a Thursday. He told me I must go and collect

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"two-and-six from each member of the Central cell, because they are sending a delegate to Basutoland." Is that true?

--- Yes, my Lord.

And thereafter, you remember, you took the money that you collected from Vishi Kwakwa, Percy Masala and Kenneth, you took that money to Jeff Masemula's house. You said that in evidence, you remember? --- Yes.

Now that was a week after this meeting at Vlakfontein? --- About a week.

Quite, and you were then getting the money to /10 send the delegate to Basutoland, who had not yet been sent. Not so? --- Yes.

Now on the 19th February, 1963 you said in your diary: "13 people who are expected to be saboteurs, were convicted. Today they appeared in the Magistrate's Court, and were remanded to March 26th. Attend meeting at Vlak." Would that have been the meeting which you refer to here? --- What date?

19th February, if you will just listen to what I say. --- I will say that that is the meeting, although/20 I am not sure.

Yes, but one thing you are sure, I take it, is that you did not read that in the newspaper? --- Yes.

I thought these were always things which you read in the newspaper, that you recorded in this diary. --- No.

I ask you again, in the light of what you have just said, and in the light of what you say here is true, whether the entry of 1st March: "Mr. John Nkosi, the expert dancer, is leaving today for the European night- /30 club, of the headquarters" did not refer to No. 4 going

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to Basutoland? --- No, it is not No. 4, my Lord.

You also say this: "I took the money to Jeff Masemula's place with the list of members of the Central cell. The list was written down by Vishi Kwakwa. I took it to Jeff's place with the money. I gave him the money and the list with the names." Is that true?

--- Yes.

And I presume that list that you're referring to is the list I showed you this morning? --- No, that is not the list. /10

Well, look at the coincidence: the list that I showed you was written by Vishi Kwakwa, according to you, and it indicates that 25c. have been paid by Vishi, Percy and Kenneth. --- I see that coincidence.

That is another coincidence, isn't it? --- The list that was written by Vishi, my Lord, I had taken to No. 1.

And that is this list which is before the Court, is it not? --- I don't think that is it because I took that to No. 1. /20

Well, this list here has these names on it; it has 25c. against the same people that you say paid the half-crowns. --- It was taken to No. 1. I don't think it is here.

Now you said also, after you had got to the house there, you said this in your confession, that you found Simon Branda, John Nkosi, Mark Shilise and Isaac Olifant at Jeff's house. Is that true? --- Yes.

Then you say other things, and then you say "Then they sent me to go and call Ramasudi, who told me /30 that he was busy. When I came back I told them that he

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"said he was busy." Now you said that in your evidence-in-chief this morning. --- Yes.

Is it true? --- Yes.

Sergeant Vermeulen never told you to say that?

--- No.

Well, of all the things that Sergeant Vermeulen has told you to say so far, for what my opinion is worth, this is the one thing he should have told you to say, if he was going to get you to tell any lies about your statement. /10

BY THE COURT TO MR. HARWOOD:

Which is the particular part that you refer to?

--- "Then they sent me to go and call Ramasudi, who told me that he was busy." When I came back I told them that he said he was busy."

Well, will you explain to him that that deals with Ramasudi's evidence? --- Well, do you want me to go into detail about it?

No, I don't think it is necessary to detail it.

CROSS-EXAMINATION BY MR. HARWOOD: (Contd.) /20

So you are quite certain that Vermeulen did not tell you that? It is quite true? --- Yes.

Who sent you to call Ramasudi? --- No. 3.

Branda? --- Yes.

Now after the meeting, when No. 9 told you all about these bombs, do you remember that No. 4 came to your house and gave you a piece of paper? --- Yes.

And you say in your confession: "It was the first time I saw him since the first day when I found them at Jeff's place." --- Yes. /30

Now you said that to the Magistrate? --- Yes.

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Is that true? --- Yes.

Well, what does it mean? I will read it to you again: "Then, the Tuesday, John Nkosi came to my home. He gave me a piece of paper. It was the first time I saw him since the first day when I found them at Jeff's place." --- Yes.

What does it mean? --- Because I have not seen him since, until that day.

Do you mean that this was the first time you saw John Nkosi, since the time that you had been sent from Jeff's house to fetch Ramasudi? --- Yes. /10

All right. Now your confession goes on, and you say: "He said I must hold a meeting, and read that paper to the members. I did so." --- Yes.

What was in the paper? --- The oath.

Tell me what the oath was. --- It was written on a paper, my Lord, and I was told that that was the oath.

Well, take me into your confidence, and tell me what was written on the paper. --- I don't remember. I just remember 'be faithful to P.A.C.' I just read it out/20 once to the people there.

Is that all you can remember of it? 'Be faithful to the P.A.C.'? You can't remember a single other thing that was in it?--From the ... I do remember, my Lord, is 'Don't divulge the secrets of the P.A.C.'

Anything else? --- Nothing else that I remember.

Nothing else that you can remember at all?

--- No.

You're quite sure? --- I am.

/30

Well then how can you tell Branda, when he

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cross-examined you, that there was nothing in it about killing? --- I still remember, my Lord, that there was nothing said about killing.

How do you remember that there was nothing said about killing if you can't remember what was said in it? --- My Lord, I remember of it being said that we had to do our best for the P.A.C., but there was nothing said about killing.

But how can you remember there was nothing said about killing, when you can't remember what was in it? --- If it was said, my Lord, I would have remembered. /10

Are you quite sure of that? --- Yes.

Because it is most certainly said, of you, that you did repeat this oath, and that there was a lot in it about killing. --- If it was in it, my Lord, I would have remembered, but I don't think it is in there.

Well, it is said that you actually read it out, and it was full of killing: penalties of death for any disclosure of P.A.C. --- There is no such thing.

And I would like to remind you that this must have been the oath which No. 4 got from Basutoland, and there are two very competent witnesses who have told us quite a lot of the detail of that oath, including the part about being faithful to the P.A.C. --- I do not know where No. 4 got it from, my Lord, but he gave it to me. /20

And you are still quite sure, although you don't know what was in it, that there was nothing in it about killing or death? --- Yes.

Now, you say here the following: "No. 4 told me that policemen were at Branda's house, and that /30

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"they had a warrant of arrest for him. He said they wanted to arrest him for going to Basutoland unlawfully. He said they did not arrest him. He told me that they had gone to the wrong man, that is, the police, because he was the fellow who went to Basutoland. It was then that I knew that John Nkosi had gone to Basutoland, and the day at Jeff's place the money which was taken out was his fare to Basutoland. He told me that he was with Leballo at Basutoland, and he said that he was given instructions, but he did not tell me the instructions. /10

Then we left. At that meeting where I read the paper which John gave me, in the paper there was an oath of the P.A.C., but they did not take the oath. I only read it to them after hearing from John Nkosi that the police nearly arrested Simon Branda." Now I have read the first part to give you the atmosphere of this. What I want to know is, is it correct? That you only read it to them after hearing from John Nkosi that the police nearly arrested Simon Branda? --- They made a mistake in punctuation. There is a mistake of punctuation, my /20

Lord, I saw it in the confession.

MR. HARWOOD TO THE COURT:

I think there must be some punctuation error here, my Lord, in my copy. Let's put it this way: "In the paper there was an oath of P.A.C., but they did not take the oath, I only read it to them."

BY THE COURT:

Yes, I think that's it. A full-stop. And after 'Branda' a comma probably.

MR. HARWOOD TO THE COURT:

Yes, I am reading from a copy here which has /30

left out a full-stop after 'them' and there is no capital A for 'After' so it all looks as though it is running into the same sentence.

BY THE COURT:

Yes, and it looks as if there then should be a comma after 'Branda.': "Only read it to them. After-hearing from John Nkosi that the police nearly arrested Simon Branda, I became frightened.."

CROSS-EXAMINATION BY MR. HARWOOD: (Contd.)

Now, is this correct?: "In the paper there was an oath of the P.A.C., but they did not take the oath, I only read it to them." Now that is what you said in cross-examination of various witnesses? --- Yes, that is what happened. /10

Various witnesses have said that actually you made them stand with their hands raised, and repeat it after you. --- That is what was said when they were asked.

Now you didn't say this to the Magistrate because Sergeant Vermeulen, or any other policeman told you to, did you? --- Yes. /20

You did not? --- He did not tell me to say so, Sergeant Vermeulen.

Because, you see, he must have known that these other people had actually formally taken the oath, because they all said so. --- He may have known, yes.

Are you quite sure that Sergeant Vermeulen didn't tell you to tell the Magistrate that they had taken the oath? --- He told me nothing about the oath.

Now was No. 5 accused your history teacher? --- Yes. /30

That's in Hofmeyer School? --- Yes.

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That's in Hofmeyer School? --- Yes.

Did he teach you previously at Kilnerton? ---

No.

And who taught you history at Kilnerton, do you remember? --- Mevrou Theron.

Oh. It's a lady, was it? --- Yes.

Did accused No. 4 ever tell you that Leballo was behind the whole of this P.A.C., and he knew the plans 'how we were going to fight against the Whites,' and that he is the man who is preparing everything? --- No. /10

But you said that in the statement to the Magistrate, didn't you? --- Yes.

Now why did you say that? --- Because Sergeant Vermeulen told me so.

Do you remember that you said the following to the Magistrate? "Isaac Mafatso also told me that they had physical training in the Methodist Church Hall at Vlakfontein. He said that they have a cave where they have dumped all their weapons. He also said that they at Vlakfontein are intending to kill all police informers." Do you remember No. 9 saying that to you? --- No.

Is that also Sergeant Vermeulen? --- Yes.

Do you remember, at one cell meeting at the foot-ball ground, Victor Tulari said that the following people were police informers:- Felicit Hururu, Helen Sepwa, Rebecca Maliswadi, Sarah Letswalso and Saxony Tjoma. "Victor said we must assault these people. He asked the members what they had to say about it. They started discussing the matter. I do not remember the conclusion they came to." You said that to the Magistrate? --- Yes, I did. /30

Is it true? --- Yes.

Is that true? --- Yes.

Didn't Sergeant Vermeulen tell you to say that? --- No.

Now supposing Victor Tulari had also been one of the accused, would you have then said that it was true? --- Yes.

Why did you have to assault these people who were informers to the police?--Victor ... I don't know.

Well, it was discussed at the meeting, wasn't it? --- I don't know where this meeting ended, my Lord. Where the discussion ended.

Was it discussed at the meeting? --- I remember Victor asking what they were saying about it, and I do not remember what the answer thereto was.

Do you remember No. 4 telling you that there was a technician who was sent from Basutoland, who would come to Atteridgeville to show you some tactics? --- No.

Is that not true? --- No.

Did Sergeant Vermeulen tell you to say that? --- Yes. /20

Was it only Sergeant Vermeulen who told you to say these things, or didn't Mr. Ferreira or Mr. Geysler or anyone like that come into it? --- My Lord, at the police, Sergeant van der Merwe was the one who told me that, but Vermeulen was the only one that told me when I went to the Magistrate.

Did you say this to the Magistrate? "I was taken into the P.A.C. by excitement and was not aware of the danger of the whole thing. I am only 16 years of age, and I did not know the aims and objects of the P.A.C. /30

Well, take me into your confidence and tell me what you did with them? --- We left them there.

All together? --- Yes.

What for? --- We weren't told what we had to do, my Lord, we just left them there and we left.

Who was in charge of this party? --- I won't say that there was one in charge.

So did you all just go up there, collect a lot of bombs, put them in one place and then disappear?

--- Yes.

/10

Have you ever heard of 'fairy stories' ? --- What is a fairy?

Is this all quite true, that you have told us?

--- Yes.

You see, you finished your evidence-in-chief with your last words 'that's the end of my story.' And since then you have told me about how you volunteers went and collected the following day at the Banareng School and No. 1 had a conversation with you and you went up and collected bombs. What were you doing it for? --- I think I must have forgotten, my Lord.

/20

And can you tell me why you didn't tell us in your evidence-in-chief? Why you said that was the end of your story? --- That is what I remember, my Lord.

All right, you don't know the answer to that, I realise that. Now tell me, you have said to No. 3 accused, that Lazarus was an organiser and he was a very important person. Now it is not something that I said, it is something that you said in reply to No. 3. What I want to know is: How did you know that? --- The day he came to me he told me that he was one of the

/30

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"neither did I have any particular reason for having been a member of the P.A.C. It was just a whirlwind of excitement which dropped me into the mess." Did you say that to the Magistrate? --- Yes.

But I thought you said you weren't a member of the P.A.C.? --- I used to attend the P.A.C. meetings, my Lord.

To tell the Magistrate here that you had no particular reason for having been a member of the P.A.C. That means that you were a member of the P.A.C., doesn't /10 it? --- I was a member, my Lord, but I had not paid the fee of 2/6d.

Now I want to remind you of this portion of your confession. Did you go to a meeting at the Industrial School grounds? --- That is the one we've been reading about before.

Where? At Vlakfontein? --- Yes.

Now you say this: "At the meeting at the Industrial School grounds, the Chairman read a letter to John Nkosi, which he said was from Basutoland. The /20 letter was written in some kind of code. In the letter, they did not say things directly; certain things were given other names. I did not understand the letter, but John understood it. In the letter they were talking about jive sessions, dances, instrument players, cloak-rooms, but I do not understand what was really meant. They said this was the way to write letters so that the police must not know what they mean. John Nkosi knew the meaning thereof. Jeff Masemula told me that the time when they start fighting, they are first going to send /30 technicians who are going to hit the main spots." Now

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did you say all that to the Magistrate? --- Yes.

Is it true? --- No.

Is it all untrue? All that? --- That is untrue.

Was there never a letter written in a type of code? --- Sergeant Vermeulen told me to say that there was a code. About the code and the various names of the code.

And you are asking the Court to believe that you invented all this on your own? --- I have said, /10 my Lord, that Sergeant Vermeulen told me also the names of the code.

Are you then asking the Court to believe that in the three and a half hours that you were with the Magistrate, while you made this statement to him, you remembered all these various things which Sergeant Vermeulen told you to say, and then expressed them? --- My Lord, I was remembering it, but I was confusing them. I wasn't sure as to what he had told me to say, because there were many of them. /20

Did he tell you to say this? --- Yes.

And you're sure you're not confusing this now? --- No.

And what about Jeff Masemula, who said that the time when they start fighting, they are first going to send technicians to hit the main spots? --- He told me so.

Did he tell you that? --- Yes.

Jeff... --- No, Sergeant Vermeulen told me to say that. /30

And did he tell you to say that Jeff said so?

--- No.

Why did you pick on Jeff, then? --- My Lord, there were so many things that I was mixed up in my head.

I want to know why you picked on Jeff? To say that of? --- He is the one that I remembered.

But you remembered lots of them, didn't you?

--- Yes, I did, but at that time I was only thinking of him.

Well, you were thinking of John Nkosi a moment before. Why did you bring Jeff into this? --- I thought/10 of him at that time.

Now you have mentioned a number of the accused in your confession, as having said or done various things. You have told us, in respect of those things about which you have answered questions, that Sergeant Vermeulen told you to say these things. --- Yes.

Am I to understand that if Sergeant Vermeulen simply told you 'These are the things you are to say,' he did not tell you who you were to say had said those things? --- Most of the times he had told me to say /20 that I said so.

He had never told you to say No. 1, No. 3, No. 4, No. 5 - these other people that you have mentioned - had said these things? You just mentioned their names ~~fff~~ your own bat? --- At the times when he told me the names...

I wish you would answer my questions. You have already told me that all he told you to say was certain things, and I put it to you - to use your favourite expression - that he never told you who said these things./30 You put those names in on your own. --- Most of the

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time he didn't tell me the names; at other times he told me the names.

-: NO FURTHER QUESTIONS :-

BY THE COURT TO ACCUSED NO. 6:

Have you got anything further to say, under oath? --- Yes, my Lord.

ACCUSED NO. 6 ADDRESSES THE COURT:

My Lord, I wanted to point this out to you, my Lord, that the Prosecutor, in my diary, has selected the parts which he thought would be suitable for him. /10

There are various days and various parts where I talk about football matches, boxing; where I talk about other things.

-: Diary handed to the Court :-

MR. HARWOOD TO THE COURT:

I would like to make it clear, the whole diary is before the Court. He certainly said that. You will remember when I put in the extracts, I indicated that they were special extracts I wished to draw to your Lordship's attention. /20

BY THE COURT TO ACCUSED NO.6:

Yes, it appears that there are all sorts of entries in the book, about all sorts of things. Yes? What else have you got to say?

ACCUSED NO. 6 ADDRESSES THE COURT: (Contd.) (In person)

After that my Lord, I wanted to tell his Lordship that it was not necessary that I was interested in particular articles in the newspaper, but I read generally and took which I thought was interesting for the day. And again, my Lord, that was a school diary, /30 and it was censored by the English teacher, who signed

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the diary every week. So he read what was in the diary and then he gave us the diaries back.

Again, my Lord, I would like to say that all sorts of things as the Prosecutor was questioning me - things in the confession: Sergeant Vermeulen read those things to me, and then he told me that; what I mean, if I can make things before a Magistrate and say all that, he is intending to make me a State witness, my Lord.

And so, as I wanted to go home by then, I /10 wanted to go home up to now - I still want to go home - I wanted to go home by then I was taken up by the thing, and so I said the things that he told me in the confession, as I knew that by then I would be able to go back to school, my Lord.

And again, about the African Student's Union of South Africa which I joined, my Lord: It was said clearly by Isaac Olifant that if you were a member of that, it offered bursaries at the Turfloop University or at other Universities. If you became a member, you /20 would get that, and that might have been tactically a blind to get us into P.A.C. He said there were still bursaries in P.A.C. which you will obtain if you are both hard-working in S.U.S.A. and P.A.C. As a result almost all the young students stayed in. That is why you have such a lot of fellows in the Hofmeyer High School who were collected at P.A.C.: through the excitement of getting bursaries and Isaac Olifant saying about that, my Lord. From the Student's Association.

And again, I would like to make it clear, /30 my Lord, that there was no meeting where I attended

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where I heard anyone discussing violence and so on. We were told we were going to obtain freedom, but we didn't know how. That is why, at every meeting, we repeated the same thing of getting more members and two-and-sixpences, as we didn't know what was the next step. I for one didn't know what was going to happen. And as I say, after every meeting, just a general discussion, after having that little say of 2/6d. and more members. Nothing more, my Lord.

ASSESSOR DE VILLIERS TO ACCUSED NO. 6:

/10

In an answer to the Prosecutor in connection with this diary of yours, the 29th January: you said that an executive was elected at that meeting. A Chairman, vice-Chairman, Treasurer and Secretary. Do you remember saying that? --- Yes, my Lord.

Who was elected the Chairman? --- The Chairman, they called him Mr. E.D., but probably it was the club name which they used.

What was his name? Can you remember his name? --- No, my Lord.

/20

Vice-Chairman? --- I don't remember the vice-Chairman, but I remember the Secretary, who was called George.

Treasurer? --- I don't remember, my Lord.

BY THE COURT TO ACCUSED NO. 6:

I want to read a portion to you out of your statement that you made to the Magistrate. You were speaking about going to the place of accused No. 1:

"When I came there I found Isaac Olifant, Marcus Shinala, John Nkosi, Jeff Masemula present." Is that correct? /30

--- I am not sure which ... you are referring to.

D.E. MOSENEKE

Yes, all right. "They started telling me it was John Nkosi who told me that I am not faithful to P.A.C." Is that correct? --- Yes, my Lord.

"Because I am no longer holding meetings, and I no longer come to take instructions from them." Is that what they said? --- That is what he said, my Lord.

Is that what he said? --- Yes, my Lord.

"He said I am not doing my work properly."
--- Yes, sir.

"Even after that I never took any instructions /10 or held any meetings thereafter, because I was frightened by the fact that people were nearly arrested because of this movement, and that this movement is dangerous." Did you say that? --- Yes, my Lord.

Is it true? --- Yes, my Lord.

Then, at the end of your statement, after you spoke about you were taken in by way of excitement: "I was just happy enough to be called a cell leader. I thought I was something, and that I have a position." Is that right? --- Yes, my Lord. /20

"In reality I did not know what I was doing."
--- Yes, by that, I meant I was not quite clear of what was happening, my Lord.

"Even the instructions which were given to me by people like John Nkosi and Jeff Masemula, I did not even ask why I have to say those things." Is that right? --- Yes, my Lord.

"I just accepted and told the members, and it is all foolishness." Is that right? --- Yes, my Lord.

"I regret very much for what I have done, not /30 even being aware of it." --- Yes, my Lord.

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Now finally, will you be clear, were you a member of the P.A.C., or not? --- I wouldn't say I was a member, my Lord, because I had not paid the two-and-six. I didn't have any membership card. But I did attend the P.A.C. meetings, and I was elected as cell leader.

But didn't you pay the 2/6d. when you took the list which Vishi Kwakwa had written out? --- No, I had no money, my Lord.

Oh, you didn't take that list, of course. /10
You say that you... Yes, of course.

-: COURT ADJOURNS :-

BY THE COURT TO ACCUSED NO. 6:

Accused No. 6, have you any witnesses you wish to call? --- No, my Lord.

So your case is closed.

-: oOo :-

ACCUSED NO. 7: EVIDENCE-IN-CHIEF:

(Not yet decided. STANDS DOWN)

-: oOo :-

PETRUS MATHALA

ACCUSED NO. 8, PETRUS MATHALA: EVIDENCE-IN-CHIEF:

(Through Interpreter)

Towards the end of the second week in February, John Nkosi paid a visit at our home, and we had a general talk. He asked me to be a member of the P.A.C. I said, my Lord, that I had other activities, but I will see.

Towards the end of February, Lazarus Lewate came to the house and he said there was going to be a meeting. I told him that I am not a member, and he said that it was only an invitation. I went to this meeting, /10 and that is the end of my story.

CROSS-EXAMINATION BY ACCUSED NOS. 1 AND 2:

NO QUESTIONS.

CROSS-EXAMINATION BY ACCUSED NO. 3:

(Speaks in English)

Mathala, you have just said that there was a meeting you attended? --- Yes.

Which meeting did you attend? --- The meeting along the railway line.

Behind the railway line? --- Yes. /20

What was this, a cell meeting or a general meeting? --- It was a mass-meeting; a general meeting.

This was the first meeting of the P.A.C. that you attended? --- Yes.

Did you hear, at this meeting, any mention being made about violence or something like that? --- No.

Did you hear any talk about any attack on Whites, or something like that? --- No.

One witness was here in the box and made an allegation to the effect that I spoke about attacking /30 Whites. Would you say that statement is true or false?

PETRUS MATHALA

--- This is false, because I was clear.

And again, I heard you speak of one Lazarus Lewate. What was he in your cell? --- He was a very important figure. He was an organiser, I take it.

So when you joined your cell, who was the cell leader? --- I never attended any meeting of the cell, except that Lazarus Lewate told me that I am under his leadership.

So it meant that he was either a cell leader, or acting as a cell leader? --- Yes. /10

Do you remember attending any meetings of the members of the executive of the P.A.C. in Atteridgeville? --- No. I never attended any meeting of the executive.

Did you know before then who the members of the P.A.C. executive in Atteridgeville were? --- No, I didn't know them.

-: NO FURTHER QUESTIONS :-

CROSS-EXAMINATION BY ACCUSED NOS. 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15 AND 16:

NO QUESTIONS. /20

CROSS-EXAMINATION BY MR. HARWOOD:

What happened at this meeting behind the railway line, that you attended? --- We were told, my Lord, that we had to pay our fees of 2/6d.

Who told you that? --- Accused No. 3.

He just said you had to pay fees? --- Yes.

Who else spoke? --- Accused No. 4 endorsed it, and that these fees were urgently required.

What for? --- I don't know.

Who else spoke? --- Those are the only two /30 that I heard.

PETRUS MATHALA

How long did the meeting last? --- The time when I was still there, it was about 40 minutes.

Did it take accused No. 3 and accused No. 4 40 minutes to tell you that you had to pay your fees? --- No.

Well, what else happened then? --- That is all I do remember.

So you can't remember what happened for the rest of the 40 minutes? --- I remember accused No. 3 asking for volunteers. /10

What for? --- He only said that he was asking people to assist him, but he did not say what these volunteers were for.

Who volunteered? Do you remember? --- I cannot remember all of them, but I was one of them. Accused No. 16, Kenneth, Matthews Jape, Bisto and others.

Belt 77b

And what did you volunteers do? --- We weren't told what for.

Well, after the meeting, did you find out? --- It was raining after that, my Lord, and we fled to our homes. /20

Did you ever follow this business of being volunteers up? --- No.

Are you sure it was No. 3 who asked for these volunteers, and not No. 4 or No. 1? --- I said No. 4, I didn't say No. 3.

Actually, you said No. 3 and I just want to make it quite clear. It was No. 4, was it? Don't be so loose in your numbers when you answer questions. Did you never follow up what you were volunteering for? --- No. /30

Never ever? --- We were only told, my Lord,

PETRUS MATHALA

to meet close to the Banareng School.

You were told to meet near the Banareng School?

--- Yes. Primary School.

And did you meet there? --- Yes.

The following day? ---- Yes.

You and the other volunteers? --- Yes.

And there you met No. 1 accused, didn't you?

--- No, he was not there.

Did you never see him the day you met at the Banareng School? --- We never met at Banareng. We met /10 next to Banareng School. Mr. Masemula was not there, but while we were still waiting for others, he saw us and approached us. And he called a youth called Obambardo and he had a little conversation with him. A private conversation. And he went away.

And then what happened? --- After we met, all the volunteers came. Obambardo went with us and we went on to the hills. When we got there, there we met accused No. 1.

Yes, and then? --- There we were told by /20 accused No. 1 we would see a fin of the bomb. If we see it, we must show it to him.

Bombs like that? --- Yes.

So then did you go picking up bombs? --- Yes.

And did you pick up a lot of bombs? --- Maybe eight or nine.

Did you put them in a particular place? Hide them away somewhere? --- We did not hide them, we put them at some little bushes.

Did you put bushes on top of them? --- No. /30

Did you put bushes underneath them? --- No.

PETRUS MATHALA

authorities of the P.A.C. I was then invited to a meeting which I had to attend.

Now you needn't tell us that all over again. The position is that you know that Lazarus is an important person, because Lazarus told you. Is that it? --- Yes.

Did he tell you he was an organiser? --- Yes.

What did he organise? --- Members for the P.A.C.

Is that a very important activity? --- I take it to be, yes. /10

What were the members of the P.A.C. going to do? --- He said, my Lord, that if we are members, we would be told the next day as to what had to be done.

Didn't you know what was going to happen? --- No.

Well, one of the things that had to be done, was to collect bombs, not so? --- The collecting of the bombs, my Lord, we were not told that that was work of the P.A.C.

But it was at a P.A.C. meeting that volunteers /20 were called for, and those volunteers had to go and collect bombs. Don't you think that it was a P.A.C activity? --- I don't think it is the work of the members of the P.A.C. We would have been told if it was.

But it was at the P.A.C. meeting that volunteers were called for. --- Yes.

Now tell me something else that you had to do in connection with the P.A.C. --- I have nothing else.

Is that the end of your story now? --- I don't know what you have done, my Lord, but what I have /30

PETRUS MATHALA

said, that is what I did.

Is that the end of your story, is what I asked you. The words are yours, not mine. --- Yes.

Now we had one end of your story, and we had no talk about the bombs. Now we have had a nice long chat about the bombs, and now you say that's the end of your story? --- I think this is the end of my story.

You really do? --- Yes.

What about the witness Ramasudi, who said that you attended an executive meeting? He saw ~~you~~ there, /10 twice. --- He said I was at that meeting, but at that time I knew nothing about the P.A.C., my Lord.

But were you at the meeting? --- No, I didn't know anything about the PAC and I wasn't ...

Were you at the meeting? --- No.

Ramasudi says you were. --- He is telling lies.

And he says you were there as a cell leader. --- That is lies.

And you see, he is not the only person who /20 is telling lies, because Bisto says you were a cell leader, too. --- He is telling lies. He never saw me addressing a meeting, and he never saw me attending a cell meeting.

Were you at the meeting at Jimmy Makushane's house? --- No.

No. 6 says you were at that. --- He told me that he had been assaulted by the police, and that is why he mentioned my name.

And he also said you were the cell leader of /30 the Black Rock cell. --- *That is the way he told me,*

Yes, but the way he told the Magistrate was
 that you were the cell/^{leader}of the Black Rock cell. ---
 That is not true.

That is also what Bisto says. Were you not
 the cell leader of the Black Rock cell? --- No, I
 wasn't

Do you know Matthew Sihabe? --- Yes.

Matthew says you addressed a meeting. ---
 Then he must have seen ... He is telling lies when he
 says that I addressed a meeting. /10

And he also says that you went on two occasions
 bomb collecting. You went on the following Sunday again.
 --- That is the truth, yes.

Did you go another time to collect bombs? ---
 Yes.

But I thought you told me it was the end of the
 story when you went to collect the bombs on the one day.?
 --- That is what I remember, I said. Now you have
 reminded me.

I have neither the time nor the inclination
 to spend all afternoon dragging things out of you. I
 will give you one last opportunity now. You have twice
 told me that the end of the story was at a certain point.
 We now hear that you went to collect bombs again. ---
 You must have misunderstood me.

We now hear that you went to collect bombs
 again. --- I said that is what I remember, my Lord.

I wish you would stop talking and listen to
 my questions. You now say that you went to collect
 bombs on the second occasion. --- Yes. /30

What did you do on that day? --- I went to

the mountain. I found Matthew Sihabe, accused No. 16, Kenneth. I have another one whom I have forgotten.

Did you all collect bombs? --- We were all collecting bombs, yes.

And how many did you collect that day? --- I do not remember how many.

About 30 or 40, weren't there? --- I t may be like that, but I am not sure how many, my Lord.

Did you hide them in two or three different places? --- We put them at two places. /10

Two places? --- Yes.

And did you hide them or did you just leave them lying about? --- The first place, my Lord, there was a hole. We put them in the hole, and we put some grass over.

Why? --- And the second place...

My question was why? --- I do not know why.

And at the second place? --- There were some little bushes, my Lord, we put them amongst those.

Now do these two exhibits, 8 and 9, show the two places where you keep these bombs? --- Yes, my Lord, these are the places. /20

Right. Now why did you hide the bombs like that? --- I have already said, I don't know.

Yes, but you have already said about three times that's the end of the story, and I've been dragging things out further, and I just want to know if there is anything else you know. You don't know anything else? --- We just left them there and went home.

Did you spend the whole day collecting these bombs? --- No. /30

PETRUS MATHALA

Now what did you do after that, in connection with the P.A.C.? --- I did nothing.

Are you sure? --- Yes.

Is that really the end of the story? --- Of what I remember, my Lord, that is the end. I do not remember about any other thing.

Why didn't you tell his Lordship about these two occasions that you went to collect the bombs, in your evidence-in-chief? --- I have said, at the beginning, that I had forgotten. /10

You are quite serious that you had forgotten? --- Had I remembered, I would have spoken.

The bombs are like those bombs, aren't they? --- Yes.

You've had them under your nose since the first day of the trial. Looking straight at them. Are you serious when you tell his Lordship you'd forgotten about them? --- Yes, I have forgotten.

-: NO FURTHER QUESTIONS :-

BY THE COURT TO ACCUSED NO. 8: /20

Have you anything further you wish to add, under oath? --- Nothing, my Lord.

BY THE COURT TO ACCUSED NO. 8:

You had forgotten the name of one person you said had accompanied you on the mountain, on the second day. Could that have been Nathan?

MR. HARWOOD TO THE COURT:

Excuse me, my Lord, I think he said that Bisto went, and Bisto's name is Nathan, with respect, my Lord.

BY THE COURT: /30

That's right, he did say Bisto.

PETRUS MATHALA

BY THE COURT TO ACCUSED NO. 8:

Now one other point. Did you not attend the meeting at the cemetery where certain people were picked out for disciples? --- No, my Lord.

I think Kenneth is the one who says you were at the cemetery meeting. --- I heard him in Court, my Lord.

What do you say about that? --- I say he is telling lies, my Lord, he did not see me at that meeting.

Now you have heard the evidence about a meeting/10 which took place at the house of accused No. 1? --- Yes, my Lord.

Philip says you were present at that meeting. --- No, my Lord, I was not.

-: NO FURTHER QUESTIONS :-

BY THE COURT TO ACCUSED NO. 8:

No. 8, have you any witnesses you wish to call? --- No, my Lord.

Yes, thank you, you may sit down. Your case is also closed.

-: oOo :-

ACCUSED NO. 9: ISAAC MAFATSE. EVIDENCE-IN-CHIEF s.s.

(Through Interpreter)

I heard about the P.A.C. my Lord, at the end of December last year, from a man called Sepata. I attended two of their meetings at the beginning of this year, my Lord. After that I went home to Atteridgeville, where I met accused No. 6. He had another youngster with him and he told him that there was going to be a meeting. I then asked them what kind of a meeting was it going to be, and I was then told that it was a P.A.C. /10 meeting. I then told them that I intended to attend that meeting, and I went.

At this meeting, my Lord, the first one who addressed the meeting was No. 6. He told them that they had to pay 2/6d. to become members; to get more members. After that, my Lord, they had general discussions. They talked about bioscopes and various other things.

I then told them of what I had read in the paper of the world. I told them about the petrol bombs. The meeting then dispersed. /20

After a while I went again to Atteridgeville, and that time he told me to go and call Olifant at the town in Atteridgeville. When I got to Atteridgeville, I told Olifant that he was being required at Vlakfontein. He didn't go, but he had sent accused No. 6 and accused No. 4. They are the people who went to the meeting at Vlakfontein. That is all I wish to say, my Lord.

CROSS-EXAMINATION BY ACCUSED NOs. 1 and 2:

NO QUESTIONS.

CROSS-EXAMINATION BY ACCUSED NO. 3: (In English) /30

Mafatse, on the day when you met accused No. 6,

ISAAC MAFATSE

did you know by then if he was a member of the P.A.C.?

--- No.

So that was the first time when you met him?

--- No, it wasn't the first time I met him, I have known him for a long time.

You learned for the first time that day that he was a member of the P.A.C.? --- Yes.

Tell me, what was your purpose of getting to Atteridgeville that day? --- I went to my family at home.

Oh, your family stays in Atteridgeville? /10

--- Yes.

Do you stay with them in Atteridgeville? --- Yes, I used to live with them, but now I am living with my grandmother at Vlakfontein.

At that meeting which you attended, you spoke about petrol bombs? --- Yes.

Tell me, did you at any time before experiment and see if these things would expldde or do anything? Did you at any time try to experiment on these bombs, and see if they would explode, or what? --- After /20 I had told them what I had read, I did experiment.

And they did explode? --- No.

What was the purpose of your telling these people about the making of petrol bombs? --- I wasn't teaching them, my Lord, I was just telling them of what I had read in the paper.

Did you then, in teaching them, tell them that they should put one underneath a motor-car? --- No.

--: NO FURTHER QUESTIONS :-

CROSS-EXAMINATION BY ACCUSED NOS. 4 AND 5: /30

NO QUESTIONS.

ISAAC MAFATSE

CROSS-EXAMINATION BY ACCUSED NO. 6: (In English)

On one occasion you came to Atteridgeville, you were sent to come and call Olifant? --- Yes.

Where did you meet me? --- At the Hofmeyer School.

What did you tell me? --- I told him that he was required at Vlakfontein.

Who was required? --- He was required at Vlakfontein.

What did you tell me? --- I told you nothing. /10

How did it come that I went with you to Vlakfontein? How did it come that I went with you to the station? --- You were told by Olifant to go.

You told me that you wanted an executive member, isn't it?

MR. HARWOOD TO THE INTERPRETER:

Please repeat that question, I couldn't hear it. --- "He told me that he wanted a member of the executive."

CROSS-EXAMINATION BY ACCUSED NO. 6: (Contd.) /20

--- No, my Lord, I was told to go and look for Olifant.

Oh, I didn't understand you very well, I think.

--- Yes.

Why did Olifant not go? --- He said he was busy at school.

Then you went with me and John? --- Yes.

--: NO FURTHER QUESTIONS :-

CROSS-EXAMINATION BY ACCUSED NOS. 7, 8, 9, 10, 11, 12,

13, 14, 15 AND 16.:

/30

NO QUESTIONS.

CROSS-EXAMINATION BY MR. HARWOOD:

You say you read about the bombs in the newspaper? --- Yes.

What newspaper? --- "The World."

And was it there explained exactly how you explained it to them? --- I think so, yes.

You fill a bottle up half full of sand, and a bit of petrol, you shake it until it's warm, and then you throw it. --- Yes?

And then it will explode. --- Yes? /10

Now what does it explode for? --- That was in the paper, my Lord, but when I did it, it did not.

Yes, but what was the purpose? Why must you make these things? --- I did not tell them to make it, my Lord, it is me that wanted to know if one does it that way, whether it will work.

On the contrary, every single witness who has given evidence about you at this meeting has said that you had come from Vlakfontein to tell them how to make petrol bombs. --- I didn't know that there was a meeting. I didn't go to the meeting, my Lord, I went to my relations.

Even No. 6 accused, in his confession, says: "Isaac Mafatse told me that he would like to be at that meeting. He came to the meeting. At the meeting he explained and described how to make petrol bombs." --- No, it wasn't at the meeting, it was during the general discussion.

Did you explain and describe how to make a petrol bomb? --- I told them the way I read it in the paper. /30

ISAAC MAFATSE

You told them how to do it. You didn't ask them how to do it? --- I did not tell them to make it my Lord, I told them what I read about it.

Now tell me why you told them? --- The first is that I want them to read it here, and I told them, my Lord, that this petrol bomb, the one's at school, that it is in connection with science.

Are those your reasons? --- Yes.

Now everyone who speaks about your interesting lecture on these bombs, says that you described one which had a tail attached to it, which you soaked in oil, and you light the tail and you put the bomb under a car, you light the tail, and then the bomb would go off and do its work. Kenneth says that and so do the others. --- I did not speak about this bomb that had to be put under a car. /10

Did you speak about a bomb that had a tail to it, which you soaked in oil? --- Yes, I spoke about that.

Now what was going to be the use of it, unless it was put under something? --- I don't know. /20

Did you test that bomb, to see if it would work? --- No, I only tested the one with the petrol and something.

You never tested the one which had a tail to it, soaked in paraffin? --- No.

What did the paper - "The World" or whatever it is it is called, that you read - what did that say was the use of these petrol bombs? --- It said about someone who made these, or one who made it, and they exploded. /30

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