

MEMORANDUM ON J. TABETA N/DET/SGT. (89).

A lying and dishonest witness. stupid and uneducated and quite unequipped to record with any accuracy any of the speeches to which he testifies. Education, Stv.IV, witness says he writes very slowly p. 2421 (V.13). see also meeting No. 65, which lasted 4½ hrs. and was recorded on three pages of double spaced rix type-script.

Witness also states that his knowledge of English is not good, p. 2574, (V.13). nor is his knowledge of Sotho or Xosa. at pp. 2578 (V.13), witness admits that his English is so "appallingly bad that he is only a semi-literate person".

He was subjected to a test in order to ascertain his ability to record - for which see pp. 2596 to 2599 (V.13). Not only was he unable to record either the sense or more than a small portion of what was ~~said~~ read out to him, but also that which he did record is mostly quite unintelligible and ungrammatical.

It is suggested that the notes handed in by the witness were not made by him at the meeting for the following reasons, (a). the notes handed in are written very neatly and tidily, whereas the notes made by the witness in Court when he was tested are obviously very hastily ~~scribbled~~ scrawled over the pages,

(b). Although he stated at p. 2616 (V.14) that he only gets to know who the speakers at a meeting are going to be when each speaker gets up to speak, all the Exhibits have the names of the speakers on the 1st page. See his explanation on p. 2607 (V.14).

(c). All the exhibits at the top of the 1st page have a note

as to when the meeting ended. The witness had earlier stated that he records his notes consecutively line after line, page after page, p. 2604. (V.14). See his explanation, p.2606 (V.14).

(d). As to his explanation re (c) that he added the words "3 p.m." on to the front page ~~after~~ after the meeting had ended, it is significant that the ink on the last page of his ~~work~~ notes is different in colour to the ink used to record "3 p.m." and that the words "3 p.m." are written in the same coloured ink as the rest of the words on the front page.

The witness explains that his pen ran dry as he signed his name on the last page, and that he must then have used another pen to write "3 p.m." on the front page. See pp. 2610 to 2612 (V.14). This explanation is obvious nonsense. According to the witness this is what happened again at the next meeting to which he testified. Meeting No. 101, see his evidence at p. 2668 & 9, (V.14.).

(e). Witness records on the first page the number of people who attended the meeting. although he admits that whilst the meeting is in progress the numbers can increase or decrease. Witness states he records the number of people present at the meeting when it starts and that if the crowd doubled itself during the progress of the meeting he would not record that fact. See p. 2614, (V.14).

(f). The Defence was handed a document purporting to be a typed transcript of witness's notes relating to Meeting No. 129. Thereafter representatives of Crown and Defence checked this document Ex. G. 219 against the notes that were produced by the witness. The notes which were then produced by the witness differed in a remarkable degree from the typed

transcript Ex. G. 219, which had to be amended in very many respects. There was material in the transcript G. 219 which was not to be found in the notes, and there was material in the notes which was not in the transcript., see p. 2870 to 2876 (V.15). This leads one to infer that the transcript handed to the Defence must have been compiled from other notes made by the witness, particularly as the notes produced by the witness were written in a very legible, unhurried hand and no typist in making a transcript from the notes produced by witness could mistakenly have recorded what he did in the transcript G. 219.

Alternatively, and this was suggested by the Crown, p. 2873 (V.15), the transcript G. 219 which was handed to the Defence may have been compiled from witness's Report. If this be the case then it follows that the witness has inserted into his Report material not to be found in his notes, and he has also omitted from the Report material that is in his notes. But see pp. 2888 to 2890 (V.15), where it is demonstrated that the Crown's suggestion is untenable.

(g). At meeting 101, a resolution was moved at the end of the meeting. Nevertheless Ex. G. 176, shows that the witness has put the Resolution in at the beginning of his notes on page 1. See x-examination pp. 2669 & 2670. (V.14). This resolution appearing on the 1st page is in the same ink as rest of writing on the pages and different from the ink with which he concluded his notes. In explanation the witness again makes the nonsensical suggestion that he as he finished recording the meeting his pen ran dry and so he used another pen to fill in the resolution on the front page. p. 2670, (v.14).

(h)/....

~~(h)~~ Witness explains also that it is his habit always to leave three lines blank on the 1st page in order to insert the resolutions which are passed at the end of a meeting. p. 2669. (14). But see Ex. G. 219, where the witness has put the Resolution at the end of his notes. See pp. 2832, 2833, & 2834, (V.15).

h). P.J. Coetzee recorded in shorthand the same meeting, No. 101. which witness recorded. A comparison of the notes shows not only - as would be expected, does witness's notes fail to record utterances which Coetzee has recorded, but also that witness has recorded things which are not to be found in Coetzee's notes. of. Exs. 175 & 176, see also p. 2671 (V.14). Witness concedes that "invariably" - "at nearly every meeting" he has heard A.N.C. members say they are waging a "non-violent" struggle. pp. 2877, 2878 (V.15).

MEETING No. 65:

p. 2419 (V.13)1
Ex. G. 106.

Sejake (65) is reported as follows:- " If we A.N.C. failed to defeat this Govt. we shall ask other countries to help us with guns".
See Ex. G. 106.

Sejake should have his attention directed to the above and be asked to admit or deny or explain. See s-examination at p. 2428, where witness admits that Xulu language contains many figures of speech and that he - the witness - would then literally interpret the speaker and note down his exact words and not the sense of what the speaker was trying to convey".

p. 2428 & 9 (v.13).

Witness says Sejake spoke in Sotho and he relied on the interpreter " to get things right".

p. 2424 (V.13).

This meeting lasted 4½ hrs. & the witness says he writes English very slowly - he must have left things out. p. 2421 (V.13). The meeting is recorded on 3 pages of double-spaced type-script. See. Ex. G. 106.

MEETING No. 98/1:

p. 2573 (V.13).

Ex. G. 168.

Motsabi (47) is reported as follows; "Some papers overseas say that force must be used in this country....but one day will be the day...It Italy was a mountain with smoke - one day fire came out - destroyed the city...smoke a warning to people there but they did not care. People of S.A. are like that mountain...leaders of this country have been warning the Govt. he don't care. One day the fire will burn this country..... if war comes we shall say we told Verwoerd etc...A Lincoln say you must use fists- Mrs. Roosevelt say use force - if that happened I shall say I told them". Ex. G. 168. p. 3 & 4.

This appears to be a warning that violence may ensue in the future rather than an appeal to audience to embark upon a struggle associated with violence. See also the witness's inability to state what he thinks the speaker was trying to convey to his audience. p. 2577, (V.13).

The accused, however, should be interrogated about this speech.

at this meeting a number of speeches were recorded by witness which are nonsensical. See underlining in Ex. and see x-examination on p. 2577 (V.13).

So far as Sejake's speech is concerned, witness says Sejake used English - he, witness, waited for the Zulu interpretation and then interpreted the speech back into English. p. 2575 (V.13).

NON - VIOLENCE ETC.

Meeting No. 62:

p. 2390 (V.12).

Ex.G. 96 & 97. J. Ioo (59) "Some of say why A.N.C. do not fight? Want to tell you this - these Volunteers are not to fight". Ex.G. 97 p. 5.

Meeting No. 101:

p. 2654 (V.14).

L. Masina (34) "200 police came there but Africans did not fight, that shows that Africans are good people although we are oppressed...We are not against white people, we are only after freedom". Ex. G. 176, p.1.

Shope (68). "...in new Africa everybody will have the right to vote, will be no coloured, white or black....will be no kaffir or Dutchman or coloured." Ex. G. 176.. p.2.

L. ROBI (55). "in our government will be no coloured native or white man, will be all person". Ex. G. 176.. p.3.

MALILE (30). "all Church women should come to

the/..

the Square to fight this Nat. Govt. with us, our
struggle is non-violence". Ex. G. 219. pxx. p.1

M. Raula (62). " I greet you all under the
peace mouth of the A.N.C." Ex. G. 219, p.2.

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