

THE STATE PROSECUTOR calls MRS. SCHERMBRUCKER.

MR. LIEBENBERG: Your Worship, in view of the witness's refusal to give evidence, it becomes necessary for your Worship to deal with her in terms of Section 212 of the Criminal Code, which provides for a sentence to imprisonment for a period not exceeding 12 months if she refuses to answer questions put to her, or refuses to be sworn, or to make an affirmation.

I submit your Worship has given her the indulgence of consulting with some legal representative, and then she came back in the afternoon and persisted in her refusal to give evidence.

I submit, your Worship, that the dicta of his Lordship, Mr. Justice de Vos, on the 15th November, 1965, in the case where Isaac Heymann was called as a witness, are very apposite here. I would like to read from his Lordship's judgment, where he says:

"In the case of this witness the Court has already come to a finding that there is no just excuse for his failure or refusal to be sworn or to make an affirmation. The witness has been recalled after his past refusal to do so.

The legal position has been explained as far as it is relevant to this witness, and I do not think there is any further explanation that could be given in regard to the privileges which he might be able to claim at a later stage if he allowed himself to be sworn or to be affirmed.

As I have said, he has refused to do so, and there is no just excuse in my view for such refusal. This is the second time this witness has been brought before me. He has just served a sentence of 8 days under the same provision, and I am now going to consider his position in the light of all the circumstances.

This is a case of some importance in which, inter alia, the security of the State is involved. The Court requires the assistance of all available witnesses and it is important that the Court should receive that assistance. In the course of this case, three witnesses have so far refused to testify, in the sense that they have refused either to be sworn or to affirm. In my view, it behoves a Court of Justice to do what it can and should to prevent the withholding of facts which

may assist the Court in coming to a just decision. I have decided that in the circumstances of this case a sentence of 12 months imprisonment in terms of Section 212 should be imposed. I do so now."

Now my submission, your Worship, is that the legal position was explained to the witness. She had the benefit of the advice of her counsel, and she came back and she said that she admitted that she had received such advice and that she was not prepared to give evidence.

Now I submit, your Worship, that the remarks of his Lordship Mr. Justice de Vos apply with equal force to this case: that where the security of the State is involved, the Court is entitled to the assistance of witnesses who can throw light on the offences, and the Court should take a serious view of persons who are withholding facts and information from the Court, and who in that way prevent the Court from coming to a just decision in the case.

BY THE COURT: Anything further you wish to say at this stage, Mrs. Schermbrucker? ---- Your Worship, I don't mean to be disrespectful and I don't want to go to jail, but it is a question of principle.

You are not bound to give me your reasons, but you have every right to explain to me why you do not wish to give evidence. ---- No, I have nothing to explain.

You have no just cause to advance for not giving evidence? ---- No.

MR. D. KUNY: May it please your Worship, sir, I realise I am not appearing in the case, but as your Worship is aware, I am this witness's representative referred to by my learned friend. I submit, sir, that at the moment this witness is now being treated as an accused, to the extent that your Worship is now about to consider what sentence should be imposed on her in the circumstances.

In these circumstances, sir, my submission is that as the witness's and the accused's representative, I should be entitled to address your Worship in regard to the possible sentence that your Worship will impose.

BY THE COURT: I will be very glad of your address, Mr. Kuny.

MR. KUNY: As your Worship pleases. Sir, the witness, the accused, is a woman of 38 years of age and she has two children aged 18 and 15. Her husband, sir, is presently in jail serving a sentence of 5 years, as your Worship is aware. Now, sir, the witness has stated her reasons to your Worship for not giving evidence, and she has told your Worship that without meaning any disrespect to your Worship, and not because she wants to go to jail, but as a matter of principle she feels that she cannot give evidence.

Now your Worship, I am fully appreciative of the fact that this Section was specifically imposed, was specifically passed, for a situation such as the present situation; that the period of 12 months provided as a maximum period in the Section is a period which is designed to prevent this very type of situation. Of these facts, sir, I am aware and appreciative. But nonetheless, despite that, and despite the fact that in the case quoted by my learned friend the Court did impose a sentence of 12 months in similar circumstances, that case is at the moment, sir, on appeal, and nonetheless, I submit that your Worship has a discretion in the matter. Your Worship is not obliged to impose the maximum sentence provided in the Section.

Having heard the brief reasons given by the witness, namely that it is a question of principle, not meaning any disrespect to the court, I submit, sir, that that is a consideration which should weigh with your Worship in the witness's favour in considering the sentence to impose. The witness has, rightly or wrongly, sir, adopted a course which she considers to be the honourable and the correct

course for herself to adopt. It is obviously not the course which she would like to adopt, in the sense that it means that she is going to have to go to jail. It would obviously be very simple to give evidence to receive an indemnity and to avoid this. This the witness has refused to do, and I submit sir, that dealing with the question on that basis, those are factors. Together with her personal circumstances, which should weigh with your Worship in her favour.

In my submission it is not obligatory for your Worship to impose the maximum under the Section; your Worship is entitled to impose a lesser sentence, and I would ask your Worship in the circumstances to impose a lesser sentence than the 12 months which my learned friend has asked your Worship to impose.

BY THE COURT: Mrs. Schermbrucker, I am assuming that your legal adviser explained to you that you have the choice between giving evidence and being sentenced to imprisonment up to 12 months; that the sentence imposed - that any sentence imposed - may be renewed again if you do not comply with the requirements of the law and give evidence in this case; and I assume that he has also told you that even if you are sentenced that you are still entitled at any time to change your mind, in which case the Court is empowered to remit the punishment. ---- Yes, I have been told.

Those features are clear to you, are they? ----
Yes, your Worship.

You will be sentenced to imprisonment for 300 days.

-: oOo :-

DOREEN TUCKER, s.s.

EXAMINATION BY STATE PROSECUTOR: Is your address 4a Shipstone Lane, Victoria, Johannesburg? ---- Yes.

And you are at present detained under the provisions of Section 215 (bis) of the Act 56 of 1955? ---- Yes.

As a potential State witness. Now were you a member of the Congress of Democrats in 1953-54? ---- Yes.

And were you active in the Congress of Democrats? ---- Only for a short time.

Did you assist at that Congress of the People in 1955 at Kliptown? ---- Yes.

Were you friendly with the Schermbrucker family? ---- Very friendly.

With Mr. Ivan Schermbrucker? ---- With all the family.

Did you visit them at their house? ---- yes.

And did you get a safe-deposit box at the Permanent Building Society in 1962? ---- Yes.

At whose request did you get the hire of that box? ---- The Schermbruckers.

Mr. Schermbrucker? ---- Yes.

And did he tell you why you had to get it? ---- He asked me if I would look after some money.

And did he then give you money from time to time? ---- Yes.

And did you place the money in this safe-deposit box? ---- Yes.

Who had the keys? ---- I did.

Can you give us an idea of the amounts that you handled? ---- I think the first amount was about £1,500 but I can't remember the exact amount.

To whom did you hand the monies? ---- Mr. Schermbrucker.

Was the number of the box 816? ---- Yes.

Now in what amounts did you pay back the monies to

Mr. Schermbrucker? ---- In odd amounts: £300, £500, £250.

And for how long did this business carry on? ----
Until before his arrest. It stopped before his arrest.

Yes, he was arrested in 1964? July '64? ---- Yes.

Now do you remember the time when there was a raid
at Rivonia in 1963, in July? ---- Yes.

And just after that raid, did Mr. Ivan Schermbrucker
make any request to you? In regard to your house? ---- I
don't know whether it was just after the raid.

When was it? ---- It was some time in the winter,
but I can't...

Some time in the winter. After the raid? Or
before the raid? ---- I can't remember.

Anyhow, what was the nature of the request? ---- He
asked if some people could come to my house.

For what purpose? ---- Just for a meeting.

And which people came there? ---- Mr. Schermbrucker,
Mr. Fischer, Mrs. Bernstein.

Did you attend the meeting yourself? ---- No.

And did this meeting take place in the day, in the
evening, when? ---- The evening.

How long did the meeting last? ---- About 2 to 3 hrs.

At that time did you know whether they were members
of any party? ---- No.

Were any further meetings held at your house? --Yes.

How many? ---- 2 or 3.

Attended by? ---- Fischer, Mrs. Weinberg, Mrs.
Schermbrucker.

Miss Tucker, during the Fischer trial - do you
remember when the Fischer trial started? ---- November '64.

Now after the trial started, did Mrs. Lesley
Schermbrucker approach you? ---- Yes.

What did she want from you? ---- She wanted to use my house.

For meetings? ---- Yes.

And you agreed? ---- Yes.

And which people came to your house? ---- Mrs. Schermbrucker, Mrs. Weinberg and Mr. Fischer.

How many times did they come to your house? ---- I think it was twice.

Can you remember whether it was before or after the Christmas of 1964? ---- I think one was in January and one might have been before.

And did Mr. Issy Heymann ever attend meetings there? ---- He came once.

And while we are dealing with the Schermbruckers, do you know Miss Naomi Wallace? ---- Yes.

Is she a friend of yours? ---- A very close friend.

And she lives at 46 Stamford Hall, Paul Nel Street, Hillbrow? ---- Yes.

Now did you ever make any arrangement with Miss Wallace with regard to post? ---- Just once.

For whom? ---- Mr. Schermbrucker.

Did he ask you? ---- Yes.

And then what was the arrangement? How would the letters be addressed? ---- They were to be addressed to her, and inside was an envelope which had an "I" on it, and she gave them to me.

How many letters can you remember came? ---- Not very many.

And do you remember where the letters came from? ---- London.

Over what period? ---- A few months.

In what years? ---- I think it was 1963.

In regard to the use of the safe-deposit box, did you hire the box in your own name? ---- Yes.

And were you the only one to keep the keys? ---- Mrs. Goldsmith had a key for a short time.

And who was Mrs. Goldsmith? ---- She was a friend of ours. But she never used it.

Do you know the name L. Williams? ---- Yes.

Who is that? ---- It's Mrs. Schermbrucker's maiden name.

Did she have anything to do with the box? ---- No.

But was this name used or given to the bank? ---- No, only when we took the box, and then we changed it.

I see. When you took the box you gave the name as what? ---- Mine, and then said she was an alternate. But then we didn't use it, at all.

Now did you assist with New Aid's jumble sales? ---- Yes.

At whose request? ---- Well, through the Schermbruckers, because I was friendly with them.

Did you ever visit Mr. Fischer's house? ---- With the Schermbruckers, yes.

Now did you also visit the Schermbruckers' house? ---- Oh, yes. I was always there.

Did you ever see Mr. Fischer at the Schermbruckers' house? ---- Yes.

Do you remember January of last year? When you were at the Schermbruckers' place one Saturday afternoon? ---- Yes.

Did you see Mr. Fischer? ---- Yes.

Did he speak to you? ---- Yes.

What did he ask you? ---- He asked me to look for a house.

Did he mention whether he was to buy it or rent it?

---- A house for sale.

And did you agree to look out for a house? --- Yes.

What name did you use in making enquiries for the house? ---- At the beginning I used mine and then I changed it.

To what name? ---- Thompson.

Did you make a report to Mr. Fischer about your progress in this direction? ---- To Mrs. Schermbrucker, and I think then to Mr. Fischer.

And then...? ---- I said I think to Mr. Fischer afterwards, but I think I told Mrs. Schermbrucker first.

Now do you remember the Easter week-end in March - April, '65, or before the week-end? ---- Before the week-end.

Did Mrs. Schermbrucker ask you something? ---- Yes.

What was that? ---- She asked me to drive her and Mrs. Weinberg to Rosebank.

To a particular place in Rosebank? What place?

---- A car park.

That would be Tyrrwhit Avenue? ---- Yes. I think it was - yes, it was before Easter.

Did Mrs. Schermbrucker have a car? ---- Yes.

Mrs. Weinberg, did she have a car? ---- Yes.

Did you ask them why you had to drive them in your car? ---- No.

What was the time? ---- About half-past-seven.

In the evening? ---- Yes.

What was the arrangement about collecting them again? ---- I picked them up at about half-past ten.

Where were they going to? ---- I don't know.

Did you get them again at half-past ten, at the spot where you had dropped them? ---- Yes.

Now when you dropped them in the car park, did they

proceed on foot from there, or by car? ---- A car picked them up.

What kind of car? ---- I don't know.

What colour? ---- I don't know. I didn't look.

Who drove that car? ---- I don't know.

When you waited there at half-past ten, how did they come to your car? ---- They walked. I don't know if they were waiting or what, I didn't look.

And then some time in May, '65, did you drive them anywhere again? ---- I drove them to Waverley, to the shops.

The two of them? ---- Yes.

At what time of day? ---- About half-past two.

When had you to get them again? ---- Five o'clock.

And do you know the address, 57 Knox Street, in Waverley? ---- No.

Have you any idea how far the shopping centre is from there? ---- Well, I've seen Knox Street - it's across the road, but I didn't know they were going there.

Where did you get them at five o'clock? ---- Same place.

Did you wait there all the time? ---- No.

And then during June or July, did you go somewhere again? ---- To Rosebank.

Which place in Rosebank? ---- Baker square, near the Food Town - the shops there.

And whom did you take there? ---- Mrs. Schermbrucker and Mrs. Weinberg.

What was the time? ---- Also in the evening.

Did you have to get them again at a certain time? ---- I think I fetched them that night - I can't remember.

And did this happen again later on? ---- Just after that I was in hospital.

Yes, you went to hospital in August? ---- The whole

of August, yes.

Now in February '65, were you asked by Mrs. Schermbrucker to collect something for her? ---- Yes.

Where did you have to collect? ---- Mr. Benjamin's shop.

What was it? ---- A brief-case with money.

How much, roughly? ---- £5,000.

And where had you to take the £5,000 to? ---- Put it in the box.

The safe-deposit box. ---- Yes.

And to whom did you hand the money afterwards?
---- Mrs. Weinberg.

And who authorised you to hand over the money to Mrs. Weinberg? ---- Mrs. Weinberg.

She asked for it. Did you pay over the whole amount to her? ---- Yes,

Where did you hand the money to her? ---- In the cloak-room at John Orr's.

In the same month of February? ---- Two days later.

Now apart from this amount of £5,000 which you handed over to Mrs. Weinberg, was there any other money which Mrs. Schermbrucker asked you to hand over? ---- Yes.

When was that? ---- During the year, the period. I can't really remember.

What amounts? ---- £200 or £250 - amounts like that.

And where did you usually hand over the money to Mrs. Weinberg? ---- I took it to her house.

Her house is where? ---- In Orchards.

You say this happened over the whole period? Until when? ---- No, at the time of the Fischer trial. Not very many amounts. About four.

Now in all that time did you have any dealings with

non-White persons? ---- No, only...

Only Mrs. Schermbrucker and Mrs. Weinberg? --- Yes.

But now what happened in October '65? Were you introduced to anybody? ---- Yes.

To whom? ---- To Mrs. Shope.

At which house? ---- No, she came to my house.

Was she brought there or did she come alone? ---- No, I was supposed to meet her at Mrs. Weinberg's, but I had to work that day, and so she gave her my address.

And what did she come to your house for? ---- She was to bring messages from the A.N.C.

And where had you to take the messages? ---- Mrs. Schermbrucker.

How many times did she bring messages to you? ---- She only came once and she didn't bring anything.

And did you ever meet a non-White person at Mrs. Weinberg's house? ---- No.

Now was Mrs. Weinberg arrested about the 7th- 8th November, '65? ---- Yes.

Now the Sunday before she was arrested, did you see Mrs. Weinberg? ---- Yes.

And what did you discuss with Mrs. Weinberg on the Sunday? ---- It was a purely social call.

Was there any mention of your using an assumed name or a pseudonym in your dealings with the representatives of the A.N.C.? ---- Yes.

What name were you to use? ---- I didn't hear what she said. It sounded like Mary something-or-the-other. I never got the right name.

And did you ever decide on a name? ---- She told me what it was but I didn't hear it properly.

And when Mrs. Shope came to your house, did she

come on the 13th November? ---- On a Saturday.

Following the day of Mrs. Weinberg's arrest? ----
No, the Saturday after Mr. Fischer's arrest.

And was that the only visit she made to your house?
---- I was arrested the next week.

Then, Miss Tucker, were you ever requested to do
anything about envelopes? ---- Yes.

When was that? ---- In May.

Who asked you? ---- Mrs. Schermbrucker.

What had you to do? ---- To address 300 or 500
envelopes.

And to whom had you to give them? ---- Back to her.
Did you do so? ---- Yes.

Who paid for the envelopes? ---- I did.

Were you refunded the money? ---- No.

What did she want the envelopes for? ---- For
leaflets for the townships.

And who gave you the addresses? ---- She gave me
the addresses. It was just the numbers, and I took every 10th.

Now did you become aware, in the course of the
months, whether you were working for any particular organi-
sation?

BY THE COURT: I don't think the witness has been warned at
this stage that she need not answer the questions which
might incriminate her.

MR. LIEBENBERG: Oh, I see. Perhaps she might be warned.

BY THE COURT: I take it that you are not calling this witness
as an accomplice?

MR. LIEBENBERG: Yes, well, to be on the safe side, your
Worship, I would like to call her as such, so that she can
speak freely.

BY THE COURT: Miss Tucker, the position is that normally a

person is told at the beginning of his or her evidence that he or she is being called as an accomplice, and the person is told that, in your case, if you answer all questions satisfactorily, you will be granted an indemnity against prosecution. Now that wasn't done in your case. The prosecutor has now asked me to tell you that you are being called as an accomplice, and in that case if you give evidence to the satisfaction of the Court, then the law provides that the Court has the right to give you an immunity from prosecution. That is the position then, and when one talks about giving evidence to the satisfaction of the Court, I think you can take it that what is meant is truthful evidence. Not necessarily evidence in favour of the State or in favour of the defence. The test would be whether the evidence is truthful or not. Do you follow?

EXAMINATION BY THE STATE PROSECUTOR: (CONTD.) My question was whether you became aware, during the last year, whether you were working for any particular party? ---- I don't know really, I didn't think.

Well, you attended the Fischer trial, as we can call it? ---- Yes. A few times.

Yes. You heard the names being mentioned there? ---- Yes.

Did you come to any conclusions? ---- Well, they were all charged with being members of the Communist Party. The Central Committee.

Well, I'm referring to your own activities. Your own part in assisting Mrs. Schermbrucker, Mrs. Weinberg, on occasions. ---- I suppose so.

What do you suppose? ---- That I knew what it was.

What was it? ---- That I was working for the Communist Party.

Now I want you to look at AF 152 and AF 153. 152, a letter which you wrote to the S.A. Permanent Building Society on the 25th August in regard to the safe-deposit box 816. ---- Yes.

And 153 is a similar letter written by you to this Society. ---- Yes.

What was the first letter about? ---- Well, the first one was, I was giving the box up, but I was writing from hospital and I couldn't send them the keys just through the post. And Mrs. Weinberg came to visit me that afternoon in hospital, so she said, 'Oh, I'll take it and I'll take the keys for you.'

And the next letter? ---- Well, that was when I authorised her to open my box because I had some personal things in it.

Now I want to deal with the Defence and Aid section. Will you look at letter AF 165. Is that a letter which Canon Collins, of Christian Action in London, wrote to you in May '65? ---- Yes. April.

April. And did he ask you anything in that letter? ---- He asked me to form a committee to act as trustees for money they would send for dependants of political prisoners.

And did he mention Caroline Mashabo? ---- In another letter.

Not in the same letter? ---- No.

Did you reply to his letter? ---- Yes.

Indicating that you were prepared to form a committee? ---- Yes.

Will You look at AF 166. Is that a letter to you on the 26th April, '65, from the Defence and Aid? Or Christian Action? Which is it? ---- Well, it is marked from Defence and Aid. The heading is Defence and Aid, and the address is

Christian Action, 2 Harman Court.

And it is signed by? ---- Canon Collins.

Now what is 166 about? ---- For agreeing to the suggestion, and telling me that money was earmarked for Johannesburg - £1,000, and inform Defence and Aid in Johannesburg asking them to allocate some of this money. And they said they had written to Mrs. Mashabo, and the balance from the £1,000 was to be handed to me.

And AF 167, is that a cheque of the Defence and Aid fund in your favour for R1,500, dated 3rd June '65?

---- Yes,

Was that apparently in execution of this arrangement? ---- Yes.

What did you do with this money? ---- I opened a banking account in my name in the Standard Bank, Jorrisen St.

Braamfontein? ---- Yes.

And did you deposit the money there? ---- Yes.

And what did you do with the money? Did you withdraw it from time to time? ---- The first amount, yes, and a few days after that.

And what did you do with the money then? ---- I gave it to Mrs. Mashabo.

And what did she have to do with it? ---- She handed it to the families in Soweto.

Now can you explain to us why was it necessary to form a separate committee to handle monies for dependants when Defence and Aid was already doing that sort of work? ---- This was at a time when Defence and Aid was being criticised for doing other work than defence work, and they didn't want to handle it. That they weren't going to handle it.

The criticism was that the Defence and Aid was supporting anything other than merely supporting dependants?

---- More than providing defence for political prisoners. So the Defence and Aid wouldn't have anything to do with what? ---- With the families.

You mean they refused to anything with regard to families? ---- Well they hadn't up until then, but because of the criticism that was being levelled at them, it was what they decided. That is what I was told.

So your committee then had to attend to what? ---- To the amount that the families got each month.

Now did you have any control over the monies? Did you have any check? ---- I got a list from Mrs. Mashabo, but it was all in a rush at the beginning, and we hadn't been able to institute receipts. The other person who was helping me was ill, and I was going to hospital, and it was just one thing after another.

So is the position this, that you didn't know how those monies were being applied or used? ---- No. Receipts were instituted afterwards, but at the time, the first lot, there were no receipts.

What amount did you pay over to Caroline Mashabo in this fashion? ---- R900 - R953, and the following month half that - R401.

Oh yes, I think we have cheques: Exhibit AF 143. ---- Yes, R953. R401.

Yes, there are a few cheques there, R81, R15. ---- Yes, the other ones that came, anything from September onwards, I knew that one was for fares to Robben Island. But what these others were I didn't know. I signed blank cheques before I went away, for Father Davies.

Yes. Perhaps we should start here at AF 129. Is that a Defence and Aid letter from London dated 17th June '65 to a Mrs. Mavis Solomon? ---- Yes.

Is that in connection with the allocation of the R2,000 to Johannesburg? ---- Yes, it says £1,000 was earmarked for Johannesburg.

And was AF 130 the Defence and Aid letter to Mrs. Mavis Solomon, of the 12th August? ---- Yes.

Have you any personal knowledge of that letter? ---- No, I've only seen it.

Yes, but I mean did you have any dealings with Mrs. Laura Hitchins? ---- Well, she gave me the cheque, eventually, the R1,500.

Did she show you any letters? ---- No.

How did it come about that she had to pay the money to you? ---- She told me about it.

And Af 131, the letter by Miss Monro to Mrs. Mavis Solomon, of the 18th August. Incidentally, do you know Miss Monro? ---- Yes.

Is she a friend of yours? ---- Well, yes, I suppose so.

Was she on this committee? ---- Yes.

Did the committee consist of yourself, Miss Monro - and who else? ---- Father Davies, Mrs. Mashabo, Mrs. Shope and Mr. Ngwengca or something like that.

And then, AF 138 is the deposit slip, dated 14th September '65, for R1,540 in favour of yourself and J. Davies. ---- That was a bank transfer from Cape Town.

Now did you make any enquiries to find out why you were getting only R1,540 instead of R2,000, or were you supplied with any explanations? ---- Miss Monro had written to Mrs. Solomon while I was away - or while I was in hospital, I can't remember which - and Mrs. Solomon wrote back and said that they were sending that on instructions from London.

Did you then receive the Race Relations cheque for

R1,540? ---- No, it was put into the bank. It was a straight transfer to the bank. And we didn't know it was in the bank until they wrote again and said, 'No, but you've got the money, we transferred it.'

Did you see AF 144, a deposit slip of the 8th June, for R1,500? ---- That was a cheque that I deposited. The Defence and Aid one, the original one that Mrs. Hitchins gave me.

And AF 145, is that a letter that you wrote to the Standard Bank on the 9th June '65? ---- Yes.

About what? ---- Saying that I and Father Davies were the two signatories and our specimen signatures were attached.

While I'm on this question, did Mrs. Schermbrucker tell you where that £5,000 came from, that you were asked to collect at Benjamin's place? ---- No.

Now did you know whether the monies that you paid over to Mrs. Mashabo were used only for dependants and families? ---- I thought they were.

Of those monies that you got in that way, did you pay any over to Mrs. Schermbrucker? ---- Yes.

How much? ---- R150, I think.

Can you remember when? ---- At the same time. Just once.

At whose request did you hand Mrs. Schermbrucker that money? ---- She asked me for it.

How did she know that you had money in that account? Did you tell her? ---- Because I had shown her all these letters. I discussed it with her.

You see, you may be able to explain to us, how did the Quaker Service figure in this arrangement of providing help for families and so on? ---- The Quaker Service had

undertaken to do it, and they provided - I think it was only R8 a month, and they used only money from Quaker sources, and they didn't want to take that money. But they didn't like us doing it either.

You mean to care for families? ---- So later on we came to an agreement with them.

What was the agreement? ---- That we would only pay fares to Robben Island, pocket money for political prisoners - any odd awaiting trial political prisoners with no means of getting fixed with food and things like that, and then school requirements at the beginning of the year for children. And they had to produce their authority to go to Robben Island, that the visit had been authorised, before we would grant the money.

Is that the effect of the letter which Miss Monro wrote to Mrs. Solomon, AF 139? ---- Yes.

Now Miss Monro wrote on behalf of your committee? ---- Yes.

How did the Defence and Aid figure in this plan? ---- They didn't at that stage. It was nothing to do with them any more.

Did the Defence and Aid drop out of it all together? ---- After they had handed the money over to us.

In June '65? ---- Yes.

Did Defence and Aid up to then handle monies and give assistance? ---- I don't know because I had nothing to do with Defence and Aid.

I see. In June then Defence and Aid sort of refused to do it any more, and then your new committee came into existence, and you coöperated or came to an understanding with Quaker Service? ---- Yes.

So was your committee the only body then, from June

onwards, that was to look after the interests of political prisoners' families... ---- Only these things. There was still the Quaker Service, but we did these extra things that the Quaker Service couldn't do.

Yes. And have you any knowledge of other monies that Mrs. Schermbrucker got? ---- Yes.

From where? ---- I don't know.

Yes, but do you know that she got monies? ---- Well, the money that she gave to me to give to Mrs. Weinberg. That's all.

But in the course of the months? ---- Well, the odd money that she gave me to give to Mrs. Weinberg, that she had.

Do you know whether Mrs. Schermbrucker had any dealings with Mrs. First? ---- I don't know.

Do you know the Firsts? ---- Vaguely.

Ronald and Clarice First. ---- Oh, no. I know of them, but I don't know them.

Now, sorry to bring Miss Wallace into it again, but towards October '65, did Mrs. Schermbrucker ask you a favour again? ---- Yes.

What was that? ---- I knew somewhere where Mrs. Weinberg could go.

And did she say why Mrs. Weinberg wanted a place to go to? ---- Because things were getting difficult.

And did you assist or offer to assist? ---- Yes.

How? ---- With my friend Miss Wallace.

And what arrangement did you make with Miss Wallace? ---- Mrs. Weinberg could use her flat and she was going to stay with her mother if necessary.

Yes. You say this happened when? ---- September, October.

Who spoke to you in regard to Mrs. Weinberg? ----

Mrs. Schermbrucker.

Where? At which house? ---- Her house.

Did Mrs. Weinberg ever speak to you about this matter? ---- No.

And did anything ever materialise from this arrangement? ---- No.

Why not? ---- I don't know. She decided to stay at home.

Now did you ever become aware of the fact that any of these monies were used for political work and not for providing for families? ---- Well, I was told afterwards.

Who told you? ---- The Special Branch.

No, I am speaking of the time when you were in this arrangement. ---- No.

STATE PROSECUTOR: NO FURTHER QUESTIONS.

COURT ADJOURNS FOR TEA

ON RESUMPTION OF COURT:

DOREEN TUCKER, s.u.o.

CROSS-EXAMINATION BY MR. BIZOS: Miss Tucker, I only have a few questions to ask of you, and only in relation to your evidence in regard to the Defence and Aid letters, and the committee that you were on with Miss Monro and Father Davies. Now a letter was received by you dated 10th April, 1965, Exhibit 165, and I would like to read this letter out. It is from the Defence and Aid Fund, dated 10th April, 1965:

"Dear Miss Tucker, It has been suggested that we approach you to form a small committee to act as trustees for and to assist with the distribution of funds for the support of defendants of those suffering because of their activities against apartheid legislation.

The Defence and Aid Fund in Johannesburg has informed us that they do not handle welfare, and that this handled by the Quaker Service which investigates the position of families and assists them in many ways.

We understand, however, that the financial aid is low and we wondered if you could cooperate with them and thus provide additional aid. In Cape Town there is a

D. TUCKER

co-ordinating committee to whom we have been sending money, and we could send money through them earmarked for use in Johannesburg. We understand that there is a committee in Soweto who could handle the details of allocations and distribution.

Please let us know immediately if you are willing and able to undertake this task. With very best wishes,
Yours Sincerely, L. John Collins."

Is this the letter that you received? ---- Yes.

And did you agree to serve on this committee?

---- Yes.

Now did you understand that this had anything to do with subversion, Miss Tucker? ---- No.

Did you consider that the giving of assistance to families who had to go to Robben Island to see members of their families, subversive activities? ---- No.

Or the buying of school uniforms subversive activities? ---- No.

Did you agree to do this then? ---- Yes.

Then thereafter another letter was sent to you, dear Miss Tucker, dated 26th April, 1965, from the same source, and I would like to read that letter:

"Thank you for agreeing to our suggestion which we put forward in our letter of the 10th April, 1965.

Yesterday the money for welfare was transferred to Cape Town and of this, £1,000 was earmarked for Johannesburg. We have informed the Defence and Aid Fund in Johannesburg asking them to allocate some part of this money towards paying 5/- per month towards prisoners' accounts, and towards transport costs for the wives of men on Robben Island who may be allowed to visit their husbands. The balance will no doubt be handed over to you.

We are writing today to Mrs. Caroline Mashabo, 4146 Chiawelo, P.O. Moroko, Johannesburg, who is on the Soweto committee, asking her to contact you so that you can arrange to send money to her as and when required. If she is unable to call, she will arrange for another member of the committee to do so. With many thanks, and with very best wishes, Yours sincerely, L. John Collins."

Now did you know, when you undertook this work, that Defence and Aid in London and Christian Action in London had shown interest in the plight of political prisoners in

South Africa? ---- Yes.

And do you know for how long persons charged with political offences in South Africa had been receiving aid, a) in regard to their defence and b) in regard to their families - for how long this has been going on? ---- Well, I know for Defence from the time of the treason trial Defence Fund.

Yes, and do you remember what year the Treason Trial Defence Fund was started? ---- '55, I think.

Now the reference to Quaker Service: you have already told us that they did not accept money from sources other than their own. Was this an opposition committee that was formed by you, or a supplementary one? ---- Not opposition. To help. I suppose supplementary. Certainly not opposition.

Now when you received this money you wrote out a cheque for R953, dated 10th June, 1965? ---- Yes.

And the denominations in which the money was to be paid over to you by the bank are written at the back? --- Yes.

Now did you take this money in small denominations? ---- I took it as it was like that.

As it is there: R10, R2 and R1 notes? ---- Yes.

And it comes to a total of R953? ---- Yes.

Yes. It is not a round sum. Can you explain why it is not a round sum, Miss Tucker? ---- Yes, because the list that Mrs. Mashabo gave me, of the families who would receive money, received odd amounts, and it totalled R953.

You have already told us that the first time that you have heard any suggestion that this money was used for subversive purposes, was from the police after your detention? ---- Yes.

Whilst you were on this committee with Father Davies and Miss Monro, were you doing your work quite openly and did

you think that it was completely legal? ---- Yes.

Since your arrest have you found out whether the police - what the attitude of the police to this sort of welfare work was, by persons such as yourself and Father Davies and Miss Monro? ---- Well, they said that it was political, that it was used for political purposes, the money.

Now I want to deal with the R150 that you gave to Mrs. Schermbrucker. Do you know, in the manner that Mrs. Mashabo was to assist non-White families, whether Mrs. Schermbrucker had undertaken to assist any families herself? ---- Yes.

And why did you give her this R150? ---- To give to them.

Now Miss Tucker, you held a high position on this committee that distributed this money. I want you to please tell me whether it would have been correct to say that this committee channelled money received from Defence and Aid, Christian Action and the Institute of Race Relations for subversive purposes. Was there any truth whatsoever in that suggestion? ---- No. Not to my knowledge.

MR. BIZOS: NO FURTHER QUESTIONS

STATE PROSECUTOR: NO RE-EXAMINATION.

-: oOo :-

MITHRASAGRAM NAIDOO, s.s.

EXAMINATION BY STATE PROSECUTOR: You live at 18a Rockey Str., Doornfontein? ---- I do.

And you are employed by the Juvenile Clothing Co., Ellis House, 23 Voorhout Street, New Doornfontein? ---- Yes, I am.

And you are at present being detained under the 180-day clause? ---- Yes.

Now, were you a member of the Transvaal Indian

Congress? ---- Yes, I was.

And in the middle of 1962 did you become interested in Communism? ---- Yes.

Did you attend study classes? ---- Yes, I did.

Did you receive lectures?

BY THE COURT: Is this witness an accomplice?

MR. LIEBENBERG: Yes, he is an accomplice. I should have told you.

BY THE COURT: Mr. Naidoo, I must explain to you at this stage that the State is calling you as an accomplice. The effect of that is that if you give your evidence satisfactorily then I have the power to order that you be not prosecuted. That order is placed on record and nobody can prosecute you. The chief requirement will be that your evidence is truthful. That is all we want from you. Truthful and complete.

EXAMINATION BY STATE PROSECUTOR: (CONTD.) Did you know Paul Joseph? ---- Yes, I did.

And his wife Adelaide Joseph? ---- Yes.

And did they also attend classes? Did they have any part in these classes? ---- Not Paul, with me. I don't know. But his wife attended the classes, for about 2 months.

And who gave the lectures to you? ---- Wolfie Kodesh.

Do you know Issy Dinat? ---- Yes, I do.

Did he also attend the classes? ---- Yes. But this was another class, after that one.

Yes. But the classes started in 1962? ---- Yes.

Until when? ---- For about two months, and the women were not interested in the class at all.

Do you remember what Communist books were used for these lectures? ---- At the first class we studied the Freedom Charter.

Yes, and subsequent to that? ---- Then I was taken to another class by Wolfie Kodesh and we discussed a book called "Two Tactics."

"Two Tactics of Lenin"? ---- No, I don't remember.

Did you join the Communist Party? ---- For about 2 months, until the class dissolved.

You joined the Party? ---- Yes. I didn't sign any forms. Just before Wolfie was arrested he took 20 cents from me. He said he would give me some literature.

Who was arrested? ---- Wolfie Kodesh. But he never got around to giving me the literature since he was arrested, and after that I became very scared and I refused to have anything to do with politics after that.

Now during April or May of last year, did Issy Dinat approach you? ---- Yes, he asked me to come with him to Jeppe.

And where did you go with him? ---- We went to a room in Jeppe.

In Betty Street? ---- Yes.

If I show you the photograph AF 176, can you identify the place? ---- Yes.

176. Is that the photograph of Betty Street, where you went? ---- Yes.

And what did you do there? ---- I wrote out a list of books that Issy called out to me.

Will you look at AF 11. Is that the list that you wrote out? ---- Yes, it is.

In your handwriting? ---- Yes.

Why did you make this list? ---- I don't know. Issy didn't tell me.

How long did it take you? ---- About 25 minutes. I don't remember.

Did you make a full list of the books? ---- No, it

was just a few and then after a while I refused to write any more, and he left. No, it wasn't the full list.

Why not? ---- Well, I refused to write any more. I was very scared and I very reluctantly did it.

Oh, I see. And what did you do with the list? ---- Issy put it in his pocket and we left.

You gave it to Issy? ---- Yes.

What part did Issy take in drawing up this list? ---- He called the books out to me and I wrote it.

Were there only books in this room? ---- There were a lot of books, there were typewriters, there was a cabinet for a duplicating machine and there was also a box with names and addresses on cards.

Yes, I've got the exhibits here now, but have you seen the articles in the possession of the police? ---- No, I haven't.

Did you clean out the place a bit? ---- Yes. On the first occasion we swept out the place.

Whose place was it? ---- I don't know.

Did you ask Issy whose property was stored in the shop? ---- No, I didn't ask.

Did you see whose property it was? ---- No, I didn't.

What sort of books were those that you made the list of? ---- They were books on Communism.

Does that indicate anything to you? ---- Well, I gathered that these books had been hidden there.

Who was paying the rent for the room? ---- I don't know.

You say on the first occasion you went to sweep out the place? ---- Yes.

Stacked the books and articles a bit? ---- No, we didn't. We just stacked the cases and the boxes, cartons, neatly, and we swept out and we left.

And on the second occasion? ---- On the second occasion we wrote out the list.

Can you remember the month in which you did it? ---- It must have been sometime in April, I think. April - May.

And did you go to this place again after that? ---- Yes, on one occasion I have been there after that.

With whom? ---- With Issy Dinat.

To do what? ---- I sat in the car, I didn't go in. Issy went in and came out with something.

What did he go in for? ---- He went in and he brought out a parcel wrapped in newspaper. I don't know what it was. It appeared to be a book, I am not sure.

Who had the key to this place? ---- Issy.

Do you know Mrs. Violet Weinberg? ---- Yes I do.

Where did you get to know her? ---- She was an old friend of the family actually. It was a long time ago.

Did you ever meet her in the company of Paul Joseph? ---- No, never.

Did you ever have to meet Paul Joseph somewhere in town? ---- No.

Did you have any dealings with Paul Joseph? ---- Only one.

When was that? ---- It must have been sometime in April. He asked me to do him a favour.

Yes? ---- He said I must wait outside the O.K. and a woman would give me a parcel and I must bring it to him. He said he would do it himself but he had to go somewhere at half-past four that day.

What day of the week did you have to wait outside the O.K.? ---- I don't remember the exact day of the week.

At what spot outside the O.K.? ---- On the corner of President and Von Brandis.

And did you wait there on that day? ---- Yes, I went there with my sister.

Yes, and whom did you meet? ---- Mrs. Weinberg came up to me and handed me some docketts.

What were they? ---- To collect parcels from O.K. Bazaars, in the store across the road. It was John Orr's.

Did you collect the parcels? ---- Yes, I collected the parcels.

How many parcels? ---- There were four parcels: two carriers and two parcels. They were in O.K. Bazaars and John Orr's carriers and wrappers.

What did they contain? --- I don't know. I could see chocolates, sweets and biscuits on top of the pile in the carriers.

What did you do with the parcels? ---- I told my sister she could go home and I would manage. I took it to Paul's house.

Paul Joseph's house. And did Mrs. Weinberg hand you anything else? Apart from the docketts? ---- A book magazine.

Called what? ---- It was an Argosy - I am not sure.

Why did she give you this magazine? ---- Well, she handed me the magazine and she opened it and took out the docketts.

Was that arranged beforehand or what? ---- I don't know.

Yes, but why did she give you a magazine with the docketts inside? ---- I have no idea.

Who took out the docketts from the magazine? ---- She opened the book and took out the docketts and handed it to me.

And where did you hand the parcels over to Paul

Joseph? ---- Paul asked me to help him with it to Ferrairastown.

To what address? ---- We took it to the exact address. It was in Wolhuter Street.

And where did Paul Joseph live at that time? ---- In Fordsburg.

At what address? ---- Avenue Road, 74 I think it is, I am not quite sure.

And did you go to his house? ---- Yes.

Did you find him? ---- Yes.

Where did you hand the parcels to him? ---- Well, I went with the parcels to his house and then he asked me to do him a favour. He asked me if I was going back to Doornfontein and I said 'yes.' So he asked me to help him to Ferrairastown with these parcels and I agreed.

Where did you take the parcels to then? ---- A house in Ferrairastown, in Wolhuter Street.

What number? ---- I don't know the number.

If I show you some photographs, do you think you can identify the place? AF 175 a to b. ---- Yes, that's the place.

17a Wolhuter Street? ---- I don't know the number.

Now do you identify 175 A? ---- Yes.

And to whom did you hand the parcels at Wolhuter Street? ---- There wasn't anybody there, we left the parcels in a house. Paul opened the place.

In the house? In the care of anybody? ---- No, there wasn't anybody there.

You just placed the parcels inside the house? ---Yes.

Was the house locked? ---- Yes, the house was locked, Paul unlocked it.

Where is Paul Joseph now? ---- I think in London.

Did he belong to the Communist Party? ---- I don't know.

And his wife? ---- I don't know.

And do you know anything about pamphlets, leaflets?
---- On one occasion Paul brought me a leaflet and said it was from the Indian Congress. A leaflet on the late Babla Solojee.

When? In relation to this occasion when you carried the parcels for him, before or after that? ---- No, it was long before.

What did you have to do with the pamphlets? ----
He asked me to distribute them in Doornfontein.

Did you do so? ---- Yes, I did.

Where did he get those pamphlets from? ---- I don't know. He said they were from the Indian Congress, that came out with it. He said it was an Indian Congress leaflet, it was paying tribute to the late Babla Solojee.

Now do you remember the 26th June, last year?----Yes.

Has that day any meaning for you? ---- Paul said that the Indian Congress was coming out with a leaflet for the 26th June, and he asked me if I would help him with the posting.

Did you do so? ---- No. I didn't want to help him. I was afraid.

Did you see a pamphlet? ---- No.

Did you handle any envelopes? ---- No.

STATE PROSECUTOR: NO FURTHER QUESTIONS

MR. BIZOS RESERVES CROSS-EXAMINATION

-: oOo :-

MOHAMMED ISMAEL DINAT, s.s. Interpreted.

MR. LIEBENBERG: He is also an accomplice, your Worship, to the knowledge of the State.

BY THE COURT: Tell the witness that he is being called by the State as an accomplice and the position is that if he gives evidence to the satisfaction of this Court, then I have the

power to order that he be not prosecuted. That order is made in public, it is placed on record, and nobody is entitled to prosecute him for the offence unless the witness refuses at the later trial to give evidence. The position is, then, that if the witness gives satisfactory evidence he can be exempted from prosecution, and by satisfactory evidence we don't mean necessarily that the evidence must be in favour of the State or in favour of the defence, we mean the evidence must be truthful.

INTERPRETER: He understands, your Worship.

EXAMINATION BY THE STATE PROSECUTOR: You are at present detained under the 180-day clause? ---- That is correct, your Worship.

Now did you take an active part in the work of the Transvaal Indian Congress? ---- I took an active part.

And did you work with Musemula, Paul Joseph and others? ---- Yes, Your Worship.

And did you also take a part in the activities of the Communist Party? ---- Unknowingly, yes, your Worship.

With Paul Joseph? ---- Yes, your Worship.

And which other people? ---- Musemula, Dasoo and Joseph. That's all.

Did you attend any study classes? ---- Not study classes, but discussions.

And did any people give lectures to you? ---- No, your Worship.

Was Paul Joseph detained in 1964 under the 90-day clause? ---- That's correct, your Worship.

And was he detained at Mondeor police station? ---- At that time at Mondeor, your Worship.

Did you drive his wife to that place to see him? ---- That's right, your Worship.

And did his wife on one occasion give you a note, or show you a note? ---- She showed me a note, your Worship.

Written by whom? ---- She told him it was written by Paul Joseph.

Did you know Paul Joseph's handwriting? ---- He has seen it a couple of times but he never took notice.

What did this note say? ---- Clear Lord Buxton.

And was a certain explanation given to you? I don't want to know the details, but was some explanation given to you about this note? ---- At one place is a lot of stuff kept. It has got to be removed.

Did you assist in removing the goods? ---- I helped them, your Worship.

Whom did you help? ---- Dasoo Joseph.

Is that the brother of Paul Joseph? ---- That is correct, your Worship.

And the wife? ---- Nothing to do with the matter.

Did you go to a place in Buxton Street? ---- Yes.

What did you find there? ---- Books, leaflets, duplicating machine. A lot of odd stuff.

Where did you take these goods? ---- A place I hired in Doornfontein, your Worship.

At what address? ---- In Beit Street, Doornfontein. He does not remember the number.

And how did you get the goods to Beit Street? ---- I hired transport, your Worship.

And what rental did you have to pay at Beit Street? ---- R62 a month.

And who paid the money? ---- Mrs. Joseph. Paul's wife.

And who paid for the removal of the goods? ---- She gave me the money.

Can you remember when you removed the goods to Beit Street? ---- I don't know the exact date but it was approximately in August.

August of which year? ---- 1964.

Did the goods remain at Beit Street for a long time? Short time? ---- Approximately 5 months. I don't know correctly.

Who paid the rent during the 5 months? ---- I received the money from Mrs. Joseph.

And what happened to the goods after that period? ---- I found a premises with cheaper rent and I removed the goods to the other premises.

Where was that? ---- In Wolhuter St., Ferrairastown.
The number? ---- 17a.

What rent did you pay at 17a Wolhuter Street? ---- £15. R30.

Who arranged for the hire of this place? ---- The tenant that was living there, Joseph introduced me to her and she told me that she is leaving the place and she'll give me the premises. He. He will give me the premises.

Did you have to pay some "key money"? ---- That is correct, I paid £75.

Who paid that? ---- Mrs. Joseph gave me the money.

Where did she get all this money from? ---- I don't know, your Worship.

Did you then remove the goods to Wolhuter Street? ---- That's correct, your Worship.

And did you again hire transport? ---- That is correct, your Worship.

Who paid? ---- Mrs. Joseph paid for it. Paul Joseph paid the money then.

How long did the goods remain at 17a Wolhuter St.?

---- Some of the goods were left behind and some of the goods I took away somewhere else, over a period of a month- two months.

To what place? ---- Over a period of five - six months, your Worship.

To which place? ---- Betty Street, Jeppe.

And did you hire the place at Betty Street? ---- Yes, your Worship.

For how much? ---- £6 a month.

And who gave you the money to pay? ---- Mrs. Joseph gave me the first month's rent.

To whom did you pay it? ---- I was a sub-tenant and the tenant I had to pay was the man next door.

Jayentilel Morar? ---- I don't remember the name.

But did he bring you the receipts? ---- For one month only, your Worship.

Will you look at AF 158 and see if you can identify any of those receipts. ---- I can not identify any of the receipts, your Worship.

Did you say how much you were paying at Betty St.? ---- £6, your Worship.

And you say you removed the goods over a period? ---- That's correct, your Worship.

Did you leave some of the goods behind at 17 Wolhuter Street? ---- Yes, some goods were left behind.

Were you present when the police found the goods at Betty Street and Wolhuter Street? ---- That's correct.

Were those the goods that you had been removing from Doornfontein? ---- There were some other goods there also, your Worship.

At which place? ---- Betty Street.

Whose goods were at Betty Street? ---- To the best

of my knowledge it belonged to the Indian Congress.

Yes, but now the goods that you were removing in this fashion, to whom did they belong? ---- I don't know whose goods were they, your Worship.

Were they the Indian Congress' goods? ---- Paul Joseph told me it belonged to the movement.

Did you and the last witness, Naidoo, once draw up a list of books at Betty Street? ---- That's correct.

Who asked you to do that? ---- I told him.

Who told you? ---- Paul Joseph.

Is AF ll the list of the books? Which were at Betty Street? ---- This is the correct list, your Worship.

Is that the full list of the books that were at Betty Street, or did you just make a list of books at random? ---- Only part of it, your Worship.

Why did you only make an incomplete list? ---- My brother-in-law told me he wants to go home, he doesn't want to work with me here. We worked approximately 25 minutes to half-an-hour and then we left.

What did you do with the list? ---- I gave the list to Paul Joseph, your Worship.

Can you remember in what month this was done? ---- I don't know the exact date, but it is approximately March - April, your Worship.

And who gave you the money to pay for the rent? I think you have said that already. But did you ever receive large amounts of money from Paul Joseph? ---- I don't know the exact date. It could be June or July. He gave me once £50 and another time £100. That's all.

For what purpose? ---- For rent.

And for any other purpose? ---- He told me to give part of the money to people that are struggling. Political

people, the families.

Which families? ---- He never mentioned which families.

But to which families did you give the money? ---- Mrs. Vandeyar and a Mrs. Chiba.

Do you know those persons? ---- That's correct, I know them, your Worship.

Who were they? ---- Mrs. Vandeyar's husband is serving a sentence at Robben Island and Mr. Chiba as well.

How much money did you give to these families? ---- Approximately £30. The first time £10, £10 then £5, £5. As far as I recall.

Do you know Mrs. Violet Weinberg? ---- I knew her.

Do you know whether she and Paul Joseph had anything to do with each other? ---- No, I don't know, your Worship.

Did Paul Joseph ever give you anything? To hand to her? ---- He sometimes gave me an envelope to hand it over to her.

Where did you hand over the envelope? ---- Sometimes she used to come to our home and I used to give it there.

Your home was where? ---- 89 Rockey Street 18a Rockey Street, Doornfontein.

Can you remember how many times this happened? ---- I don't remember how many times, your Worship.

When did it first start? ---- I don't remember exactly, but as far as to my knowledge I recall it in February month it started.

Which year? ---- 1965. January - February.

Did you ever take anything from Mrs. Weinberg to Paul Joseph? ---- Envelope, your Worship.

Containing what? ---- I don't know what was in it.

Were you a sort of messenger between the two of them?

----- I didn't know I was a messenger, but I used to convey the letters at times. I used to see them both frequently.

Over what period? ----- For about 6 - 7 months.

Do you know anything about a leaflet or stencil?

----- What kind of stencil, your Worship?

I don't know. Do you know the 26th June? ----- That I know, your Worship.

Was that a special day for the liberation movement?

----- That's correct, your Worship.

What is usually done on that day? ----- Nothing special that day, but it is regarded as Africa Day, your Worship.

Yes. Now leaflets issued in regard to that day?

----- The year before we did. Some years ago before that we did, your Worship.

And last year? ----- No.

What was the reason? ----- I wanted to do it but the premises I had to go into, I couldn't do it there.

At which address? Betty Street? Or Wolhuter Street? ----- The machine was not there, your Worship. The machine was at Makosa House, Commissioner Street.

Why couldn't you do it at Makosa House? ----- I wanted to do it, but suddenly, before the 26th, I came up on the 3rd floor, there are two tenants staying there, and there was a different lock on to the doors. So I could not get entry, so I left it alone.

Did you have the stencil with you? ----- I had it with me, your Worship.

Who gave you the stencil? ----- Paul Joseph.

Then what did you do with the stencil? ----- Subsequently I destroyed it. Burnt it up, your Worship.

Now do you know anything about a post box? Did you have a post box anywhere? ----- I never had one of my own, but a friend of mine.

Who was he? ---- It belonged to a Mrs. Naidoo before and she gave it over to me.

Do you remember the number? ---- I don't remember the number. I think it was something - 1622.

At which post office? ---- In Doornfontein.

Did you ever write to the Josephs? ---- I wrote to Mrs. Joseph regularly.

Where was she? ---- No, not regularly, I am sorry your Worship. Not regularly. I wrote to her a couple of times, your Worship.

Where was she then? ---- In London.

What address did you use? ---- Post box.

And did you receive replies from her? ---- Yes.

Anything else? ---- Sometimes booklets, your Worship.

Many? ---- Very little, your Worship.

What had you to do with the booklets? ---- I think it was approximately three booklets I received.

Yes, but what had you to do with the booklets? ---- Just for personal interest for reading, myself, that's all, your Worship.

Did you distribute any? ---- No, the books I had at my home.

From what bodies did these booklets emanate? ---- Anti-Apartheid and Christian Action.

Did you ever receive any letters that you had to hand over to any other person here? ---- One letter.

To whom had you to hand it? ---- Mrs. Weinberg.

From where did it come? ---- I don't know where it came from but I have seen a stamp on the envelope: London.

To whom was the letter addressed? ---- It was addressed to me, your Worship.

Yes, but how did you know that you had to hand it

to Mrs. Weinberg? ---- In the one envelope there was another smaller envelope, and in the small envelope was a note 'please hand this letter to Mrs. Weinberg.'

Was that written on the envelope? ---- It was just a note, your Worship, a slip of paper.

I see, but was the envelope closed? ---- Yes, your Worship, it was closed.

Did you hand the closed envelope to Mrs. Weinberg? ---- That's right your Worship, the closed envelope.

When did that happen? ---- I don't remember exactly but I think it was in October month, your Worship.

When did Paul Joseph leave South Africa? ---- I don't recall exactly but I think somewhere in June or July.

Last year? ---- That's right, your Worship, last year.

And his wife Adelaide? ---- Last year, January.

Did you ever receive letters from Paul Joseph? ---- No, your Worship.

Do you know where he is? ---- Now I know today where is he, your Worship.

Where? ---- In London.

With his wife? ---- That's correct, your Worship.

STATE PROSECUTOR: NO FURTHER QUESTIONS

MR. BIZOS RESERVES CROSS-EXAMINATION.

-: oOo :-

COURT ADJOURNS

BARTHOLOMEW MORU HLAPANE continued at page 209.

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