

in the streets shouting that they were not to be ridden.

What are the words that they used ?-- They said Azikwelwa

After that -- when was that procession in relation to the day of the meeting which you did not attend ?-- It may have been two weeks after that.

Did you observe anything else in the streets ?-- I only saw people being assaulted.

What people were being assaulted ?-- I saw someone being chased; I did not know this person and he was assaulted.

Do you see where this person came from who had been assaulted ?-- This person came out of the bus.

Did you observe anything else in the streets ?-- There was a lorry that was collecting the people who were assaulting these other people in the streets.

Did you recognise anybody in that lorry ?-- This lorry was driven by one Bob.

Is that the same Bob you referred to previously ?-- Yes.

Now, you have said in your evidence that there was one meeting that you attended ?-- That is correct.

Where was that meeting held ?-- At a square near Jada.

In Evaton ?-- Evaton.

How did it come about that you went to that meeting ?-- One Kekane came to me and told me that his committee is inviting me to speak to the meeting.

And did you go ?-- I did.

Do you know any of the people who were at that meeting ?-- Yes, I do.

Who did you recognise ?-- I knew one Molife.

Is that the Molife you have referred to before ?-- Yes.

Who else did you see ?-- And Kekane.

Who was the chairman at that meeting ?-- The secretary of that meeting was Molife.

Yes, who was the chairman ?-- I think it was Molife.  
Now, did you then address the meeting ?-- Yes, I did.  
What did you say ?-- I was told to express my views.  
On what ?-- In connection with the bus strike.

And what did you say ?-- I said even if I do not know what the beginning of this strike was, I said that the procedure of this strike to me is bad. For these reasons, you are stopping the movements of the buses and you are with your wives and children and these children can be over-ridden by these buses. I suggested a delegation of four elderly men to meet the bus owners, that we would speak with the bus owners that this strike should come to an end, and that they should use a different route. The chairman and all the people who were in the houses, applauded, they clapped their hands. I heard some of the small children say: 'He does not know what he is speaking about.' 'And we don't want anybody to address this gathering if he is not a standholder.' And the elderly people said I should not take any notice of what these children are saying, I should leave the platform. I then told the meeting that I was going to exclude myself because of these interruptions made by the children. I then went back to my place of residence at Small Farms.

Did anything happen as a result of your suggestion that four men should meet the directors of the bus company ?-- Nothing happened.

Do you know of any meeting that was held between the bus company and the committee ?-- Yes.

Where was that meeting ?-- That meeting was convened in my house.

What committee are you talking about ?-- This was a second committee, not the first committee.

Committee of what ?-- A committee of these men who said

I should bring them together.

Who were these people who attended this meeting in your house ?-- Bob was one of them.

The Bob you referred to just now ?-- Yes. The second one is Make.

Do you know him ?-- I know him.

Can you identify him if you see him ?-- Yes.

The next one ?-- Kekane was one of them.

Anyone else ?-- And Zita.

Anybody else ?-- John Nhlapo.

Anybody else ?-- I did not know the others; I saw them for the first time. (Make Accused 25, 'Bob' Accused No. 2.)

Were there representatives of the bus company at that meeting ?-- There were 3 Italians.

Can you tell the Court why this meeting was convened in your house ?-- They said that I had looked in this whole business, and I should try and put them together so that they do not fight.

What happened at that meeting ?-- A discussion took place about what was happening.

Tell us about the discussion ?-- These men of the boycott then said that they are against the fares that have been raised by the bus company. The bus owners said that they wanted to increase the fares by a 6d.

To what figure ?-- The fare was originally 2/-, and the bus company said that over the week-ends, it should be 2/6d. I asked the bus owners if they had increased the fare, and they said no, they still wanted to discuss the matter with the delegates. I asked the delegates if the 6d. is not included, would he be satisfied to carry on with the buses. They said they did not know, they are a committee, they will have to consult the others who are not present. I then suggested to these Italians, that they exclude the 6d. increase and they

said they do understand it will cause some trouble. I asked the members of this delegation if they understood, and they said 'Yes.' Zita then said instead we should pay 1/6d. I then said why 1/6d., we have been satisfied with the 2/- all the time. Zita then said the old bus used to charge 1/6d., we want to go back to that old rate. I then said then I am afraid of this whole talk because we cannot reach agreement, and because you cannot reach agreement you should not consult me any longer. I also said to them that this trouble of theirs is great because they cannot reach an agreement. They all left my house and dispersed.

Now, did you at that time, or shortly after that, observe what happened on the bus route?-- Yes, I did.

What did you see?-- I saw the people that were alighting from these buses being assaulted by the people.

By what people?-- The people that belonged to this same committee.

Did you recognise any of them?-- Yes, I did.

Who?-- Kekane and John Nhlapo.

Did you see whether anything was done to the buses?-- One day I saw the buses being stoned.

By whom?-- Young boys and also one named 'Smash'

Do you know his surname?-- Maweng.

The area where you lived at Small Farms, did the people there support the bus boycott?-- They were other people at Small Farms who were boycotting the buses.

And were there also people using the buses?-- That is so.

Can you say whether the majority used the buses, or whether the majority did not use the buses?-- Do you mean at Small Farms?

Yes, at Small Farms?-- The majority at Small Farms used the buses.

Was there ever a clash between you and your men and the people from Evaton ?-- Yes, there was a fight between us.

How did that start ?-- It was on a Monday when I saw the people from No. 1 come to small farms. They were walking along the bus route saying Azikwelwa until they got into small farms. Some people told me that it is said that they will not only end on the main road, but they will end in my house.

Now, what happened ?-- Nothing happened, they returned.

Where to ?-- To No. 1 from where they came.

Did anything happen at your house ?-- At 2 o'clock in the afternoon these people came straight to my house and demolished it.

You mean they came back after the first demonstration ?-- Yes.

And what did you do .... how did they demolish your house ?-- They smashed the windows and also the door.

How ?-- With stones and sticks.

Were you there at your house at the time ?-- When they approached my house I ran away.

What did you do ?-- I ran away with about five other people in the neighbourhood. They chased us right out of the location, these other Basutos who also live at Small Farms also ran in the same direction as we did. When we came near a koppie just outside Small Farms, these people then came out of the location, and they came up to us and we went up to them. We chased them right into the location. We chased them up to this road where the buses were, and there we met a number of people. They stood still and Kekane said Don't run away, stand still, let's shoot these people. I heard a shot being fired. One of our people fell. We rushed towards them and they ran away. One of them remained, he shot, and one of our people fell. After this person had fallen the other man who was shooting ran

away. We chased them up to a river, this river divides Small Farms and No. 1. After they had crossed this river, the Flying Squad appeared, and the police stopped us.

What did the police do ?-- The police said that we should put down all our sticks and our pieces of iron.

Did you do so ?-- We did so. I then said to the chief of the police 'Why do you disarm us, those people are shooting us?' He then said we should take light sticks. The chief of the police took the heavy sticks and the pieces of iron. He said you can take these light sticks, go back to your houses, don't fight, we are here.

What did you do when the police said that ?-- Before we actually left I saw the other police come to us with someone who was badly beaten up. The police asked us if we knew this person and nobody knew him. We then went to our homes, and when I got to my house the police came to my house with someone who was also badly beaten, and I did not know this person.

Did the police see what had happened to your house ?-- Yes, they did.

Did you at any other time clash with the location (No.1) people ?-- We never went up to them, they came up to us.

On another occasion ?-- Yes.

How did that start ?-- I was not present, I was at Ver-  
eeniging, but when I came back I found people fighting.

Where did you find them fighting ?-- They were burning out houses.

Where ?-- At Small Farms. Most of the people had gone away and just a few were still there and I gathered them to meet these people who were burning up the houses. We meet these people at Rabatapi's stand, at Small Farms. It was at night and they flashed their torches towards us. When they saw us they stopped burning these houses, and they started shooting at us. We rushed towards them. One of our men blew a whistle.

They ran away towards the spot where they came from.

Where was that ?-- No. 1, Evaton. After they had crossed this stream, we came back. And when we came back we met the Evaton pickup. The police stopped and enquired from us what the matter was.

Did you tell the police what happened. ?-- We told the police.....

Yes, you just told the police what happened ?-- Yes.

What did the police do ?-- The police followed these people of No. 1.

And then ?-- When the police chased after these people, shots were fired at small farms. We ran towards this spot where these shots were being fired. When we got there one person had already been shot, he was lying on the ground.

Do you know who it was ?-- Yes.

Who was he ?-- His name is Mohlolo.

Where did he stay ?-- He was staying at Tshabalala's stand, Small Farms.

Anything else occur ?-- We then fought with these other people that shot Mohlolo.

Did you catch up with them ?-- As we ran up to them, they stood still and shot, and as we came nearer they ran away.

Where did they run to ?-- No. 1 Location.

Could you tell the Court what places were damaged by fire on that occasion ?--

BY THE COURT: Just before you proceed -- who are these people that ran away ?-- It was at night, I could not see them, but some of my people told me.....

EXAMINATION BY P.P. CONTD.:

Never mind what they told you. What damage was done in Small Farms on that occasion ?-- Four or five houses were burnt out, and I could more or less say whose houses they were.

Whose houses were they ?-- There is one place called

Steelwork. That place has a number of houses. That is a well-known name, but the owner does not live there. Those houses were burnt out, the furniture in the houses was also burnt out.

How many of these rooms burnt out?-- These rooms are attached to each other, they are just partitioned off with walls, and there are quite a number of them.

And did portion of the structure remain after the fire?-- Not very far from that small place, people who were dead.

No, to what extent did this row of rooms burn out?-- The doors and the windows were burnt out and also the furniture in the houses.

But to what extent; how many rooms, you said there were a lot of rooms; how many rooms were there?-- The rooms were lots, I forget how many there were.

How many of these were damaged?-- These rooms were burnt in front and at the back, but there are a lot. There were also other rooms just near by that were also burnt out.

Were there any people injured in this clash on the night that you have mentioned?-- Do you mean dead?

Yes?-- Yes.

How many?-- Two people were killed, another was shot at that spot where this row of rooms was. One was also shot but he did not die, the bullet was pulled out at the hospital. Yes?-- Another room, besides this row of rooms was also demolished.

What do you mean by demolished?-- The room was burnt out and the owner of the room was also burnt right in the house.

Whose place is that?-- I do not know that person, but I heard that he is a minister of religion.

Any other places damaged that night?-- Yes, there were.

Will you name them?-- Molloy's Stand was burnt out.

What do you mean by Molloy's Stand?-- I mean his house.



And the tenants rooms were also ... the windows of the rooms were also broken.

Who are those tenants ?-- I remember one young man who used to live there, his name is Pede.

Any others, damaged or destroyed ?-- There is a big house that was hired by tailors, this house was burnt and the corrugated iron fell right into the house.

Any others ?-- And Rabatapi's house was also burnt.

Who lives at Rabatapi's house ?-- Rabatapi's son lives there. Rabatapi himself is here in Johannesburg.

Did anybody else occupy that place ?-- Yes, there are. Rabatapi's son, Fate lives there, and two men who are drivers had hired rooms there, there names are Seth and Molise.

What drivers were they ?-- They were driving the buses.

What buses ?-- The bus belonging to the Italians.

Do you remember the occasion of the burial of a bus conductor, or inspector ?-- Yes, I do.

Did you attend the funeral ?-- I did attend that funeral.

Were there many people at this funeral ?-- There were a large number of people who attended this funeral.

How did they get to the funeral ?-- They got to the funeral by buses.

What buses ?-- The buses belonging to the Italians.

And were you in one of these buses ?-- That is correct.

Did anything happen on your return from the cemetery ?-- That is so.

What happened ?-- These buses were following each other; I was actually in the front bus. I noticed that one of the buses was very far back. When the bus got to Jadas people got out.....

Did you see that ?-- I saw that. I was far.

What happened ?-- These people got out at Jadas shop and they stood in front of this bus. The people came out of

Jadas shop and they stood in front of the bus. The driver of the bus stopped the bus and the people who were in the bus got out of the bus through the back window.

What did they do when they got out of the bus ?-- When these people got out of the bus through the back window, these other people who were outside stoned them, and then there was a fight. They picked up there and came.

What had happened to your bus when this happened at Jabas shop ?-- The bus that I was in was way ahead of this. It stopped and all the other buses also stopped.

Did the bus that you were in stay there ?-- Yes.

What did you do, did you stay in the bus ?-- I got out of the bus and asked other people what was happening.

Did you go back to Jadas shop ?-- I did not go, the police came with that bus that was stopped.

What was your position amongst the Basutos at Evaton Small Farms ?-- I am their chief.

What were your duties as chief, as you call it ?-- I have got to stop them from doing bad.

Was this position an official position, or how did you become chief of these people ?-- They installed me as chief.

Who ?-- The whole Basuto people.

The community there at Small Farms, did they elect you their chief ?-- They elected me as chief at Small Farms, and I was also taken to a board member, I am called a head man.

Do you mean the advisory board ?-- Yes.

Were you an advisory board member ?-- He is elected by the people.

But were you at any stage a member of the advisory board ?-- No, I have never been one.

Do you know at that time whether there was an advisory board in Evaton Location ?-- Only the people elected as members, as headmen.

Yes ?-- It is a location, there is no municipality there.

Did you and your men at any stage attack, go into Nol location, Evaton, and attack the residents there ?-- No, we have never been there.

Did you at any stage make use of firearms, or your men, at Small Farms ?-- No.

Were you employed by the bus company at some stage or another ?-- No, never.

Did the bus company employ you on the buses ?-- No, they only employed the people that were under me.

BY THE COURT: You say you were personally not employed by the bus company ?--

MR. ZIMMERMAN ORDERED TO LEAVE THE COURT:

BY THE COURT: Before we proceed, I have observed a tendency on the part of a few of the Accused to laugh, and it does seem to me that the attempt to laugh is at the expense of the witness. I have warned against that tendency before, and if any of the Accused is found doing that, and the action is deliberate, even if not deliberate, it brings the witness in some sort of discomfort here in his evidence, then I shall have to take severe note of it. And that is a matter which the Court cannot countenance. I think those Accused who have been doing this know what I am referring to. There are particular Accused doing this, and it is always when I look up, then the laugh seems to die down. Now, that shouldn't be necessary at all. It disconcerts the Court and it is not the correct thing to do in the Court.

The question I was putting to the witness was this, you say that the bus company employed people under you ?-- That is correct.

And you yourself, did you do any service with the bus company ?-- No.

(No further questions by P.P.)

CROSS-EXAMINED BY MR. SLOVO:

Ralekeke, is there anything at all in your evidence which you have given that you want to change at all ?--

P.P. OBJECTS:

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

I will formulate it differently. Everything that you have told the Court this morning, I take, you suggest is correct ?-- That is correct.

Now, the Prosecutor asked you some questions about your chieftainship ?-- Yes.

You told him that you were installed as a chief by the people ?-- I said so.

Do you know that there are chiefs all over the country ?-- I know that.

They are recognised by the Government, and paid by the Government ?-- That is so.

Were you the same sort of chief ?-- No, I am not a chief of that nature.

Now, were you chief only of the people in Small Farms, or were you chief of other Basutos ?-- I was a chief at Small Farms and also a chief at Evaton under this headman.

Under which headman ?-- This headman is Serema.

Who is Serema ?-- Serema is this headman I am referring to.

Where does he live ?-- Evaton Location.

Who appointed him ?-- The Evaton Location people appointed him.

They appointed him and he appointed you ?-- He said I should be under him because these Basutos did not come together.

Did he appoint you as chief ?-- He did not appoint me as chief.

Who appointed you as chief ?-- I was appointed by the people and taken to him for confirmation.

Did you have an opposing candidate ?-- No.

Was there a vote ?-- There was no votes, I was only elected and taken to this Serema for confirmation.

There was no vote, but you were elected ?-- There was no vote.

Who took you to him ?-- He sent someone to call me to this koppie where we always meet.

Who sent somebody ?-- Serema sent somebody to call me.

One person ?-- Yes.

What happened when you got to the koppie ?-- I saw a large number of people gathered there, and I also came with my people.

Were they armed ?-- No, they were not armed.

Have you got any..... your father, what was his occupation ?-- He was just an ordinary builder.

What was his occupation ?-- My father is an old man and he died at Basutoland.

Your father didn't have any royal blood in him, he was just an ordinary person ?-- He was a builder.

When did you first come to Evaton ?-- I came to Evaton in the year 1952.

Before 1952, where were you ?-- I was working at Vereeniging compound.

Were you living in the compound ?-- I lived in the compound, and I used to go to the location only on business.

When did you first visit Evaton ?-- 1946.

Did you used to visit Small Farms regularly ?-- Yes.

When did you first get a house in Evaton ?-- I first got a house in Evaton in 1952.

At Small Farms ?-- Yes.

And when was this that you were installed as chief ?--

That same year.

Who was chief before you ?-- This first chief before me was one Kolomie.

What happened to him ?-- He left the chieftainship and someone succeeded him.

And who was chief before Kolomie ?-- Ramapaie.

And before Ramapaie ?-- Before Ramapaie the chief was Palama.

When was Palama chief ?-- It is very far back, I am still thinking.

Well, you ought to be able to remember, just think a bit more ?-- It was during the year 1949.

What happened to Palama ?-- Palama died.

Did he die of bronchitis, or something like that ?-- I killed Palama.

You went to gaol ?-- Yes, I went to gaol.

For how long ?-- I went to gaol for two years.

How old are you ?-- I was born 1913.

Where were you born ?-- Basutoland.

Apart from this occasion when you went to gaol for killing this chief, have you been to gaol on any other occasions ?-- I never went to gaol, I only paid my fine at Evaton.

What were you found guilty of ?-- It was alleged that I had assaulted another native female and a native male.

It was not only alleged; you were found guilty, were you not ?-- That is correct.

Any other occasions when you were found guilty of assault ?-- Last year I hit one at Evaton with my open hand and I was arrested.

Were you found guilty of assault ?-- I was discharged.

Although you hit them ?-- Yes.

Are there any other occasions apart from the two that you have described, one for killing and one for assault, where

you were found guilty in a court of law ?-- Yes.

How many times ?-- Once.

Tell us about that once ?-- Another woman burnt my child with fire which was in a brazier, and I hit this woman with my open hand.

And you were found guilty of assault ?-- I was discharged.

I did not ask you on how many occasions you were discharged; you might have been arrested a thousand times, for all I know; I asked you apart from those two occasions when on one occasion you went to gaol for killing this predecessor of yours, and on the other occasion when you say you paid the fine, are there any other occasions on which you were found guilty by the magistrate, or by the Supreme Court, for assault or any such offence ?-- Apart from these two matters which I have mentioned, where I was found guilty, I was never found guilty.

Now, will you just turn and look at me for one second. I see you have got a number of marks on your face, are those birthmarks -- here above your right eye, above your left eye -- just turn round and show His Worship ?-- I got these marks underground when I was working.

Turn round and let me see the back of your head; did you get any marks on the back of your head underground ?-- Yes.

Just face the right way again -- the side of your head ?-- I have no marks on the side of my head.

And during the course of your life, have you been involved in many fights ?-- Not many.

And what is the weapon that you usually carry about ?-- I take a stick;

Is that all ?-- Whenever I go to a fight I take 2 sticks.

Is that your usual procedure ?-- It is a custom of the Basutos when they go to a fight.

To take two sticks ?-- Yes.

And you never wielded any other weapon, except two sticks ?-- No.

You are absolutely certain of that ?-- I don't know whether I have forgotten.

We'll remind you at a later stage of the proceedings. Have you got any weapon on you now ?-- No, I haven't.

No knife ?-- I have no knife on me.

Do you ever carry a knife ?-- No.

Now, the men under you, when you lead them into a fight, I take it part of the duties of a chief is to lead his men into a fight, when there is a fight ?-- Sometimes I'm in **front** of them and sometimes I'm in the middle.

But you are the leader of the men you lead into a fight, whether you stand in front, or behind; some leaders stand behind ?-- Do you mean when they go to a fight?

Yes, you are their chief ?-- Well, we have no special positions. They just walk as they like.

But do you see to it that your men use the traditional weapons of the Basutos, i.e. two sticks, when they go and have a fight ?-- I said so.

Not only you, but your men ?-- They know that when the enemy approaches, every man must have it.

Two sticks. Do you ever permit them to have revolvers ?-- No.

Or battle-axes ?-- Some of them have carried battle-axes.

Do you permit that ?-- Well, when the enemy comes to fight, one must have something in defence.

But you of course only take two sticks ?-- That is correct.

And your men were often armed with pieces of iron, battle axes, and other such dangerous weapons ?-- Which day



are you referring to?

Well, I don't know, you tell me; you're in a better position than I am; were they ever armed in that way?-- Yes, they were armed in that way.

Very often?-- I think I have seen that on two occasions.

What were those two occasions?-- It is the time when they first started to fight with us, so we also took sticks and also iron.

I take you are aware that part of the duties of a chief, as you put it to His Worship, is to see that his people don't do bad?-- Yes.

And one of the ways in which I understand that sort of thing is enforced is that the chief holds a court of transgressors of the law?-- If there is a transgressor we warn him. If he doesn't want to listen to the warning, then I report him to the police.

Have you ever held court yourself in Evaton?-- I have never held a court, but whenever there is something bad which is being done, I gather all my men and warn them.

Has a wrongdoer ever been brought before you?-- Doing wrong to whom?

Doing wrong to his wife or to anybody else?-- Many came to me and I sent to the police station.

Were they brought to you by other people?-- Yes.

And I want to put it to you Ralekeke that one of your ways of existing in Evaton was to fine what you considered transgressors of the law certain amounts for what you suggested was a wrongdoing?-- Are you saying that?

BY THE COURT: Saying what?

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

Would you ask him to answer my question?--

BY THE COURT: I am just wondering whether he understood the

question. What do you say ?--

BY THE INTERPRETER: He wants to know if counsel is saying that.

BY THE COURT: Saying what?

BY THE INTERPRETER: That .....

BY THE COURT: No, let him speak ?-- I say that you say so; I don't know that.

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

You deny that ?-- Yes.

BY THE COURT: You never imposed any fines on wrongdoers ?-- No.

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

This man you worked for, this tailor, what is his name again ?-- Seapile.

Where does he live ?-- He used to live at Newclare.

Where does he live now ?-- He is gone to his home at Basutoland.

Which part ?-- Mafotweng.

How old is he ?-- I don't know, he is elderly.

Is he a big man or a small man ?-- He is a big man.

And tell us again, what were your conditions of employment ?-- I used to sell pairs of trousers that he has made.

And what did he pay you ?-- It depended on the amount of work I did. If I did a lot of work I got a lot of money; if I did little work, I got little money.

If you did no work ?-- If I didn't do any work, then he would give me money just to buy food.

Did you have a basic wage ?-- I was not getting my money weekly or monthly.

What size trousers do you wear ?-- I don't know.

What size trousers do you think I wear ?-- Do you mean round the waist?

You sold trousers not me; I asked you what size trousers do you think I wear; I am a customer of yours now ?-- You will tell me what size you want, because other people have their

waists just a little below the trousers, or the waist a little below, and others have it above.

Where do you have your trousers?-- On my waist it is 37.

How many trousers did you sell during the course of your career as a salesman of trousers?-- Whatever number of trousers I was given to sell.

Approximately how many?-- Sometimes I was given 10 pairs of khakis and sometimes 6 pairs.

Any other kinds of trousers?-- Yes, I used to sell other kinds of trousers too.

Well, tell me, approximately, during the time that you sold trousers, how many did you sell -- approximately?-- I cannot say, because sometimes I used to sell ten and sometimes 20.

To whom did you used to sell them?-- I used to sell them to people at the compound.

At the compound where?-- Wireworks, Vereeniging.

Tell me, when did you start working for this tailor?-- Since 1952.

Until what year?-- Up to 1956.

Were you registered with him at all?-- Yes, I was registered, he took me to the pass office.

Have you got any documents to show that?-- I haven't got it now.

I believe you told us that you stopped working for this place in Vereeniging in 1952, when you came to Small Farms?-- Yes.

Tell me, while you were at Small Farms, where did you do this business?-- I used to take these things from Small Farms and take them to Vereeniging.

Every day?-- Not every day.

And how did you get the goods; did you go to Newclare

This man had a shop at Newclare, and also one at Evaton.

He had a shop ?-- Yes.

Where was his shop at Evaton ?-- It was on Abraham's stand.

Is it still there ?-- He is no more there, there is other man, a tailor, who is working there.

With this man ?-- No, he is no more there.

The men who are there today, were you working with this man you say is now in Basutoland ?-- No, they were not working with hi, but they knew him.

Did he used to work at Evaton -- this man who is at Basutoland ?-- I can say so, because he had a shop at Evaton and also one at Newclare.

And where did he live ?-- He used to live at Newclare.

Did he ever live at Evaton ?-- He did not have a house to live in at Evaton. He had some brothers, some days he used to stay there for a day or two, and then leave.

Tell me, Ralekeke, I want you to answer the questions that are put to you. Earlier, i.e. during that period -- I want you to give us an estimate of approximately how many pairs of trousers you sold ?-- I cannot say, because I can't say such and such a day I sold so many, and such and such a day I sold so many.

How much did you used to make on the average per month, selling trousers ?-- I cannot say, it depended on the number of goods that I had.

You can't give us any information whatsoever, Ralekeke, as to how much on the average you used to earn from 1952 to 1956 ?-- I cannot say how much it was on the average, because it is some time back.

Well, let's come to 1956, last year -- when did you stop selling trousers ?-- I cannot say what month I stopped

because when I stopped working for Sealipe I worked for another person.

You worked for another person ?-- Yes.

Selling trousers ?-- Yes.

Who was this other person ?-- His name is Gnope.

Where does he live ?-- He lives at Small Farms.

And how long has he lived there ?-- I found him there when I got to Evaton.

And you, the chief of Small Farms, is selling trousers for one of your subjects; is that the position ?-- That is the position.

And tell me, how much did he used to pay you ?-- He asked me how much I wanted.

I am asking you how much he paid you; I'm not interested in what conversation you had with him ?-- He used to pay me after I had worked.

How much did he used to pay you after you had worked ?-- If I bring in £10 he used to give me £5.

How many trousers did you have to sell to bring in £10 ?-- We have different prices, I charge for khaki £1 and an ordinary trousers more money.

And where do those trousers come from ?-- You mean the trousers that I sell?

Yes ?-- They are from Gnope's shop.

The stuff that you can buy in any shop ?-- Yes.

The ordinary type of khaki trousers that you can buy in any shop ?-- How can they be the same whereas I will charge the price? When I get to the buyer.

Where did those trousers come from; how did he get them into his shop ?-- These people who are working for Gnope bring cloths into the shop, and they are making the trousers there.

And are they made into different sizes ?-- Yes.

What size is that sort of trousers that you wear ?--  
I would wear a 37 waist trousers.

Is that all you know ?-- How do you mean?

Is that all you know about trousers, the size of the  
waist ?-- And also the length of it.

And where did you used to sell those trousers ?-- I  
used to sell them at the compound at Wireworks.

How often did you used to go to the compound ?-- I can-  
not say, because sometimes I had a large number and sometimes  
a small number of trousers.

And when were you deported ?-- I was deported last year  
to Natal, and that is not my home.

When last year ?-- In November of last year.

And up to the time you were in Evaton still, and just  
before you were deported, were you still engaged in the same  
trade ?-- That is correct.

Selling trousers ?-- Yes.

So we have it for at least June, July, August, September  
October of last year; you sold trousers; that is the way you  
made your livelihood ?-- That is correct.

What did you earn on the average during those months  
?-- I have already stated that it depends on the work that I  
have; sometimes I have got a little work and sometimes a lot  
of work.

Now, you are going to answer this question if I have to  
ask it fifteen times ?--

BY THE COURT: I don't know that you can insist. If the wit-  
ness is not in a position to give you the information, that  
must end the matter. He has said it over and over again.

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

If I might just put it possibly in one other way. I  
know that ..... let me accept for the moment that sometimes  
you used to sell more trousers than at other times; now,

I want to know from you if you can give the Court any picture at all of how much you made during those months, the total amount you made selling trousers from June to October 1956 -- I never sat down to reckon it up.

You can't tell us. And now I want to put it to you, Ralekeke, that you in fact were never employed in this trade of selling trousers; that you are lying to this Court when you say so -- do you deny that?-- I say that I used to work in this way that I have mentioned to the Court.

I want to put it to you further, that the way you made your living, was as a gangster and as a thug?--

BY THE COURT: How does one make a living by being a ganster and a thug; unless you suggested that he committed crimes of robbery and of violence, stealing from other people?

BY MR. SLOVO: I have suggested it in one form, Sir, the witness has admitted that he killed one man and that he assaulted others.

BY THE COURT: You suggest he made his living by doing that.

BY MR. SLOVO: I suggested further that by virtue of the authority which he obtained for himself, I shall indicate at a later stage how.....

BY THE COURT: You have indicated specifically that he imposed fines.

BY MR. SLOVO: I put it to him, Sir, he denied it.

BY THE COURT: But I think to put the question in a form that you have done would bring us nowhere; he has specifically stated that he earned a living by selling trousers. Now, if you have evidence to the contrary you must produce that.

BY MR. SLOVO: Some evidence is so obvious in itself, in the case of this witness, that in my respectful none but the blind can fail to see that the witness is obviously lying about .....

BY THE P.P.: I must object to that.

BY THE COURT: I think you are extremely presumptuous when you do that, Mr. Slovo.

BY MR. SLOVO: Sir, it is just my attitude.

BY THE COURT: The case is not being argued now.

BY MR. SLOVO: No, YourWorship asked me for an explanation.

BY THE COURT: I can see no foundation for your statement. Until evidence to the contrary is placed before me I shall have to decide on the evidence.

BY MR. SLOVO: The only point I am making, Sir, is that sometimes the Court is in a position to analyse the evidence standing by itself without contrary evidence being placed before the Court, and have an attitude in relation to the credibility.

BY THE COURT: You shouldn't make the suggestion; if you want to do you can do so in later argument, and then you can motivate your arguments.

BY MR. SLOVO: As Your Worship pleases.

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

And I want to put it to you further, that you made your living by becoming a hired thug for other people for the purpose of advancing those people's interests; that was your profession ?--

BY THE P.P.: I must object to that question.

BY THE COURT: Just before you put that question; the suggestion is you made your living by becoming a hired thug .....

BY MR. SLOVO: Hiring yourself out to them..... I put it this way.....

BY THE COURT: ..... a hired thug for other persons.

BY MR. SLOVO: Yes, in order to advance their interests; that was part of his trade and occupation, profession.

BY THE COURT: You say that is the way he made his living ?

BY MR. SLOVO: That is so.

BY THE P.P.: I object to the form of that question. If that



is the conclusion to be drawn from questions in cross-examination, then there might be grounds for it, but if at this stage it is put in general terms, I suggest before this general question is put, that specific cases be put to the witness where he is supposed to have been hired by somebody else as a thug.

BY THE COURT: I can see no objection to the question being put in this form, but the Defence does that at its own risk. When a grave allegation like this is made without any foundation, then the Defence is thrown open to grave criticism.

BY MR. SLOVO: I appreciate the danger, but the Crown itself has conceded that there might be some basis for such an argument.

BY THE P.P.: I object to that, I have conceded nothing.

BY THE COURT: No, the Crown has.....

BY MR. SLOVO: He said, Sir, that there .....

BY THE COURT: Mr. Slovo, I don't think you should make a statement like that. The Crown has made no such admission.

BY MR. SLOVO: If Your Worship will let me finish please, the sentence that I was in the process of completing.

BY THE COURT: You said that the Crown has conceded that there is a basis .....

BY MR. SLOVO: If it is necessary, if my word is doubted on this question, we can replay what Mr. Van Niekerk said exactly two minutes ago. He said 'there may be some basis' or words to the effect that there may be some basis for it in argument afterwards.

BY THE COURT: No, no. I think you have misunderstood.

BY MR. SLOVO: Well, that is the way I understood it, Sir.

BY THE COURT: He said that you should place specific instances to the witness.

BY MR. SLOVO: Sir, I consider this matter important as a reflection has been cast on.....

BY THE COURT: I am not disallowing your question. You must

understand that clearly. You may persist in it. But if you have no foundation for making the statement, for putting this question .....

BY MR. SLOVO: Surely some foundation, sufficient foundation, in my submission has been laid to date; there has at least been that suggestion in evidence.....

BY THE COURT: If you have not been instructed in this, then your question is entirely improper.

BY MR. SLOVO: I don't put any question in which I have no information.

BY THE COURT: If you have been instructed, then there can be no objection, that is that this witness has earned his living by becoming a hired thug; that is what I have in mind.

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

Please put the question (to interpreter) ?-- I know nothing about that.

I want to put it to you further that you were hired by the bus company for the purpose of physically smashing the boycott movement ?-- I hear that from you.

BY THE COURT: No, no, just answer the question -- yes or no ?-- I deny that. It is not true.

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

Ralekeke, do you know Mr. Zimmerman ?-- I know him.

Is he a truthful person, to your knowledge ?-- I don't know.

He told this Court that he hired you ?-- That is not so.

He in fact told the Court that he paid you £2 a week ?-- That is not so.

And he also told the Court that you worked for him from November 1955 ?-- That is not so.

BY THE COURT: Do you deny that you and some eight of your fellow-men were engaged by the bus company of which Mr. Zimmerman is an employee as guards on the buses ?-- There were others

that were hired, but I was not.

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

During the course of this boycott, did you ever have any discussions with Mr. Zimmerman ?-- Yes, I did.

Numerous occasions ?-- I spoke to him once in a meeting which I previously mentioned.

Is that the only occasion ?-- Well, on other occasions I used to meet him in town and then I used to greet him and I take my way and he also takes his way.

I am talking about the number of occasions that he saw you and spoke to you about the boycott ?-- He never spoke to me about the boycotters.

Never ?-- No.

Are you certain of that ?-- I don't know whether I have forgotten.

Would you forget if they had spoken to you about the boycott ?-- I can forget, because sometimes I forget someone's name, well knowing it.

Would you forget seeing him on numerous occasions during the boycott ?-- I can forget it.

Would you forget it, if he came up to you and said "Work for me for £2 a week" would you forget that ?-- I wouldn't forget that.

And since your return from Natal, for the purpose of giving evidence here, have you seen Mr. Zimmerman ?-- No, I have never seen him since then.

And if evidence is placed before the Court to the effect that you personally -- I am not now talking about your men -- that you personally were employed by the bus company from November 1955, at the rate of £2 a week, would that evidence be lying evidence ?--

BY THE COURT: Just a moment; the witness has already been asked about this by you, and he was questioned by the Court too

I think, and he has said that he was never hired. It is for the Court to decide. If you bring contrary evidence, it is not for the witness to say whether that evidence would be lying evidence; that the Court would have to decide.

BY MR. SLOVO: It is really, Sir, another way of asking the witness whether there is any possibility of error.

BY THE COURT: There is no point in putting this question to the witness. It will bring one nowhere.

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

And, if I might be fair to the witness, and tell him now, that evidence has been placed before the Court in the form of evidence by Mr. Zimmerman, to the effect that you were employed by the bus company at the rate of £2 per week, from the middle of November of 1955; what do you say about that evidence ?--

BY THE COURT: That question has also been put by you.

BY MR. SLOVO: I don't think I indicated, Sir, that Mr. Zimmerman.....

BY THE COURT: The question you put was that he, Mr. Zimmerman, told the Court he paid him £2 a week, and the witness said that is not so.

BY MR. SLOVO: As Your Worship pleases. I checked with the notes Mr. Coaker keeps and he has not got the same notes as Your Worship, but I accept that that is so.

BY THE COURT: I have it distinctly written down here.

BY MR. SLOVO: I accept that, Sir.

BY THE COURT: Yes, I realise the importance of this evidence.

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

Tell me, Ralekeke, if you show me a pair of trousers, and the pair of trousers costs 5/6, and I give you a £5 note, how much change will you give me ?--

BY THE COURT: Make it £1.5.6 -- if the trousers cost £1.5.6, and

you were given £5, how much change would you give ?-- I have not any change; I will look for someone who is educated and ask him what change I should give.

Let us put it this way; how would you give the change, if the buyer gave you £5 and the article cost £1.5.6 -- how would you return him his change ?-- I have already indicated that I will try and look for someone who is educated, I will sit down with him, and ask him how much change I should give.

Before I put any further problems to you of the same sort, do I understand from your answer, that if a man pays you money, you can't work out what change to give him ?-- If it is not a lot of money I will know, but if it is a lot of money I will have to look for someone else who is educated.

Let me ask you, if your trousers cost 5/9 -- I will give you a very simple one -- and I pay you 7/6, how much change will you give me ?--

BY THE COURT: That sum is perhaps more difficult than your first one.

BY MR. SLOVO: He can deal in small amounts, Sir.

CROSS-EXAMINATION BY MR. SLOVO CONTD.:

?-- Because it is not a £1 note, I will also sit down with someone else and ask them how much change I should give.

And you have been making a living out of buying and selling trousers for years. Now, coming to the occasion when you say after the funeral, when the buses left the cemetery, one of the buses was involved in some incident near Jada Square; do you remember giving evidence about that ?-- Yes, I remember that evidence.

Are you absolutely certain that you saw this incident ?-- I saw it with my own eyes, although I was far away.

So when you got out of your bus, which you say was some distance away, why did you ask the people what had happened

?-- There was someone who was standing at the door of the bus who said to the driver "Stop the bus there is a fight going on."

Who did you ask what was happening ?-- I asked the people who were in this bus that I was in.

Why, if you saw what was happening, why did you ask what was happening ?-- I saw them and I did not know what was happening and I saw the pick-up run towards them.

Is that the first time you saw the events, when you saw the pick-up go towards these people ?-- I heard from this person who was at the door, and when I looked I saw the people there.

Is that the first that you saw there was some trouble with the bus ?-- Yes.

And when you looked, what was the first thing that you saw ?-- I saw people running in the crowds near the buses, the police were chasing them.

The police were chasing the people, that was the first you saw of it ?-- Yes.

And when you first saw it, where were the people from inside the bus, were they also outside ?-- Some of them were out of the bus, and some were still inside the bus.

And what happened to the people who were still inside the bus ?-- The police came along with the other people that got out of the bus and we walked away.

I want to get this clear so there is no possibility of any mistake; just let me ask you again whether this is so. Is it correct then that the first you saw of this bus which was involved in the trouble, not your own bus, but the bus that was involved in the trouble near Jada Square, was when you turned round and you saw police chasing people in the vicinity of the bus; is that correct or is it not ?-- That is correct.

And which people were the police chasing ?-- The police were chasing our people.

What people ?-- My people.

Did your people have arms ?-- They had sticks.

Is that also a custom, to go to a funeral with sticks ?--  
That is not a custom.

Where did your people get the sticks from then ?-- There is one man that came from No. 1, and he informed us that the men at No. 1 say that we will not bury this man, we will be killed by that man.

And then ?-- He said further that they say that his body must be eaten up by dogs.

Yes, now as a result of that did your people arm yourselves ?-- Yes.

Just for purposes of defending yourselves ?-- That is correct.

Don't you think it was very very unjust of the South African Police to chase your men ?-- How do you mean, very unjust?

Well, was it just or unjust for the South African Police to chase your men, in your opinion ?-- It was justified for the police to chase them.

Your men ?-- Because there was a clash between my men and the other men.

And they chased your men ?-- The police chased my men into a bus.

Ralekeke, this bus in which you were, was it in front of the bus that stopped near Jada Square, or was it behind ?-- It was right in front of the bus that stopped at Jada Square.

BY THE COURT: How many buses were there ?-- I am not very certain, but I estimate there were five or six buses.

And what was the position of the bus involved in the incident, was it at the middle or the back ?-- It was right at the back.

CROSS-EXAMINATION BY MR. SLOVO CONTD.: But it took exactly the same road as your bus took ?-- It took a different road, and it met the other bus at Jada Square.

COURT ADJOURNS:

COURT RESUMES 26TH JULY, 1957.

APPEARANCES AS BEFORE :

MR. COAKER ADDRESSES COURT :

Accused Absent : Same as on 25th July, 1957.  
In addition Accused No. 2,  
M. Asmal and No. 116, S. Kalipi.

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(Int. J. Mejoana)

RALEKEKE RENDUBA, duly sworn;

CROSS-EXAMINED BY MR. SLOVO :

When did you come out of gaol on - after killing Rampala? Sorry, Polama? --- I came out of gaol in 1951.

Towards the end of 1951? --- During the month of March, 1951.

Before this incident, that was - In 1949 and before that, what work did you do? --- I was working at the Wire Works.

So when you told his Worship that you worked for Wire Works until 1952 - I think you indicated that the breaks that occurred up to 1952 was for the purpose of - you left for the rural areas and went to the country. Do you recall saying that? Do you recall saying that up to 1952 you worked for Wire Works and the only breaks that you had from Wire Works was for the purpose of going to the country, to the rural areas?--- No, I don't recall saying that. I only recall saying that I used to work for Wire Works, and at times I used to work for Home Pipe, also at Vereeniging.

When you came out of gaol after having killed this previous chief, did you claim the chieftainship? --- I did not.

Did you not consider yourself as the rightful heir in view of the fact that you had killed the previous chief? --- No.

What happened to the person who was chief when you came



out of gaol? --- When I came out of gaol, the person who was then chief left the chieftainship, and somebody else took up in his place.

The person who took up chieftainship in his place, what happened to him? --- He left the chieftainship and he went home.

Was he chased away or did he leave? --- He left on his own.

Coming to the incident when there was this funeral of this man Johnson, I believe his name was, do you recall that? --- Yes.

That was the occasion when you described there was this incident with the bus? --- Yes.

We have had evidence from some of the police officers to the effect that the busses that travelled from the cemetery took the people to the funeral, after the funeral, was going back to small farms via the Golden Highway?--- I don't know which is the Golden Highway.

The Golden Highway is the main road between Johannesburg and Vereeniging? That is in the evidence of Sergeant Groenewald - the evidence in chief, of Sergeant Groenewald and he described the incident which occurred on the 13th of May.

BY THE P.P. :

What I want to say is that it is not the road that is presently known as the Johannesburg-Vereeniging Road. It is a road going to Vereeniging, but it is not generally known as the Johannesburg-Vereeniging Road.

BY MR. SLOVO :

It is the Johannesburg - Vanderbijl Park road. It is the road that passes Patel's Store, that is the Golden Highway. When you are travelling to Vanderbijl Park, you have Patel's store on the right? --- That is correct. I know

that road.

Is that the road that the buses took? --- The bus dropped into the location, next to that shop.

Was the route taken by the majority of the buses, I am not now talking about the one bus which was involved in the incident, but all the other buses, did they take the Golden Highway as the route from the cemetery? --- No, they did not use that road, they dropped into the location.

They didn't take the Golden Highway road?--- The witness says that they did not use that road. They got into the location.

BY THE COURT :

How did they get into the location? --- When they come from the cemetery, they use the main road from Johannesburg.

That is the main road from Johannesburg to Vereeniging? --- That is correct.

And then did you go off that road into the location? --- From that road into the location.

Apparently they travelled for some distance on the highway and then branched off into the location.

BY MR. SLOVO :

And this bus that got involved in the incident, let me have this clear, was the bus that was last in this procession? --- Yes, when we left the stop.

Sergeant Groenewald also told the Court, as I have it recorded here, one bus, that must be the bus that we are talking about that was involved in the incident, went another route? --- It did take another route, but I can explain why...

I am not interested why, I want to know what route did it take?--- They took a different route. It is not a route used by the bus. That was after we came from the

cemetery.

BY THE COURT :

Can you explain which route that is?--- I did not see, but I heard, and I knew what road was meant.

BY MR. SLOVO :

So you of your own knowledge don't know what route it took? --- That is correct.

Did you also hear what happened at Djada's Square? --- You mean in connection with the bus?

Yes? --- I heard some of the things that happened there, and later I saw the police chase the people.

You told us yesterday that the first time you saw this incident was when the police were chasing people? --- Yes, I said so.

Why did you say in your evidence in chief that you saw the bus being stopped by people, you saw people climbing out of the back of the bus through the back window? --- I was telling the Court about what I heard from someone who was in the bus.

I thought that was so, and possibly so did the Prosecutor, because he asked you specifically, when he asked you to describe this incident, he said is this what you heard, or is this what you saw? He made a point of asking you? --- I don't remember the Prosecutor saying to me, is this what I heard or is this what I saw?

BY THE COURT :

There may be an explanation for that. That is my impression too. It was, I think, at a rather late stage in his recounting of the incident that the Prosecutor put the question to him.

BY MR. SLOVO :

I distinctly noted that point for cross-examination. I have a clear recollection that the Prosecutor right at the

outset of this incident, when he was first of all dealing just with the stoppage of the bus, said to the witness : Is this what you heard, or is this what you saw.

BY THE COURT :

That I am not so clear about. I remember the incident, I haven't got this recorded. He described the incident as though he had seen it himself. This is what I have recorded. 'On our return from the cemetery, the buses were following each other. I was in the front bus. One bus was far back. And the bus stopped at Djada's, people came out of Djada's shop and stood in front of the bus. The bus had to stop and the people in the bus got out through the back window. The outside people stoned them and the fight started. I got out of my bus, I did not go back.' I didn't record that he had actually seen it himself, but my impression is that the question was put rather at a late stage. Have you got a note on that?

BY MR. SLOVO :

I haven't noted it, but I also, shall I say made a - concentrated mentally on it, because it struck me at the time, and my impression is that at the time the witness was describing the buses coming to a halt, that my learned friend said to him : Now, is this what you saw yourself, or is this what you have been told. And the witness replied, this is what I saw.

BY THE COURT :

You haven't got that in your notes?

BY MR. SLOVO :

I haven't noted it, that is my recollection about it.

BY THE COURT :

I am not altogether clear about this. Tell me - tell the witness that he did tell the Prosecutor that he saw what he described? That apparently is not disputed. What explana-

tion have you to offer for that? --- I don't remember saying that, but I do hear what you said.

Can you offer an explanation if you did say that? --- Maybe I did say so, but I say now that I heard it from someone else.

If he wanted to mislead the Court, then it is strange that he should have readily admitted to you that he didn't see the first part of it. He wasn't pressed really on that point.

BY MR. SLOVO :

It is possibly because he appreciates that he did say in connection with this incident that the first he saw of it was the police chasing the people and it - and he has possibly appreciated too that it is impossible for him, being in the front bus which was far away, to see how the people got out of the bus at the back and to see this whole incident until it was already well on its way.

BY THE COURT :

I distinctly remember that he said that he was a long way off, but he could see.

BY MR. SLOVO :

He definitely said so. I must assume that the Prosecutor had other instructions...

BY THE COURT :

What he meant to convey by saying that he could see, I am not too sure.

BY MR. SLOVO :

I must assume that the Prosecutor, being fair to the defence, had some other instructions in his statement, and that is why he specifically put to the witness at the very early stages, did you actually see this yourself or were you told about it. There is no possibility of error.

BY THE P.P. :

The position is that the witness did say that he was far away but he saw it and he described what he saw. But there is no question about me being instructed one way or the other about it. I was just leading him from his original statement.

BY MR. SLOVO :

I thought, sir that there was a suggestion...

BY THE P.P. :

The position is, when he said he was far away, and that is why I asked him, and I think it is the last matter on which I examined him before the lunch break yesterday. When he said he was far away, if my recollection is correct, I have taken no note, but if my recollection is correct I asked him specifically when he said he was far away, I asked him whether he saw what he described, and he said yes.

BY THE COURT :

My recollection is distinctly that he saw everything that he described. That is the impression that I have, but he may not have intended to convey that at the time. I don't know. It is quite a common occurrence for witnesses to describe also what they have been told and they seem to make no distinction between that and what they actually see.

BY MR. SLOVO :

That is something that Your Worship will have to weigh up at a certain stage. I don't propose either defending or attacking the witness on that point at the moment. So it is clear that all you know about this incident is that you saw the police chasing your people back to the buses? --- That is correct.

And evidence has been placed before the Court that your people in the bus went around the bus blowing whistles

and hooting and provoking the people. You cannot deny this? And before you answer, I don't want you to come to any conclusions based on what your people reported to you. I am talking about what you actually saw? --- I know nothing about that. I only know that they were sitting in the bus.

You gave the Court to understand yesterday that on each occasion when a fight broke out, you just chased the opposition away from Evaton Small Farms? --- We were fighting with them, because they were fighting.

And I think you did give the Court the impression that you never actually proceeded to Evaton Location No. 1, as it has been called, for the purpose of engaging in a fight? --- That is correct.

Never? --- We never went to No. 1 Location to go and fight.

Did you ever fight in No. 1 Location? --- The last fight was at No. 1 Location, that was after they had burnt out our houses and we fought with them and we chased them into No. 1 Location and we fought with them there for the last time.

Was that the only occasion when you went into No. 1 Location? --- That was the only fight we had in No. 1 Location.

Did you ever, at any stage bring your men into No. 1 Location with arms? Apart from this one occasion? --- I don't remember that.

Well, if it had happened, I take it you would have remembered it? --- I don't remember, but if you could tell me perhaps I might recollect.

Well, you were leader of your men, were you not? --- That is correct.

If there was a decision to bring your men into No. 1 Location, I take it you would have taken that decision? --- That is correct.

You would have remembered? That you had taken such a

decision? --- Before all this trouble started, I used to go to No. 1. I had some people too in No. 1.

No. no. We are not talking about peaceful visits. The question is whether you on any occasion took your armed men to No. 1. Location to fight there. Whether he at any stage took his armed men to No. 1 Location for any purpose, An armed posse of men? --- I have never done so.

And I think that followed from your evidence yesterday that the only time that you really attacked, was when you had been attacked? --- That is so.

I take it also, you didn't - the same applies - you had some men belonging to you, under your leadership, in Evaton No. 1 Location as well, is that correct? --- I did.

And I take it that you never mobilised them to come together with arms, except in self defence?--- That is correct, I never said that they should arm themselves in self defence.

What I am really asking you is that what I have asked you about bringing your men over from Evaton Small Farms, the question I asked a moment ago, applies to men in Evaton itself. You never assembled them together for the purposes of doing battle, or for any purposes, with arms, other than on the occasions that you have described? --- That is correct.

Is this last fight the only fight that you said took place in No. 1. When approximately did that take place? This last fight that you referred to, which you say ended up in No. 1, where did that start? --- This last fight I referred to, which ended in No. 1, was during last year. I don't know what...

1956? --- Yes.

Was that the occasion when Make's house was burnt down? Sorry, destroyed? --- I did not know whether Make's house was destroyed.

If there were to be evidence before the Court to the



effect that only two months after the boycott started, you were - and a group of your men, had assembled together in Evaton No. 1 at Jada's corner, what do you say to that evidence?

BY THE COURT :

Before you put that question, do you suggest that there is already such evidence before the Court. I am not quite sure from the way you formulated your question.

BY MR. SLOVO :

There is such evidence, before the Court already.

BY THE P.P. :

I can't recollect that there is such evidence before the Court already.

BY MR. SLOVO :

Captain Strick said so.

BY THE COURT :

I am not clear on this point myself. You say that Captain Strick gave evidence that this man and a group of his men assembled in No. 1 at Jada's square. That is two months after the boycott? -

BY THE P.P. :

I think the date given is the 11th September, 1955.

BY THE COURT :

It is not quite clear from my notes whether they had actually assembled there. This is what I have : 'I passed Jada's Square. A number of natives gathered. I met about two hundred Basutos in a yard in a side street under the Commander Ralekeke. I ordered them to disperse and they did so.' The inference may be, as you suggest, that they had gathered there.

BY MR. SLOVO :

The inference, if I may say so, is irresistible. They were told to disperse by the police, by Captain Strick,

and people who aren't assembled are not told to disperse.

BY THE COURT :

Apparently the reference is equally open that they had already gathered when the Captain saw them there.

BY MR. SLOVO :

Have you asked him the question...?

BY THE COURT :

I want to bring it clearly to his mind that this is what Captain Strick said happened on the 11th September, 1955. That he met you and a group of your men, about two hundred of you, that he found you in a yard in a side street near Jada's Square, that was in the morning at about eleven or half past eleven. When did the boycott start? In July, the 25th July? --- I recollect that day.

He said that he ordered you to disperse and you did so. Do you remember that occasion? --- I remember that.

BY MR. SLOVO :

Why did the police order you to disperse? --- I don't know. Perhaps he is in a position to answer the question.

Did you have your traditional weapons with you? --- We had our sticks.

And that you say is the normal weapon which you carry? --- That is correct.

Is it correct too, that there were about two hundred of you? --- I estimate - I think it can be about two hundred.

These men that had assembled there, they were all your men? --- That is so.

Why, when I asked you just now, as to whether at any time apart from this one occasion that you described when the fight ended up in No. 1, whether you at any time assembled your men, for any purpose, why did you say no, this was the only occasion? --- You did not ask me that. You only asked me whether I did not fight again at No. 1.

BY THE COURT :

No, the question was very clearly put to you. Whether you had ever assembled your men in No. 1 for any purpose whatsoever? And you replied no, that you had never assembled them in No. 1, but on this one occasion you had chased the other people into No. 1. That was the earlier occasion that you remembered? --- I understood the question to be that, did I not go and fight again in No. 1.

You had in mind fighting. For what purpose were you in the Location on this day? On this occasion that we are now talking about, the 11th September, when the Captain ordered you to disperse? What were you doing there? Mr. Interpreter, I must insist that you give the answer and don't try and argue with the witness. What was his first answer? --- He says that his meetings are held at No. 1.

You say on this occasion you were assembled near Jada's Square because your meetings are held there? --- No, they don't assemble at Jada's Square for any meetings. There is a certain place where they do assemble.

Where? In No. 1 Location? --- They used to assemble at No. 1.

Now, in this particular occasion when the Captain ordered you to disperse, what were you doing there in No. 1? --- We left the place of the meeting and we went...

Had you been to a meeting? --- Yes, we had a meeting.

Had you called your men together for a meeting? Where exactly was that meeting? --- It was at No. 1, but not at Jada's Square.

What were you doing at the spot where the Captain found you? --- The Captain found us passing that spot. We were going to my assistant.

Another meeting? --- After the meeting.

BY MR. SLOVO :

On that same day there was a meeting, I believe, which was organised by the Evaton's People's Transport Council at Jada's Square? --- There was a meeting at Jada's Square.

Called by the Evaton's People's Transport Council? --- I do not know who called the meeting and who convened that meeting. We only saw people seated there and there were others that I knew.

And I want to put it to you that you mobilised your men that day for the purpose of coming and smashing up this meeting? --- That is not so.

I think you also said yesterday that you always wielded the traditional two sticks? --- I said when I am going for a fight.

Did you own a sword? --- Which day?

Did you ever own a sword? --- I did not have a sword.

Did you ever own a revolver? --- I did not own a revolver.

Did you ever own a battle axe? --- Yes, I have one.

Do you ever use a battle axe? --- Yes, I sometimes handle it.

In a fight? --- When people come to fight me.

You fight with a battle axe? --- Yes.

Why did you say yesterday that you couldn't recall the use of any other weapon other than your two sticks?

BY THE COURT :

Have you in mind a particular occasion, Mr. Slovo,  
- it was mentioned that pieces of iron were also used, by him and his men. Yes, he said when they chased the others from the Small Farm, they were armed with sticks and pieces of iron.

BY MR. COAKER :

Your Worship will permit me one moment. I think I

have probably a clearer recollection of this than Mr. Slovo who was on his feet at the time. The witness was expressly cross-examined as to what he personally used. He stated that he personally never used any weapon other than two sticks, though there were those among his followers, who he said had pieces of iron.

BY THE COURT :

I didn't know that Mr. Slovo was referring to him personally. I thought he was speaking generally about the manner in which they were armed.

BY MR. SLOVO :

I specifically talked about the witness. I think his answer was that he doesn't remember, and I put it to him, if you had, you would have remembered.

BY THE COURT :

Why didn't you remember yesterday that you were armed with a battle axe? --- I didn't remember that. I only remember that I used it one day only.

But why didn't you remember that yesterday, that is the point? --- It was because I was asked what arms I always used, and I said two sticks. I now remember when I am asked, that I used it only one day.

BY MR. SLOVO :

I asked you specifically yesterday whether apart from the two sticks you ever used any other weapons? And your answer was some of your men sometimes used irons, but you yourself, as far as your memory serves you, could only remember having used sticks?

BY THE COURT :

He also said that some of his warriors had carried battle axes. I only take two sticks, that is what he said.

BY MR. SLOVO :

I specifically put it to you, there is no possibility of a mistake? --- I did say that yesterday.

Now what is it that has now reminded you of the fact that you use a battle axe, or that you used a battle axe once? --- Just because you are questioning me about the battle axe. I even said yesterday that sometimes I can forget someone's name, well knowing him.

But I questioned you about the battle axe yesterday? --- You asked me if my people do carry.

I asked you if you carry it. If you carry any weapon apart from your sticks, such as battle axes, pieces of iron and other weapons? --- Yes, you did ask me that.

I am speaking from my own knowledge, I want to put it to you, that over the past few years, ever since your deportation, you have lost a lot of weight, I happened to have seen you at the Evaton's Magistrate's Court a couple of years ago facing some charge or other. You have lost a lot of weight? --- That is correct.

Will you just have a look at yourself here in this picture. The picture has already been handed in, this was one printed in a newspaper or a magazine, and I want to hand this in as well. The original was Exhibit G. 891. This will be Exhibit 903. Is that your picture? --- He admits that he is the person with the battle axe.

A battle axe in one hand, and what is in the other hand? --- In my left hand I have got a stick.

This friendly looking man on the extreme right of the photograph, what is he wielding? --- An assegai.

Isn't that a sword? --- It is a piece of sword.

BY THE COURT :

Who said it was an assegai?

BY THE INTERPRETER :

I said so.

BY THE COURT :

The witness didn't say so. Mr. Interpreter, you must not answer questions for yourself. That may create a wrong impression entirely. The questions are not put to you, but to the witness.

BY THE INTERPRETER :

He said 'sabole'.

BY THE COURT :

What can that mean?

BY THE INTERPRETER :

It can mean a sword or an assegai.

BY MR. SLOVO :

Do you recall when you posed for this photograph? Or when this photograph was taken? --- Yes, I do.

Was it in 1956? --- That is correct.

Was it just before a fight? --- We already had one fight at Small Farms.

And you were waiting for the next one? --- We were going to the funeral when this picture was taken.

BY THE COURT :

On what occasion? Did this have anything to do with ....., I don't know. Whose funeral was this? --- This inspector who had died named Johnson.

BY MR. SLOVO :

Why did you say that you had just had a fight? --- I am speaking the truth. We already had one fight at Small Farms.

So you had a fight just before the funeral - just before you went to the funeral? --- These people fought us at Small Farms, they killed Johnson, and on this occasion we were going to the funeral.

You told us just now that this picture was taken just

after you had had a fight. I asked you whether you were preparing for a fight and you said it was just after you had had a fight? --- I just said now that this picture was taken after we had a fight at Small Farms.

BY THE COURT :

Which day was the fight then? The day of the funeral?  
--- Johnson was buried after the fight.

When was the fight, which day? I want to know whether it was on the day of the funeral or a previous day? --- We fought before, and long after that Johnson died and we buried him.

BY MR. SLOVO :

And if evidence is placed before the Court that this photograph was taken on the 11th September, 1955, the day that you had assembled your men near Jada's Square, what would you say to that evidence? That is the day that the Captain ordered you to disperse? --- I would dispute such evidence if that evidence would be that this picture was taken the day the Captain said we should disperse.

Have you heard of the Russians? --- I don't know the Russians. I have only heard about them.

What have you heard about them? The Russian gangs on the Witwatersrand, the gang of Basutos called the Russians? --- I heard from someone that there were Basutos in Benoni, a certain group of them were called Russians, and a certain group were called Japanese.

You heard of the Russian group in Newclare? --- The Russians in Newclare are the ones that come from Benoni.

There is another Chief in Newclare, Chief Hlalala, have you heard of him? --- Yes, I have heard about him.

Yes he is another chief of the Russians in Newclare?  
--- I heard people say that.

Didn't you meet him in gaol? --- No.



Are there any other chiefs that you know in the other locations who are heads of the Russian gangs? --- I only know about Hlalele at Newclare.

And who is the chief at Benoni? --- I don't know him.

There is a chief, I take it? --- I don't know whether there is one.

Do you know Sankatana or Sanratana? --- I don't know him.

Isn't he a chief of the Russians in Pimville? --- I don't know.

You told us that you know Hlalele. Now do you know how he got rid of his predecessor? Who was chief before Hlalele was chief? --- Where?

At Newclare? --- I don't know.

Now you have been described by I think two police officers, as leader of the Russians at Small Farms? --- I hear that, but I don't know whether I am chief of the Russians.

And during the course of your activities at Evaton, did you ever import from outside some of your other subjects for the purpose of engaging in these fights, while you were at Small Farms? --- No.

Well, let me draw your attention to a report which appeared in the press, you might recall it, you might not, where a group of people who were charged in the Magistrate's Court with trespass at some compound, indicated to the Court that they were on their way to Evaton where they had been hired to fight? --- I cannot remember that. I did not see them.

You wouldn't have hired anyone to fight in Evaton? --- I never hired anybody to come and fight.

Or for any other purpose? You never hired anybody for the purpose of assisting you in your work? --- To assist me work what.

Well, not selling trousers? --- What then?

I'll drop the question. I understand that you once lived in Benoni? --- I have never lived in Benoni.

Did you ever used to visit Benoni regularly? --- Ever since I lived in Evaton, I never visited Benoni. When I was still working at Crown Mines, at Shaft No. 17, I visited Benoni.

And I am given to understand that it is there that you served your apprenticeship as a Russian leader? --- That is not so.

Thereafter did you ever go and visit Newclare before going to Evaton, before you came to live at Evaton? -- I have never visited Newclare.

Where did you get to know Hlalele? Did he ever visit you? --- I was working at 17 Shaft, Crown Mines, with Hlalele.

While he was chief of the Russians at Newclare? ---- He was not yet chief at the time.

Did you have any discussions with him about the possibility of the installation of a new chief at Newclare of the Russian gang? --- No.

Are you suggesting to the Court that you never at any stage, in your whole career, despite what the police have said about you, had anything to do with Russian gangs? --- I say I know nothing.

And all you did for three years was to sell trousers? --- I said that yesterday too.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. COAKER :

Have you got a good memory for dates? --- I can remember some, but not others.

What is the date today? --- I don't know. I haven't got a place to find out what the date is.

What is the month? Are you asking the interpreter a

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