

IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA(APPÈLAFDELING)

In die saak tussen -

NCIMBITHI JOHNSON LUBISI

Eerste Appellant

PETRUS TSEPO MASHIGO

Tweede Appellant

NAPHTALI MANANA

Derde Appellant

en

DIE STAAT

Respondent

A P P È L

TEEN DIE SKULDIGBEVINDINGS EN VONNISSE VAN SY EDELE REGTER
 J.P.O. DE VILLIERS GELEWER IN DIE HOOGGEREGSHOF VAN SUID-
 AFRIKA (TRANSVAALSE PROVINSIALE AFDELING) OP 17 NOVEMBER
 1980.

NAMENS APPELLANTE:NAMENS RESPONDENT:

PRISCILLA JANA & ASSOCIATES,
 2de Vloer Abbey Huis,
 Commissionerstraat 51,
JOHANNESBURG.

DIE PROKUREUR-GENERAAL,
PRETORIA.

WEBBER & NEWDIGATE,
 Maitlandstraat 136,
BLOEMFONTEIN.

DIE PROKUREUR-GENERAAL,
BLOEMFONTEIN.

VOLUME 35.

(b1.2752 - 2938)

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BEWYSBOEK : IGNATIUS BHEKI GUMBI

VOORBLAD NIE REPRODUSEERBAAR NIE.

BEWYSBOEK : IGNATIUS BHEKI GUMBI

Keersy van voorblad en bladsy 1:

REFERENCE BOOK.—BEWYSBOEK.

WARNING: It is an offence for any person other than the one authorised or required by law to make any entry in this book.

WAARSKUWING: Dit is 'n oortreding vir enige persoon wat nie by wet daartoe gemagtig of verplig is nie, om enige inskrywing in hierdie boek aan te bring.

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KAAPSTAD

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BEWYSBOEK : IGNATIUS BHEKI GUMBI

Bladsye 2 en 3:

RESIDENTIAL ADDRESS.
WOONADRES.

ADMINISTRATION.
ADMINISTRASIE.

P. N. B. A.

REGISTERED AS A WESTERN DIST. WORKSEEKER ON
GEREGISTREER AS 'N DIST. WES WERKSOEKER OP
PERMIT No. 116282 VALID FOR 30 DAYS
PERMIT Nr. 116282 GELDIG VIR 30 DAE

11/2 1974 J. M. ...
DATE/DATUM LABOUR OFFICER/ARBIDSSEAMPTJE

P. N. B. A.

REGISTERED AS A WESTERN DIST. WORKSEEKER ON
GEREGISTREER AS 'N DIST. WES WERKSOEKER OP
PERMIT No. 116282 VALID FOR 30 DAYS
PERMIT Nr. 116282 GELDIG VIR 30 DAE

11/14 1974 J. M. ...
DATE/DATUM LABOUR OFFICER/ARBIDSSEAMPTJE

P. N. B. A.

REGISTERED AS A WESTERN DIST. WORKSEEKER ON
GEREGISTREER AS 'N DIST. WES WERKSOEKER OP
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PERMIT Nr. 116282 GELDIG VIR 30 DAE

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BEWYSBOEK : IGNATIUS BHEKI GUMBI

Bladsye 4 en 5:

ADMINISTRATION.
ADMINISTRASIE.

ADMINISTRATION.
ADMINISTRASIE.

P. N. B. A.

PERMITTED IN THE PRESCRIBED AREA OF WESTERN DIST.
TOEGELAAT IN DIE VOORGESKREWE GEBIED VAN DISTRIK WES
WHILE EMPLOYED BY
TERWYL IN DIENS VAN *Tenise Eng. & Man*
RENEWAL DATE OF CONTRACT
HERNUIWINGSDATUM VAN KONTRAK
DATE *12/5/74* LABOUR OFFICER
DATUM *12/5/74* ARBEIDSPAMPTJ.

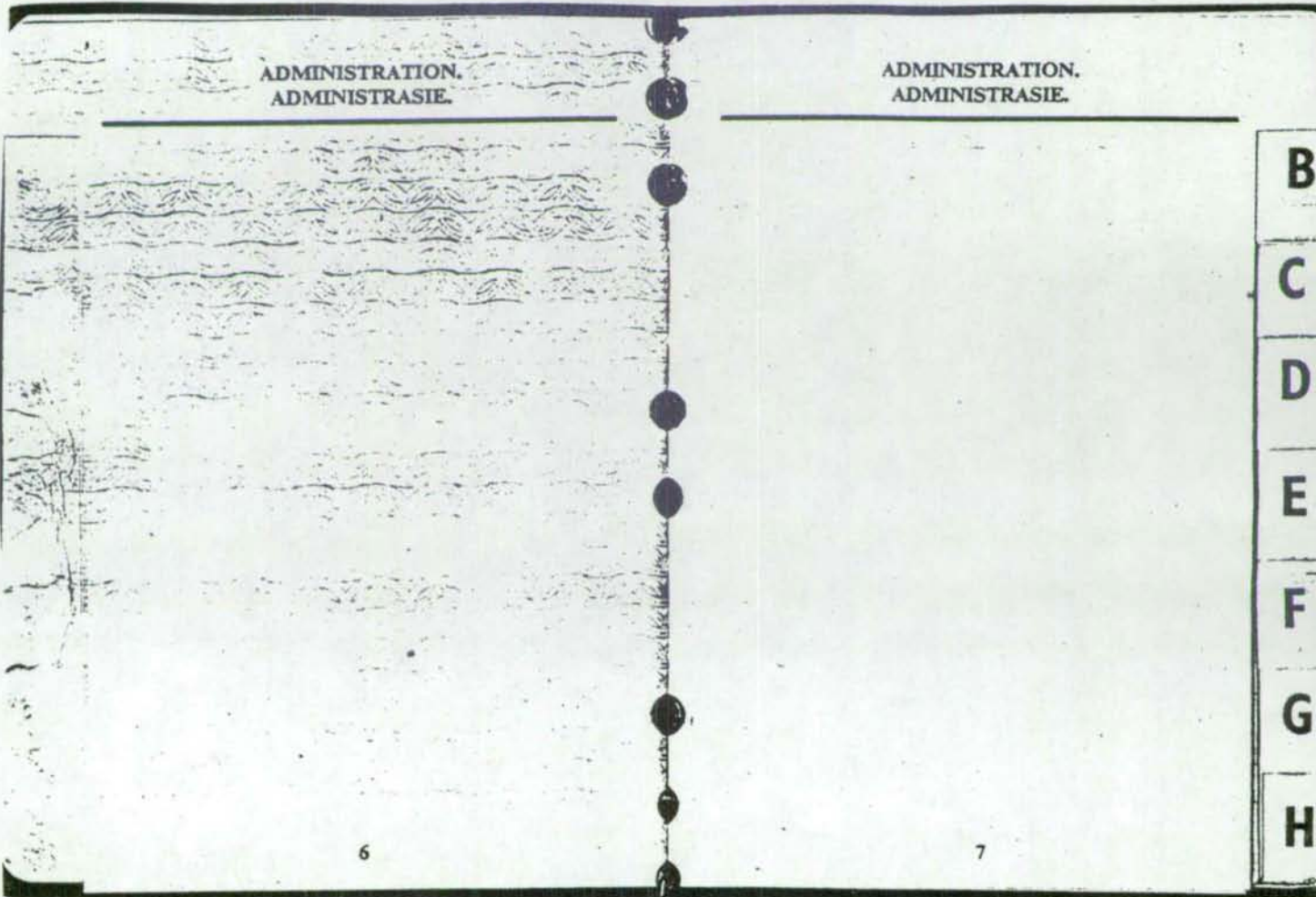
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BEWYSBOEK : IGNATIUS BHEKI GUMBI

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ADMINISTRASIE.

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BEWYSBOEK : IGNATIUS BHEKI GUMBI

Bladsye 10 en 11:

EMPLOYMENT
INDIENSNEMING

Registration of employment
Registrasie van indiensneming

TEMCO ENGINEERING & MECH.
CO. PTY LTD

17/5/74

EMPLOYMENT
INDIENSNEMING

Compulsory Endorsements by employer.
Verpligte Inskrywings deur werkgever.

Monthly signature of employer. Maandelikse handtekening van werkgever.	Month. Maand.	Date of discharge and signature of employer. Datum van ontslag en handtekening van werkgever.
B. McDonald	May 74	
B. McDonald	June 74	
B. McDonald	July 74	
B. McDonald	Aug 74	
B. McDonald	Sept 74	
B. McDonald	Oct 74	
B. McDonald	Nov 74	
JvdM	Dec 74	
JvdM	Jan 75	
JvdM	Feb 75	
JvdM	Mar 75	
JvdM	Apr 75	
JvdM	May 75	

BEWYSBOEK : IGNATIUS BHEKI GUMBI

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EMPLOYMENT
INDIENSNEMING

Registration of employment
Registrasie van indiensneming

EMPLOYMENT
INDIENSNEMING

Compulsory Endorsements by employer.
Verpligte Inskrywings deur werkgever.

Monthly signature of employer. Maandelikse handtekening van werkgever.	Month. Maand.	Date of discharge and signature of employer. Datum van ontslag en handtekening van werkgever.
W. Brown	Feb 75	
W. Brown	July 75	
J vdM	Aug 75	
J vdM	Sept 75	
J vdM	Oct 75	
J vdM	Nov 75	
J vdM	Dec 75	
J vdM	Jan 76	
R. Fine	Feb 76	
R. Fine	March 76	
R. Fine	April 76	
R. Fine	May 76	
R. Fine	June 76	

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BEWYSBOEK : IGNATIUS BHEKI GUMBI

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EMPLOYMENT
INDIENSNEMING

Registration of employment
Registrasie van indiensneming

EMPLOYMENT
INDIENSNEMING

Compulsory Endorsements by employer.
Verpligte Inskrywings deur werkgever.

Monthly signature of employer. Maandelikse handtekening van werkgever.	Month. Maand.	Date of discharge and signature of employer. Datum van ontslag en handtekening van werkgever.
A. Fine	July 76	
A. Fine	Aug 76	
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S. Sparrow	Oct 76	
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S. Sparrow	Feb 77	
S. Sparrow	Mar 77	
Senzo	April 77	
Senzo	May 77	
Senzo	June 77	
Senzo	July 77	

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BEWYSBOEK : IGNATIUS BHEKI GUMBI

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ALGEMENE EN HOSPITAALBELASTING.

GPS: 0138708 BA 56
P.N. I.N. 2700000000
GPS: 8480595 BA 56
P.N. I.N. 3A00543
GPS: 8480595 BA 56
P.N. I.N. 3A00543
I. B. GUMBI
VOORLETTERS EN VAN
INITIALE AND SURNAME
JAAR 1976 YEAR
2571
KODE-PLEK UITGEREIK
CODE PLACE ISSUED
DATE 2/74
GENERAL TAX R250
ALGEMENE BELASTING R250
DURBAK
BANTOESAKEKOM 20

GENERAL AND HOSPITAL TAX.
ALGEMENE EN HOSPITAALBELASTING.

NEWCASTLE 157/ F.P. 1974

12-10-1972

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BEWYSBOEK : IGNATIUS BHEKI GUMBI

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GENERAL AND HOSPITAL TAX.
ALGEMENE EN HOSPITAALBELASTING.

GP 843059 BA 56

P.N. 3 4 0 9 5 1 3
I.N.

I B GUMBI
VOORLETTERS EN VAN
INITIALS AND SURNAME

1944 YEAR

2541
KODE PLEK UITGEREIK
CODE PLACE ISSUED

2-4-44
DATUM DATE

BA80593 No.
VORIGE KWITANSIE—PREVIOUS RECEIPT

BA80593
KODE PLEK UITGEREIK
CODE PLACE ISSUED

2-4-44
DATUM DATE

2541-2-4-

BANKI AFFAIRS COMMISSIONER

GENERAL AND HOSPITAL TAX.
ALGEMENE EN HOSPITAALBELASTING.

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BEWYSBOEK : IGNATIUS BHEKI GUMBI

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PLAASLIKE BELASTING, STAM- EN ANDER
HEFFINGS.

LOCAL TAX, TRIBAL LEVIES AND RATES.
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BEWYSBOEK : IGNATIUS BHEKI GUMBI

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DRIVER'S LICENCES.
BESTUURDERSLISENSIES.

REPUBLIC OF SOUTH AFRICA.
REPUBLIEK VAN SUID-AFRIKA.



CODES AND CLASSES OF VEHICLES.
KODES EN KLASSE VOERTUIG.

- 01 Motorcycle without sidecar, not exceeding 50 cm³.
Motorfiets sonder syspan, hoogstens 50 cm³.
- 02 Motorcycle without sidecar, exceeding 50 cm³.
Motorfiets sonder syspan, meer as 50 cm³.
- 03 Motorcycle with sidecar.
Motorfiets met syspan.
- 04 Motor tricycle.
Motordriewiel.
- 05 Tractor.
Trekker.
- 06 Motor vehicle propelled by electrical power.
Motorvoertuig deur elektriese krag aangedryf.
- 07 Special type of mobile agricultural or industrial equipment, etc.
Spesiale soort mobiele landbou- of nywerheidsuitrusting, ens.
- 08 Light motor vehicle.
Ligte motorvoertuig.
- 09 Medium motor vehicle.
Middel motorvoertuig.
- 010 Heavy motor vehicle.
Swaar motorvoertuig.
- 011 Extra heavy motor vehicle.
Ekstra swaar motorvoertuig.
- 012 Specially adapted vehicle for use by a physically disabled person. Spesiale ingerigte voertuig vir gebruik deur liggaamlik ongeskikte persoon.

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BEWYSBOEK : IGNATIUS BHEKI GUMBI

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DRIVER'S LICENCES.

On an application for and the issue of a driver's licence this reference book must be handed to the issuing officer who will affix the appropriate driver's licence on this page.

BESTUURDERSLISENSIES.

By aansoek om en die uitreiking van 'n bestuurderslisensie moet hierdie bewysboek oorhandig word aan die uitreikende beampte wat die toepaslike bestuurderslisensie op hierdie bladsy sal aanbring.

DRIVER'S LICENCES.

On an application for and the issue of a driver's licence this reference book must be handed to the issuing officer who will affix the appropriate driver's licence on this page.

BE~~STUUR~~URDERSLISENSIES.

By aansoek om en die uitreiking van 'n bestuurderslisensie moet hierdie bewysboek oorhandig word aan die uitreikende beampte wat die toepaslike bestuurderslisensie op hierdie bladsy sal aanbring.

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BEWYSBOEK : IGNATIUS BHEKI GUMBI

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DRIVER'S LICENCES.

On an application for and the issue of a driver's licence this reference book must be handed to the issuing officer who will affix the appropriate driver's licence on this page.

BESTUURDERSLISENSIES.

By aansoek om en die uitreiking van 'n bestuurderslisensie moet hierdie bewysboek oorhandig word aan die uitreikende beampte wat die toepaslike bestuurderslisensie op hierdie bladsy sal aanbring.

LICENCES TO POSSESS ARMS.

On an application for and the issue of a licence to possess an arm this reference book must be handed to the authorised officer who will affix the appropriate licence on this page.

LISENSIES OM WAPENS TE BESIT.

By aansoek om en die uitreiking van 'n lisensie om 'n wapen te besit, moet hierdie bewysboek oorhandig word aan die gemagtigde beampte wat die toepaslike lisensie op hierdie bladsy sal aanbring.

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BEWYSBOEK : IGNATIUS BHEKI GUMBI

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LICENCES TO POSSESS ARMS.

On an application for and the issue of a licence to possess an arm this reference book must be handed to the authorised officer who will affix the appropriate licence on this page.

LISENSIES OM WAPENS TE BESIT.

By aansoek om en die uitreiking van 'n lisensie om 'n wapen te besit, moet hierdie bewysboek oorhandig word aan die gemagtigde beampte wa. nenaslike lisensie op hierdie bladsy sal aanbring.

Bew. AP.

PERSONAL PARTICULARS
PERSOONLIKE BESONDERHEDE

MALE
MANLIK

FIRST NAMES
VOORNAME

IGNATIUS BHEKI

SURNAME
VAN

GUMBI

CITIZENSHIP
BURGERSKAP
ZULU

No. 3409543

Ignatius Bheki

DIRECTOR,
BANTU
REFERENCE
BUREAU
BANTOE-
BEWYSBURO



REPUBLIC OF SOUTH AFRICA



REPUBLIEK VAN SUID-AFRIKA

12-10-1972

H

1. Op (datum) 17 Maart 1980 om (tyd) 10-20 v.m. bring (Notuleer die naam van die beampte) Luitenant Holloway ondergenoemde persoon na my Landdros van die distrik van NEWCASTLE in my kantoor te Landdroskantoor, NEWCASTLE. Daarna verlaat genoemde beampte my kantoor. Die deure en vensters word toegemaak en in my kantoor is nou niemand anders nie behalwe net myself/die amptelike tolk (naam) Jabulani Albert Radebe en die persoon hieronder genoem, wat die volgende persoonlike besonderhede aan my verstrek:

(a) Naam: Thomas Mngadi

10

(b) Ras: Zulu

(c) Geslag: Manlik

(d) Ouderdom: 29 jaar

(Hierna genoem die verklaarder).

2. Indiën die verklaarder nie die dienste van 'n tolk benodig nie, notuleer wat die verklaarder sê waarom hy nie die dienste benodig nie: Benodig 'n tolk.

3. Ek deel die verklaarder mee dat ek 'n Landdros is, dat ek hoegenaamd niks te doen het met die ondersoek teen hom nie, dat ek nie saam met die Polisie of enige ander persoon in die saak 20 werk nie en dat hy onbevrees en vryelik in my teenwoordigheid kan praat. Hy word verder gewaarsku dat hy hoegenaamd nie onder enige verpligting is om enige verklaring af te lê nie, maar indien hy 'n verklaring sou aflê dit, terwyl hy praat neergeskryf sal word en kan later by blote voorlegging daarvan in 'n hofsaak as getuienis teen hom gebruik word. Hierop vra ek verklaarder of hy hierdie waarskuwing deeglik begryp. Sy antwoord hierop is: Ek verstaan.

4. Uit voorafgaande gesprek en antwoorde is ek oortuig dat die verklaarder oënskynlik by sy volle verstand is (dui aan in welke 30 toestand die verklaarder verkeer bv. (huil, senuweeagtig ens.)

Kom normaal voor behalwe dat hy blykbaar pyn verduur en

verklaarder/.....

verklaarder sê sy hele linker been is seer.

5. Ek vra verklaarder of hy nogtans verlang die verklaring af te lê, nieteenstaande die feit dat dit as getuienis teen hom gebruik kan word deur die blote voorlegging daarvan. Sy antwoord is: Ja.

6. Ek vra vervolgens verklaarder om in sy eie woorde aan my te vertel hoe dit gebeur het dat hy na my kantoor gekom het om sy verhaal aan my te vertel. Die volgende is sy verduideliking (neerskryf in sy eie woorde): Hulle het my hiernatoe gebring sodat ek die waarheid moet praat "hulle" is die polisie. 10

(Skuins aan linkerkant van bladsy geskryf:)

Die verklaarder loop swaar en sê dat 'n blanke polisieman hom opgelig het en teen die grond gegooi het en ook teen die muur gestamp het.

7. Hierna word die volgende vrae deur my aan verklaarder gestel.

- (a) Het u enige beserings of kneusings van welke aard ook al en indien dit vertoonbaar is, wys dit aan my. Sy antwoord is: 1) Toon 'n ou gehegde wond op rug[±] 4 cm. 20 lank. 2) Toon ou wond op linker skouer [±] 4 cm. lank. 3) Toon 'n ou wond op regter skouerblad [±] 2 cm. lank. 4) Toon 'n ou merk bokant regter lip.

(Kyk of u uiterlik enige tekens van beserings of kneusings kan waarneem, behalwe die wat hyself uitwys en notuleer wat uself waarneem. Indien geen beserings sigbaar is nie, meld hierdie feit). Verklaarder verduur toon 'n merk op linker bo-arm. Verklaarder sê dat al hierdie merke ou beserings is. Verder is daar geen merkbare tekens nie. 30

- (b) Vertel aan my hoe jy aan die beserings wat jy uitgewys het/....

het, gekom het. Antwoord: Die ou wonde is opgedoen toe ek met die Tsotis baklei het.

- (c) Het die Polisie of enige ander persoon jou aangerand of gedreig met die doel om jou te beïnvloed om die verklaring voor my te kom aflê. Antwoord: Nee.
- (d) Is jy deur enige persoon beïnvloed om 'n verklaring voor my te kom maak? Antwoord: Nee.
- (e) Is jy deur enige persoon aangemoedig of gedwing om die verklaring voor my te kom aflê. Antwoord: Nee.
- (f) Is enige beloftes of vergoeding jou aangebied of voor- 10 gehou ten einde jou te beïnvloed in jou besluit om 'n verklaring voor my af te lê al dan nie. Antwoord: Nee.
- (g) Verwag jy enige voordele as jy 'n verklaring voor my aflê. Antwoord: Nee.

(As die verklaarder meedeel dat hy 'n voordeel verwag, moet van hom verneem word wat die aard van die voordeel of voordele is en dit moet genotuleer word)

8. Hierop deel ek verklaarder mee dat hy hoegenaamd geen voordele van enige aard van enigiemand kan verwag as hy die verklaring sou maak nie. Die belangrikheid hiervan is tot sy aandag gebring en ek vra hom of hy dit verstaan en begryp. Sy antwoord is: Ek verstaan.

9. Ek vra verklaarder dat aangesien hy op geen voordele hoegenaamd kan staatmaak as hy die verklaring aflê, of hy onder die omstandighede nogtans begerig is om 'n verklaring af te lê.

Antwoord: Ja.

10. Ek deel verklaarder mee dat hy aan my gesê het dat hy nie deur iemand aangerand, gedreig, aangemoedig, beïnvloed is, en dat daar geen beloftes aan hom voorgehou is ten einde hom te oor- 30 reed om 'n verklaring te maak nie, maar ek wil hom egter nogtans

vra/.....

vra om my in sy vertroue te neem en as daar in sy oordeel enigiets onbehoorlik gebeur het wat hom beïnvloed het om na my te kom om 'n verklaring te maak, dit nou aan my te openbaar. Ek onderneem verder om dit summier onder 'n Polisie Offisier se aandag te bring en hom te versoek om enige bewerings van verklaarder te laat ondersoek. Sy antwoord hierop is: Nee daar het niks gebeur nie.

11. Ek vra vervolgens verklaarder of hy vantevore 'n verklaring hetsy mondelings of andersins van dieselfde aard gemaak het en indien wel, wanneer en aan wie: Antwoord: Ek het 'n verklaring 10 Saterdag die 15de Maart gemaak mondelings aan die polisie te Newcastle.

12. Verklaarder word gevra waarom hy die verklaring wens te herhaal. Antwoord: Ek wil die verklaring weer maak en die waarheid praat sodat hierdie verklaring my kan staaf.

14. Hierna lê verklaarder onderstaande verklaring vrywillig af, welke verklaring in sy teenwoordigheid in sy eie woorde ten tyde van die aflegging daarvan, neergeskryf word sonder dat enige vrae aan hom gestel word, behalwe vrae wat nodig is om onduidelikhede of onverstaanbare verklarings op te klaar: (Aanhangsel) Ek 20 het die Republiek van Suid Afrika verlaat, ene Joe Khumalo het my na Swaziland geneem. Daar was nog 'n ander persoon wat ook na Swaziland gegaan het, dit is Osmond Mogorose. Ons het na die hotel gegaan waar ons na 'n Swartman Duma geneem is. Duma is ook 'n lid van die A.N.C. Toe ons in die hotel ingegaan het, het Duma ons skrikgemaak, deur te sê "ja is julle die A.N.C." Ons het gesê dat ons nie van die A.N.C. is nie. Mogorose het aan Duma gesê dat hy net vir sy tante kom kuier. 'n Rukkie hierna het Duma aan ons gesê dat hy maar net met ons gespeel het.

Joe Khumalo het 'n kaart van die hotel uitgehaal en gevra 30 wat ons wil hê. Joe Khumalo is 'n verkeerskonstabel in Soweto

en/....

en hy is 'n lid van die A.N.C. Joe Khumalo het vir ons vleis en drank bestel en daarna het hy ons na die agterkant van die geboue geneem waar Duma bly, ons was aangesê om daar te slaap. Die volgende oggend het Joe Khumalo teruggekeer na Suid-Afrika, dit was vroeg in die oggend. Om 10 v.m. het ons agtergekom dat Joe Khumalo nie meer daar is nie en Duma het ons na die hotel geneem waar ons kos gegee was.

Om 7 n.m. het Duma 'n voertuig gebring en ons is na Mozambiek geneem waar ons geslaap het tot die volgende oggend. Die volgende oggend is ons deur Frelimo na 'n lughawe geneem vanwaar ons per vliegtuig na Tanzania geneem is. Vandaar is ons na Angola geneem waar ons militêre opleiding ondergaan het vir ses maande.

Die klasse wat ons geloop het was ten opsigte van politiek, vuurwapens, ingenieurswese en plofstowwe. Ons het ook geleer om kannonne en mortier- wapens te gebruik asook lugafweerwapens. Ons het ook geleer om die Bazuka tenkafweer-wapen te gebruik.

Ek het my huis in Junie 1976 verlaat en ek het in 'n soldate kamp gebly, die kamp se naam is Novagatenga, daar het ek twee jaar gebly. Van hier is ons na 'n ander kamp met die naam van Kibashe, dit is ook in Angola, daar was ek vir agt of nege maande.2 Hierna is daar vyftig van ons na Rusland geneem, na 'n kamp met die naam van Pirifile waar ons vir ses maande opleiding ontvang het. Hier het ons weereens onderrig ontvang in alles wat ek reeds genoem het, asook in die gebruik van handgranate. Na die ses maande is ons teruggeneem na Kibashe, in Angola. Op dieselfde dag is ons toe na 'n ander kamp met die naam van Fazenda geneem waar ons 'n "survival" onderrig ontvang het. Hier het ons hierdie "survival course" vir vier maande lank gedoen. Ek alleen is toe teruggeneem na Kibashe waar ek net geslaap het. Die volgende dag is ses van ons verder geneem na Funda Kamp waar ons 3 vier of vyf maande gebly het waar ons elke dag vuurwapens afgevuur

het/....

het. Vandaar is ons na Matola Kamp in Mozambiek geneem. Vanaf Matola het Tami en Bennett na Suid-Afrika gekom en na twee weke het hulle weer teruggekeer na Matola. Ek het 'n maand lank in Matola gebly. My naam onder die A.N.C. is Elliott, en ook Freddie Molitzane. Ek en Tami is toe na die bevelvoerder van Matola Kamp geroep en hy het aan ons gesê om ons werk in Mondlo woonbuurt te Vryheid Natal te gaan doen, ons moes werk kom doen as waarnemers om vas te stel waar ons mense in die bosse kan kom bly, dit is die terroriste. Ons moes ook geskikte plekke soek waar ons vuurwapens in die grond kon versteek, hierdie plekke het bekend gestaan as "D.L.B." en ons het of moes sketskaarte van die plekke maak. Die bevelvoerder wat ons hierdie opdrag gegee het is Oscar, ek ken nie sy van nie, hy is die politieke kommissar.

Ons was aangesê om vanaf Mondlo woonbuurt die rigting na Bloedrivier te neem asook na Ngutu area, sowel as Paulpietersburg. Nadat hierdie opdrag aan ons gegee was is ek gevra om die bevelvoerder se kantoor te verlaat en Tami het agtergebly. Na 'n rukkie het Tami uitgek[?]om en hy en ek is na 'n verdieping geneem en ek is gesê dat Tami my bevelvoerder sal wees. Ons was aangesê om die volgende dag na Swaziland te gaan. 'n Swartman met die naam van Moosa het ons na Swaziland geneem, ons het te voet gegaan. Vanaf Swaziland het ons per bus gery na Manzini, dit is 'n dorp in Swaziland, vandaar is ons met 'n ander bus na 'n ander dorp. Moosa het vir my en Tami nuwe klere gekoop en R100 aan elkeen van ons gegee. Ons is weer terug na Manzini waar ons 'n ander lid van die A.N.C. ontmoet het, sy naam is Brian. Ons was toe vier persone wat per motor gereis het na Mvunyana op die grens van Suid-Afrika en Swaziland en so het ons in die Republiek van Suid-Afrika ingekom. Dit was in die nag en daar het ons in die plantasie geslaap.

Die/...

Die man met die naam van Jack is die persoon wat die mense help om oor die grens na Suid-Afrika te kom. Ons is toe per huurmotor na Piet Retief vanwaar ons per trein na Vryheid is. Tami en ek is per bus na die woonbuurt Mondlo. Moosa het ons twee pistole en vier handgranate gegee, asook elkeen twee magasynse vol patrone. Ons het na 'n sekere vrou met die naam van Mangagana gegaan waar ons vir drie dae gebly het. Vandaar is ons na die huis van 'n Swartman met die naam van Ram en daar het ons gebly, en ons het van hier ons waarnemings begin doen. Ons het ook na Ngutu en Bloedrivier gegaan. 10

Op 'n dat het ons weer met die bus na Vryheid gegaan en in Kerkstraat geloop in die rigting van Bloedrivier. Ons het tien myl geloop tot by 'n plantasie waar ons in die plantasie waarnemings gedoen het. Ons het gevind dat die plantasie nie vir ons doel geskik was nie. Die volgende dag is ons uit op die Utrecht pad, dit was 'n Vrydag, en afgedraai op die Bloedrivier pad. Ons het 'n geskikte plek by die berge aldaar gevind, 'n geskikte woonplek vir die terroriste. Ons sou die Maandag weer na daardie plek gaan.

Ons het teruggegaan na die huis van Ram, en ons bevelvoerder, dit is Tami, het toe gesê dat ons vuurwapens weg is. Ram het gesê hy weet nie waar ons vuurwapens is nie. Tami het egter vir Ram gesê dat hy, Ram, weet van die vuurwapens. Tami het na die bure gegaan waar drank verkoop word en daar was aan Tami gesê dat Ram gesien was met die pistool. Tami het weer met Ram gaan praat en toe sê Ram dat hy 'n vuurwapen vir R25 gekoop het. Ram het my na sy kamer geroep, sy kussing opgelig en gesê dat dit die vuurwapen is wat hy gekoop het, en dat hy sy vrou se geld daarvoor gebruik het. Ek het die vuurwapen erken as een van die wat ons gebring het. Ek het die magasyn gevat en die leë pistool aan Ram teruggegee. Ek het aan Ram gesê 30

dat/....

dat Tami hom die R25 sou gee. Op daardie oomblik het 'n polisieman in privaatdrag by Ram se huis gekom. Hy het drank by die bure gekoop en toe by Ram se huis in die kombuis gekom waar ons was. Ram en die polisieman is toe in Ram se kamer en waar Ram die pistool aan die polisieman gewys het. Ek het uitgegaan toe sien ek die polisievoertuig buite die huis. 'n Blanke man het in die polisievoertuig hom versteek. Ek het toe weggehardloop. Die man het uit die voertuig geklim en 'n skoot afgevuur. Ek is toe later gearresteer. Ek is teruggeneem na Ram se huis en die huis is deursoek maar Tami was toe nie daar nie. Die polisie het die handgranate daar in Ram se huis gekry.

Die polisie het toe met Tami ook daar aangekom en ons is toegesluit. Dit is al.

Voorgaande verklaring is in die Zulu (taal deur verklaarder gebesig) taal afgelê en in die Afrikaans (amptelike taal) taal oorgesit deur die tolk en nadat dit neergeskryf is, het ek dit aan die verklaarder oorgelees terwyl dit weer aan hom vertolk is deur genoemde tolk, en het hy bevestig dat die verklaring korrek neergeskryf is.

Hierna is die verklaring onderteken deur die verklaarder deur sy handtekening/regter duimafdruk daarop aan te bring en deur die tolk.

(get) J.A. Radebe

TOLK

(get) Thomas Mngadi

VERKLAARDER

VOOR MY

(get) H. ?

LANDDROS/NEWCASTLE, NATAL

Ingevolge Artikel 217(1)(b)(i) Wet 51/1977 sertifiseer ek Jabulani Albert Radebe (Naam van tolk) amptelike tolk in diens van die Departement van Justisie en gestasioneer te Landdros-kantoor, NEWCASTLE hiermee dat ek getrou en juis en na my beste vermoë/....

vermoë getolk het met betrekking tot die inhoud van hierdie
bekentenis en enige vraag deur die Landdros aan die verklaarder
gestel.

(get) J.A. Radebe

TOLK

PLEK: Rubberstempel: LANDDROS

DATUM: 17.3.1980

NEWCASTLE.

ERKENNINGS INGEVOLGE ARTIKEL 220 VAN WET NO. 51 VAN 1977

1. Die volgende koeëldoppies of gedeeltes van koeëls is gevuur met die AK geweer No. 258908, deel van bewysstuk I, welke geweer hanteer is deur Stephen Fanie Mafoko:
 - (a) Die mantel van die koeël wat deur prof. Loubser verwyder is vanuit die liggaam van mev. A. de Klerk (aanklag 3).
 - (b) Die koeël wat verwyder is uit die liggaam van mev. E.E. du Preez (aanklag 5).
 - (c) Die koeël wat verwyder is uit die liggaam van mev. J.A. van Wyk (aanklag 8).
 - (d) Die koeël wat verwyder is uit die liggaam van mnr. S.J. Knouwds (aanklag 9).
 - (e) Vier en twintig afgevuurde doppies wat op 25 Januarie 1980 gevind was deur kapt. F.J.P. Nel in die bankgebou van Volkskas te Silverton.
2. Gedurende die aanval op die Soekmekaar Polisiestatie op 4 Januarie 1980 is die volgende hoeveelheid skote gevuur uit die volgende gewere:
 - (a) 17 skote uit AK geweer No. 446947;
 - (b) 14 skote uit AK geweer No. 447646;
 - (c) 24 skote uit AK geweer No. 446247.
3. Die besering wat opgedoen is deur konstabel M.E. Mashapa op 4 Januarie 1980 te Soekmekaar is veroorsaak deur een stuk skrapnel afkomstig van 'n handgranaat.
4. Die pistool wat deur Samuel Themba Mngube op 13 Maart 1980 verwyder is vanuit die besittings van beskuldigdes No. 8 en 9 is dieselfde pistool as die wat op 17 Maart 1980 deur Sersant J.H.G.D. Janse van Vuuren gevind is in die besit van Victor Nkosi.

FOTO VAN GETUIE MOTHIBI OP SOEKMEKAAR GENEEM, MET SEKERE
AFMETINGS DAAROP AANGEBRING:



NEWSPAPER CUTTING FROM "THE STAR" 1976-11-10:

RAIDS - RESULT OF WRA CALL?

The house-to-house police raids in Soweto and other black areas are possibly the outcome of a West Rand Administration Board call for tougher police action to stamp out unrest.

During his evidence before the Cillie Commission of inquiry into township unrest, Mr J.C. de Villiers, chief director of the West Rand Board, said "strong, well-planned and if necessary merciless" police action was needed to bring "peace" to Soweto.

Mr De Villiers also suggested that police throw a cordon around the Soweto complex so that house-to-house searches should be carried out and people taken to a "sorting out area" where the lawless elements could be rooted out.

Over the past two days police have raided several areas of Soweto including Mzimhlope, Orlando West and Orlando East. Some residents have been panicked into removing their children from the area.

"BUSY"

Many people have been particularly critical of the timing of the police action. They began their raids on the day form three examinations were due to start and continued raiding even as students were writing.

Yesterday, when questioned about the police action, Brig. Jan Visser, Soweto's police chief, claimed no knowledge of any "raids or police operation" in the area.

But Maj-Gen. D. Kriel, in charge of riot control for the country, told The Star that the police were "busy" in Soweto and other black areas.

He denied that police were picking up young children from their homes and the streets in spite of claims by Soweto residents and said that any youngsters taken had to be involved with arson/....

arson or other criminal charges.

The police were after specific people in their clean-up operation and already had arrested numbers of people who would be charged with arson, robbery and housebreaking, he said.

NEWSPAPER CUTTING FROM "RAND DAILY MAIL" 1976-11-06:

KLIPTOWN DOCTOR'S ROOMS BLASTED

Staff Reporter

AN EXPLOSION rocked the consulting rooms of Dr Jack Goldberg in Klipspruit, early yesterday morning, Major-General Dawid Kriel, Deputy Commissioner of Police in charge of riot control, said. Nobody was injured.

The explosion cracked the walls, shattered the windows and destroyed the ceiling of a room causing damage to the building and medical equipment, General Kriel said. 10

In Soweto yesterday morning police detained an unknown number of boys between the ages of 15 and 18 in house-to-house raids in central Jabavu.

At Zone 4 in Diepkloof, Anna Mmule Mofulatse, a pupil of Mdaibane High School, was taken away by police after her family was woken at 2.30 a.m. yesterday.

In Cape Town early yesterday Security Police surrounded the home of Mr Temba Nolutshungu, youth organiser of the SA Institute of Race Relations, and detained him under the General Lae Amendment Act. 20

Six security policemen and eight members of the riot squad in camouflage dress arrived at Mr Nolutshungu's house in Gugulētu at 1.30 a.m., an institute spokesman said.

Five teachers from Tembisa High School were taken from their homes by police on Monday night. The teachers were reported to have been interrogated for several hours.

The names of three students believed to be in detention became available yesterday. They are Brian Mazibuko, Godfrey Mokone and Elijah Mabiva.

A matric student at the Diepkloof High School, Harry Kensana 3 Mabaso, and a companion whose name is not known were detained

by/....

by Security Branch detectives in Mohlakeng township.

Meanwhile, a youth is still in Tembisa Hospital after being shot when police opened fire in the township on Monday.

He is Daniel Mashiangwako, 19, a matric pupil at a correspondence ..(illegible)

NEWSPAPER CUTTING FROM "WORLD" 1976-11-09:

B I G S O W E T O P O L I C E R A I D

MANY FLEE FROM THEIR HOMES

PEOPLE fled from their homes at Mzimhlophe township, Soweto, today when Black and White policemen armed with rifles made a house-to-house raid.

Some who could not escape were arrested and driven away in police trucks. Women and children stood in groups in the streets as the raid went on.

When a team of WORLD reporters arrived at the scene many people were seen running into nearby Meadowlands and Orlando East.

Angry policemen in camouflage kit surrounded the reporters and later confiscated a film from the camera of WORLD photographer, Shadrack Nkomo. A White officer warned reporters not to take pictures.

Pictures

"If we see you taking pictures of us we will lay a charge against you," he said.

According to an eye-witness people whose reference books were not in order were arrested. Those whose books were in order were ordered to go to work.

The raid started at about 7 a.m. and it was called off at about 9.20 a.m.

BESKULDIGDES INGEVOLGE ARTIKEL 6 AANGEHOU

BeskuIdigde 1	-	1 Februarie 1980 om 15h50
BeskuIdigde 2	-	29 Januarie 1980 om 10h05
BeskuIdigde 3	-	1 Februarie 1980 om 15h50
BeskuIdigde 4	-	20 Desember 1979 om 15h30
BeskuIdigde 5	-	30 Januarie 1980 om 15h42
BeskuIdigde 6	-	2 Februarie 1980
BeskuIdigde 7	-	2 Februarie 1980
BeskuIdigde 8	-	18 Maart 1980
BeskuIdigde 9	-	18 Maart 1980

Admissions in terms of Section 220 of Act No. 51 of 1977

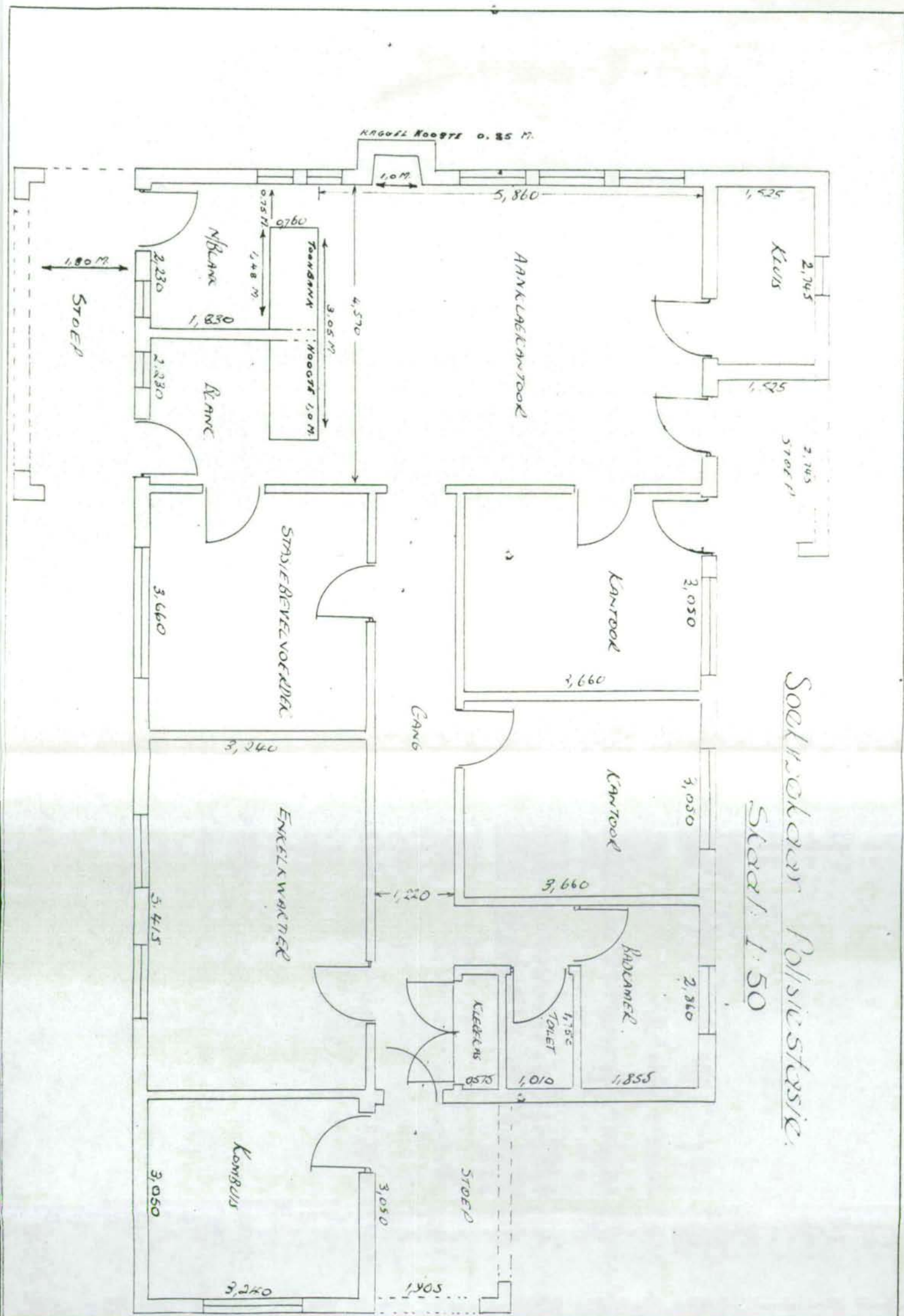
Accused No. 4 complained of having been assaulted in custody.

Specifically he complained of pain in abdomen and chest and pain in dorsum of both feet.

On 31 January 1980 the doctor found abrasions in parathoracic muscle, 2 x 1 cm wounds right lateral supra-orbit, minor abrasions at base of thumb.

Injuries appeared to be \pm 1 week old.

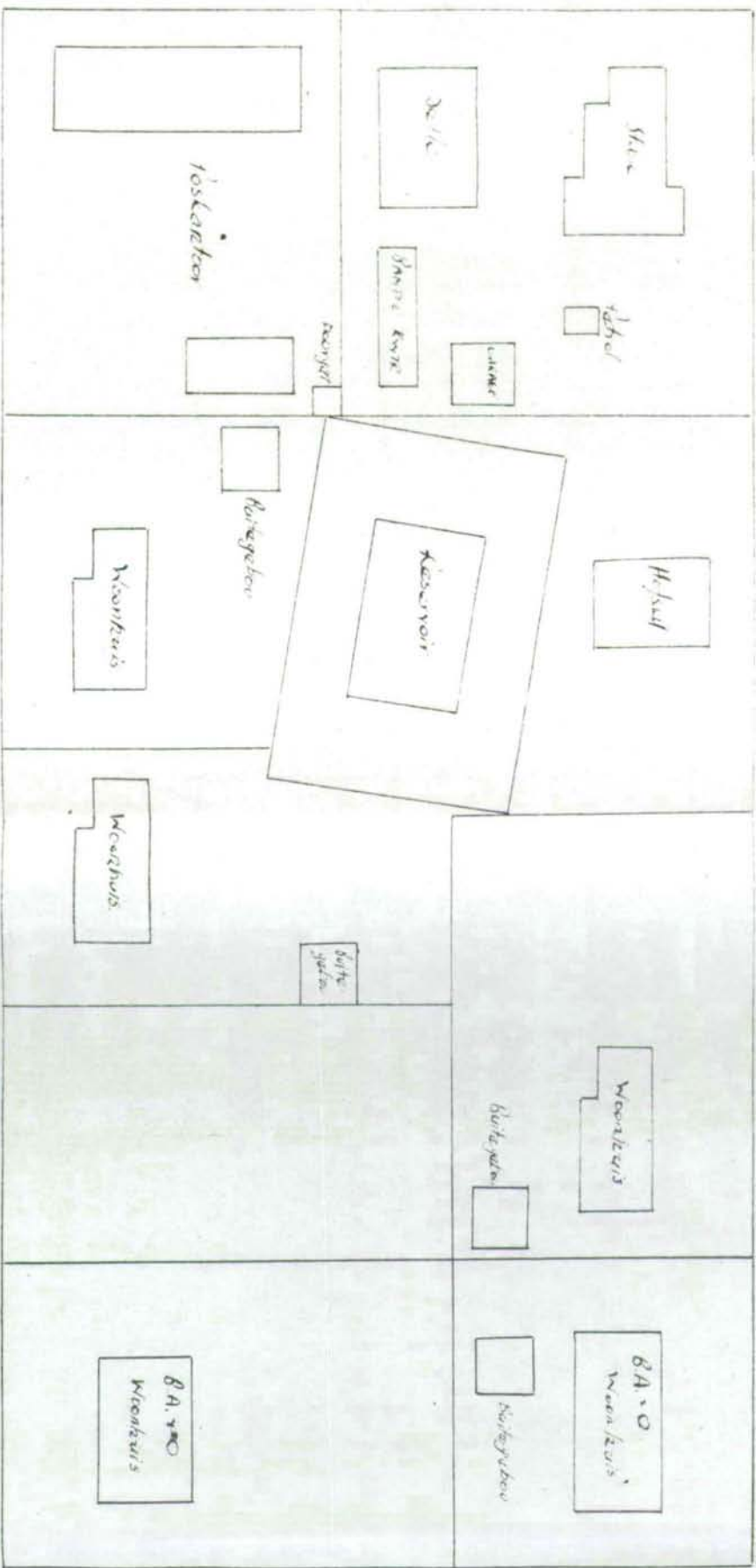
PLAN VAN SOEKMEKAAR POLISIESTASIE:



GRONDPLAN VAN SOEKMEKAAR POLISIESTASIE:

S.A. Polisie · Soekmekeer · Grondplan.

Skala: 1:500



N

FOTO GEMERK 118:

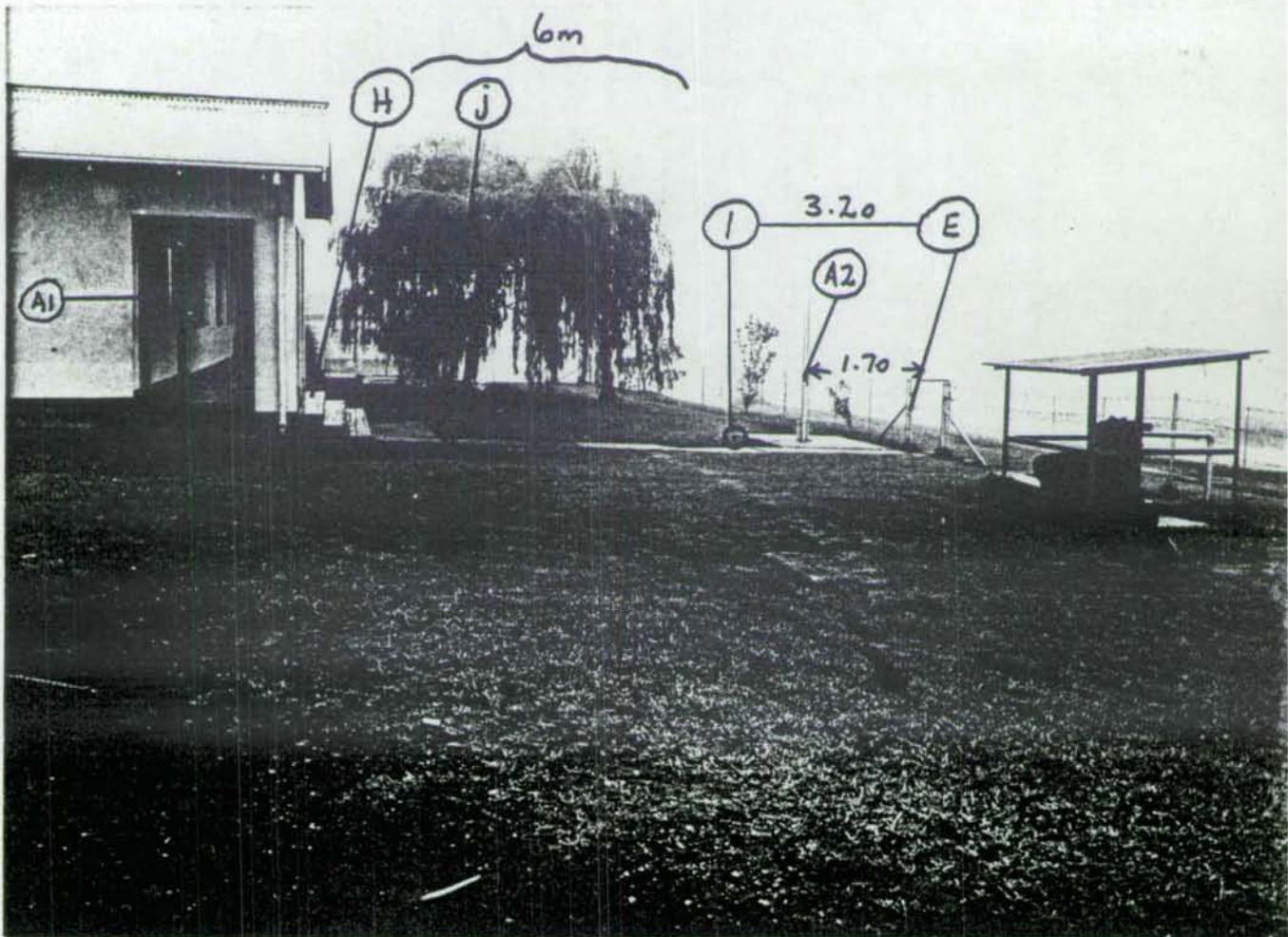


FOTO GEMERK 119:

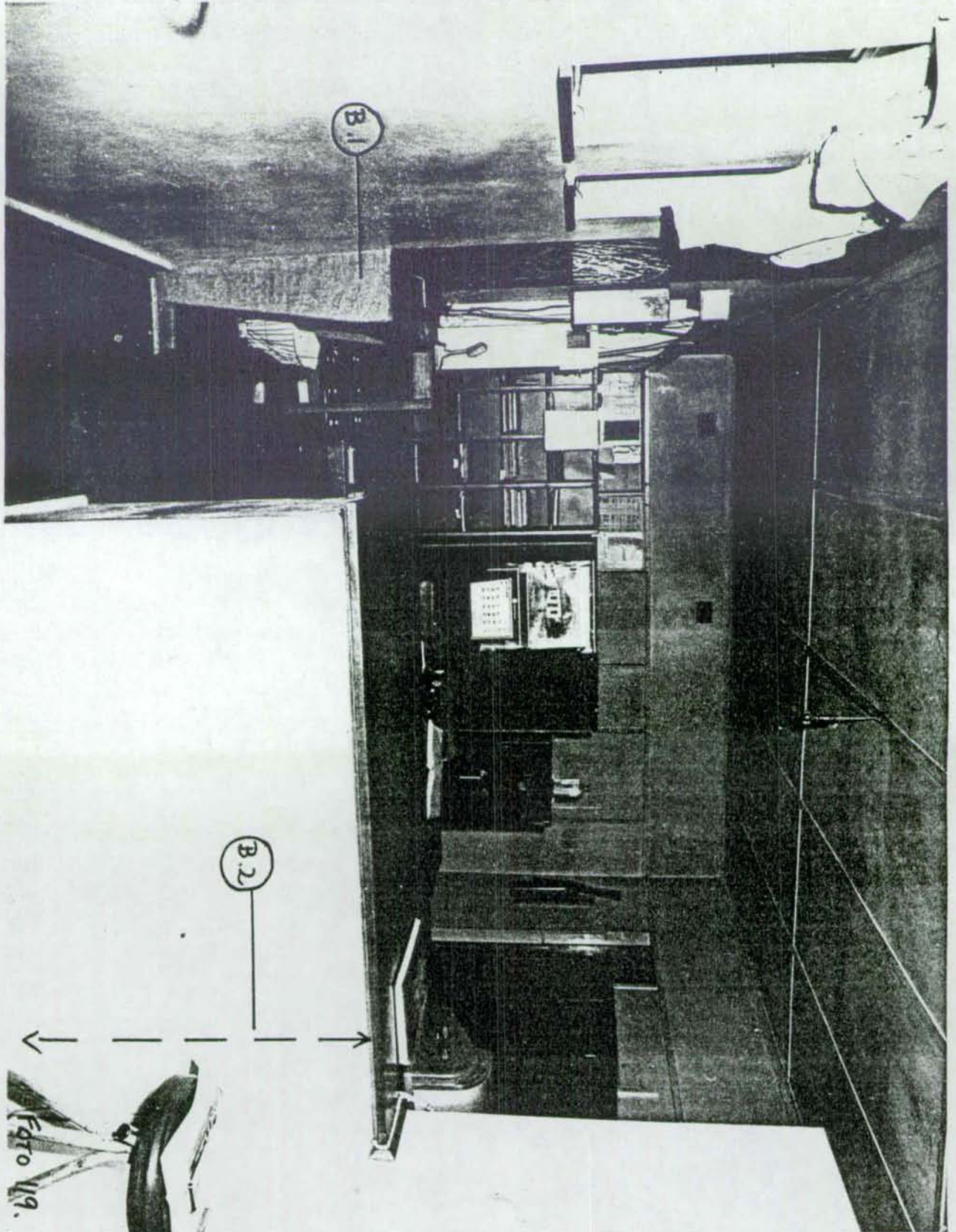


FOTO GEMERK 120:



Afstand van paadjie na J

0,30 meter

Afstand van paadjie na A2

1,25 meter

(get) J.C. LEMMER W42645P S/A/OFF

J.C. LEMMER : P.V.A.K.

PIETERSBURG.

Small, black, hard-cover notebook with red binding, the only entries therein being the following:

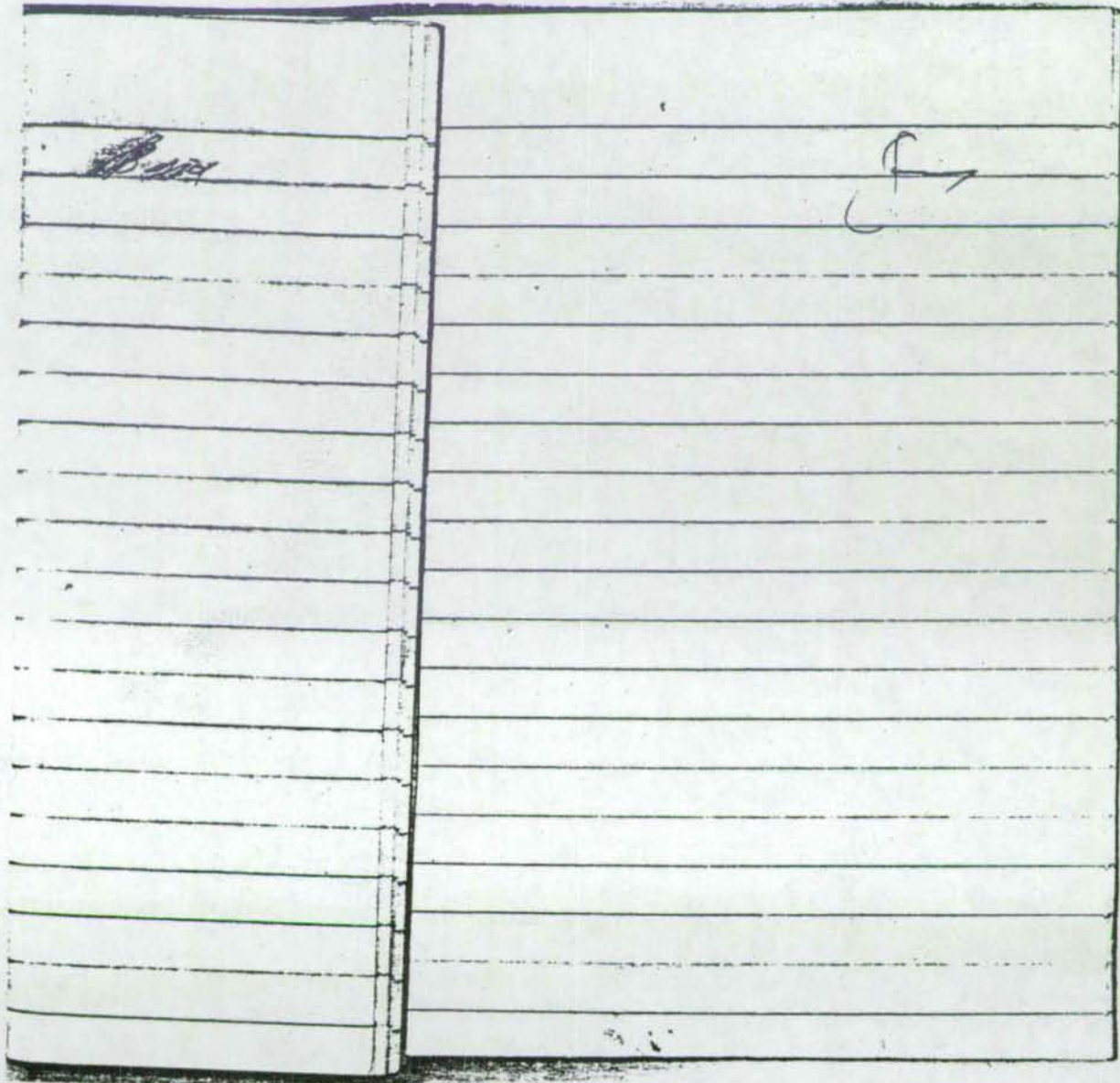
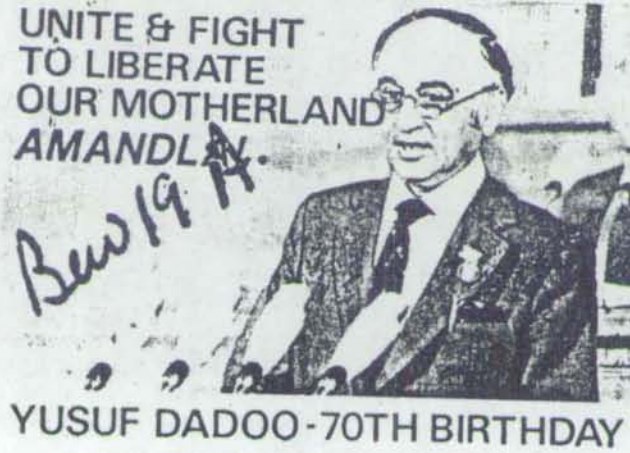


FOTO VAN YUSUF DADOO:



Photograph of Dr. Dadoo shaking hands with President Neto in Luanda in 1978:



On reverse of photograph:

"The liberation movements of the regions still dominated by the racists co-operated intensively with us in the tasks of liberation. Thus the ANC of South Africa, the Zimbabwean and Namibian liberation movements ... always gave vigorous support to the MPLA. The Angolan people will not forget their international duty. We shall be unsparing in our efforts to support the struggle of our comrades in Namibia, South Africa and Zimbabwe." 10

President Agostinho Neto, 1976.

"In Angola we were given a practical demonstration that the combination of the forces of national liberation, the Soviet Union and the socialist world and the working class and democratic forces of the capitalist world are invincible. This in turn has paved the way for further advance of the national

liberation/....

liberation movement throughout Southern Africa."

Dr Yusuf Dadoo, December 1976

"The change in the balance of forces resulting from the brilliant victories of the peoples of Angola, Mozambique and Guinea Bissau, and further accentuated by the humiliating defeat inflicted on Vorsters invading troops by the Angolan people, led by the MPLA and aided by socialist Soviet Union and Cuba. The escalating armed struggles in Zimbabwe and Namibia. Such are the international conditions which affect directly the Vorster regimes capability to withstand our struggle."

10

Dr. Dadoo, 1978.

Photograph : O.R. Tambo and Dr. Dadoo:



On reverse of photograph:

"The lesson of our history is that the key to freedom is a united people fighting for a single goal. We must build the unshakeable unity of all. We must deepen the unifying national consciousness of all our people - African, Coloured, Indian and democratic White - which is a pre-requisite for a nation-wide uprising and victory along the lines of our Freedom Charter. In this year 1979, we march forward to further develop the process of mass political mobilisation - bringing together of all organisations, groups and individuals opposed to apartheid 10 - unity in opposition to all aspects of the inhuman system of apartheid, laying the basis for a Peoples War in which we combine armed actions with all forms of political struggle.

In/....

In this struggle the working class has the central role."

Dr. Dadoo, 1979.

"We have set ourselves one task and one task only - to seize power from the fascist regime. We shall pursue the arms struggle not merely for the abolition of racial discrimination or for amendments to the apartheid system. We fight to transfer political power into the hands of the people.

"The ANC, the vanguard organisation of the broad liberation forces of our country, remains unwavering in its determination to carry out its historic mission of heading all these forces to victory. 10

"Since its foundation it has fought tirelessly to ensure the unity in action of all the oppressed people. Today the fruits of that labour are evident to all."

O.R. Tambo addressing the UN, 1976.

Photograph : O.R. Tambo and Castro:



Reverse/.....

Reverse of photograph:

"Cuba's commitment to supporting the struggles against fascism, racism for national liberation and social emancipation was an expression of conviction which had driven the Cubans themselves to the sacrifices they did. I think what emerged is that Cuba does not separate itself from the struggle of the people all over the world. That freedom is indivisible, that liberation is indivisible.

"We think that the people who are clamouring and screaming about the presence of Cubans in Africa do not understand how people feel who have been oppressed, exploited, subjected to racism and to fascism. In the final analysis the Cuban people came from Africa as slaves and may be it is time that they went back to destroy in Africa what remains of slavery."

O.R. Tambo speaking in Cuba, 1978.

"In Angola, the imperialists, the racists, the aggressors symbolized by the CIA, the South African troops and the white mercenaries, did not win victory nor did they occupy the country; victory was won by those who were attacked, the revolutionaries, the black and heroic people of Angola.

"The people who were attacked received the solidarity of the revolutionary movement, and the imperialists and racists could not dismember the country nor divide up its wealth nor assassinate its finest sons. Angola is united, integrated, and today it is a bulwark of liberty and dignity in Africa. The swastika of the South African racists does not fly over the palace of Luanda.

"No country of black Africa has anything to fear from Cuban military personnel. We are Latin-African people - enemies of colonialism neocolonialism, racism, apartheid, which Yankee imperialism aids and protects."

Castro.

(Three-paged pamphlet):

WORKERS UNITE!

NO REGISTRATION!

ORGANISE AND
FORM TRADE UNIONS
OF YOUR CHOICE!

(Page 2):

DO NOT APPLY FOR REGISTRATION!

You can make the
Proposed Legislation fail!

The Conciliation Amendment Bill is the result of the Wiehahn Commission of Inquiry into Labour Legislation.

The South African T.V., Radio and most of the Press announced the report with great joy as a "New Era", a "new look" for Black Labour. The regime thought that they could mislead the people and divert the world from their police-state brutalities, their corruption and their scandals which involved high government and Nationalist Party officials. 10

THIS IS NO NEW DEAL!

THIS IS NO NEW ERA FOR BLACK LABOUR!

The contents of this legislation simply mean:

GREATER REPRESSION

GREATER DISCRIMINATION

The major issues in the bill are:

TO DESTROY AFRICAN TRADE UNIONISM

TO STRENGTHEN JOB RESERVATION

TO DIVIDE BLACK WORKERS INTO "MIGRANT" AND "URBAN" 20

LABOURERS

Trade Union rights are denied to:

MIGRANTS, i.e. MINERS, FARM WORKERS, DOMESTIC WORKERS, AND WORKERS FROM THE TRANSKEI AND OTHER RURAL AREAS IN SOUTH AFRICA.

This means that the Government hopes that several million African workers will be left unorganised. They are to remain an easy prey to the exploiting employers. The South African regime has satisfied the demands of the bosses; this is to build up an African middle-class as a safety-belt, thus dividing the workers in order to ensure the continued exploitation of workers whilst 30 robbing the country of its wealth.

(Page 3):

Only this section of the African working class will be allowed to have trade unions under Government control.

THOSE UNIONS FAILING TO QUALIFY FOR REGISTRATION WILL BE HARASSED BY THE POLICE STATE AND WILL BE FORCED TO DISMANTLE. Any trade union which attempts to organise migrant workers will be liable to a fine of R500,00 in respect of each such person admitted to membership or in respect of whom a relationship exists (Section 4b 2).

THIS LEGISLATION IS TO DESTABILISE AND WEAKEN EXISTING AFRICAN TRADE UNIONS. TO DIVIDE, WEAKEN AND CONTROL THE AFRICAN TRADE UNION MOVEMENT. 10

The repeal of Section 77 of the 1956 lc Act is meaningless because the power is retained by the white registered trade unions with their "closed shop principle" to decide the issue.

WE CALL UPON YOU TO MAKE THE PROPOSED LEGISLATION INEFFECTIVE BY:

1. FORMING TRADE UNIONS OF YOUR CHOICE.
2. ELECTING YOUR OWN LEADERSHIP.
3. DEMANDING RECOGNITION OF YOUR UNION.
4. DEMANDING THAT THE EMPLOYERS NEGOTIATE WITH YOUR ELECTED UNION REPRESENTATIVES. 20
5. NOT ALLOWING ANYONE TO FORCE INDUSTRIAL COMMITTEES OR UNIONS UPON YOU.

FOR THE PROTECTION OF THE WORKERS AGAINST CRUEL HUMILIATION, VICIOUS EXPLOITATION AND BRUTAL NATIONAL OPPRESSION, MAKE SURE THAT THE PROPOSED LEGISLATION IS INEFFECTIVE -

DO NOT APPLY FOR REGISTRATION!

Issued by: South African Congress of Trade Unions.

All Power to the People

M A Y I B U Y E

MAYIBUYE NO. 8, AUGUST
YEAR OF THE SPEAR

The fortnightly Journal of
the African National Congress

ALEXANDRA

REJECT KOORNHOF'S SCHEME TO DISARM & CONFUSE US!

Earlier this year the people of Alex danced in the streets, hailing their victory after a long struggle against forced removal and the conversion of the township into a labour prison of single-sex hostels. But the events of the past months have raised doubts in most people's minds: what have we, after all, won in Alexandra? 10

Koornhof's dramatic announcement that Alex would be saved as a township of family housing at first sight appeared to many as a complete triumph. But, as usual, the conditions laid down by the regime reveal the hollowness of Koornhof's promises. Like in Crossroads, the main demand of the community has not been met - the demand for the right of all residents of Alex to continue living there. For a start as many as half of the people may be denied this right because they have no permits to live in the township. Again, like in Crossroads, Koornhof and his cronies are trying other methods to break down the people's united stand, since the bulldozers and police raids have failed to achieve this. The racists are trying to divide the people by offering some the opportunity to stay, but reserving the right to decide who shall go. In this way the oppressors hope to disarm and confuse the people of Alex into agreeing to this scheme. With their united resistance broken, the enemy will be able to achieve its goal by deceit instead of force - the removal of most of the residents to the 20 30

Bantustans/....

Mayibuye No. 8 page 1, August, Year of the Spear:

Bantustans or to the "Coloured Group Areas."

The partial victory in the fight to save Alex, which was led by Rev. Sam Buti and his followers, resulted in the people showing their overwhelming support for his "Save Alexandra Party" in the recent elections to the Liaison Committee. But the Liaison Committee should beware that it does not betray the trust of the people who elected it. One mistake the Committee is making is its participation in a survey of residents on the basis of which the apartheid regime will decide who can stay 10 in Alexandra. Because of the respect Rev. Buti and his party have won in the community, their involvement in this survey gives this whole scheme a credibility it does not deserve. In fact, the Committee is being forced to do the racists' dirty work - administering apartheid by assisting in the removal of people from their rightful homes. This was, of course, never the intention of Rev. Buti nor of the people who voted for his party. We are confident that the Reverend will withdraw his support for the regime's scheme, just as he courageously withdrew from Koornhof's Regional Advisory Committee when he rea- 20 lised it was just another trick to involve black people in administering oppression, not getting rid of it. We call on Rev. Buti and his party to lead the people of Alex in a renewed campaign for the right of every resident to stay.

99-YEAR LEASEHOLD

Another mistake the Liaison Committee has made is to agree that the regime can do away with freehold title in the township, in favour of the 99 year leasehold programme. We all know that one of the reasons for the enemy's longstanding campaign to destroy Alex is precisely because it is one of the last parts 30 of our country where black people are still entitled to freehold rights/....

Collection Number: AD2021

SOUTH AFRICAN INSTITUTE OF RACE RELATIONS, Security trials 1958-1982

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