

BY STATE PROSECUTOR:

Before calling the next witness I wish to make an application in terms of Section 156 (4) it reads: two applications rather, this is the first one..

"A superior court may... we had it ?... an inferior court may if it appears to that court to be in the interests of good order or public morals or of the administration of justice, direct that the trial shall be held with closed doors or that with such exceptions as the court may direct, females or minors of the public generally or any class thereof, shall not be present thereat".

I make an application sir that before calling the next witness for the Court to please order the public to leave the court - the reason being that the witness I intend.. the two witnesses I intend calling now are well-known in Johannesburg - they are giving evidence of the organisation of the P.A.C. and I do not.. have reason to believe first of all, that their lives are in danger should they be recognised by any of the members of the public. Or should their names be made known.

The second application that the Press may be present - I have no objection against that - but their names and addresses should not be published - so their evidence can be published but not their names and addresses.

BY COURT:

Any comment Mr. Schwartzman?--- BY MR. SCHWARTZMAN:
None, I leave it in the Court's hands.

BY COURT:

If it is only applicable to two witnesses then we will continue in open court again...--- Yes certainly - only the two witnesses - it may be three but the indications are now that I'll be considering closing the State case after

I/ . . .

I call these two. Is it possible for the Court to adjourn?

BY COURT: The application is granted.

How long do you want?--- A minute or three.

COURT ADJOURNS AND RESUMES.

BY INTERPRETER: The witness elects to speak English.

SHADRACK DITSI Sworn States:

EXAMINED BY STATE PROSECUTOR:

Were you a member of the organisation known as the Pan Africanist Congress?--- I was a member - I was a "Task Force" leader.

Where?--- In Randfontein.

Did you attend any meetings of the P.A.C.?--- I attended several meetings of the P.A.C.

What were the positions - what positions did the officials have in this organisation - the P.A.C.?--- We had various positions in the P.A.C. from Secretary/Chairman "Service leader and" Intelligence/- task force leader..

Anything else?--- And Treasurer.. Assistant Secretaries and assistants of all the departments in the organisation.

Who did all the correspondence?--- The secretaries handled the correspondence.

And who received - rather, in these branches, who received the correspondence from, say the head office?--- In some cases the correspondence is also handled by the chairman.

By the chairman?--- Yes and the other cases by secretaries.

Did you have a head office at all?--- We had a head/ . . .

head office in Basutoland.

Basutoland?--- Yes.

The town?--- Maseru.

And who was in charge of this head office?---
Mr. Leballo was in charge of the head office.

So what were the duties, first of all, of the
Chairman of the P.A.C. --- His duties - he was entirely
in charge of the organisation in Basutoland.

No the Chairman of the branch?--- The chairman
of the branch is to handle all the important "matters"
of the organisation in his branch.

BY COURT:

Handle all the..?--- Important events. He is
the head of the organisation in his area.

BY STATE PROSECUTOR:

And the secretaries?--- The secretary handles
all correspondence for the organisation.

Did you at all make use of any codes?--- We had
various codes.

Like for instance?--- For instance we had the name
of kitchens used for places where we hide our stuffs..(stuffs)
"explosive stuffs" and firearms like that..

Before we go on Your Worship I'll take it from the
beginning..

BY COURT:

I didn't hear that.. --- BY STATE PROSECUTOR:
He said kitchens..

BY WITNESS:

Kitchens is a code name used for hiding places
of explosives and firearms.

BY STATE PROSECUTOR:/. . .

BY STATE PROSECUTOR:

I'm first showing you EXHIBIT F & that is the Pan Africanist Oath of Allegiance. It reads:

"On my life, honour and fortune I solemnly pledge and swear that I shall always live up to the aims and aspirations of the Pan Africanist Congress and shall never under any circumstances divulge any secret, nor betray an Africanist and that if I dare to divulge any secrets, plans and movements of the P.A.C., or betray any member of the cause, or use the influence of the Pan Africanist Congress for my interests or advertisement, I do so at my own peril. I will irrevocably and act upon the orders commands instructions and the directions of the N.E.C. of the Pan Africanist Congress. I will always serve, sacrifice and suffer anything for the Cause for which the P.A.C. stands and^{will} at all times be ready to go on any mission that I may be called upon to perform. I will make it my aim and duty to foster the cause for which P.A.C. stands in any organisation that I may become a member. I accept the leadership of the Pan Africanist Congress. Should I fail to honour this oath I will accept death as punishment. "

Do you know this oath?--- I do know.

Now what can you tell us about this oath - the Pan Africanist Oath of Allegiance?--- This Oath of Allegiance is made for some people who happen to be in the organisation.

BY COURT:

I didn't follow that - say that again?--- This oath is meant to put into membership of the organisation and if you happen to divulge any secrets to the "Skins" which we call the Special Branch in the organisation.. you shall take the penalty of death.

BY/. . .

BY STATE PROSECUTOR:

Where was this oath administered?---

It is administered in meetings when new members came in.

When new members came in?--- Yes.

Who did the administering of the oath?---

Every Chairman did that in his own area.

How did he administer this oath?--- You stand up and raise your right hand.

As you are now indicating?--- As you are now indicating.

BY COURT: What, the member or the Chairman?--- The Chairman reads out this thing then everybody stands up with the new member "who makes this sign" .

BY STATE PROSECUTOR:

So the new members also put their hands up?--- Up - and he quotes word-for-word after the Chairman.

And you quote word-for-word after the Chairman and then after that?--- Then you are a full member after paying twenty-five cents.

So you also had to pay twenty-five cents?--- Yes.

Were you also a member of the P.A.C. during the period, say, January 1965, to April 1963. --- I was from February.

February 1963 ..--- Yes.

To...--- Up to the time of my arrest in March..

March 1963?--- Yes.

Do you know the date?--- I was arrested on April the 8th I'm sorry.

April the 8th... And have you ever seen any of these oaths before?--- I've seen them from our Chairman.

Your/. . .

Your Chairman of your particular branch?--- Yes.

Then EXHIBIT G "Urgent Warning" - before we go to EXHIBIT G - I'll first take EXHIBITS K and N... K is apparently a Code - the first one: Dance Association. Do you know this document at all?---

That is of course a photostatic copy of an original? -- Yes.

Do you know the document?--- I know the document.

Who issued it?--- It was issued from Basutoland. By P.K. Leballo.

Why do you say that?--- To various branches - because we happened to have received this in our branch too from the head office.

From the head office?--- Yes.

Do you know the document?--- I know the document.

What is it?--- The document defines the various positions in the organisation.

The various.. --- In Code names.. entirely code names.

Then EXHIBIT N - the Football League - do you know this document at all - again it is of course a photostatic copy?--- Yes the football league is also a Code name for the association - for the movement.

Which one did you use first?--- The first one we received this one then the second one was..

The first one was..?--- Was the Dance..

The Dance Association ..--- And the second one was the Football Association..

BY COURT:

Dance is K and then the Football one?--- The Football one is N.

BY STATE PROSECUTOR:

The football one is N and the Dance K for Mary..

--- Yes. / . . .

--- Yes.

Are they exactly the same - I mean this one is numbered 1 to 23 - that is the Dance Association and N the Football League is also numbered 1 to 23?---
They are quite ..

The same?--- Yes quite the same

So No.1 on K is Dance Association - what does that mean?--- Dance Association means the organisation of the P.A.C.

No. 1 on N is Football League?--- Football League is also a new name for the.. was also used as the other name for the P.A.C.

That is just to show that these two are the same - is that what you say?--- Yes.

No.2. Dance - item number 2..--- Dance means a meeting.

No.3 Jive Session?--- Jive Session means the uprising during the year - which was planned by the P.A.C. for this year..

BY COURT:

It means what?--- The day of the uprising..

BY STATE PROSECUTOR:

Uprising - what do you mean by that?--- I mean the day we had planned the revolution against the White people of South Africa.

What were you supposed to do?--- We were supposed to kill the Whites.

On this day?--- Yes.

When was this day supposed to be?--- We were not exactly/ . . .

exactly told the date - we had to get the date later on.

BY COURT:

The day was to be fixed?--- It was to be fixed.

BY STATE PROSECUTOR:

How were you supposed to kill the Whites?---

We were supposed to kill them in any way we could kill them - dynamiting their premises and all that.. and shooting them if possible and by pangas, if we possessed any.

Did you make arrangements to get weapons to kill the Whites?--- We had made several arrangements and we had been told that the headquarters had also made arrangements with the African States - with preparations for the Revolution. They knew of the date.

What would the other African States do?---

The African States would assist us in the Revolution by coming in aeroplanes and various "war vehicles".

And various war vehicles?--- Yes.

Were preparations made to .. in fact to attack the Whites on any date?--- We left that to the Revolutionary Council which was in Basutoland under P.K. Leballo. He solemnly knew of the date and the date we.. the appointment " he had" "we had" with the African States.

So that is now No.3... item No.4.. Night Club?---

Night Club is also the organisation - plans for the organisation.

No.5.. Music Instruments?--- Music Instruments are weapons.

(a) Guitars?--- Guitars are revolvers.

Revolvers - (b) flutes?--- Flutes are pangas.

(c) here it reads saxophones - I suppose it is

saxophones/. . . /

saxophones? --- Saxophones yes.

BY COURT:

Flutes are what? --- Pngas

Saxophones? --- Saxophones are explosives.

BY STATE PROSECUTOR:

(d) Doorkeepers? --- Doorkeepers are block stewards in the various blocks.

Block stewards in the various blocks? --- Yes.

What were their duties? --- Their duties were to recruit in their areas and hold meetings in their areas in secret and bring in the membership to the chairman after they having held their meeting. They have been divided into various things of block stewards, hall porters, cinema porters and ushers.

Yes, we'll get to that?.. (e) dance partners? --- Dance partners are the captains.

Are the..? --- Captains.

Captains of what? --- Captains of the various blocks.

So you had a block steward and a captain in charge of a block? --- Yes and his committees - he also has his associates who help him to recruit in his area.

Six - stocktaking.. --- Stocktaking is the number of fees we have to send to the head office in Basutoland - if you have not sent in your moneys then they will tell you about stock - that your stock is down - then you have to know that you have not sent any membership fees in.

Seven - Catering? --- Catering was a department that .. it is the police force of the organisation - the intelligence/ . . .

Intelligence part of it.

The Intelligence part of the organisation ---
the P.A.C. --- The P.A.C.

8. Service Audience: If you can't remember say
so - we surely don't expect you to know all ..---
I don't know.. I don't remember..

Don't you remember all these?--- Yes.. I
remember only some of them.

The last one was Catering?--- Catering..

No, Service audience - do you know what
Service audience is?--- No I have no idea what a service
audience is.

9. Digits. --- No.

10. Hall proprietor?--- Hall proprietors are
the block stewards, too.

The block stewards?--- Yes.

11. Assistant Hall Proprietor..--- That is
his assistants.

12. Cinema Proprietor?--- Cinema Proprietor
is the captain in charge of a big block.

The man in charge of a big block?--- Yes.

13. Assistant Cinema Proprietor?--- Is his
assistant.

14. Hall Usher?--- Hall Usher - are the "Task
Force."

Task Force...--- Members.

15. Cinema Ushers?--- Also in the Task Force.

16. Braaivleis?--- Braaivleis - it is a
party of an organisation - if they happen to try and raise fund
then they make a braaivleis.

17. Picnic?--- Also part of the raising of
funds / . . .

Intelligence part of it.

The Intelligence part of the organisation ---
the P.A.C. --- The P.A.C.

8. Service Audience: If you can't remember say
so - we surely don't expect you to know all .,---
I don't know.. I don't remember..

Don't you remember all these?--- Yes.. I
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The block stewards?--- Yes.

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Task Force..--- Members.

15. Cinema Ushers?--- Also in the Task Force.

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party of an organisation - if they happen to try and raise funds
then they make a braaivleis.

17. Picnic?--- Also part of the raising of
funds / . . .

funds in these picnics.

18. Bow-tie - do you know bow-tie?--- No.

19. A hall sweeper?--- No.

20. A basement?---The basement is a part of the
kitchens.

Part of the kitchens?--- Yes.

We'll get the kitchens just now - 21. Bookings?
--- No bookings.. no idea.

22. Cakes?--- Case of bullets.

Bullets?--- Yes.

23. "special" names (a) kitchen?--- A kitchen
is a place where you can hide your various weapons - explosives
and all that - for instance in Randfontein we had used
old mine caves as caves - as the kitchens.

(b) Change rooms?--- No, no idea.

(d) Beef?--- No, no idea.

(e) Offal?---No.

(f) Carcase?--- No.

(g) Trophies?--- No.

(h) Skins?--- Skins are Special Branch Police.

BY COURT:

What are Skins?--- Special Branch police.

Those are the police?--- Those are the police.

Of your own?--- No they are the Government..

South African Police?--- Yes.

BY STATE PROSECUTOR:

To sum up you therefore say that EXHIBITS M and N
are the same?--- are quite the same. But the other one has
been/ . . .

been arranged into football code..centre-forward..
and all that.

Now before I go on with the other exhibits -
did you make use of your own name when writing to
the head office?--- No you cannot use your name - it is
very dangerous.

Why? --- Because correspondence might be interfered
with by the police - the Special Branch Police of the
South African Government - so we had decided upon using
code names.

Correspondence coming from Maseru - that is
Leballo - did they use your right name - your correct
name? --- They don't use the correct name.

Now where do they get their nicknames or
their pseudo-names from? --- We just arrange a name with them.

You arrange? --- Yes.

EXHIBIT G Urgent Warning - the situation through-
out the cinemas and halls is becoming extremely serious -
what does that mean - the situation through-out the cinemas and
halls? --- Which means that the various branches are neglecting
their duties.

Graver and graver "evidence" as a result of
deliberate provocation by the forces of darkness? --- The
forces of darkness are the "uniform" police force of South
Africa.

And informers... --- And informers.

Who are the informers? --- Informers are
people from the police of the organisation.

Already five halls have been wiped out by
the forces of darkness in other cinemas? --- It means that

five/ . . .

five branches - five blocks in .. other branch has been wiped out by the police.

"Therefore I am directing you the final warning for every cinema, every hall, every proprietor, every hall usher, sweepers, door-keepers and all the digits or dancers that the date of a jive-session has now been chosen and it can no longer be postponed?---
 "That means to allege" that the day of the uprising is quite near - we have to push our weight hard - and be prepared.

Who are these proprietors, hall ushers, sweepers, door-keepers, and digits or dancers?--- That means leaders, Intelligence service and members.... have to know that.

"Unless the dancers are ready within three weeks of receipt of this order, hereof, you will be guilty of a very serious crime of betrayal.." dancers you say are members?--- Dancers are meetings.

Are meetings?--- Yes.. dancers are members and dance is a meeting.

A dance is a meeting and a dancer are members?---
 Yes.

"Time is now running out - the property recently received by the halls from the night-club is still safe - thanks for that - what does that mean?--- Excuse me?

The property recently received by the halls from the night club is still safe - thanks for that ?---
 The membership fee has been sent in and is quite safe

or/ . . .

or explosives have been sent in..

BY COURT:

What is that.. I am completely in the dark - you are reading from a document there - have you another copy for me that I can follow.. --- Yes I think I can arrange that..

I just don't know where you're reading from.. I don't know whether it is verbatim or paragraph by paragraph.. what was the last one we had..

BY STATE PROSECUTOR:

The property recently received by the halls from the night club is still safe - thanks for that - paragraph 2 ...this is a very grave situation indeed..

BY COURT:

The property received you say is fees and explosives...--- Explosives and firearms.. (WITNESS)

BY STATE PROSECUTOR:

The acting director and the R.C. are left with one alternative, namely, to shorten the days before the jive session begins...--- The director was P.K. Leballo and the R.C. is the Revolutionary Council.

And this jive-session the day of attack?--- Yes of the attacks.

Paragraph 3... You are hereby strongly warned that the following must be made ready and available without failure nor fear nor favour and these be done forthwith and now and there should be no excuse whatsoever that you were not warned: (a) "the act-swiftly vigilant" your hall sweepers - hall ushers and door-keepers must destroy informers and/ . . .

and forces of darkness where possible and as soon as they are discovered?--- Which means that any branch who had any suspicious members who were working for the Government and the Special Branch police who lived in these particular places had to be killed before they could take further steps if not defy them - that all these people have to be got rid of.

Who was supposed to kill these people according to this paragraph - hall-sweepers hall-ushers and door-keepers? --- That were task force leaders in their various branches.

(b) The buying of music instruments must be speeded up?--- The buying of firearms, must be hastened as the day is quite near.

You are given about three weeks within which all these music instruments must be full in your halls - certain cinemas and halls haven't done a thing nor even to report to the night club why they fail to carry out these instructions - this entails a very serious punishment?--- Some of the branches had neglected their duties of getting firearms explosives and all that - they have seen that at a great risk they had not so far taken any steps in getting those things - so these people had been considered neglect of their duties.

(c) The availability of kitchens and change rooms must be reported at once?--- Some other branches had no kitchens to put their places in.

The immediate readiness of all forms of rehearsals by the hall ushers and the digits - dancers - must be done and reported to the night club forthwith?--- The experiment-

the/. . .

the explosives must be experiment in time and be made fully proved of exploding and then send a report in that there has been a success.

The requirement minimum of 1,000 of ushers and dancers per hall must be completed in three weeks time as a matter of extreme urgency? --- 1,000 members have to be got ready for the day of the uprising -- not more.. even more but not less.

Paragraph 4. After 3 weeks every dancer must be absolutely ready in every requirement for the jive session which is now eminent - cinemas and halls must now work feverishly and at a great speed day and night. ---"That unless" every member to be aware that the day of the uprising was quite near.

Now have you ever seen EXHIBIT G before? --- Yes I saw this in the hands of our secretary.

In the hands of your secretary? --- Yes.

And who issued the document? --- It was from Basutoland headquarters - P.A.C.

EXHIBIT H...

BY COURT:

Is it unsigned...

BY STATE PROSECUTOR:

Whose signature appears on that and whose name is typed on that document? --- It is only a code name for the various names that are used by headquarters.

BY COURT:

What do they stand for? --- They stand for P.K. Leballo.

BY STATE PROSECUTOR:

EXHIBIT H - To all Dance Hall assistant-proprietors - have you ever seen this document before? --- Yes I've seen/ . . .

the explosives must be experiment in time and be made fully proved of exploding and then send a report in that there has been a success.

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Now have you ever seen EXHIBIT G before?--- Yes I saw this in the hands of our secretary.

In the hands of your secretary?--- Yes.

And who issued the document?--- It was from Basutoland headquarters - P.N.C.

EXHIBIT H...

BY COURT:

Is it unsigned...

BY STATE PROSECUTOR:

Whose signature appears on that and whose name is typed on that document?--- It is only a code name for the various names that are used by headquarters.

BY COURT:

What do they stand for?--- They stand for P.K. Leballo.

BY STATE PROSECUTOR:

EXHIBIT H - To all Dance Hall assistant-proprietors - have you ever seen this document before?--- Yes I've seen/ . . .

seen this.

Where did you see it?--- In the hands of my secretary.

In the hands of your secretary and it is coming from...
--- From Basutoland headquarters of P.A.C.?

It is typed M. Makalben .. who is M. Makalben.---
That is or y a code name too for the various officials that were in Basutoland headquarters of the organisation.

BY COURT:

Do you know who it was?--- Yes.

Who?--- It can be some of the committee members who were there because there were various people who had fled from here to Basutoland, who were committee members - who were chairmans and secretaries but P.K. Leballo was president.

BY STATE PROSECUTOR:

EXHIBIT J... the second warning to dancers? Have you ever seen this document before?--- Yes.

Where?--- Also in the hands of my secretary.

Who signed it?--- It is also just one of the names used by the head office.

And it is coming from?--- From Basutoland headquarters

Whose name appears on that document?--- Montekale..
it can be Leballo's but you will notice that in every piece of paper there is what we call the trade mark of the P.A.C.

Trade mark of the P.A.C. and that is...?---
Makes you aware that it comes from the office.

Is that an asterisk?--- This here is the trade mark.

The asterisk?--- Yes.

Or/ . . .

Or the cross?--- This crosses like this..

The trade mark?--- Yes.

BY COURT:

That is one of the...--- BY WITNESS:
They are ^{some?} "found" without those trade marks.

Yes - now what does that mean?--- Well
it doesn't mean anything - if they haven't got the trade
mark - you will only ^{follow} the procedure that this is also
from headquarters by knowing the code names.

COURT ADJOURNS AND RESUMES.

CASE REMANDED TO 31.7.63.

CASE RESUMED. 31.7.63. APPEARANCES AS BEFORE.

BY COURT:

Shadrack Ditsi..

SHADRACK DITSI Sworn States:

STATE PROSECUTOR CONTINUES EXAMINATION:

BY COURT:

We got to EXHIBIT J - the asterisk trade mark
of the P.A.C. - no asterisk code name indicates ..

BY STATE PROSECUTOR:

As the Court pleases - did you identify
this document -- have you ever seen this document EXHIBIT J
before?---

BY COURT:

Yes he did in the hands of the secretary?---

BY STATE PROSECUTOR:

In the hands of the secretary - that's all -
thank you.

BY COURT:

Is that right?--- Yes quite right.

BY / . . .

BY STATE PROSECUTOR:

Now EXHIBIT K "ATTENTION PLEASE" unfortunately Your Worship I haven't got extra copies of this - I will read it out.. EXHIBIT K " Attention Please. Following my circular letter dated 26th 2.63. the undermentioned people must be at the night club between the 23rd March and 30th April for expert dance training. " I want you to interpret this paragraph for us please - the one I've just read. --- Some people have not been to the headquarters to learn how to make explosives - so they were requesting the agent - his immediate attention of intelligent people to be sent in to learn the explosives.

Every-one whose duty in the Dancing Association is mentioned hereunder, must be present at the night club "on that date" this is final dancing expert training - what does this mean "this is final dancing expert training"?--- This means that the time was quite near for the uprising so the people who were to learn to make explosives were to come immediately and learn to make them.

BY COURT:

To make or use?--- To make and use them.

BY STATE PROSECUTOR:

Please be punctual to the night club - one centre-forward - two, I think it is goal-keeper - three player who is intelligent, physically fit, and can learn within shortest possible time (of your own choice) - it is typed A.K. Practition Dancing Association. Have you ever seen this document before? --- Yes I did see this document before.

Where/ . . .

Where?--- In the hands of my secretary -
it was written in red ball-pen.

You say it was written in red ball-pen?---
Where it is supposed to be written by hand..

Where it is now written by hand?--- Yes the
original was written in red.

"Of course it is now blood red " it is a
photostatic copy?--- Yes.

So this letter you say was for.. the people
had to go to Maseru to get final training on how to make and use
explosives ?--- Explosives, yes.

EXHIBIT L - Latest Development... I read this
document.. first of all have you ever seen this document before?
--- No I have never seen this one .

You don't know this document?--- No.

Would you be able to interpret this document if
I read it out to you or not?--- I don't know ... if it happens
to be in my line I may be able to..

It reads: To all cinemas and halls: It has
been confirmed by our office in Dar-es-Salaam that the "Charterists"
are sending into this Country and in all the Protectorates
over 100 of their trained men from abroad to assassinate all the
heads of the Dance Association. They are instructed....

BY COURT:

Let 's take it piecemeal.. who are the Charterists
do you know?--- BY WITNESS: No I don't know the Charterists.

BY STATE PROSECUTOR:

And the Dance Association?--- Dance Association is
the/ . . .

the organisation.

The P.A.C?--- Yes.

They are instructed that their first enemy in S.A. is the heads of the Dance Association and it is after this that their next enemy will be the forces of darkness - who are the forces of darkness?--- The police are the forces of darkness.

Then it says: the acting director therefore instructs as follows: who is the Acting Director?--- P.K. Leballo.

(a) The Charterists are obviously stabbing the Dance Association from the back once more at this eleventh hour to cause confusion and ^{to} create the second Congo where Africans butchered one another on tribal affiliations. (b) You must watch this development very closely and vigilantly. All the cinema, the hall proprietors, all senior members of the Dance Association in your midst must ensure that this new menace does not go out of hand. Now who are these cinema, hall proprietors senior members of the Dance Association?--- Those are the various leaders according to the Task Force Division and Intelligence Service Division and various branch offices.. chairmans secretaries and all that..

The Dance Association is...?--- The P.A.C.s.

"Do not act beforehand but should they show intention to carry out their threats you must act swiftly in self-defence and destroy all known heads of theirs through-out the country - forward/^{now}to Twist Session!. - what is a Twist Session?--- The Twist Session was the uprising.

The / . . .

The uprising?--- Yes.

Yours ever, A.K. Practition, Acting Director, Dance Association, who is that?--- That's Leballo's.

You've already identified EXHIBIT M that is the code Dance Association EXHIBIT N the code Football League - EXHIBIT O - that's the Press "Release"... EXHIBIT B .. this is again one of those I haven't got extra copies of.. have you ever seen EXHIBIT P before?--- Yes I've seen this.

Where?--- In the hands of my secretaries.

I read this document: My circular letter dated 26th 2. 63 has reference. 1. I wish to disclose to all players...--- All players which means members..

Members.. and with great disappointment but according to inspector's reports and records inspectors?--- Inspectors - those are the chairmans in their different areas..

BY COURT:

Various chairmen: of the branches...--- Of the branches..

BY STATE PROSECUTOR:

That you have not yet got the necessary football kit (music instruments)... --- The members had not got the.. they have not given a report of the progress they had made of getting weapons .. explosives..

Weapons and explosives?--- Yes.

And other items to be used on the date of tournament (Twist Session) ...--- The day of the uprising..

Uprising...--- They had not got the weapons yet..

This is very serious indeed - I am taking an exception .. this act of indiscipline, negligence and dereliction of duty on your part. 2. This is a very serious failure on the part of the majority of the clubs (cinemas) ...---

Which/...

Which means various branches have "neglected" their duties - they have not carried out the duties of the organisation.

So the various branches...--- Yes.

And at "pins" (halls)...--- Also concerning the various branches..

"Not to have these things ready by now - it means that some clubs and halls have been telling me lies which cannot be allowed. "Why clubs and halls and even players"- you told us that players were members...--- Yes.

".. Should say to me that they are ready for the Twist"- you say that is the day of the uprising - --- Uprising..

"And yet it is not true because they haven't even carried out the instructions to collect the football kit"- you say those are weapons and explosives - "Why? - you are already guilty of failure to obtain or produce these football kit requirements and I must take action against those who have not yet done so. Paragraph 3 .: I must warn you very strongly that I shall not be intimidated by your failure to obtain these requirements.. the Twist" .. that's the uprising... "must just go on whether you have these things or not. It is not my own fault - you are to blame for that. I am going ahead with my plans for the Twist or the tournament - what I do not like of you is not to tell me the truth. You talk too much but you cannot live up to your ~~claims~~. You don't do hard work sufficiently. Paragraph 4.: 'These football kit' weapons and explosives.. "requirements must be produced and obtained now and forthwith by every player/. . .

player " that is a member .. "or else there would be trouble. Everyone of you must collect and have these requirements and report to be made to me at once within a week from date hereof, that every player, dancer " .. that is a member.. --- Member.. yes..

"Has got these materials or else you will go to the tournament or Twist Session without this football kit " ... meaning to the day of uprising without any weapons or explosives - is that correct?--- That's correct.

Paragraph 5. Those who are concerned with circular letter dated 13.63 about final expert training for tournament ..." I think that is EXHIBIT K...

BY COURT:

Yes I think so .. Expert Dance training..

BY STATE PROSECUTOR:

Yes.. "must report themselves as directed at the dressing room..." what is a dressing room?--- A dressing room where we are going to move.. on deciding the date of the uprising we were to meet there and go away from there into various..

BY COURT:

Various places where they had to meet for the uprising?--- For the uprising.

BY STATE PROSECUTOR:

"Report themselves as directed at the dressing room of the football league association - that is the P.A.C. - to the referee"- who is the referee--- A referee is a chairman..

"Without failure - time has run out and we must
twist/ . . .

twist now" what does it mean to "twist now"?--- We must act now.

"After this you can then wait for one word from me alone for the tournament or twist - please hurry up now, now , now... there is no more time for those who are still dilly-dallying. Yours always, J.M. Blackburn, Acting Referee, S.A. A. Football League". Who issued this .. --- From Basutoland - from the headquarters of the P.A.C. to the various branches through-out the Republic.

EXHIBIT Q - The Pan Africanist Congress News Letter - have you ever seen this News Letter before?--- Yes I've seen that before.

Where?--- In the hands of my secretary.

Do you know who issued this News letter?--- It was issued by the headquarters.

Where?--- To various branches.

BY COURT:

Issued by...?--- By the headquarters of P.A.C. from Maseru.

BY STATE PROSECUTOR:

I do not intend reading this pamphlet - it is too lengthy - I can read it should the Court feel that it is now the stage to read it..

BY COURT:

No I think I'll let it bide..

BY STATE PROSECUTOR:

I don't know whether we have dealt with EXHIBIT W
but/ . . .

but in any case I am showing you EXHIBIT W - have you ever seen any of these letters before?---

BY COURT:

W?--- W - that is one of the exhibits - one of the documents found in possession of the accused - we have not got extra copies of that - I shall read it ..

BY WITNESS:

I don't know the name of the envelope but the writing on the report here .. that was also to be.. what we were received in our branch from.. (not clear)

BY COURT:

.. that of whom?--- Sam Petersen..

BY WITNESS:

Also from the head office of the P.A.C.

BY STATE PROSECUTOR:

Do you know who Sam Petersen is?--- Also P.K. Leballo.

So your secretary had this letter in his hands?---
He received one like this.

It is a matter of vital importance that each and every hall that has sent its list of digits" - do you know what a digit is?--- No.

"To the night club"-that is the head office - "without having paid its subs and levies must do so as early as possible. The night club is faced with the most difficult position in assessing matters that are arising from time to time. We are therefore unable to attend and straighten up certain urgent matters that are entirely affecting the halls

.../... . . .

... the halls.--- The halls are the various branches..

"In particular. It is our urgent wish therefore that you will make your utmost endeavours to keep ip " I suppose it must be up.. " to your promises marshalling your halls and lastly to adhere to instructions as mentioned above. In lew of the tasks that lie ahead of us, I wish to remind you once more that no administration of the night club" - that is the head office - "can continue without digits and essential requirements such as money, etc. All must realise that it is their responsibility to keep the night club moving. Remember that the various cinema proprietors.." - who are they - --- The various branches..

"Will always be responsible to see that all the necessary instructions are being carried out with any waste of time, Sam Petersen."--- That was only requesting the various branches to send up their fees as the headquarters had various.. very much in need of money - through various things - secretaries had to be paid and all that - in the offices - so they needed some money - it was the duty of every chairman to send in the membership fees.

Yes EXHIBIT X - I want you to have a look at this slip of paper.. have you ever seen that before?--- Yes.. I've seen this.

Well read it out, first of all, what language is it?--- I don't know whether it is Zulu or Xhosa - I in turn am Sotho-speaking .. but umfola a ku ocwele nqapa nozwa nqathi...

What does it all mean?--- It means the river is full.

The/ . . .

The river is full...--- Do not cross - you'll hear further instructions from us.

Now what about balani amagama namaqeli amashe amakoeng izi amandhla.. what does that mean?---

The typewritten portion?--- Oh .. it means we must use new code names.

You must use new code names?---

 Yes.

Have you ever seen that slip of paper before?---

 I saw it in my secretary's use. .

You saw it in the possession of your secretary?---

 Yes.

What does it mean: "the rivers are full - your will hear from us soon"?---

 It means that the boundary between Basutoland and the Republic was in danger with the .. police.. the boundary between the Republic and Basutoland... Was of danger to the organisation therefore new names had to be used as the police were already aware of the activities of the organisation in Basutoland.

... who would be referred to as the Tladi Assistant Team Manager... do you know who that person is.. EXHIBIT X - I'm referring to.. Y and Z...---

 No sir I don't know.

What does it mean - when it says Tladi Assistant Team Manager?---

 Which means the assistant in the Tladi Branch of the organisation.

Assistant what?---

Assistant chairman, of the branch.

And the Zola Assistant Team Manager?---

 The chairman of that place..

No the Assistant Team Manager?---

 It can be

referred/ . . .

referred to as Chairman or Task Force leader or Secretary
- the three..

Of any particular organisation?--- Any particular..

F.A.C.

Of the F.A.C.?--- F.A.C. yes.

And the Manzimville Team Manager?--- That is
Krugersdorp location - Manzimville Team Manager..

that's the chairman of that branch..

The Chairman?--- Yes.

I'm showing you EXHIBIT AA it is identical
to one of the previous exhibits - more or less the same as
EXHIBIT X...--- That's like the other one ... umfulo ocwele..

The rivers are full and you will hear from
us soon?--- Yes.

Meaning that they must not come to Basutoland
now because...--- The boundaries are being patrolled by the police.

Now did you make use of any particular name
when you wrote to P.A. Leballo in Maseru?--- We made use of
various names.

For instance?--- Sam Petersen - Blackburn -
MacDonald - those I can remember.

What were your instructions in regard to
writing letters to Maseru - to Leballo?--- There were various
instructions - we notifying the head office about our
developments in our branches..

BY COURTS

Petersen MacDonald..?--- Blackburn. And we had to
notify the office on various occasions of our memberships..

sent/ . . .

sent in membership fees if there was any - raise funds and send delegates to Basutoland to learn in the making of explosives and use of such things..

BY STATE PROSECUTOR: NO FURTHER QUESTIONS .

BY MR. SCHWARTMAN: NO CROSS-EXAMINATION

BY COURT:

There is just one point - I didn't hear quite clearly - did you say you were a member of which branch? --- Of the Randfontein branch.

BY STATE PROSECUTOR:

I wish to make the same two applications as yesterday when calling this next witness..

BY COURT:

The application was granted in respect of two witnesses.. you applied yesterday for two..

ALFRED SONNYBOY LEBORO Sworn States:

EXAMINED BY STATE PROSECUTOR: SELECTS TO SPEAK ENGLISH.

Alfred were you a member of the organisation known as the Pan Africanist Congress? --- Yes.

When did you join? --- I joined the Pan Africanist Congress in February 1963.

And where were you a member? --- I was a member at Westonarea.

What was your position in the organisation? ---
I was a Task Force leader.

What/ . . .

What were the duties - responsibilities of a Task Force leader?--- Well the duties of a Task Force leader were to "delude" all dangerous characters against the Pan Africanist Congress..

A ll what sort of characters?--- Dangerous characters. Against the Pan Africanist Congress.

And the other duties?--- And the other duties were to see that all members have got their weapons.

For what purpose?--- Because it was said in the Pan Africanist Congress that in this year all white people in the Republic of South Africa would be attacked.

What were you to do with these weapons?--- These weapons were to be used in the killing of white people in South Africa.

When were you supposed to kill all the Europeans? --- Well P.K. Leballo told us he'll call us on a certain day and tell us the day of the attack.

Did you hold any meetings of the P.A.C.?--- Yes we did hold meetings of the P.A.C.

Where were these meetings held?--- Some of them were held in houses and some of them were held in the veld.

Why in the veld?--- Because we wanted the police not to see us - people to see that we are holding political meetings.

And were weapons produced at some of these meetings? --- Yes they were produced at some of these meetings.

What sort of weapons?--- Well those which I only saw/. . .

saw were pangas and axes and knives.

Pangas, axes, knives?--- Yes.

Now did you ever visit Maseru?--- Yes.

When?--- It was in March 1963 - this year.

Do you more or less remember the date?--- It was on the 2nd of March.

2nd of March..--- I was in Maseru.

How long were you there?--- I was there only for a week-end.

For a week-end. --- Yes.

Tell us what happened in Maseru?--- Well going to Maseru I was sent by our branch as a delegate to go and meet P.K. Leballo.

BY COURT:

Who is he?--- P.K. Leballo is the leader of the Pan Africanist Congress.

BY STATE PROSECUTOR:

Yes?--- We arrived at Maseru on the 2nd of March - Saturday - the afternoon - and attended a meeting the very same Saturday at 8 o'clock in the evening.

Where?--- In Maseru - the Pan Africanist Congress headquarters.

In the P.A.C. headquarters?--- Yes.

What transpired at this meeting?--- In this meeting we were given instructions about the secret code of the Pan Africanist Congress.

Who gave you the instructions?---These instructions were/ . . .

were given to us by Mr. Xobose.

Xobose?--- Yes.

What were these instructions?---He told us that these instructions are for us - not to be identified by the police and they are the names that we should use whenever we converse with each other about the Pan africanist Congress.

Do you remember some of these instructions?--- Yes I do remember some of them.

Tell us?--- He told us that we should call Pangas flutes - guns we should call guitars - bombs and explosives we should call saxophones - all the police in the Republic of South Africa we should call the force of darkness.

Forces of darkness...--- And the Security Branch Police we should call Skins. And whenever we are going to a meeting we should say that we are going to a dance or braaivleis.

A dance or a braaivleis - to shorten proceedings - I want to show you EXHIBIT M and N. Just have a look at these - do you know those documents at all?--- Yes I know those documents.

What are they?--- These are the secret names of the F.A.C.

The secret names of the F.A.C. is that what you 've just explained to the court?--- Yes.

Do you understand those codes?--- Yes I do understand them.

And did you ever make use of those codes?--- Yes we made use of them in our meetings.

Just to clarify a few code names - jive session - what does it mean?--- Jive session means the day of attack.

Night/. . .

Night club?--- Night club means the headquarters in Maseru.

Dance Association?--- Dance association means the Pan Africanist Congress.

Music instruments? I think it is No. 4...---
Music instruments are those about the guitars and flutes.

So those are weapons?--- These are weapons.

COURT ADJOURNS AND RESUMES.

BY COURT:

You are still under your oath to speak the truth.

BY STATE PROSECUTOR - CONTINUING EXAMINATION:

Digits - what are they?--- Digits are members of the P.A.C.

Is it possible to go to the witness - he has got the two codes and I would like to refer to some of those skipped by the previous witness... --- Yes.

Stock-taking No.6... --- Stock-taking is when the members are paying in their joining fees.

When the members are paying in their joining fees?--- Yes.

Catering?--- Catering is when we had to tell the people - our parents, to buy food and store it so that when the day of attack comes we should have enough food because shops and factories will have to be broken.

Service Audience?---

No. 8?--- That I cannot remember.

Item No. 14 "hall usher"?--- Hall usher is a Task Force leader.

15 Cinema Usher?--- Cinema Usher is a Regional Task/ . . .

Task Force leader.

Regional Task Force leader. 17. Picnic?---
Picnic is when members have to train - training session.

Training session?--- Yes.

18. Bow-tie?--- That I cannot remember.

19. Hall-sweeper?--- Hall-sweeper are the
Intelligence Force leader.

Intelligence Force leader?--- Yes.

20. Basement?--- Basement also goes for a
hiding-place.

When?--- For hiding weapons and some of
the members.

21. Bookings - do you remember bookings?---
I don't remember bookings.

22. Cakes - I think the previous witness
told us that these were bullets - cakes.. do you agree?---
Cakes - I think cakes are the medicines we had to carry
with us like pain-killing tablets. I don't know if I do
remember it well.

What were you supposed to do with this
medicine ?--- Say for instance one of the members gets
hurt and we can help him with the pain-killing tablet.

When?--- During the Revolution.

BY COURT: For a First-Aid kit?--- Yes First-Aid kit.

BY STATE PROSECUTOR:

Now 23. we have "special names" (a) kitchen?---
Kitchen is hiding-place, for weapons.

(b-)/. . .

(b) Change rooms?--- Change rooms I cannot remember.

(c) is again Change rooms.. (d) Beef?--- I don't remember.

(e) Cffal?--- Cannot remember.

(f) Carcase?--- No.

(g) Trophies?--- No.

(h) Skins?--- Skins are for the Security Branch Police.

South African Security Branch Police or your own Security Branch?--- South African Police.

So now you've told us that Xobose explained to you these terms and codes - is that what you say?--- Yes.

And then after that...--- Then after that P.K. Leballo addressed the meeting.

What did he have to say for himself?--- P.K. Leballo told us that we need not be afraid because all the independent African States are with us - they are going to assist us in the Revolution. He told us that he has travelled to all the independent African States .

African States?--- Yes and Ben Bela has also promised assistance. He also quoted some other names of other leaders like Jomo Konyatta Nyerere and Dr. Nkrumah. He said that Dr. Nkrumah even wept on his shoulders when he told him of the conditions of the Africans in the Republic of South Africa.

What sort of assistance?--- He told us that those people will bring us weapons - they will come with aeroplanes and bring guns to offer some other members.

To offer?--- Members of the P.A.C.

In doing what?--- For revolting against the Government.

The Government of...--- The Republic of South Africa.

Anything else?--- He said that those people there / . .

the ones who will attack all the military camps in the Republic of South Africa.

Who are the ones?--- Those from the independent African States.

Would attack all the military camps in the Republic?--- Yes.

Yes?--- He also told us that on one occasion there were two ships which had to bring some guns and ammunition to the P.A.C. headquarters and those ships could not be off-loaded as the coast was not clear.

The coast was not clear - anything else?--- He also told us that we should draw maps of places like the Post Office - Fire Station - Power Stations and Police Stations - should have maps of those places so that on the day of attack we shouldn't have trouble when we have to attack those people. Those are the targets - those are the places which will have to be attacked first. He also told us that some ministers will have to be captured alive.

Captured alive?--- Yes.

BY COURT:

Ministers of the State - the Government?--- Yes the Government.

BY STATE PROSECUTOR:

Who were they?--- He said Dr. Verwoerd - the Commissioner of Police - and Minister de Wet Nel. He said that he will choose men who will go for those ministers and if they cannot be captured alive they should be killed, and those

men/. . .

men sent by him, if they can fail to do so, they should destroy themselves. And he also said that all the White people having important jobs of the Government should also be killed. Like the Station Commander - Post Office Master and Magistrate and Prosecutors - State Prosecutors.

Yes?--- He said that he will give the day of attack and only the day when we start to attack - we should attack for four hours and await further instructions from him.

You should attack for four hours?--- Yes - and await further instructions from him. Those are some of the things I can remember.

Were any members sworn in at this meeting?--- Yes we were also sworn in in this meeting.

Who administered the oath?--- The oath was administered by P.K. Leballo. with a gun in his hand.

How did he administer this oath - tellus?--- Well he read this oath - he administered the oath to us - I think he knew it by heart - he didn't read it from something - and we had to repeat the words after him.

Do you more or less remember this oath?--- Yes I can more or less remember some words.

Yes?--- The oath goes like this: We have to lift up our right hands - with fingers outstretched and palm facing the front ..

As you are now indicating?--- Yes.

Yes?--- And he reads first - he goes first - I solemnly pledge and promise to abide by the Movement of the Pan Africanist Congress- and that I shall not give any information/. . .

information out - if I may fail to do so - even at my own advertisement - I therefore agree to receive the penalty of death.

Is that what you more or less remember?--- Yes.

And did you also attend any other meetings during your stay in Maseru that week-end?--- Yes on the following day which was on a Sunday we had to go again to the meeting and there .. all the things were repeated to us again.

Was Leballo also present?--- Leballo was also present.

I want to show you a few exhibits - EXHIBIT W have you ever seen this document before?---

Read it - take your time...--- No this one I've not yet seen.

You've never seen that document before - Your Worship that is the document that was found in the possession of the accused - in his pocket - same address 16th January 1963 - then I have EXHIBIT X and EXHIBIT AA more or less the same thing - I want you to have a look at these two... the two slips of paper - that's all I'm interested in?--- Well this I heard of.. my secretary told me about this.

Your secretary told you about that?--- Yes.

Can you translate and interpret those two documents? --- I cannot read Zulu so well..

What does it mean?--- Well it means that Umfulo ocwele - a ku ocwela nqapa .. it means only that the river is full and we cannot cross..

Can you interpret it - the message?--- This message/ . . .

Message to a P.A.C. members means that Special Branch men are guarding the borders so that no-one can cross, to the headquarters.

Which EXHIBIT is that?--- Nozan ngathi means that they should wait for the headquarters to call on them.

To call on them?--- Yes.

Which exhibit is that?--- This EXHIBIT X

X and EXHIBIT AA ?--- EXHIBIT AA is also the very same as this one.

The same.. I think there is an extra sentence typed on that slip of paper isn't it?---

Could I please go to the witness ...now when you gave evidence on EXHIBIT X you left out that sentence there. EXHIBIT AA hasn't got this extra sentence - what does that one sentence there mean?--- I don't understand Zulu.

You can't say what this is?--- I cannot say what this means.

Now when letters were sent to your branch - I think you told us it is the Westonarea branch?--- Yes.

Did you receive any letters from the Maseru headquarters?--- Yes our secretary received letters from Maseru.

But did you personally receive any letters?--- I never received any letter.

And did only the secretary receive letters from Maseru?--- Yes.

Was the secretary's own name used?--- No he was not using his own name.

What/ . . .

What was your secretary's name?--- His name was .. his right name is Joseph Seremane.

Joseph Seremane?--- Yes.

And when he received letters, he received them in the name of?--- Job Nku.

Job Nku - were you given any instructions when in Maseru as to what names to use?--- Yes we were given instructions that we should use false names. We should not use our right names.

Who told you so?--- John Kobose told us so.

John Kobose - and were you called upon to give false names or not?--- Yes he told us to choose false names for ourselves.

Did you choose a false name?--- Yes I did choose one.

What was yours?--- Moses Tau.

Moses Tau?--- Yes.

And who else went with you - your secretary you said Joseph Seremane.. --- And my chairman too..

Your secretary - did he also choose a false name?--- Yes my secretary also chose a false name.

And his name was?--- Job Nku.

Job Nku - of course you told us that... and your chairman who was he?--- My chairman's right name is Gabriel Magomolo.

Gabriel Magomolo--- Yes.

And his false name?--- His false name Thabo Mosebetsi.

BY COURT:

You say your secretary and chairman went with you to

Maseru/ . . .

Maseru ?--- Yes.

BY STATE PROSECUTOR:

Were your correct names taken down at all when you visited Maseru?--- Yes our correct names and code references were taken down. §

Then you also gave them your false name?--- Yes. Also gave the false names. They were also taken down.

BY STATE PROSECUTOR: NO FURTHER QUESTIONS. *see p 122-123*

BY MR. SCHWARTMAN: NO CROSS-EXAMINATION

BY STATE PROSECUTOR: They can now come back - these are the two witnesses.. I now call..

GERHARDUS JACOBUS VISAGIE Beëdig verklaar:

VERHOOR DEUR DIE STAATSAANKLAER:

Ek is 'n sersant in die Suid-Afrikaanse Polisie en gestasioneer op die Veiligheidstak.

In watter hoedanigheid is u daar gestasioneer?--- As hand- en tikskrifdeskundige.

Net voordat ons met die getuienis begin kortliks wat is u ondervinding?--- Ongeveer 17 jaar nou.

Het u al ooit enige artikels geskryf oor enige van die onderwerpe?--- Ja. ek het 'n metode ontwerp waarop jy tikskrif kan klassifiseer - min of meer soos vingerafdrukke.

Word daar gebruik gemaak van die metode?--- Ja. Feitlik dwarsdeur die wêreld nou.

Feitlik dwarsdeur die wêreld?--- Ja.

Die metode wat u ontwerp het?--- Ja.

Gee u dikwels getuienis in die Hof?--- Ja.

Dankie/...

Dankie...--- Op die 3de Junie 1963 het ek die volgende dokumente van Adjudant-offisier Dirker ontvang vir ondersoek: 1. The Pan Africanist Congress News Letter Vol. II No. 2 gedateer 21 Maart 1963.

BEWYSSTUK Q ... --- Dokument Press Release gedateer 20.3.1963 geteken deur P.K. Leballo.

BEWYSSTUK O...--- Ja.... Nr.3 P.A.C. Replies to Snyman/Vorster Report in Parliament, Cape Town.. gedateer 23.Maart 1963.

DEUR HOF:

BEWYSSTUK R...--- Bewysstuk R... en dokument British Treachery and Savagery.. ek het ook dokument "same address" gedateer 18.1.63 ..

DEUR STAATSAANKLAER:

BEWYSSTUK W... --- Nog 'n dokument - ook "same address" gedateer 16th January 1963..

Dit spyt my - die een van 18 Januarie 1963 is nie ter sprake in hierdie saak nie.. sal u u toespits op gedateer 16 Januarie 1963?--- Ja.

Dit is BEWYSSTUK W - ek het onder 'n verkeerde indruk gebring... laat daardie van 18 Januarie 1963 uit en vergeet hom...--- Ja.. dan het ek nog 'n dokument "To All Dance Hall Assistant Proprietors " gedateer 19.2.1963.

BEWYSSTUK H ...--- Ek het nog 'n dokument - 'n brief - 'n koevert met 'n klein dokument daarin - ontvang, geadresseer aan Disweni Molefe en nog 'n brief aan Disweni Molefe.

Ek toon u nou die briewe - u moet maar kyk watter een dit is - ek weet nie watter een u vanpraat nie -

hulle/ . . .

hulle is altwee dieselfde - dit is bewysstukke X en AA en ook natuurlik bewysstuk W - die het u alreeds behandel.. is dit die twee briewe wat jy gehad het?--- Die een.. maar die.. en die dokumentjie op die ander brief, maar nie die koervert nie.

DEUR HOF:

Watter een het u gehad?--- BEWYSSTUK X

En die brief..--- BEWYSSTUK AA..

Nie die koervertjie nie?--- Nie die koervertjie nie.

DEUR STAATSAANKLAER:

Ja?--- Ek het die dokumente met mekaar vergelyk en gevind dat bewysstuk AA die getikte gedeelte van BEWYSSTUK X en BEWYSSTUK Q deur dieselfde tikmasjien getik was. BEWYSSTUK H en BEWYSSTUK W het ek ook met mekaar vergelyk en gevind dat dit ook deur dieselfde tikmasjien getik was, maar nie as.. deur BEWYSSTUK Q nie.

Ja?--- het u nie Hofkaarte voorberei nie?--- Ongelukkig het ek net vir myself - aangesien .. ek het 'n geweldige hoeveelheid werk op die oomblik aan die gang - ek is feitlik elke dag in die Hof.

Is dit al wat u kan sê sersant?--- Dis al.

DEUR STAATSAANKLAER: GEEN VERDERE VRAE.

DEUR MNR. SCHWARTMAN: GEEN KRUISVERHOOR

DEUR STAATSAANKLAER:

Kan u die vorige getuie verskoon hy moet na 'n ander Hof gaan.

DEUR HOF: Enige beswaar?--- DEUR MNR. SCHWARTMAN: GEEN BESWAAR.

CASE FOR THE STATE
SAAK VIR DIE STAAT.

BY MR. SCHWARTMAN:

At this stage I wish to apply for a remand in order to do two things - go through all these documents to see whether there are proper grounds for an application for a discharge and after having gone through these documents to prepare the defence case, properly - I believe my learned friend has no objection to this particularly in view of the fact that these documents were only handed to me during the course of the hearing, yesterday.

BY STATE PROSECUTOR: No objections.

CASE REMANDED TO 16th AUGUST 1963.

CASE RESUMED 16th AUGUST 1963.

BY STATE PROSECUTOR:

I wish to refer the court to EXHIBIT X

BY COURT:

Are you going to address me...--- No I would like to make an application.

Yes..

BY STATE PROSECUTOR:

EXHIBIT X - that is an envelope and a small note seized by Mr. Dirker in the Post Office. Some of the State witnesses explained the meaning of these notes but unfortunately it was a mistake on my part - there is a sentence typed on top of these notes and that was not translated - I wish to re-open - I wish to apply to the court/. . .

court to call an interpreter to translate that one sentence. We know that the others mean sir that the rivers are full - do not come - or you will be notified - or words to that effect but we have not got the translation for the top portion.

BY COURT:

Have you any objection?--- BY MR. SCHWARTMAN:

No objection .

Very well the application is granted.

ABEDNEGO ELIAS MAHLOPE Sworn States:

EXAMINED BY STATE PROSECUTOR:

I show you ..

BY COURT:

You are an official interpreter in Bantu languages and the official languages at the Magistrate's Court Johannesburg?--- That is correct.

BY STATE PROSECUTOR:

I first intended getting the language from the Interpreter and then I intended putting to him his qualifications etc.. I show you EXHIBIT X I want you to have a look at it please... the note...--- I see it.

What language is it?--- It is Nguni language may be Zulu or Xhosa.

Do you understand the language?--- Yes.

What are your qualifications in that Nguni language as you say?--- I did Zulu for my Junior Certificate as a subject.

Do you also do interpreting in the Zulu language
--- Yes.

How long have you been an interpreter in the courts/. . .

courts of the Department of Justice?--- For the last 11 years.

Do you understand that little note?--- Yes I understand it.

Could you read it to us - translate it to us?---
The first sentence phalale amakama namateli amashe means
Write your names as well as your addresses. Then the last.. the
following sentence ... Amanje azi amatale .. that I can't
make out because I think it is mis-typed - it should be
amanje..

BY COURT:

Yes but what do you make it out to be as it is
there?--- No I can't make anything out of it.. "in fact"
the word amanje.. there is no such a word in the Zulu language,
or Xhosa .. azi amatane .. that means others are old.. referring
to other addresses or other names.. in the previous sentence.

Others are old?--- Are old.

BY STATE PROSECUTOR:

And the second portion of the note? --- Umfulo
ocwele a ku nqa wela nqapa .. the river is full - don't come
over this way... or you can't come over this way. lo zang
hathi - you will hear from us.

BY STATE PROSECUTOR: NO FURTHER QUESTIONS.

BY MR. SCHWARTMAN: NO QUESTIONS.

BY MR. SCHWARTMAN:

I in turn have an application for the re-call
of a State witness and my learned friend has made arrangements
for/ . . .

for this witness to be brought to court - he isn't here as yet..

BY COURT:

Who is it?--- Alfred Sonnyboy Leboro..

Are you opposing this application?--- No - the only difficulty of course is that he is not here - it will take some time to get him here - as a matter of fact I've already made arrangements for him to be here today.. we sent for him about 5 minutes ago - it will be at least an hour and a half for him to be here, if he is traced.

But you are not opposing the application?--- No.

Application is granted - we will be able to re-call him when he is available. In the meantime...?

BY MR. SCHWARTMAN:

In the meantime I wish to apply at this stage for the discharge of the accused. The accused is appearing before this court on two charges. First ... the first charge is that during the period 5th April, 1960 to the 28th of March 1963 he became, or continued to be an office bearer, officer or member of the unlawful Pan Africanist Congress and the second charge is during that same period the accused took part in activity or activities of the unlawful organisation or carried on in their direct interest any activity which it was or could have been engaged in. Further particulars in respect of the second charge were furnished by the State and therein the State states that in relation to Count 2. the State will inter alia, allege that the accused took part in one or more of the following activities/ . . .

activities and ten activities are listed.

In regard to the accused's membership of the unlawful Pan Africanist Congress - that is Count 1 - my submission to Your Worship is that there has been no evidence led that the accused was ever at any time a member of the Pan Africanist Congress either before it was declared an unlawful organisation or subsequent to it being declared unlawful.

In relation to Count 2 which alleges that he took part in the activity or activities of the unlawful organisation - one refers to the further particulars which have been supplied by the State and reads through them my submission to Your Worship is that the evidence does not disclose that the accused took part in any of these activities or any other activities which are not listed. There is no evidence of his canvassing for members; collecting membership fees - organising a branch - organising an attack on Whites - organising Task Force leaders - organising the purchasing and acquisition of weapons - organising action against members of the Police Force, forwarding information and monies to Maseru - conducting correspondence with the Head Office of the P.A.C. to achieve its aims and objects - and there is no evidence at all of his attendance at any meetings of the Pan Africanist Congress or of any other organisation.

So in fact the only evidence which probably has brought the accused before this court is the finding

at/ . . .

at the accused's house of EXHIBIT W, which the State has endeavoured to show is a letter in Code and people have purported to give the meaning and import of these words in code - but such a finding of such a letter, in my submission, does not make the accused a member of the organisation nor does it establish that he carried on any of the activities which the State alleges he has in fact carried on.

In these circumstances, particularly in relation to Count 1 as to membership and Count 2 - activity - I am asking for the discharge of the accused.

BY STATE PROSECUTOR:

May I address the Court in Afrikaans..

Ek wil nie op hierdie stadium op die getuienis wat geleidelik was uitgewys nie; die toets wat die Hof moet toepas wil ek ook nie aers meld nie; dit is so algemeen bekend... Die vraag wat ontstaan of daar geen getuienis hoegenaamd is teen die beskuldigde nie en dan mag die Hof die aansoek toestaan - dit is heeltemal in die diskresie van die Hof om die aansoek toe te staan aldan nie.

Die feit bly staan dat BEWYSSTUK W in die besit van die beskuldigde gevind was. Dit is getuienis dat hierdie brief afkomstig is van die Hoofkantoor van die P.A.C. in Maseru en in hierdie brief word daar sekere oproepe kan ek sê, gestel, aan die persoon aan wie dit gerig is, in 'n Kodetaal.

Hy word sekere opdragte gegee en hy word in 'n baie groot mate

aangemaak/. . .

aangemaan, dinge wat in verband staan met die P.A.C. verbanne organisasie. Bo en behalwe dit is daar ook 'n brief gevind in die poskantoor, BEWYSSTUK X, gerig aan dieselfde persoon - dieselfde adres, naamlik die adres van die beskuldigde en die brief is ook ontleed deur getuies naamlik dat hulle nie moes kom nie - dat hulle later ... daar gevaar is en dat hulle later kennis sou kry. Die laaste aspek - nog 'n verdere aspek is BEWYSSTUK X die sogenaamde Mbeni brief, waarin daar ook gepraat word van die Tladi Assistent..

DEUR HOF:

Watter bewysstuk nommer...--- Z..

Z..

DEUR STAATSAANKLAER:

Waarin daar gepraat word van die Tladi Assistent Team Manager, Zola Assistent Team Manager .. en andere.. en daar is getuienis voor die Hof dat menige van hierdie persone bo enige twyfel geïdentifiseer is en dat ook die beskuldigde in hierdie brief geïdentifiseer word. Verder.. BEWYSSTUK AA..

DEUR HOF:

Hoe word hy geïdentifiseer?--- Ek sal net die getuie se naam kry asseblief.. Sersant Posthumus het getuig dat hy 'n man gearresteer het in Tladi lokasie op die 22ste - ek dink hy het gesê die nag van die 21ste .. 22ste.. of 23ste..

23ste Ja...--- Die 23ste Maart - hy het ons vertel dat die man in besit was van P.A.C. dokumente wat natuurlik

ook/ . . .

ook die geval was en dit stem natuurlik ooreen met paragraaf 2 van BEWYSSTUK Z. Hy sê dat die Tladi Assistant Team Manager "had letters from the Association" en dit is natuurlik onomwonde dat BEWYSSTUK W is 'n brief van die Association soos hulle dit noem, naamlik die P.A.C. hoofkwartier in Maseru.

Dan die laaste een is BEWYSSTUK AA - dit is die brief wat in besit gevind was van die getuie Cynthia Lichaba - die briewe is uit die aard van die saak afkomstig van die hoofkantore van die P.A.C. in Maseru - dit is dieselfde naam - Dintweg Kolere - en weereens die adres van die beskuldigde en wat dan ook die waarskuwing bevat soos in BEWYSSTUK Z. In die omstandighede voel ek dat die Staat daarin geslaag het om 'n prima facie saak uit te maak en dat, in elk geval, dit met eerbied gevoel word dat die beskuldigde minstens 'n verduideliking aan die Hof verskuldig is. Ek opponeer die aansoek.

BY MR. SCHWARTMAN: Nothing to add..

MAGISTRATE'S RULING.

BY COURT:

I do not propose to review the evidence on this application - I do not think it is advisable to do so because the evidence which stands on record now may be contradicted by later evidence if the application is refused.

In any case I ^{have} considered the application - I've gone/ . . .

gone through most of the exhibits during the period that this case has been remanded and I am of the opinion that the State has made out a prima facie case against the accused. The application is therefore refused.

MR. SCHWARTMAN CALLS THE ACCUSED:

JAIRUS NTSOANE ACCUSED Sworn States:

EXAMINED BY MR. SCHWARTMAN:

He is the accused in this case?--- Yes.

You reside at 363 Tladi Moroka?--- Yes.

Now on the 23rd of March of this year were you visited by certain members of the South African Police?
--- Yes.

Did they enter your house?--- Yes.

What did they do after entering your house?---
They asked me for my pass.. I handed it to them...
they took my name.. having taken my name they informed me
that they were informed that I was a member of the
.. of a banned organisation.

Yes.. and did you admit or deny this allegation?
--- I denied it.

Did they then start searching your house?---
Yes.

What did they find in your house?--- A letter
and a magazine entitled Sharpeville - another one entitled
Africa - a sort of a new publication and a letter entitled
"A Letter to the Prime Minister".

Now the publication called Sharpeville and
Africa/. . .

Africa - are these the two publications that were found in your house?---

BY COURT:

They are exhibits...?--- U and V.

BY ACCUSED: Yes.

BY MR. SCHWARTMAN:

Now where did you get these two exhibits from?

--- From a friend of mine - a friend of mine handed - gave them to me.

Who is this friend of yours?--- Albert Oliphant.

And where did he work?--- We work together in the same place.

And what place is this?--- South African Institute of Race Relations.

Why did he give you these two exhibits?--- He is a man who is interested in Journalism and he gave them to me to read to see how he writes.

Had he written these two publications?--- Yes.

And did he tell you what he wanted to do with these publications?--- No he did not tell me what he wanted to use them for - he is a man who learns to write.

And for how long had you had these two publications in your possession?--- He gave them to me some time last year - I do not now remember what month it was.

Now thereafter the police continued their search and did they find anything else in your house?--- No they did not find anything more.

Did they search any jackets of yours?--- Yes.

In/ . . .

In the wardrobe.

And what did they find in this jacket?---

They found a letter in the jacket.

Now where had this letter come from?

BY COURT:

Show it to him... EXHIBIT W... is that the letter W? --- BY WITNESS: Yes.

The question put to you was where had the letter come from? --- I noted from the stamp that it came from Basutoland.

BY MR. SCHWARTMAN:

When did this letter arrive at your house? --- I think it was in the course of February this year. T. 23rd Feb

And when you looked at this letter what did you notice immediately? --- I noted that the address was my address but the name was not my name.

And what did you do thereafter? --- I took it to address No. 336 - I found there that they did not know it and I then again went with it to 633 but nobody there seemed to know who it was.

And do you know a person called Ditwent Molefe at all?

--- No.

What did you do after making these enquiries? --- I looked at the back and I noted that there was no address there of the firm who had sent it. I thereupon opened the letter to enable me to find the address of the origin in order to return it to that address.

Did you find any address in the letter inside the envelope? --- No - there was none.

And what were you then going to do with this letter? --- I thereupon put it back into my jacket with the view to take it/ . . .

it back to the Post Office.

When you opened this envelope and looked at the letter inside did you understand what was written there? --- No I did not understand it.

Have you ever received a letter like this before? --- I have in the past received letters in envelopes that were not sealed and also letters the address of the origin which was written on the back of the envelope.

BY COURT:

The question is have you ever received similar letters. --- No.

BY MR. SCHWARTMAN:

And after this letter did you ever receive any further letters addressed like this to you? --- No.

Now you said you put the letter back into your pocket - with what purpose? --- Well I intended to delete the address on this letter with a pen and return it to the Post Office.

Did you do that? --- I forgot it when I changed my clothing.

When did you put this jacket on again? --- I had it on again on Friday when I went to work.

And were you arrested on the Saturday? --- Yes.

And on that Friday did you recollect whether the letter was still in that pocket? --- Yes putting my hand in my pocket on a Friday I felt the letter and knew that it was still there.

And/ . . .

And when did you discover that the letter was still there? When on the Friday? --- Well when I returned home in the evening - I do not wear this jacket - my jacket at work - I wear a dust coat.

And how many jackets do you have? --- Five or six.

And when you found that you still had the letter on the Friday evening what were you going to do with it? --- I thought then of taking it the next morning on Saturday to town.

The next morning you were arrested is that correct? --- Yes I was arrested on a Saturday.

At the time of your arrest was this jacket in the bedroom or in the living room of your house? ---

The jacket in which the letter was found? --- It was in the bed room..

Where? --- On a chair - it was hung on a chair.

BY COURT:

I thought you said your jacket was in the wardrobe? --- I did not say it was in the wardrobe - I had not been questioned that way.

see
111
2
112.

BY MR. SCHWARTMAN:

Were you ever a member of the Pan Africanist Congress...

BY COURT:

... "the police did not find anything else - they searched the jackets of mine in the wardrobe - they found a letter - W - in the jacket. You tell me you didn't say it and I've got a note that you did say it... I'll have it played over to you if you like on the machine... --- I don't think I was understood

I/ . . .

I said I had some jackets.

BY MR. SCHWARTMAN:

Did the police search your wardrobe as well?---

Yes.

Were there any jackets of yours in the wardrobe?

--- Yes.

Did they search those jackets?--- Yes - in fact all the things in the wardrobe they have searched.

Were you ever a member of the Pan Africanist Congress?

--- No.

Have you ever been a member of any other political organisation?--- No.

Why didn't you join any of these organisations?

--- I did not believe that they will accomplish or get the things that they said they would be able to get.

Were you ever approached to join the Pan Africanist Congress?--- No.

Were you ever approached to join the African National Congress?--- I was still in Sophiatown when I was approached in this respect.

When was that?--- I think it was somewhere in either 1958 or 1957.

And what did you do after this approach - did you join?--- No I did not.

And Jirrus since the Pan Africanist Congress has been declared unlawful have you taken part in any of its activities at all?--- No I could not - how could I not being a member.

BY MR. SCHWARTMAN: NO FURTHER QUESTIONS.

CROSS/ . . .

CROSS-EXAMINED BY STATE PROSECUTOR:

So is it correct to say that you know the organisation known as the Pan Africanist Congress?---
I know it from reading in the paper.

For how long have you known it?--- I read about it in the paper in 1960.

And you know that in 1960 Mr. Sobukwe was the President of the Pan Africanist Congress?--- Yes from reading it in the paper.

And you also know that they, the P.A.C., launched the Anti-Pass campaign, as they call it, in 1960?---
Yes.

And you know that numerous members of the P.A.C. were arrested in 1960 for taking part in the Anti-Pass campaigns. --- Yes.

And do you know that the leaders of the P.A.C. were arrested with the others during 1960 for taking part in this campaign?---Yes.

Amongst others Mr. Sobukwe the President?---

Yes.

And do you also know that it was as a result of this Anti-Pass campaign that I think 80, more or less, people were shot or killed in Sharpeville?--- Yes.

BY COURT:

How many do you say?--- I think about 80 - in the vicinity of 80.

BY STATE PROSECUTOR:

And do you know that the people who took part in this Anti-Pass campaign in Sharpeville were members of the P.A.C.?

---/ . . .

--- I have no... I'm not sure of that.

That campaign was under the banner of the P.A.C.? Banner... auspices... --- Yes.

They surrendered themselves to the police or to the officer in charge of the police station and .. inviting them to arrest them and that is how amongst others, these people were shot?--- Yes.

Do you know that the P.A.C. at the time called this the positive campaign of the Pan Africanist Congress - that is, I mean, the Anti-Pass campaign?--- I am not aware of that - I don't know.

Do you also more or less know the aims and objects of the African National Congress?--- No - I was not a member - how could I know.

Don't you read the newspapers?--- Yes I read the paper but I am not aware as to whether the paper fully disclose the aims of the organisation.

EXHIBIT U - that is Sharpeville - the very symbol - is the name of the author in this book or not?---I do not think it is there.

Did you read this book?--- I did not read it to the finish.

Are you a sympathiser of any political party or organisation?--- The African National Congress of 1958 had my sympathy.

And not the P.A.C.?--- Well I didn't know the P.A.C. actually.

But do you know the P...C. today or not?--- Well I do not know it actually - I have come to see or

know/. . .

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