

I think that is clearly set out in the speech of Hutchinson, which starts on page 1, but this portion appears at the foot of page 3, which is a portion which was omitted in your evidence in chief. Incidentally, may I just point out to you that very large portions of this meeting too were omitted in your evidence in chief? --- Yes, My Lord, that is correct.

I might just read this passage at the foot of page 3, it reads as follows : "We pledge that when we return from here to our homes we will at once make known to all our neighbours and workmates what we have done here, and we will win support for the Freedom Charter. After paying tribute to the sponsoring organisations, the resolution mandate of these bodies to continue to work together and campaign for the achievements of the demands of the Charter. Get the Freedom Charter endorsed, accepted by all democratic people and organisations. And so, following the instructions of the people of South Africa, the four organisations, the South African Coloured People's Organisation, the South African Congress of Democrats, the South African Indian Congress and the African National Congress, the Executives of these organisations met in Durban on the 1st August, and these organisations decided to embark on a million signature campaign, a million signatures to support what the people of South Africa have built (?). People have made their Charter, and the Charter must be taken back to them, the Charter must be taken back from whence it came, it must be taken to the cities, it must be taken to the towns, it must be taken back to the villages, it must be taken to the schools, it must be taken to the kitchens. But it is not enough. It is easy to write my name. In order that the Charter must

have a meaning to the people of South Africa, it must mean something to the people of South Africa, it must mean something to the men, to the man in number four for not having a pass, it must mean something for the mother whose children are crying in hunger. In other words, it must be linked with the lives of the people."? --- That is what he said, My Lord. 5

And just incidentally, "number four", do you know what that means? --- That is a term used to describe a portion of the Johannesburg gaol, as far as I recollect. 10

Which is kept for offenders on pass laws? --- I don't know, My Lord.

Then I would like you to turn, a little lower down, to where Lollan, who was Chairman, - you put his name in brackets behind chairman, dealt briefly with the question of the Reference Bureau. He was there dealing I think with Coloured classification, was he not? --- I think he was referring to the issue of Reference Books to non-European women, African women. 15

And at the top of the next page Dr. Press spoke, complaining about literature which he had taken down to his car, the whole of which had been taken from him by the Police? --- Yes. 20

Now I want you to turn to the speech of Virginia Ngomo at page 11. You will see in the second paragraph of her speech that she was putting forward what one might call the normal non-European complaints about a lack of education, lack of opportunity to acquire skills, and confining the non-European to the lower paid ranks of workers? --- I am unable to say whether that is the normal non-European complaint. She was referring to that. 25 30

In the next paragraph she complained about Bantu Education. Then I want you to skip a page and go to page 13, and if you would mind reading out the third paragraph, you will see that it probably represents her views on the aim of education. Would you mind reading 5
 the third paragraph : "The aim of education shall be to love their nation and culture. Now I know that here in South Africa today you find that there is a little Sesuto fellow coming to your house. You don't want to know what he has been doing in the Sesuto custom, all that you know 10
 is that he is a Basuto - a Zulu, and that is all. Now we have got to learn one another's customs. We must know why these other people do this, and why we don't do it. In our own culture we have got to develop it. We must learn to know brotherhood and liberty. Herein the loca- 15
 tions I must say that we live in fear and fight. We have got to keep our doors locked, because we are afraid, mind you, of other human beings. We cannot walk free in the streets, a young tsotsi might attack us. Why can't we learn to love one another." 20

Now on page 14, she continues with that theme in the third paragraph where she says : "Education shall be free, compulsory, universal for all children. We are not going to have such things as Bantu Education. We are not going to have Chinese or Indian Education. 25
 We are going to have proper education for our children. We must not forget the European children are being compulsorily educated, whether their parents have money or not, the children must go to school". And in the last paragraph but one, the second sentence, she says : 30
 "A lot of us here are not educated, so that we are going to teach the grownups too, and I hope these Dutch boys

will - who are not educated will also be given an opportunity to go to school, those who are in the Police Force. We should all go to school together, and if perhaps my Dutch friends think that they are excluded from this, they are mistaken. We shall all learn our cultures, one another's cultures. You shall also learn how to educate your children." Now I think this matter is carried further on page 15, in the second paragraph. "We must start with our very little children and tell them what we want, teach our neighbours, our friends. We must work in such a manner that within our lifetime we have what we want. We are not the only people who are oppressed. There are many European people who are also oppressed. We have got to come together with these people and see that we achieve freedom in our lifetime, and by putting our children and our strength into the wheels, we shall definitely achieve freedom in our lifetime."? --- Yes, My Lord.

Would you mind skipping to page 20 of this document. From the foot of page 20, from what you have called "the unknown Native male", you skipped in chief about one and a half pages. I just want you to read the second sentence - from the second sentence in that man's speech. "I am standing here because the chairman made a remark that we are the people who have paved the way for peace and tranquility in South Africa". That is what you recorded the unknown Native male as having said? --- Yes, My Lord.

And on page 21, the next speaker who spoke in Afrikaans - who was translated into Afrikaans, expressed somewhat similar sentiments if you look at the third paragraph of his speech, beginning, "Is dit die liefde..".

"Meneer die voorsitter en die vergadering, as daar nie liefde is nie, sal daar nie voorspoed wees nie." And the last speaker on that page, you will see, discussed various topics, peace and friendship in this country, for which a change in conditions would be required. He spoke about the necessity of the African National Congress joining forces with trade unions. He spoke about bad conditions on the East Rand in factories there, and the threat which workers in Springs had that they would be fired if they belong to the African National Congress."? --- Yes, My Lord.

Well, I believe he goes on in this sort of strain, until one gets to page 30, where an unknown woman is reported, if you look at the first paragraph of her speech, she says : "I was in the organisation for two years, and then I got sick". I'll tell you why I am reading this. You remember that you read from the bottom of that page, the Chairman's remarks, that was Resha's remarks, about having to give "the old lady a chance", and then he went on to say "our struggle is non-violent, but if there is a pool of blood we shall still have to go through it", that is on page 31? --- I have recorded that.

Now, it seems that he was referring to the previous speaker about the old lady, and this is what she said : "I was in the organisation for two years, and then I got sick. Today I can hardly walk. I was in bed sick, because of the pass laws, that is what brought me here." And then she goes on to complain about the taxes paid by her children, "How am I to carry a pass, as you see me here I can hardly walk", and she says that her children aren't earning enough, and she talks about her

long illness, and that was the theme of her speech, to which the chairman then referred? --- Yes, My Lord.

Now with the next meeting I want to deal with, it is the meeting reported in G. 721, a meeting of the South African Society for Peace and Friendship with the U.S.S.R. held on the 6th November, 1955 at 30 Kerk Street, Johannesburg. That is the Trades Hall, is it not? ---
Yes, My Lor .

Incidentally, were you ever hidden when you took your notes? --- No, My Lord.

Now I only want to refer to one speech here. You gave this meeting fairly fully, but at page 12, at the foot of the page, the chairman spoke, and some of his remarks appear to summarise the objects of the Society. The chairman of course was Reverend Thompson? --
Yes, My Lord.

A collection had been taken, and he raised the question of membership, and of a publication which had sold very well. And then at the top of page 13, he said : "This Society exists to build up friendship between our country and the Soviet Union, after that greater friendship throughout the world, how needed in our times. We live in one world, we have got to learn to live together in one world, we have got to learn to work together, to play together, and to do all the things that the man - all the things that man can do together. City life, nation life, international life, to bring friendship in the world situation, the international situation". After that I would like you to turn to Exhibit G. 424, which was a Congress of Democrats' meeting, held in the Skyline Hotel on the 1st December, 1955. You will see from the opening remarks of the Chairman, as recorded, this was a meeting to discuss

the Freedom Charter? --- Yes, My Lord.

Here again the Reverend Thompson was the first speaker, and you will remember that when you read out his speech, you omitted two quotations on which he relied? --- Yes, My Lord.

You said the first was one by Professor Negborn(?). Now may I read you what was in fact the quotation. Perhaps you will remember something of it. It was a quotation from R. Nieboer (?) on "Moral Man and Immoral Society", and the quotation was as follows : "Human collectives, races, nations and classes, are less moral than individuals which compose them. Justice between groups can therefore not be achieved purely by educational means. Injustice must be resisted. The problem is to find forms of resistance which will not destroy the meagre resources for rational and moral action which groups do possess". That might be the quotation? --- It might be, My Lord, I don't know.

The second one was one from Mr. Leo Mark (?), but I don't want to read the whole of it. It ends, "Whether South Africa will sink into oblivion, a classic example of a multi racial society that failed, or become the greatest force for the maintenance of Western culture on the continent of Africa depends primarily on whether the European rulers can associate their non-Europeans subjects in a truly national state". That might have been that quotation? --- It might have been, yes, My Lord.

If you would look at page 4, Mr. Coetzee, you will see that the speaker, the Reverend Thompson in paragraph 4 expressed his views of the Freedom Charter. I don't want to read this out, but summarised I think it could fairly be said that he put forward the idea that the

Charter should be extended to the homes of the people throughout the country, that he was sure that they would recognise it as a document which - with which they fundamentally agree, and that he would appeal to all - and that this would appeal to all progressive South Africans? --- 5
 Yes, he intimated that, My Lord.

The next speaker was Beyleveld, and you will see that you read the first paragraph at the foot of page 4 and one paragraph on page 5, and after that a considerable amount was omitted. Do you mind turning to page 7k and 10 if you would be good enough, would you read paragraph 3 on that page, starting "We have seen that..."? ---
 "We have seen that the official opposition party, the United Party, fails to oppose the Nationalist Party effectively. In fact the United Party is undergoing a 15 process of disintegration. Mr. Bekker has formed his own party, and Mr. Bernard Friedman has broken away. This integration is going on in the United Party itself. Let us examine the signs of this integration and also the formation of the new Liberal Party and the trend 20 towards the left in the Labour Party. What does it portend? Now that is to me a sure sign that the
 Europeans are becoming more and more dissatisfied with their official opposition, and are striving to form a more effective opposition to the Nationalists. The 25
 Europeans are going through political turmoil of making up their minds in this conflict between the baasskap policy of the Nationalists and the struggle for liberation of the non-Europeans."

Yes, I don't want you to read any more. Just 30 follow me. He then, in the next paragraph, suggested that it was becoming necessary for Europeans to decide whether

to join the Nationalist Party or throw in their weight with those fighting for liberation, and on the next page he suggested that it was useless for the Europeans to say that they wanted to preserve democracy unless they were prepared to give it to those who do not have it, the Coloureds, the Africans and the Indians. And he 5 discussed the weakness in the South African Constitution, which had permitted a domination by one group of others. Incidentally, at the top of page 9, you will find one of the other topics I discussed with you, namely that other political parties had also been invited to the 10 Congress of the People? --- Yes, My Lord, Mr. Beyleveld alleges that they were invited.

Would you turn - just before you turn away from that, would you go to the bottom of that page, where the speaker reported is Helen Joseph, and a very lengthy 15 speech which was omitted, was a speech in which she compared the Freedom Charter with the United Nations Declaration of Human Rights, and you will see that she went into great detail. The comparison starts at the second paragraph of her speech, and if you would look 20 at the third paragraph on page 10, there she starts by saying : "Take a look at the United Nations Declaration of Human Rights, and compare it with our Freedom Charter, and you will find that fundamentally they are one and the same thing. It is what was born out of the Second 25 Great World War, peace understanding and the brotherhood of man. In this country when the Police come to investigate alleged charges of treason and sedition, they took that Freedom Charter, and I want to say Mr. Chairman that what - that if what is in the Freedom Charter 30 is treason or sedition, the whole world is guilty of it."

--- I have recorded that, My Lord.

As I say, her speech went on to page 14 and I don't want to read all that. Would you have a look next at G. 487, which was a meeting of the South African Congress of Trade Unions held in the Trades Hall, on the 8th January, 1956, and if you look at the speech which you read into the record and others, it appears to have been a meeting which was called to protest against the closing of the Soviet Consulate? --- Yes, My Lord, that is correct.

On page 2, it - there commences the speech of Beyleveld and he gave some history of the establishment of diplomatic relations between the Soviet Union and South Africa, and he suggested some of the harm which he thought might come to South Africa by the breaking off of those relations, for instance, at page 3, he mentions in the second paragraph, "although there may be little trade, that might be lost and it might injure woolgrowers". He criticizes the then Minister, Mr. Louw, for the statements he made, that is in the next paragraph. He says, "Mr. Louw goes much further and makes serious allegations against the Consul, and we have not heard any of the evidence which he has got. Some of us in this hall have had experience of those accusations which this Government is fond of making. Quite a number of us have had our homes raided on allegations etc. for which we know there was no foundation". Do you mind looking at Hutchinson's speech on the next page? He again stressed the need for peace and friendship with the Socialist part of the world, and he suggested in the third paragraph that the Communist red herring will be moved next to the credulous noses of the people of this country,"I mean

the Nationalist supporters. No grain of truth of what the Soviet Consulate have been accused of". The Nationalists stand exposed. So that was the general theme of that meeting. I want next to refer to G. 242. I don't want to quote anything from here, but you will remember 5 that I said there was a meeting in which almost each one of the speakers complained about the presence of the Police. This is one of them, is it not? You will see the first speaker Cunou (?) whom you read out, mentions it - no, this is a slightly different point. "Everyday 10 there is a policeman behind you, demanding this document", but I think you will find that other speakers mention the presence of the Police there. Just have a look at page 2, paragraph 2. This is what you have recorded Cunou (?) as saying : "We are kept down for no reason, 15 but because our colour is black. White police, they can shoot us down at any moment when they like. The white policeman is asked to share this ideology of apartheid. That is what he believes in. He is to see that Africans are kept in perpetual slavery." And you will see that 20 Seitchiro then says, "Now, comrades, we see that this morning the government agents are here", and Chamile in Afrikaans mentions it too, on page 4, the last paragraph. Now the next meeting about which you spoke, I don't wish to refer to that, that is G. 846, and I turn to G. 723 25 which is your transcript of the meeting of the South African Society for Peace and Friendship on the 7th November, 1956. Would you look at page 3, this is the speech of Lilian Ngoyi who was addressing the meeting on the Soviet Union, where she said she had visited, 30 and on the first main paragraph on page 3, she speaks about the absence of an iron curtain and some of the things

she had seen, like the University and how she had been treated at an hotel, and how her travelling companion had been taken ill and had been taken to hospital, and was not given a separate room, but was put in with others. How she then started to realise that she was a human being herself, "started to realise that in spite of my colour, they regarded us Afrians as human beings". And then at the end of that page, she mentioned a zoo in which she had seen a lion and a dog together, and she proceeds : "Then I thought to myself, why can't us Africans and the other people, yes, even the Afrikaners, stay together peacefull in one country. If the dog and the lion can remain in one cage, then we can stay in one cuntry without thinking that they are inferior and that the others are superior". Would you now look at G. 672, which was a meeting of the People's Defence Committee in Sophiatown on the 9th December, 1956 and if you will remember, a large number of people had been arrested on a charge of high treason, shortly before this. That is correct, isn't it? --- Yes, My Lord.

Now the chairman was one Ngakane, and here I might draw your attention to the fact that all the speeches were omitted from page 1 to halfway down to page 11, from your evidence in chief. On page 1, in his second sentence, the chairman there said that he had a few remarks to make to explain the purpose of the gathering, to appeal to the audience. He went on, "Our purpose here is peaceful, we will not elaborate into our purposes. There may be great cause for provocation, but I want to appeal to you to be disciplined, to allow nothing to disturb the peacefullness of this meeting. The police are here on duty, let them carry out their purpose

peacefully, let us not allow ourselves to be disturbed."
Then I want a few passages from the speech of the first
speaker after the chairman, Bopape. If you will look at
page 4 where he was talking about their "leaders", and
you will remember the "leaders" he refers to, he means 5
those people who have been arrested, and he says that the
leaders stand for peace, they preach racial harmony, and
on the other side the government is preaching racial
antagonism. He complains about the hell which South
Africa has been made for certain parts of its population, 10
the daily humiliation. And then he complains about the
fact that whereas the police are used to keep down crime
in other countries, in South Africa, according to his
views, they are used in addition to maintain baasskap? ---
Yes, My Lord, that is correct. 15

And in the next paragraph he complains about
the laws which make - the pass laws which create criminals.
--- Yes, he alleges that.

Finally I want you to turn to page 5, where
once again he emphasises the necessity for creating 20
harmony, that is at the end of the first paragraph, and
ends up that paragraph, "twelve million people must live
together", and he says we must build a better South
Africa, and there won't be domination and there won't be
fear. He complains of people preaching to the Europeans 25
these things which create fear, and that preaching must
be stopped. If that preaching will be stopped, the people
will become happy. And then he says in the third para-
graph, "But we recognise what we see today. It will not
bring about the end of the spirit of freedom. You know 30
that the British imperialists in this country attempted
to stop the Afrikaner people from obtaining their freedom.

I am talking about people like Strijdom. The Afrikaners got their freedom. Now that they have got their freedom, they must look back at history, what has happened." Now, that is the end of the meetings to which you testified in chief. Certain meetings you didn't testify to, and one of them contained in Exhibit G. 225, was fully dealt with when my learned friend Mr. Berrange cross-examined you about reports, so I won't trouble about that one. I would like you just to have a look at two exhibits, G. 216 and G. 426. G. 216 is the meeting called as a farewell to Father Huddleston on the 25th February, 1956. The other is a Congress of Democrats meeting at the City Hall steps on the 2nd March, 1956. Now there were several speakers at the meeting, which is called a Farewell Meeting to Father Trevor Huddleston, and these speakers pay tribute to him and his work. I don't want to go through them in detail. Would you look at page 7, where you record the speech of E. F. Moretsele, and he says in his first paragraph - I am summarising - that he was impressed by what he saw here, and your bracketed notes says "meaning the different races singing together in one choir", and he goes on to say that Father Huddleston spoke about love. One of the speakers has already mentioned that we came here to break down the barriers.

Then in the next paragraph he proceeds : "In the African National Congress we said over and over again there is no discrimination. You will have observed now people singing together. There is no apartheid. We don't support apartheid. Verwoerd himself knows that we don't support apartheid, but he says we are committing high treason. I don't know whether they think that the Freedom Charter is high treason". And then he proceeds,

"Father Huddleston said something very important about the youth, that the future lies before them. It is true what he says. What he said about love is also true, the African National Congress now gets a message from him, and they will go forward with love. We invite everyone to fight with us, for the liberation of all, the people of South Africa. What we want to do is to sit together with all the races in this country and to rule this country". And finally, would you look at the other Exhibit, which was a meeting, according to the notes, of the South African Congress of Democrats on the 2nd March, 1956, on the steps of the City Hall. The first speaker after the Chairman was Dr. Press, who spoke for quite a number of pages, and at the top of page 2 he said this : "We know that with the non-Europeans we will be able to work harmoniously and - until freedom is won. We know that we cannot limit that freedom to ourselves. If all are not free, none will be free." Then he talked about the fact that in fact the non-Europeans do a great deal of work for the Europeans and are in fact in their houses and looking after their children and so forth. He mentions the South African Congress of Trade Unions in which all races work together. He put it in this way, "That being the only trade union body in South Africa admitting the membership of all races, all workers, and are working for peace and friendship with everybody in South Africa, peace and friendship with all men and women in South Africa. Lastly, would you have a look at page 5. That is the speech of Father Garret-Carr (?), and in paragraph 3 on that page he mentions a statement by the Prime Minister that the Europeans can only maintain their position if they are in a dominant position. "What domination

has ever been civilised," he says. "I heard the other day what someone, Cecil Rhodes, said back in 1888, when someone asked him 'What are we going to do with the Africans', Natives as they called them, and this was his reply : 'We will use a policy towards the Natives, a policy of benevolent despotism! How successful indeed that policy. It helped the people of India to obtain self-government, and I say the same thing will happen in this country.'" Now, Mr. Coetzee, as far as your note shows, this speech was a meeting called by the South African Congress of Democrats, was it not? --- Yes, My Lord.

NO FURTHER QUESTIONS BY MR. FISCHER.

RE-EXAMINED BY MR. TRENGOVE :

Mr. Coetzee, this last meeting that you have just been referred to, the meeting of the South African Congress of Democrats, the 2nd March, 1956. Who was the Chairman at that meeting? --- I have recorded 'Eerwaarde D. C. Thompson', Reverend D. C. Thompson.

And after him, the next speaker was R. E. Press, Dr. Press, is that correct? --- Yes, My Lord.

And then there was the speech of 'Eerwaarde' M. Jarret-Carr as you have recorded it, is that correct? --- Yes, My Lord.

Now my learned friend has read to you on page 5, the passage in a speech of Reverend Carr referring to the benevolent despotism in which he said "how successful indeed that policy. It helped the people of India to attain self-government, and I say the same will happen in this country". Now, just to get the context correct, immediately from making that statement, what did

the Reverend Carr say? --- "Now the government of this country will no doubt accuse me of inciting the people to revolution, of being a Communist, for according to the Suppression of Communism act.." - then I have dots, My Lord - "... but would it be incitement, if perceiving a dark cloud up in the sky, I would point towards it, and say 'Look it is going to rain'. I am merely stating what is going to happen. But nobody is more guilty under the Suppression of Communism Act than the Government. They are in fact by their acts inciting the non-Europeans, and their acts will lead to a revolution, not mine. So let us join together, all men of goodwill, and work for freedom and democracy, work in every way that is open to us, and this freedom can only arise out of justice".

Now would you refer to the other meeting, in respect of which you have your notes before you, the meeting of the 25th February, 1956, at Father Huddleston's Farewell. Who was the Chairman at that meeting? --- My Lord, I have recorded Henry Gordon Makgothi.

Do you know him? --- I don't know him, but he was an Accused at the Preparatory Examination.

After him, who spoke? --- Dr. Press.

And on behalf of which organisation did he speak? --- My Lord, he intimated that he spoke on behalf of the South African Congress of Democrats.

After the South African Congress of Democrats, who was the next speaker? --- Moosa Moolla.

According to his speech, on behalf of which organisation was he speaking? --- On behalf of the Transvaal Indian Youth Congress, My Lord.

Can you identify him? --- Yes, My Lord, I have already done so.

Is it the same person whom you identified previously? --- Yes, My Lord.

And after Moosa Mcolla, who was the next speaker who spoke on behalf of some organisation? --- My Lord, I have recorded here Heregun Putini (?). 5

He was introduced as speaking in what capacity? By the Chairman? --- As a representative of the African National Congress Youth League, as the secretary of that organisation.

And then he spoke? --- Yes, My Lord. 10

And after he spoke, the Chairman made a speech again, and on page 4 he introduces the next speaker. Have you got that? The last portion of the Chairman's speech at the top of page 4, he introduces the next speaker as speaking on behalf of some organisation? --- I have Patrick Molaoa. 15

Now immediately before he spoke, he was introduced by the Chairman, that he was speaking as what? --- "I am now going to ask Mr. Molaoa on behalf of the four organisations to make a presentation". 20

Which organisations are those? --- My Lord, on behalf of the South African Coloured People's Organisation - Youth Organisation, the Transvaal Indian Youth Congress, the South African Congress of Democrats Youth League, and the African National Congress Youth League. 25

And then Father Huddleston spoke after him, is that correct? --- Yes, My Lord.

Do you know Patrick Molaoa? --- I don't, My Lord.

He was just a person introduced as Molaoa? --- Yes, My Lord. 30

There are just two other meetings to which I

wish to refer this witness in re-examination. The next is a meeting of the 30th January, 1955. The document containing his notes is set forth in Exhibit G. 73. Mr. Coetzee, you were referred by my learned friend Mr. Fischer to a speech made by David Mahilwe, is that correct? --- Yes, My Lord.

Now in your examination in chief, you gave no evidence at all as to what Mahilwe said? --- Yes, My Lord, that is correct.

And my learned friend Mr. Fischer referred you to the portion of his speech at the top of page 2, which was summarised by my learned friend as a statement by the speaker that the passes were humiliating, that the government pass humiliating laws against the Africans, is that correct? --- Yes, My Lord.

Then he talks about the Bantu Education Act, is that correct? --- Yes, My Lord, he spoke about that.

Then he talks about Verwoerd being the man who brought in the reference books? --- Yes, My Lord, that is correct.

(CONTINUED ON PAGE 7971).

MR. TRENGOVE: Now, after having dealt with the 1
Bantu Education and the reference books, what did the
speaker say according to the next note that you've got of
his speech? -- "They bring native police to Newlands to
intimidate us and to make the children hate their parents,
but we are not satisfied, and we want to tell the Native 5
police that they must stand with us. Nobody will defend them
if they dont, and Verwoerd will not shoot us, they will
shoot the police boys; they think that Piet Grobler will
protect them, but he is the man who shoots down people in
cold blood. Do you remember when he shot the people down 10
in cold blood, Malan will pay for that. The police must
be made to pay for that. Yes, Verwoerd will be paid, Swart
will be paid. We will go to Cape Town and say to Mr.Malan,
'here is your payment, Mr. Malan'."

And then he referred to people being shot in the 15
streets and passes being demanded from them. Is that correct
?-- Yes.

And the police force will terrorise the people,
is that correct; he says he makes his statement in front of
the police?-- Yes. 20

Will you omit the next portion of his speech in
which he deals with the Bantu Education Act and other mat-
ters and turn to page 4 of his speech which starts "In
conclusion..."?-- "In conclusion, Mr.Chairman, Malan has
run away and Strydom will run away next week, but they 25
will not rule this country - accidentally they took it
from the English. Do you see that flag there, the one
with the three colours - yes, that flag will still fly
over the country. We are going to rule, we are going to
have our freedom one day, whether the police or whether 30

Piet Grobler likes it or not. We are not going to ask the police whether we can have our freedom. They have soldiers in Auckland Park, and they think they can rule with them and these soldiers are black. These soldiers will drive the lorries, ..." then I have dots "....so if we fight back we will fight our own people and they will not be there. Yes, we don't want dutchmen like Verwoerd to rule us. If Verwoerd wants to build houses why doesn't he build houses for the Europeans in Greymont and Newlands? You and I know what goes on in these places. What do you see when you go into the backyards of these places? You see rubbish, rubbish; the police here in Sophiatown just bash your door in and they want to come into your houses; one day they won't no longer be allowed to just bash your door in. Verwoerd thinks he has got education to fit him for removing us here from Sophiatown - he has been educated to serve his own people. Why does he not build houses for them? If he has built houses somewhere why does he not take the Europeans away to those houses? Why does he feel for us. He can do what he likes for his own people, he can have those houses for his own people." That concluded his speech.

Then there's one other speech to which I wish to refer you. One other meeting - that's the meeting of the 18th September, 1955, the Freedom Charter Committee Meeting. The Exhibit is G.853. I'll just hand you a copy. Mr.Coetzee, you were referred by my learned friend Mr. Fischer to the speech of A. Hutchinson, starting in the middle of page 1. Is that correct?-- Yes.

And then you were referred to page 4, the penultimate paragraph of your recording of the speech, that the Charter must be taken back to the people in the Cities,

Can you remember the reference to a man in No.4?-- Yes. 1

Now, just to get the context of that paragraph correct, "That the Charter must be taken to these various people", will you just read the concluding paragraph of his speech which follows immediately upon the speech quoted by you in response to a question by my learned friend?--"The people have spoken, another milestone has been reached. The path is short for the racialists. The people must brush them aside on their road to freedom....." I have in brackets 'applause'. "The people must crush them because the people have spoken. The people have sealed their covenant and there is no turning back". I have in brackets "applause". 5 10

One last question. Mr. Coetzee, you were asked in your examination-in-chief whether you took notes of any other meetings and whether you could find those notes. Did you conduct an investigation?-- I did. 15

And you found notes relating to how many meetings?-- Still available, only two meetings.

Thank you, my lord. My learned friends Mr. v.d. Walt and Mr. Hoexter will continue with the evidence. 20

RUMPF J: Yes.

MR. HOEXTER: May it please your lordships, would it be convenient if I indicated very briefly the nature and extent of the evidence which will follow in the course of the next three or four days. My lords, I wish to apologise firstly for the fact the apparatus was placed in the Court over the week end. This was done to save time, ym lords. It would not have been possible to do so during the tea interval this morning. My lords, the evidence which follows will consist chiefly of 25 30

descriptions by police officers of sound recordings made at 1
various Congress meetings in the Transvaal, Natal and Cape
Province. The three witnesses concerned are D/Sgt.Vlok,
D/Sgt. Swanepoel and Head Constable Diederichs. In the
case of the witnesses Vlok and Swanepoel there will also be
evidence of meetings at which no sound recordings were made 5
and the Court will be handed notes in the ordinary fashion.
My lords, in order to lay the foundation for the reception
of the evidence relating to the sound recordings the Crown
proposes to call at the outset an expert witness, a witness
who is an expert in electronics and sound engineering, and 10
he will explain the principles underlying the machines, the
recording machines employed by the police, and attempt to
show the recording devices used are capable of recording
sound in this Hall. My lords, save and excepting one meet-
ing which involved the witness Diederichs, in the case of 15
every meeting where a sound recording has been made, the
Court will have the original tape in Court. In order to
save time, my lords, earlier this month all the sound re-
cordings involved were replayed in Johannesburg to an
audience consisting of members of the Defence team armed 20
with transcripts, members of the Crown team and some of
the accused. My lords, that was done with a view to re-
ducing cross examination to a minimum, and my lords, in
order to save time subject to the approval of the Court
the Crown proposes to introduce the evidence of the sound 25
recordings by reading in the record portions from the
transcript involved. My lords, my learned friends on the
other side indicated that subject to proper identifica-
tion of the transcript in every case by the appropriate
witness, there is unlikely to be any cross examination 30

directed to the accuracy of the transcript. My lords, 1
 despite the fact that use will be made of written trans-
 cripts the Crown nevertheless proposes to reproduce in open
 Court, in the case of the Cape a selection of speeches al-
 leged to have been made there, and in the Transvaal to re-
 play at length the proceedings of a meeting at 37 West Street. 5
 In addition, my lords, the Defence have intimated that they
 desire a Natal meeting to be reproduced in open Court.
 My lords, the West Street meeting which I have referred to
 will involve identification of certain voices to be heard
 in the reproduction; that will be specified to by two detec- 10
 tive sergeants, Ngai and Ndaba. It will require in addition
 brief testimony as to the translation from Saferi into Eng-
 lish; that involves the introductory portion of the speech
 only. My lords, the apparatus in Court has been brought
 here; it is designed to increase the quality and the intelli- 15
 gibility of the reproduction, some of which was taken under
 difficult circumstances, and is not as good as one would
 have liked. My lords, I call my first witness, Dr. Lochner.

MR. KENTRIDGE: My lords, before the witness 20
 is called May I say that it's not merely a matter of reduc-
 ing cross examination; in fact we listened to these tapes
 and heard transcripts, and apart from perhaps three or
 four words we do agree with the correctness of the trans-
 cripts, and as far as we are concerned the transcripts 25
 are correct, but I did understand that nonetheless the
 Crown wanted to play certain of the recordings over to
 the Court. If that is done, if your lordships will listen
 to the recordings, your Lordships will hear one or two
 recordings we would also like to have played back.

RUMPF J: If the transcripts are agreed to be correct in the main is it necessary to hear these recordings. 1

MR. HOEKSTER: My lord, the Crown has considered that position very carefully and my lord, the Prosecution feel - is convinced that it is in the interests of the Crown case that at least the recordings I have mentioned should be played. 5

RUMPF J: Not all.

MR. HOEKSTER: No, my lord, a small fraction. My lord, the taped speeches should occupy no more than a few minutes. My lord, with regard to the West Street meeting the Crown originally desired some of the speeches only to be played back. The Defence have intimated that in the event of that being the Crown's desire they feel, understandably, my lord, that it would be preferable and fairer if the entire meeting, or so much of it as has been recorded on the tape, be played back, and my lord, that will be an arduous undertaking and that will involve some two and a half hours. Careful consideration has been given to the matter, my lord, and the Crown sees no alternative. To save time, my lord, the witnesses who testify to the voice identification will be in Court while the recording is being reproduced and the Crown has devised a means whereby subject to a certain double check they will be able to say at the end of the meeting what in their opinion - who in their opinion the various speakers were. My lord, further the Crown has copies of the transcript and the Crown proposes that the Court should be furnished with such transcript at the time of the reproduction - the actual reproduction. 10 15 20 25 30

RUMFF J: Yes.

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MR. HOEKSTER: My lord, I call the Crown's first witness, Dr. Lochner. This witness was not a witness at the Preparatory Examination but notice was served on my learned friends and on the Registrar, notice embodying an affidavit.

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JOHANNES PETRUS ALBERTUS LOCHNER S.S:

XD. BY P.P: Dr. Lochner, you are head of the acoustic division of the National Physical Research Laboratory?-- That is correct.

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At Pretoria?-- Yes.

How long have you held that post?-- Since October, 1946.

Now, doctor, I understand that you hold a Bachelor of Science Degree of the Cape Town University; in what year did you obtain that degree?-- That is correct. I obtained the degree at the end of 1941.

15

And is it correct that in 1944 you completed the requirements for a doctor of Philosophy in Science in Science and that your Thesis related to Acoustics?-- That is correct.

20

And did you work as a research scientist until you assumed your present post?-- That is so.

Now, doctor, can you very briefly tell their lordships the nature and extent of your experience in Sound Engineering?-- My lords, after I got my Bachelor's Degree I worked for a while as an Electronics Engineer; after that I went back to University, got my Ph.D. then went back to the same firm and worked there as an electrical engineer; afterwards I was appointed as Research

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30

Engineer at the School for the Deaf, Worcester, until I was 1
appointed to my present post at the end of 1946.

Now, in your present post, what sort of projects
have you been in charge of, doctor?-- Well, at the moment
I am head of the Acoustics Division of the National Physical
Research Laboratories and as such I am responsible for re- 5
search and development projects in the field of Acoustics.
I have also acted as Consultant for numerous projects such
as the acoustical design of auditoria, law courts, and
broadcasting studios, airports etc., where sound recording
plays a very important role. 10

And, doctor, what is your special field of interest
in your subject?-- My special field of interest, my lords,
is the intelligibility and quality of recorded speech and
music.

What sort of recording devices are used in this . : 15
field?-- Well, we have different recording devices, but for
research purposes we use magnetic tape recorders exclusively.

Doctor, I understand that you gained further exper-
ience overseas. Can you tell us briefly what you did there?
Round about 1948/49?-- Yes, my lords; I went over to Harvard 20
University in America where I carried on post graduate re-
search in acoustics for one year; after that I went to
Bell Telephone Laboratory for one month, then to the Bureau
of Standards for one month; then I visited a few insti-
tutes; then I proceeded to Europe where I visited a few 25
more institutes, then I proceeded back home.

Doctor, I understand you undertook a similar
but shorter visit to Europe in 1955; is that correct?--
Yes, my lords. In 1955 I went overseas for one year to
study reproduction systems for airports in order to be 30

able to design our present sirport systems in this country, 1

And more recently, doctor, last year, you were in Europe and the United States for four and a half months; just mention briefly what sort of work you were engaged upon?-- That is correct, my lords. I proceeded to Europe first and attended an International Congress on Acoustics; 5 after that I visited different research institutes in Germany, Denmark, Holland, England, the United States of America, and Italy.

Doctor, would you now please briefly, as briefly as you can, explain the principles involved in magnetic tape recording. I believe you have a diagram with you?-- Yes, I'd like to refer to this. In magnetic tape recording, a microphone is used as a transmuter to transform sound waves to electrical waves. Now in the diagram you can see a human speaker and you can see direct sound going through the microphone, then you get sound reflected from the different wall surfaces; what we call reverberant sound, and then we've got a motor car to show a noise sound. It might be a motor car or any extraneous noise source. Now, the sound reaching the microhpone as I say is direct sound which is very clear; then you get reverberant sound which makes the speech less clear. Now the sound falling on to this microphone is transformed into electrical waves which is amplified by this first amplifier; then it is 10 15 20 25

Pausing there, doctor, the amplifier, does that form part of the recording device; for example, look at the recording machine on your right hand side?-- Yes.

Now on the right hand side here you've got the recording machine, and this amplififer is normally part of this recording 30

machine, and it's a mechanism that amplifies electrical waves. Now these electrical waves which are replicas of the sound picked up by the microphone are applied to what we call a recording head. Now in this recording head these electrical waves are transformed into magnetic waves in line with the moving tape. Now these magnetic waves set up permanent records, not completely permanent - they can be wiped out at a later stage, but they are retained on the tape, and at a later stage when you play it back these waves can be picked up by what we call a pick-up head. Now in this pick-up head again the magnetic fluctuations are transformed into electrical fluctuations which are again amplified and applied to a loud speaker. Now this loud speaker is also a transfuser just as the microphone is. The microphone transforms sound waves into electrical waves and the loud speaker transforms electrical waves into sound waves. You can, of course, also use earphones; they are also transfusers just like loud speakers.

Now, doctor, can you tell us something about the different circuits that can be employed, put into operation?-- Yes, my lords. In a magnetic tape recorder like this you've got different electrical circuits intended for different purposes. You have your pre-amplifier amplifying the signal from the microphone and you have another amplifier amplifying the signal from the pick-up head. In the bigger machines there is a separate amplifier; in the smaller machines they normally use the same amplifier. In the bigger machine you have a recording head and a separate play-back head. In the small machine like this you've only got

one head which is used for recording and for playing back. 1
It also has an erased head. Now this erased head is operat-
ed by an oscillator. The oscillator applies a signal to
the erased head and that removes the signal from the tape.

Now, doctor, you have looked at the machine in front
of you?-- Yes. 5

Will you just have a look at this other machine as
well?-- Yes.

Have you looked at that machine?-- Yes, I have look-
ed at that machine previously, my lords. It operates in
exactly the same way, on the same principle. In fact most 10
of these smaller machines operate on exactly the same prin-
ciple.

Now, this type of machine, is it possible for the
operator to listen in by means of earphones while the re-
cording is being made?-- Yes, my lord, that is possible. 15
Normally the earphones are connected to your amplifier
amplifying the signal from the microphone. It is not pos-
sible to listen to a record already recorded on the tape.
When you listen in while recording you can only listen to
the direct signal from the microphone. 20

In other words, supposing the operator who is
making the recording wants to listen in on earphones,
what he is hearing is the voices direct, not the signal
recorded on the tape?-- That is correct.

And I take it these recorders require some form 25
of power supply?-- Yes, they do. The normal power supply
for a recorder like this is the mains, but they can also
be operated from batteries, in which case you need an in-
verter to convert the D.C. from the battery into an alter-
nating current that will drive the machine. 30

Now, doctor, can you tell us very briefly something 1
about the factors that determine quality of production and
intelligibility of reproduction?-- Now the quality of re-
production, my lords, depends on how you set up your micro-
phone in the first instance; how far you are from the
sound source; it also depends on the acoustical conditions 5
of a hall. If you are recording under poor acoustical con-
ditions you've got a very poor quality; if you are record-
ing under good acoustical conditions you can get a fairly
good quality. It also depends on the electrical circuits
and on the recording equipment, and also on the reproduc- 10
tion equipment.

As far as intelligibility of speech is concerned?--
That depends on the same factors, but it is quite possible
to have a poor quality of reproduction and at the same time
a high intelligibility of speech. 15

And lastly, can you tell us something about the
factors that govern the power to recognise any individual's
voice when being reproduced in this fashion?-- Yes, my
lords. A person's voice over reproduction can be recog-
nised by the energy spectrum, that is the first; and 20
also by the characteristic way of speaking. Now, by
energy spectrum is meant the distribution of acoustical
energy over the entire audio frequency range. A charac-
teristic speech sound like 'r' for instance has a funda-
mental and a number of over tones. Now if you get this 25
specific speech sound back with the same relation between
these over tones then it's got a definite quality, but
in a recording this quality can be affected, and the
different components recorded with a different relation
between them, and in that case the sound will have an 30

entirely different sound; a speech sound will have an entirely different sound. As far as the characteristic way of speaking is concerned, that is very difficult to alter. I mean, even if you are recording with a machine with a fairly poor quality, you can still recognise the characteristic way of speaking and that can only be affected by speed. If the recording is made at the same speed that it is made you cannot affect the characteristic way of speaking.

Doctor, looking at the machine next to you, does that appear to be magnetic tape on the spools at present?-- Yes, this is a magnetic tape recorder with a magnetic tape in position.

In conclusion, doctor, can you tell the Court briefly how the amplifying system has been installed in Court works, and whether that will result in any distortion?-- Yes, my lords. Now this machine is not a very high quality recording machine; it's one of the smaller and cheaper types of machine. There is nothing we can do about the recording; that's been fixed. . . .

RUMPF J: Whose machine is that?

MR. HOEKSTER: I believe that is a police machine, my lord.

RUMPF J: Yes, doctor?-- As I say we can do nothing about the recording; that's been fixed on the tape but we could improve on the intelligibility of speech by using a separate circuit with a higher quality, so what we have done is to connect this high quality amplifier and two high quality loudspeakers to this machine, so that we play back through a better quality equipment than we have here, and this is what you see over here.

Now, doctor, is there any possibility of distortion

resulting from this additional apparatus, distortion which
would not be present in the original magnetic tape?-- No,
my lords, that's not possible. As I say this is high
quality play-back equipment, and it cannot distort the
signal from the tape.

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RUMPF J: Does that conclude this part of the
evidence?

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MR. HOEKSTER: Yes, my lord, subject to cross
examination.

(COURT ADJOURNED UNTIL 2.15 P.M)

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ON THE COURT RESUMING AT 2.15 P.M:

MR. HOEKSTER: Now, doctor, two further questions
just to complete this, if I may, my lords?

15

RUMPF J: Yes.

MR. HOEKSTER: Dr. Lochner, this morning two re-
cording sets were shown to you, the one next to you and
the one under - contained in the witness stand; would
you look for a moment at the recording device in front
of Counsel's Bench, this one down here; do you know
that particular machine?-- Yes, I have just inspected
this machine; it's a Webbchord, I know it very well,
It works on the same principle as the other machines
described.

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25

Finally, doctor, sometimes recording devices
known as wire recorders are used; are you acquainted
with them?-- Yes, I am acquainted with wire recorders.

How does the principle of that machine differ
- if it does - from the machine you have been describing?-- 30.

Well, the principles are exactly the same; it is only the recording medium that differs, in that it's a wire instead of a tape, but the principles are exactly the same.

1

No further questions, thank you, sir.

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MR. KENTRIDGE: My lords, we have no questions to ask this witness. It may be, however, my lords, that after the recordings are played we might want to ask him something, in which case we would apply to the Court for leave to have him recalled.

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RUMPF J: Very well.

MR. HOEKSTER: I am sure Dr. Lochner will hold himself available should the necessity arise, my lords. May he, subject to that, be excused?

RUMPF J: Thank you.

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MR. HOEKSTER: My lords, before we continue with the next witness my learned friend Mr. Trengove would like to make a request to the Court.

MR. TRENGOVE: My lords, the request that I wish to make to the Court is that Mr. Coetzee, the witness Coetzee who gave evidence as to a number of transcripts which he made at meetings, that at this stage he be allowed to hand in the transcripts he made for purposes which the Crown may find necessary at a later stage. My lords will remember that part of the cross examination of Mr. Coetzee consisted of comparing his notes of the meetings with notes of other persons who attended the meetings for some purpose known to the Defence at this stage.

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RUMPF J: It's quite obvious.

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MR. TRENGOVE: Yes, either to attack the evidence
of Mr. Coetzee or to attack the ability of the further
witnesses to be called to make notes. If that happens,
my lords, and these further witnesses are cross examined
on that basis, it may be necessary for the Crown to ask
the witnesses to refer to portions of their notes and com-
pare it with the notes of Sgt. Coetzee which have not been
read into the record because the Crown at this stage just
takes summaries and refers to relevant portions as far as
Coetzee's own evidence is concerned. And in order to
have his transcripts before Court, not for the purpose
of proving that what's contained in them actually took
place at the meetings, but merely to show that he recorded
certain facts which were also recorded by other witnesses,
whether those facts took place or not the Crown wishes at
this stage to ask permission for Mr. Coetzee to hand in
his notes for that purpose only.

RUMPF J: What notes are they?

MR. TRENGOVE: They are the transcripts, my lords,
to which he referred while giving evidence of the meetings.

RUMPF J: Yes. What are they?

MR. TRENGOVE: My lord, they are G.856, G.840,
G.946, G.73, G.81, G.839, G.175, G.853, G.721, G.424,
G.487, G.225, G.242, G.845, G.723 and G.672. My lords,
we are not handing in these for any other purpose at the
moment, merely to have them in Court should they be
required for that particular purpose to which I have re-
ferred.

RUMPF J: Have you any objection?

MR. FISCHER: My lord, provided it is for that
purpose only I have no objection. I don't know whether
my learned friend doesn't wish to add G.225 or possibly

that is in. That is the one on which there was cross examination. 1

MR. TRENGOVE: If it is not in, my lord, we'll check up and hand it in.

RUMPF J: Yes, very well then, they can go in for this specific purpose. 5

MR. TRENGOVE: Yes, for this specific purpose.

D/SGT. CORNELIUS PETRUS SWANEPOEL S.S.: 10

XD. BY MR. VAN DER WALT: This witness, my lords, will refer to a meeting held on a certain date and his evidence appears in the Preparatory Examination record on page 5295; that's vol. 27. You are a detective sergeant in the S.A.P. stationed at Durban?-- Yes. 15

Were you attached to the Security Branch?-- Yes.

From when?-- From November, 1952, until June, 1959.

And during that period did you attend several meetings of various organisations?-- Yes. 20

Now, I hand you a document marked exhibit G.764 ; can you recognise that document?-- Yes.

What is it?-- It is my notes referring to the proceedings of a meeting which was held at the Kajee Memorial Hall in Durban on the 9th July 1954. It was the 21st National Conference of the South African Indian Congress. 25

And did you make your notes during the meeting ?-- Yes.

To what do your notes relate?-- My notes relate 30

to the people present at that meeting, the speakers - as
 much of their speeches as I could write down; banners on
 the walls and any other - anything else about the meeting... 1

Do your notes correctly reflect what took place
 at the meeting?-- Yes.

And do you have any independent recollection of
 what took place at that particular meeting?-- No, I can't
 recall independent from my notes. 5

If you refer to your notes will it help to re-
 fresh your memory?-- Yes.

I ask leave, my lords, for the witness to refer
 to his notes. 10

RUMPF J: Yes.

MR.v.d. WALT: Now, referring to your notes can
 you tell the Court who was the chairman at the meeting?---
 The chairman was V. Lawrence. 15

And did he speak at the meeting?-- Yes, he wel-
 comed . .

That's all, he spoke; and was there a speaker
 Letuli?-- Yes.

Is that the President General of the African
 National Congress?-- Yes. 20

Did he speak?-- Yes, he spoke.

Will you give his first words to the Court, what
 he said?-- "Mr. Speaker, Ladies and Gentlemen, I have committed
 to writing what I have to say. 25

That's all. And he made a lengthy speech, is
 that correct?-- Yes.

And was there a speaker Dr.G.M. Naiker?-- Yes.

Do you know Dr.G.M. Naiker?-- Yes, I know him
 well. 30

well.

1

Did he appear as an accused at the Preparatory Examination?-- Yes.

And was he connected with any organisation?-- Yes; at the time he was the acting President of the South African Indian Congress.

5

And any other organisations?-- Well, he was the President of the Natal Indian Congress also.

From when?-- Ever since I was on the staff he was President.

Was there a speaker N.M. Zangwe?-- Yes.

10

What did he do?-- He read a message from Walter Zezulu on behalf of the African National Congress.

And did this person Zangwe appear as an accused at the Preparatory Examination?-- Yes.

You identified him there?-- Yes.

15

And was there a speaker Mrs. Leverseer?-- Yes.

Did she speak on behalf of any organisation?--Yes, she spoke on behalf of the South African Congress of Democrats,

And the next speaker, was one Piet Beyleveld?--Yes.

20

Will you read what he said?-- "According to my notes he said he was from the South African Congress of Democrats; he said it came into being about a year ago; it was conscious of the importance of co-operation with other national liberatory movements. He extended a welcome "I have the honour to be the Chairman of the Committee set up to co-ordinate efforts for the Conference of the Congress of the People." Then he made a speech in which he attacked the Government.

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30

Did you know Piet Beyleveld?-- Yes, I have seen him. 1

Was he an accused at the Preparatory Examination?--

Yes.

And were messages read at the Conference?-- Yes.

Were there messages from the World Federation of
Trade Unions?-- Yes. 5

And Womens International Democratic Federation?--

Yes.

And the World Federation of Democratic Youth?--Yes.

And was there a speaker A. Patel?-- Yes.

Will you read the first portion of his speech?-- 10

He was from the Transvaal - he brought greetings from the
Transvaal.

Do you know this person A. Patel?-- Yes, I had seen
him before.

And do you know whether he was an accused at the 15
Preparatory Examination?-- He was.

Did you also make a note of the names of persons
who attended the Conference?-- Yes.

Can you say whether a person M.P. Naiker was pre- 20
sent?-- Yes, he was present.

And do you know M.P. Naiker?-- I know him well.

Was he also an accused at the Preparatory Examina-
tion?-- Yes.

And was a person P.H. Shebalane at the conference 25
?-- He was.

And was he also an accused in the Preparatory
Examination?-- Yes.

That is all in respect of this meeting, my lords.

Now I hand you a document, Exhibit G.475, what is it?--

This document is actually 2 note books, the one is my 30

property, the other belonged to D/Sgt. Coetzee of Pietermaritzburg.

1

Did you make certain notes in the pocket book belonging to D/Sgt. Coetzee?-- Yes.

When did you make those notes?-- On the 15th August 1954.

5

Where did you make them?-- At a place called Saraswatjee Government Aided Indian School, at a little place called Fraser Station in the district of Stanger, Natal.

What did these notes relate to?-- They are just names that I took of people who were present at the meeting, which was held in a class room in this particular school. on that date.

10

Do you have any independent recollection of that meeting?-- Well, I can recall it quite clearly; it was the only one of its kind ever held that I knew of.

15

Will you be able, without referring to your notes, to tell the Court who attended that meeting?-- Only some names, my lords; not all the people present.

May this witness refer to his notes, my lords?

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RUMPF J: Yes.

MR. v.d. WALT: Now, referring to your notes, will you tell the Court who was present?-- The names of people that I took there was I.C. Mia, J. Slovo . . .

I'll put certain names to you and see whether you've got those names?-- Yes.

25

R. Resha?-- Yes.

RUMPF J: What are you looking at? -- I am looking at my note book now. my lord. I have two here, the one belongs to D/Sgt. Coetzee, one belongs

30

to me.

1

We can't have evidence of names entered in the book of Sgt. Coetzee.

MR. TRENGOVE: Are you referring to your own little book now?-- Yes.

You have a second note book, is that correct?--Yes.

And you have certain notes in that book?-- Yes, I have names of about five people in that book and the names of about eight people in the other book.

5

When were those names entered in the book?-- At the time. What happened was my book was just about full at the time and I started writing down and there was no more space in my book so I said to Sgt. Coetzee - he was also writing down names in the same book, and I said I would write for him.

10

KENNEDY J: Do you know what sort of meeting this was?-- My lord, after we had been there some time we obtained a search warrant and we searched the people present at the meeting, and from the documents which we found on the table . . .

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MR. TRENGOVE: It's an inference, my lord; we will tender the evidence through the Court, about what documents were found there.

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KENNEDY J: Yes, I see.

MR. TRENGOVE: Now, referring to your own note book, you have the name R. Resha as having attended that meeting?-- Yes.

25

Do you know this person R. Resha?-- Yes, I've seen him on more than one occasion.

Would you be able to identify him?-- I think I should still be able to identify him.

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Will you identify the person R. Resha?-- 1

The witness cannot identify this person, my lords. And do you have the name J. Slovo?-- In the note book - in Sgt.Coetzee's note book I have that name.

KENNEDY J: Sergeant, how did you get Resha's name?-- My lord, I asked him for it; we went in with a search warrant and we searched the people there - we took their names and addresses of each of the people present. 5

MR. TRENGOVE: You have the name J. Slovo?-- Yes. 10

Do you know this person?-- I have seen him in Court during the Preparatory Examination.

Was he one of the accused or not?-- Yes.

And do you have the name of Letuli?-- Yes.

Is that the President General of the African Congress?-- Yes. 15

Do you have the name Beyleveld?-- Yes.

Do you know Beyleveld?-- Well, I saw him on numerous occasions - yes.

And also G.M. Naiker?-- Yes. 20

And is it the same Naiker who you mentioned before?-- Yes, Dr.G.M. Naiker.

And Moretsele?-- Yes.

Do you know Moretsele?-- No; I think that was the only occasion on which I ever saw him. 25

And you got his name from him, is that correct?-- Yes.

And do you have the name of Conco?-- Yes, I have the name of Mr. Harry Conco.

Is that the only Conco you have?-- No, there was 30

a Dr Conco also at this meeting but I wrote down Mr. Harry Conco; that is somebody else. 1

Not the accused?-- No, Mr. Harry Conco is another person altogether. It's not the accused.

Now, after you entered the hall where the meeting was held did you conduct a search . . .?-- It was a classroom. Yes, we took all the documents; we did not search the persons present but we took the documents which were on the table. 5

What table was that?-- There was a table where the speaker would normally sit; it was a longish table and at this table there were about four or five people sitting. I assumed that the chairman would occupy that place. . 10

Do you remember who was sitting round the table?-- I remember Chief Letuli was there. I cannot remember for certain who the other people at that table were. 15

Now I hand you four documents marked Exhibits G.476, G.477, G.478 and G.479. Will you look at them; can you identify them?-- Yes, I made a note; I gave these people a receipt from this little booklet; I gave them a receipt for the documents which we took and I made a copy of the receipt at the same time in this little book, and I had the names of all the documents I took there. 20

Now, where did you take those documents which I referred to?-- From the table in front of the chairman. 25

And will you identify - what is Exhibit G.476?-- That is a pamphlet just called "The Congress of the People".

You hand that in?-- Yes.

This, my lords, is the same as B.127. And what 30

is Exhibit G.477?-- That is - it has the heading on - 1
"The National Action Council for the Congress of the
People Draft Plan of Campaign".

And it sets out the campaign and different stages
?-- Yes.

And you hand that in?-- Yes. 5

It's the same as P.E.P. 90; and what is Exhibit
G.478?-- Exhibit G.478 is a document entitled "Report from
National Volunteer Board".

You hand that in?-- Yes.

It's the same as Exhibit B.35; and what is Exhibit 10
G.479?-- That is a news bulletin entitled "Speaking To-
gether - No.1 August 1954"

You hand that in?-- Yes.

It's the same as Exhibit 1.J.M. 20. Now, speak-
ing from memory do you know any other person or accused 15
who attended that conference? That meeting?-- I have
mentioned Yengwa - M.B. Yengwa was there P.H.Simalane
was there - there were three people from the Liberal
Party . .

Yes; I'm only interested in Simalane and Yengwa. 20
You have mentioned these two names before, the same per-
sons; is that correct?-- Yes.

That is all in respect of this meeting, my lords.
Now can you remember whether the African National Con-
gress held its annual general meeting in 1954, speaking 25
from memory?-- Yes. I can.

Where was it held?-- At the Bantu Social Centre
in Beatrice Street, Durban.

And do you know when, the date, or can't you
remember?-- No, I can't; I think it was towards the 30

end of the year. 1

That is all, my lords, on that meeting. Now I hand you a document; this is not marked, my lords. Can you identify that document?-- This is a duplicate original of a report I submitted on a meeting of the Natal Indian Congress - it was actually their 8th Annual Conference 5 which was held in Durban on the 26rd March, 1955.

What happened to your original report?-- I don't know; the original should have been there and the notes taken by me. I can't find them . . .

RUMPF J: Did you attend the meeting?-- I did attend it, my lord; I made these notes. 10

Did you make notes?-- I made notes at this conference, my lord.

Yes. When did you make these notes?-- On the 27th, the day after the conference 15

MR. TRENGOVE: When you gave evidence at the Preparatory Examination did you refer to a document marked Exhibit G.765; was that a copy of the present document?-- Yes, it was a copy of this lot.

Now what does your report 20

RUMPF J: First of all, Mr Trengove, you put to the witness whether this was a duplicate original.

MR. TRENGOVE: Yes, my lord, the witness says it is a duplicate original of a report.

RUMPF J: In what way is it a duplicate original?-- I made notes at the meeting; the next morning I typed the report from those notes; and I typed them out, I think, in four or five copies, carbon copies. . 25

Is this a carbon copy?-- This is a carbon copy of my original report. 30

Is it typed?-- Yes, it is, my lord, a typed transcript. 1

MR. TRENGOVE: What does your report relate to?-- It relates to the 8th Annual Conference of the Natal Indian Congress.

And what does it reflect?-- It reflects the speeches made at the meeting and the proceedings. 5

And is your report a correct report?-- Yes.

Do you have any independent recollection of what took place?-- No.

If you refer to your report would you be able to refresh your memory?-- Yes. 10

May the witness refer to his report, my lord?

RUMPF J: Yes.

MR. TRENGOVE: Can you say, referring to your copy of your report. . . . 15

RUMPF J: What is this, G.765?

MR. TRENGOVE: Yes, my lord, G.765. Who was the chairman?-- The chairman was Mr. Lawrence.

Will you, referring to your notes, tell the Court what he said?-- He opened the Conference with a prayer, said that Father Huddleston could unfortunately not attend, and he said that Father Huddleston's speech could be read by Mr. N.T. Naicker. Mr. Masina and the Deputy President of the A.N.C. were both also unavoidably detained and could not attend. Mr. Pilay would deputise for the former and Mr. Dhlamini for the latter. He went on to welcome delegates to the conference and quoted at length from the Bible. 20 25 30

And who was the next speaker?-- The next speaker 1
was Mr. N.T. Naicker.

What did he do?-- He read a speech by Father Huddle-
stone.

Do you know this N.T. Naicker?-- Yes, I know him 5
well.

Did he also appear as an accused at the Preparatory
Examination?-- Yes.

Do you know whether he was connected with any orga-
nisation?-- Yes, he was the secretary of the Natal Indian 10
Congress.

Since when?-- I'm not very certain of the date; I
think 1954...1953 - thereabouts.

And the next speaker was who?-- The next speaker was
Dr. Padiachi.

What did he do?-- He read a speech by Dr.G.N.Naicker. 15

And was there a speaker P. Beyleveld?-- Yes.

Is that the same person you mentioned before?--Yes.

Now will you read what he said?-- He said "On be-
half of the National Action Council of the Congress of the 20
People, I have been asked to convey to you this message.

The Congress Movement is fighting every inch of the way
to realise the ambitions of the people of South Africa.

It is necessary that we review the political situation
in this country to-day. The situation we are in was 25
forced on us. We must determine our own course, we must

therefore review the political situation. It is one of
racial tension, it is the result of the present Govern-
ment's action to entrench one section over all the other
races. It is basically a racial one. It can be solved
by forming a partnership of all the races, but there is 30

the other side who believe in the entrenching of power and one group. This is the present Government. They will use their position as a Government to entrench themselves. You can see how the Government goes about banning people. In opposition is the Congress Movement of which there are the N.I.C the A.N.C. and the younger partner, the Congress of Democrats, and also the S.A. Coloured People Organisation, and the S.A. Congress of Trade Unions. We believe in racial equality and dignity of man. This is the only opposition to the Nationalists. There is another political body - they are not as bad as the Nationalists but they also believe in inequality. The Nationalists will have to increase their Police Force to maintain all these laws they are passing. The third political force will then disappear. "

RUMPF J: Would you mind just speaking into the microphone?-- I'm sorry, my lord.

MR. TRENGOVE: Yes?-- "It will either join the Nationalists or it will join us and demand freedom for the people of South Africa. There is only these two alternatives, either submit to the tyranny of the apartheid policy or join us. For the rightminded people there is no choice. Non-European people have no choice. They have to join us. The masses of chained and oppressed people in South Africa is waiting for a lead. It is up to the Congress Movement - the chief liberatory movement - to give them a lead. We must consolidate the forces against tyranny. we must mobilise the people to state their demands; what they expect and what they demand. They must state clearly what they want if they want to rule this country. That is why the Congree of the People is held on the 25th and 26th June this year. This

Congress of the People is organised by the National Action Council of the Congress of the People. It is not a dangerous and subversive organisation, as some people have told you; they cannot substantiate this. The Minister says in Parliament that if the police had been able to attend that meeting in Johannesburg they would have had evidence to prove this. I challenge the Minister to repeat this outside Parliament but he won't, because I'll sue him for damages the next day. The facts are that the police were at that meeting from 10 a.m. until 4 p.m. The Minister said that at that meeting people who were banned were advertised to speak; the adverts went out two weeks before the Conference and this man received his ban only a day before the meeting. We must organise the people to state its opposition, the Congress of the people is not an organisation, it is a conference at which we hope to bring the representatives of South Africa to state in which way they want to be governed. It was sponsored by the Natal Indian Congress, S.A. Indian Congress, the Congress of Democrats, the African National Congress and some Trade Unions. Mr. Chairman, we hope to draw up a Charter there; we have termed it the Freedom Charter. It was suggested that we only invite certain organisations to formulate this Charter. We did not want it that way; we wanted it as a Peoples Charter; we have organised the people to state what they want, what kind of laws they want, what passes they want to carry, and what they think about Pass Laws. These are the kinds of things we want the people to state. We want the people to send their representatives to this conference with their demands. Between now and the day of the Congress it will be our duty to gather the demands from every residential area. We must

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