

Press Statement contains the initials "N.T.N." for Natal Action Council of the Congress of the People and it is dated 13th June, 1955? -- Correct.

N.T.N. 8A, is a roneod document entitled Opening Address by Rev. Father Trevor Huddleston delivered in absentia to the 8th Annual Conference of the Natal Indian Congress held at Durban on the 25th March, 1955? -- That is correct.

N.T.N. 8, Address of Welcome by Mr. B. Lawrence, Chairman, Reception Committee - that is a roneod document? --  
Yes.

N.T. N. 9, a pamphlet called "A Special Pictorial Issue of The Call of the Congress of the People? -- That's right.

With the signature N. T. Naicker on the inside page? --  
Yes.

N.T.N. 10, a roneod speech delivered by Mr. J. L. Malhau-  
tra, Assistant Secretary of the Acting -Head of the Indian High  
Commission in South Africa, receptions held at Johannesburg and  
Durban on Sunday 25th July, 1954 and 2nd August, 1954? -- That  
is correct.

CROSS-EXAMINED BY MR. COAKER:

Now, Sergeant Scholtz, on the 27th September, 1955, a  
great many people were searched, were they not? -- That's  
right.

How many people did you search? -- Only the house of  
N. T. Naicker.

You took no part in any of the other searches? -- No.

Your Colleagues at the Police Station at Cato Manor,  
or rather at Mayville, were taking part also in the searches  
were they not? -- That is correct - in other houses, not that  
of N. T. Naicker.

They were searching other houses? -- That's right.

And they were seizing documents from other people? --

- That's -

That's right.

So that - now what time of day were these searches, by the way? -- We started early in the morning, about 8 o'clock.

So that by mid-day there must have been a very large number of documents accumulated in the Police Station? -- Yes, that is so.

Did you give a receipt for the documents that you took from Mr. N. T. Naicker? -- I did, yes.

Will you examine this document and tell me if that is in your handwriting and if that is your receipt? -- Yes.

And it is signed by you? -- That's right.

(N.T.N. 36). Now this receipt of yours mentions 7 documents, is that right? -- That is correct.

Amongst them is the document which is now called N.T.N. 10, that is the Address by Mr. J. L. Malhaustra? -- Yes, that's right.

And also N.T.N. 9, the Special Pictorial Issue of the Call to the Congress of the People? -- That's right.

And also a "Foreword to the Congress of the People"? -- Correct. (N.T.N. 1).

Now there are also handed in by you documents :- N.T.N. 2, 3, 6, 7, 8A and 8, which do not appear to be referred to in your receipt. You are aware of that are you not? -- That is so.

Now what is the reason for this? -- Your Worship, I took possession of quite a lot of documents in the house of N. T. Naicker and it would have taken quite a lot of time to have put every item on that receipt so he told me I can give him a receipt for only the valuable things so he can get it back after the case. That is why I only gave him a receipt for the things he told me to put on. As you will see, there

a special note on there itself of the things I left out.....  
BY P.P. Could you speak into the microphone please and repeat your answer, we didn't hear it? -- At the bottom of that receipt is a note written by N. T. Naicker himself that something I left out and he was quite eager to get this so he wrote it in himself.

• And what was this valuable item that he wanted to reclaim afterwards, can you remember? -- I think it was the Special issue of The Call.

Was that the only document that he regarded as being of any value? -- Yes, he first told me what he considered valuable and then he took the receipt; he read it over and he told me there is something else and he took his pen and he wrote himself the last item on it.

And the other documents, what did he say about them? -- He didn't say anything about it.

Was he pressed for time? -- Yes, he told me he wanted to go to his office and I was also in a hurry to get away.

You were also pressed for time were you? -- Yes.

Now, you are aware are you not that Mr. Naicker is an Attorney, a Solicitor? -- Quite so.

A very careful person normally in his business dealings, I suggest to you? -- I suppose so.

Why didn't you insist on giving him a full receipt? -- He didn't insist on it.

Where were these other documents which you took and for which you did not give a receipt? -- I took it from his bedroom.

And what did you do with them? -- I handed them over to Det. Sgt. Swanepoel of the Special Branch.

That must have been at your Police Station? -- Yes, not the Police Station but actually the Police Head-

- quarters -

quarters where they are stationed.

Anyway, you took the documents from his house to the Mayville Police Station, is that right? -- I took it to the Magistrate first and then to Det. Sgt. Swanepoel.

Now, where was it that you did this handing over? -- At the Police Headquarters, Wentworth, Durban.

And were all your colleagues there handing over documents at the same time? -- Not at that time.

Have you had any connection or contact with Mr. Naicker apart from this search? -- After the search?

Apart from the search? -- No, I did not.

You know nothing about him personally? -- No, I don't.

MR. BERRANGE: NO QUESTIONS.

MR. SLOVO: NO QUESTIONS.

BY THE COURT: I understood that you seized a number of documents? More than these that are enumerated, is that correct? -- That is correct.

What happened to the other documents? -- They sorted the things out - all they needed....

BY P.P. I think I can explain, Your Worship. The documents that this witness handed over to Det. Sgt. Swanepoel were sort of sorted out and those that the Crown wants to rely on are those handed in. The balance, I take it, will be in Durban.

RE-EXAMINATION: What did you do with these documents after you had taken possession of them at N. T. Naicker's house? -- I made them up in a parcel.

And then where did you take the parcel? -- I took the parcel down to the Magistrate's Court. I obtained the Magistrate's order to give these things into the possession of the Police and then I took it to Wentworth where I handed it to Det. Sgt. Swanepoel.

And you are not a member of the Security Branch in Durban? -- I am not.



BY MR. COAKER: Before concluding with this batch of documents, Sir, there is one passage which I will read into the record - it is an extract from the Minutes - EXHIBIT N.T.N. 35 - from the Minutes of the 21st November, 1954. The extract from the Minutes reads as follows:- The heading is "Filling Vacancies". "The Chairman reported that in keeping with the National decision the following banned officials had tendered their resignations to the President: - Mr. Deabie Singh, General Secretary and S.A.I.C. Councillor, N.T Naicker, Organising Secretary and Vice President, J.N. Singh, Vice President and S.A.I.C. Councillor. S. Meer (?) Vice President and S.A.I.C. Councillor. The Chairman said that the vacancies created by these resignations were as follows:- (a) General Secretary; (b) <sup>3</sup>Vice Presidents; (c) Four Executive Members; (d) Three S.A.I.C. Councillors." That is the extract, Sir.

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- PATRICK MDUNGE -

THE CROWN RE-CALLS:

PATRICK MDUNGE (Under former oath). (Meeting of 5/6/55).

EXAMINED BY MR. VAN NIEKERK:

Now you had got the stage where you had finished the speech of Henry Tshabalala? -- Yes.

Now you get to the second speaker, who was he? --  
The Second speaker, Mahope. "If we remember our forefathers in those land of colony there were apartheid. And to say that this side for Europeans and that side is for Africans. Also it is not the first time this thing happened here. We don't want some people to say there is apartheid between Europeans and Africans. The Dutchies travelled from Holland to Africa in our birth lands they found the Africans. But today they say that Africans not travel from Africa to another country. Why? Even today you see how is going on about passes. Even exemptions pass they take it away from Africans. Some people say they won't come to A.N.C. nevertheless they take those exemption passes. Even those people who are arrested they have the right passes. The main point they asked that why your boss has not signed your Ref. book that you are work or not. These new passes are not good at all. The old ones were ten times better than these new passes of Dr. Malan. In conclusion I say this for passes we should fight for it so that we will be of success in the end." That is the end of the speech.

The last speaker is MR. MALTON:-

Spell that name? -- M-a-l-t-o-n.

Do you know the person? -- No, I don't know him.

BY THE COURT: Does that name appear in your notes too? -- Yes.

Is this man a European or a Native or what? -- I do not remember.

BY P.P. Now, do you know this person Tshabalala? -- I do.

Do you know the person who opened the meeting? Simon Tyiki? -- I do..

Can you identify them? -- Yes.

Do you know whether they are amongst the Accused? --  
Yes, these two are amongst the Accused.

S. Tyiki, Accused No. 75; Tshabalala Accused No. 77.

That concludes the evidence of this witness, Your  
Worship. You hand in these notes - and the typewritten  
transcript - NOTES - EXHIBIT "G140" and "G 141".

CROSS-EXAMINED BY MR. BERRANGE:

Where did you go to school? -- Natal.

When did you leave school? -- 1952.

When did you join the Police Force? -- 1954.

What did you do between 1952 and 1954? -- When I  
left school I went to Bloemfontein where I was employed.

As? -- Working in a shop.

Yes, and then? -- I then left Bloemfontein and went  
back to Durban.

Yes, and then? -- I was then in Durban and I was  
employed in a tea room as a delivery boy.

Yes, and then? -- In 1953 I left Durban and came  
to Johannesburg.

What did you do here in Johannesburg? -- I worked  
at Brick and Potteries as a messenger.

Yes, and then? -- Thereafter I joined the Police  
Force.

Where? -- Auckland Park.

So you have told us all your movements now from the  
time you left school to the time that you joined the Police  
Force in Auckland Park? -- Yes.

You have told us every place you have been to during  
that period? -- Yes.

Have you ever been in Port Elizabeth? -- No.

Never set foot in that place? -- Never.

- Never -

Never been in Korsten? -- Where is Korsten?

In Port Elizabeth. What standard did you pass when you left school? -- Standard 6.

I want to ask you just one simple question. If you agree with it, I won't put any more questions on this subject. Do you agree that your notes of the speeches as reported here contain a mass of drivel, of unintelligible drivel, nonsense, gibberish, whatever you want to call it?-- I say it is something because I recorded that at the meeting.

Will you answer my question? Do you understand my question. Did you make my question clear to him, Mr. Interpreter? -- Yes.

I am asking him a simple question. Does he agree that the speeches as recorded by him.....

BY THE COURT: Let him repeat the question.

BY MR. BERRANGE: Will you repeat the question, Mr. Interpreter.

BY THE COURT: No, I want the witness to repeat....

MR. BERRANGE: I beg your pardon.

BY WITNESS: I wouldn't be able to.

BY THE COURT: How can you answer the question when you don't understand it? -- Your Worship, the Interpreter is talking in Zulu to me whereas Counsel is speaking in English.

What is your language? -- Zulu.

And do you understand the Interpreter? -- I do.

What was the question that was put to you? -- The question was these notes that I took down at the meeting do they contain - are they anything.

The question is whether they contain a mass of drivel, that is nonsense....

BY MR. BERRANGE: Unintelligible...? -- No, I do not agree.

You are able to understand everything that you have written there? -- Yes.

- And -



And you will be able to explain it to us? -- Yes, when I read it because I wrote it down as the speaker was speaking.

I see. And have you got the effrontery to try and tell the Court that that which you have written down contains - is, in fact, in the actual language of the speaker - are his actual words? -- Yes, when I read that because I wrote just as he spoke.

I see. In what language did the speakers talk? -- The first speaker was Tyiki and he was speaking in Xosa.

The second speaker? -- I do not remember now.

Henry Tshabalala is his name - what language did he speak in? -- I cannot say. I cannot remember because someday he addresses meetings in Zulu and someday in English.

And when he addresses the meeting in Zulu you write your notes in English? -- Yes.

And you do your own translation and interpretation of what he says? -- Yes, with the English that I know.

Is your English good? -- I do not know. The English that I know is good enough 'to me'.

Good enough - so you can understand it? -- Yes, I understand it. I do not know somebody else.

And the second speaker, Mahope, tells me that he spoke in Sepedi - will you deny that? -- Yes, I agree he did speak in Sepedi but there was an interpreter who interpreted from Sepedi into Zulu which I understand.

I see - and then you interpreted it into English? -- There are certain words in Sepedi that I understand and the words that I do not understand these are interpreted into Zulu.

Do you mind answering my question. Did you interpret the Zulu into English - yes or no? -- I do not know.

You don't know? --

BY THE COURT: What was the question? -- The question was could I interpret from Zulu into English.

The question was not whether you could - did you interpret from Zulu into English? -- As I have already said, I do understand some words in Sesuto.....

That is not the answer. I put a simple question and the simple question is this - did you interpret Mahope's speech from Zulu into English? -- Mahope was talking in Sesuto, and then there was an interpreter interpreting into Zulu. I understand Sesuto but I cannot speak it. Whilst he talks I do understand then write, and the Interpreter who was interpreting into Zulu whilst he was speaking I could hear.

Apparently he was writing down the speech from the Basuto while the interpretation was going on.....

BY MR. BERRANGE: And this is what you call using the speaker's own words? -- Yes.

You see, unfortunately for you, you told His Worship when I originally put the question to you, that Mahope spoke in Sepedi not in Sesuto? Now then which is the truth? Was he speaking Sepedi or did he speak in Sesuto? -- Anybody who does not speak Xosa, Zulu, Swazi - he may be speaking Sepedi, 'Seswana' or Sesuto - I take it all to be Sesuto.

BY THE COURT: You mean you take Sepedi to be Sesuto? -- Because I do not know the difference between Sepedi and Sesuto and I do understand ...

BY MR. BERRANGE: But when I asked you the question whether he spoke in Sepedi you said "Yes, he did". Now according to you, you don't know the difference between Sepedi and Sesuto or Sechuana, is that right? -- Yes, that is right but because this language - the language that they speak is more or less the same and I take it to be all....

You say they are more or less the same - Sepedi and  
- Sesuto -

Sesuto? -- Yes.

It might have been Chinese, of course, for all you knew? -- No, I do not know Chinese. I do not understand it.

But didn't you tell His Worship also, besides telling me, that he spoke in Sepedi - that you understood some words in Sepedi - did you say that? -- Yes, because I take it to be Sesuto.

How old are you? -- Twenty-five.

Now, tell me, I want to know something about your English. When a man comes from England, what do you call him? -- I call him European. (Witness speaking in English).

If a man comes from England he is a European. And if a man comes from France? -- Just the same.

And if a man comes from Russia? -- All those white people who are from Overseas I take them as Europeans.

And a man who comes into this country from English extraction - what do you call him? A man who is in this country from English extraction, what do you call him? -- A European.

In other words, you merely use the word "European" for all people who have got light coloured skins? -- Yes, because I do not know their different races.

A man who is born in this country, what do you call him? A white man born in this country, what do you call him? -- I take him as a European.

Is that the only word you have for him? -- Yes.

You don't know any other word for a white man born in this country other than a European? -- I do know others but...

Well, tell us what they are? -- There is English and 'Frances'.....

BY THE COURT: I must ask the Accused not to laugh. This man is trying to speak English. Apparently it is not his mother tongue. There is really no need to laugh. As a matter of fact, it is

very bad taste, extremely bad taste.

BY MR. BERRANGE: English and Frances, do you say - speak up, let us hear you? -- English, and Italians and Frances and Germans.

Yes, what else? -- That's all.

So people who come from France, what do you call them?  
-- I don't know.

I thought you called them Europeans? -- Yes, I call them Europeans.

Why not 'Frances'? -- Because I don't know where they come from.

Why don't you call them 'Frances'? -- Because I do not know their country of origin.

Please don't talk nonsense to me. I don't want to say that to you but it is nonsense. I say people who come from France - don't say you don't know their country of origin if I preface my question by saying "People who come from France"? -- I call them Europeans.

Even though you know they come from France? -- Yes, I call them Europeans.

You don't call them "Frances"? -- No.

Why not? -- Because they are white in colour and Europeans are all alike.

Then if you want to distinguish between a man who comes from France or a man who comes from Germany - if you want to distinguish - what would you call them? -- I would not be able because they are all the same colour.

You know, you are not telling the truth - I'm sorry to say. If you want to distinguish between a man who comes from France and a man who comes from Germany, what would you call the man who comes from Germany? -- If there is somebody who would tell me that this man comes from Germany and this man



comes from France then I would be able to say that the man from Germany is a German and the man from France is a 'France'.

BY THE COURT: And the 'Dutchies' where do they come from? -- I do not know.

I have heard the word "Dutchies" so often I don't know whether he.....

BY MR. BERRANGE: Really, my whole cross-examination was leading up to that.

BY THE COURT. I'm sorry.

BY MR. BERRANGE: I was going to ask him next - What do you call a man who comes from Holland? -- Hollander.

Not a European? -- If somebody tells me that this person comes from Holland I would then call him a Hollander but if I had not been given that information, I would call him a European.

Now you have just said to His Worship that you don't know what the word "Dutchies" means and I want to ask you whether you are telling the truth or whether you were telling a falsehood when you said that. Was that true or was it false when you said you don't know what the word "Dutchies" means? -- When I said I did not know where the Dutchies came from?

His Worship asked you quite clearly and distinctly a very simple question. Do you know what the word "Dutchies" means and your answer was you did not know. Was that true or was that false? -- That is true because I said I did not know where the Dutchies come from.

You said nothing of the sort. Again I must regretfully say that you are not telling the truth. You said nothing of the sort. Do you or do you not know what the word "Dutchies" means? -- In Zulu it means "Amabula".

Do you know what it means, that is all I am asking you. I am not asking you to interpret or translate it? -- I do not

- know -

know in English but I know it in Zulu.

Do you know the meaning of the word, that is all I am asking you? -- I know it in Zulu.

How would you translate the word 'Amabula' into English? -- Dutchies.

That is how you would translate it? -- That is correct. If a person says "Amabula" I would interpret it as "Dutchies".

That is the way you speak English. Now I want you to tell me what this sentence means. I am reading from Tshabalala's speech. Just listen to me carefully. I am going to read it to you in English. He put it in English so it is quite fair for me to read it out in English. What is the matter now? -- I would like to know before you put the question whether I have got to answer you in English or in Zulu?

You can answer in Zulu. (Mr. Berrange reads:) "The man whom he will tell your children the poisonous are those people when they are praying the God must give them the daily bread". Just tell us what that means? Do you want me to repeat it? -- Yes.

Mr. Berrange re-reads the sentence. Is that or is that not nonsense - or do you understand it? -- I do understand it.

Then just tell His Worship what it means? -- A person who will tell his children that his children must take poison, a person who would say that are these people who worship, who go to Church and worship and say 'OH! Lord, give us our daily bread'.

And that is how you would set out in English if somebody said those things in Zulu. In other words, let me repeat it to you - if somebody got up at a meeting and said in Zulu that a man who will teach his children poison is that sort of

person who, when he prays to God, says that he must give him his daily bread - correct. Is that what you said? -- Yes.

And that you would set out in English in the following way :- 'A man whom he will tell your children the poisonous are those people when they are praying the God must give them the daily bread' - that is how you would interpret it? -- Yes, with the English, with my English.

I see. Now then, would you please tell His Worship in English how you would set out that sentence which you gave to the Interpreter and which the Interpreter interpreted from Zulu into English. Just tell us the sentence in English now? -- A man who is going to tell - a man who is going to teach our children a poisonous is those people who are going to Church and pray and said 'God give us our daily bread'.

I see. That is certainly not what you have got here. The only word that is at all like what you have said is the word "poisonous". Shall I read you for the third time what you have written here - "A man whom he will tell your children the poisonous are those people when they are praying the God must give them the daily bread". Anyway, let us go on. What do the words "It is effected" mean? -- I do not know because I did not utter it.

Didn't you - well, it is in your notes. Now I am going to read you the whole sentence - "It is effected that the white people brought this Bantu Education because you black people you are going more clever than themselves". Now you say you don't know what the words "it is effected" mean, why did you write them down? -- I say I do not know what they mean because I do not remember whether he was addressing the meeting in English or in Zulu.

What do the words mean, do you know? -- I do not know. When a speaker speaks I just write down what he says.

Whether you understand it or whether you don't? -- That is correct. I just write what he says.

Do you remember telling me when I first started questioning you, that you understood everything that you have written in these notes, do you remember saying that? -- I do because when people were speaking I was writing down.

Was it true when you said that you understood everything that appears in these notes? -- It is true; it was uttered by the speaker and I wrote it down.

Is it true that you understand everything that is written in these notes, that is all I want an answer to. That is all I am asking you - and don't avoid my question? -- I understand all that I wrote but what I did not write I do not understand.

What you did not write you did not understand. You understood all that you wrote - well then, what do the words "It is effected" mean - because you wrote those? -- The speaker uttered them.

What do they mean is my question. I didn't ask you who said them? -- I do not know. He was uttering sentences and I...

Then why do you say you understand everything that is written in your notes? -- I say it because when he spoke I wrote.

You know, you are just being stupid, that's all...

BY THE COURT: I don't think that any purpose will be served in pursuing this matter further, Mr. Berrange.

BY MR. BERRANGE: As Your Worship pleases.

BY MR. COAKER: NO QUESTIONS.

BY MR. SLOVO: NO QUESTIONS.

BY P.P. NO RE-EXAMINATION.

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COURT ADJOURNED TO 20th MARCH, 1957.



COURT RESUMES 20/3/57.

APPEARANCES AS BEFORE:

MR. COAKER ADDRESSES COURT:

(Accused 98, L.B. Lee-Warden, medical certificate handed in.)

(Position regarding further absent accused as on 19/3/57.)

(Accused No. 31, S. Malupi, ill; permission granted for  
Accused to absent himself from proceedings to obtain  
medical treatment.)

JOEL CAMANE, duly sworn,

(No interpreter.)

EXAMINED BY P.P. (MR. VAN NIEKERK):

Did you attend a meeting of the African National  
Congress, Sophiatown on 24/6/55 ?-- Correct.

Did you make notes at that meeting ?-- Yes.

Have you got the notes in front of you ?-- Yes.

Who was the chairman at that meeting ?-- Native male  
S. Tyiki.

And were you present when these notes were checked  
against a transcript ?-- Correct.

And were representatives of the Crown and Defence pre-  
sent ?-- Yes.

Is this a transcript ?-- That is the one I got.

What time did this meeting commence ?-- The meeting  
commenced at 8.10 p.m.

What happened at this meeting -- read from the  
transcript ?-- (Witness reads G.143: "A.N.C. meeting 24/6/55  
.....)

Do you know this person S. Tyiki ?-- Yes. (75)

Do you know the person Nthithe ?-- Yes. (57)

And Resha ?-- Yes. (63)

Can you identify them ?-- Yes.

Are they amongst the Accused ?-- They are.

(No further questions)

Notes handed in G.142; Transcript G.143.)

CROSS-EXAMINATION RESERVED:

FURTHER EXAMINATION BY P.P. (MR. VAN NIEKERK): (3/7/55.)

On 3rd July 1955, did you attend a meeting of the African National Congress held at Newclare ?-- Yes.

Did you make notes at this meeting ?-- Yes, I did.

Did you check these notes against a typed transcript together with a representative of the Defence and a representative of the Crown ?-- Yes.

Is this a copy of the typed transcript ?-- Yes, this is the one.

Who was the chairman at this meeting ?-- I did not record the name of the chairman at the time I took down the notes. I think I have got it in my report.

What time did this meeting commence ?-- The meeting commenced at 1 p.m. to 3.45 p.m.

What happened at this meeting ?-- (Witness reads G.145: Chairman, Today we meet here.....)

Do you know the person Chamle ?-- Yes. (No.8)

And Isaak Bokala ?-- Yes. (No.7)

S. Malupe ?-- Yes. (No.31)

Bennet Seitchiro ?-- Yes. (No.64.)

Frank Madiba ?-- Yes. No.23.)

Can you identify them ?-- Yes.

Are they amongst the Accused ?-- They are.

On 4/7/55, did you prepare a report on this meeting ?-- Yes.

And were the facts then still fresh in your memory ?-- Yes.

Will you look at this report and say who the chairman of that meeting was ?-- The Chairman native male Frank Madiba. (No. 23.)

Handed in: Notes G.144, Transcript G.145)

CROSS-EXAMINED BY MR. BERRANGE: (Interp. E. Mazwai)

Did you attend the Congress of the People on 25th and 26th June ?-- You mean 1955?

Yes ?-- Yes.

You don't know of any other Congress of the People do you ?-- There was a Congress of the People in 1956, but I did not attend.

Where ?-- I was on leave then.

Where was this Congress of the People ?-- I heard that it was in Kliptown.

Where did you hear it was ?-- I heard that it was at Kliptown.

In 1956 ?-- In 1956.

Who gave you this interesting information ?-- Another detective.

Who ?-- Douglas Ndaba.

We'll find out from Douglas Ndaba. You say that you attended the C.O.P. in 1955 ?-- I did.

I see that in your notes the first speaker said: .... the C.O.P. was held at Kliptown, wasn't it ?-- Yes.

I see that in your notes one of the speakers is alleged to have said: "The Dutch people came at Kliptown carrying guns. We are surprised that who was going to fight them." Is it correct that any people came there carrying guns ?-- Yes, there were.

Who were these people that came carrying guns ?-- European constables.

I see, they came carrying guns. And is it correct that there was in fact no fighting ?-- I did not see any fighting.

You didn't see any fighting, nor did you hear any fighting ?-- I did not.

And so far as you are aware everybody behaved in a most disciplined and orderly manner ?-- Yes, they just carried on with their work, they did not heed the police.

And, in fact, references were made at this meeting to the fact that the police had arrived there carrying guns ?-- You mean at that time?

Yes ?-- I do not recollect that.

You don't remember that ?-- No.

At any event, the references were made to it at this meeting on 3rd July, only a week later -- to the fact that the police had arrived with guns; I have just read that out to you ?-- Yes.

And in reply to that action, this armed action, the speaker said that 'our guns are our mouths.' ?-- Yes, that is what one speaker said.

And one of the other speakers in developing that went on to say that in due course, the white man will see that his gun is useless ?-- Yes, they did say that.

(No further questions)

MR. SLOVO: NO QUESTIONS:

NO RE-EXAMINATION:

FURTHER EXAMINATION BY P.P. (MR. VAN NIEKERK) 14/8/55.

On 14/8/55 did you attend a meeting of the African National Congress at Newclare ?-- I did.

What time did this meeting start ?-- 11.30 a.m. to 1.50 p.m.

You have your notes ?-- Yes, I have my notes.

Refreshing your memory from your notes, what happened at this meeting ?-- Commenced 11.30 a.m. to 1.50 p.m. Chairman: As usual we get on with our meeting. We see the Government is taking steps against us so that we must be slaves. The gaols are being built up by Robert Swarts. We shall always



oppose the Dutch Government such as ruling with colour bar, and by so doing to take this land which they claim as theirs. We are therefore here to wake you up Africans to stand on your feet. Even Verwoerd who is with Africans, he wants our land. He likes our country and likes the Dutch people. Verwoerd is bringing theft in our country. You can even see that they make weapons to fight Africans, in case they refuse with their land. The truth is needed. We have thieves come in this country like Verwoerd and yet is a human being like other person. There is no other person afraid of another person like Verwoerd. People you are being arrested for these slavery papers the passes and taken to Newlands and be assaulted so that when you see a Dutch man you must take off your hat. I will call my speaker Mr. Keitsing. First speaker Fish Keitsing. Africans we are in time when Malan was organising his Dutch people, they used to laugh at him. Sime like us. They have all body organs we have. We A.N.C. people we do not beg Dutch man, baas. The English and Dutch people got rich through us. Each and everybody todan cannot accept the law from Dutch person. We see the coloured people today this Government is kicking them now. People attending churches must be careful because in church the minister shall say kneel down and oppress you. I want to tell Africans that this truck bring kaffir beer in the hall, is not for our people to buy the liquor, but money is taken by these Dutches and buy new flying squad cars. Today we have educated these people writing here and they have now turned against us and are used by Verwoerd as slaves. But I will meet this Verwoerd in Parliament. Second speaker Sampie Malupe. English. A. Chamile interp. - sesotho. Africa in our lifetime. Chairman and our fight fellow slaves. We are meeting at time when all non-Europeans are in irrespective of their colours. We are meeting at time

at time when the Government are not ruling in right way, but ruling slavery. Few weeks ago when C.O.P. the shapes surrounded the trembling Government which attack the C.O.P. The people at large who were representing the freedom charter agreed. Yes, these Dutches had to change their minds because they representing the cliques of Dutches. Because they were not voted by nation, but by destroying there shall be no destroying of the millions but shall destroy those who vote for them. We in Congress has decided to show out the length of Africa that we want to educate these Afrikaners the enough education. We want to show them that we live in modern polite way. Today we have messages from different nations that A.N.C. is really organisation. India was not liberated by means of gun but by believing in Congress. When the time the bombs were being manufactured we people in Africa we have taken the very shape like India. Yes we did, where congress is speaking you will get a spy, gun and poor Dutch not sleeping. Why these white people call them superiors if they are not afraid. That is why they send these two brothers to obtain notes and given to Swarts. Today you can hear Premier of India saying that you must face the danger when you are in Africa and unite with black men. The great Tajlai wanred Chinese of Africa that you have no place in China, but in Africa. I thank that where was this Dutch men when the Chinese go under mines. Where the Dutch men were when Indians were doing sugar fields. When these white people see that they pass a bill that may endanger the white people, they change it quickly to non-Europeans. They say to Coloureds that this legislation bill is to check amongst the Coloureds who are kaffirs must carry pass. Why I put this question to coloured people is because they will be mislead. They are going to suffer like us since with pass. I say to Coloureds they must stand up and fight these war freedom. Being daily arrested it is our bread because we being taken to

gaol. I say to you if you do not join us now, you better see that you get away in this country. Today the women are carrying the pass. But they say it is a reference. But I say if my wife happens to carry such papers I will be dead or in gaol. If women are going to carry these passes and being worried by the police asking pass during the 14 days they will kill them. I say those who have no A.N.C. cards must have it now. Let us have this freedom charter work as we took oath at C.O.P. Kliptown. We shall speak and speak until these guns are rotten in their hands just as you did at Kliptown. Who were sick from C.O.P. only Swarts, Verwoerd and 2000 police. They are not even ashamed to come with guns amongst women. Third speaker James Kereleng, Sesotho: Chairman and meeting I thank this opportunity. We must not disappear. This time of today is bad. To people say the A.N.C. is finished and that the A.N.C. is fighting them against the Europeans. Section 29 Act was brought by the Ministers of the church because people were not bringing the half crowns in church. The Dutch people are using our people to do work. The police are working but the wife or children are hungry and are being arrested for pass and liquor. Our wives when brewing liquor they are arrested. Verwoerd has brought the B.E. schools. They forget that it is where the person is. They do not realise that. The Dutch people are clever they bring these people to come and work here. The message to chairman that people should not say congress is fighting them against Europeans. You can see how hard these native constables suffer. They get only £7 per month the wages. What can you do with this wages? It is just as good as you are in grave. Chairman: We have meeting in town that shall start at city at 2 p.m. so I ask collection before we close. Sing please. Fourth Speaker R. Tunzi, English and Xosa, Interpreter S. Malupe. The first thing is that you heard



heard the very same people saying we are only light. The all white people in this country are scared of blood. They think we are afraid of gaols. But I want to warn them that we are not ready yet to fight them. Even Strijdom leads Strauss with six. Even we too Africans we can win the vote. Now Africans let us come back because I am not interested to these people. If you Africans can get together you can crush them away. These fellow what they know is that they can shoot you with guns. You Judas who is writing selling his nation. Africans it is one thing we are here with. We must come to point what we must do with these white people. It is only one everybody is oppressed. What is remedy? Do you want remedy. We must also organise other people when coming to meeting. That they must know that they are mechanics. The master race is African men. That is why today the Europeans are oppressing you in this country. If you can see the Government of this country is ruling with point of gun. Today we must tell the Government that we are not interested with this Government. Today it is you people to tell Verwoerd that we did not elect you. I say this because the Government will say to me I incite. The person inciting is Verwoerd and Strijdom. Do you know that Johannesburg has ten storey building which were built by you. Do you know that these young Dutch boy was nursed by an African woman. Why because the white wife cannot do anything. You know very well the industrial machinery is left in your hands. It is just like a car when jams you can do anything only get in overall. The machinery in this country is a black man. I am telling you my friend that you go and tell your master that Tunzi is prepared to stand for this nation. What shall happen if I tell my brother to stop work? These people came in this land crossing the sea but they say there is apartheid. Go and tell your bass that if he still uses apartheid he must go back



in overseas. The other people again like you Africans are Indians. These Dutch people they call them Koelies, but they go to these Indian shops and ask for soap. You know this morning there was a Dutch police who got a meal from the shop free of charge. I saw it with my eyes. You can see this bunch of Government. They allow shopkeepers and yet our people are being arrested for liquor. People organise your people. I know these Dutch people always say that Tunzi is inciting Government. Today Africans you are all in trouble because the black men are more than Europeans. They say you must work for your Bantu Education. Today you are in trouble because the Dutches of this country are oppressing Africans. Today South Africa is bankrupt because the leaders they cannot progress the country but only the discussion about natives in Parliament. Today to prove that these people can shoot, Erasmus has gone in overseas to buy machine gun. We A.N.C. people we want everybody to live free. I now end with these words. When we take over we shall have the right police. You know what happened in Cape Town. A European has been sentenced to six strokes and poor coloured woman sentenced to four months for the Immorality Act. Is there any justice there? What I say here I am responsible for it. Chairman: Time has expired. Come near and take off your hats we close our meeting."

Do you know the person Fish Keitsing ?-- Yes. (No. 15)

And Sampie Malupe ?-- Yes. (No. 31)

And the fourth speaker R. Tunzi ?-- Yes. (No. 76)

Do you know these people ?-- I know them.

Can you identify them ?-- Yes.

Are they amongst the Accused ?-- They are.

On 15/8/55, did you submit a report about this meeting ?-- Yes, I did in the morning.

And if you look at the report ..... were the facts still fresh in your memory when you drew up that report ?--Yes.

Looking at that report, can you say who was the chairman of that meeting ?-- Frank Madiba.

Do you know Frank Madiba ?-- I do.

Is he amongst the Accused ?-- Yes. (No. 23.)

(Notes handed in G.146.)

(No further questions)

MR. BERRANGE: NO QUESTIONS:

MR. COAKER: NO QUESTIONS:

CROSS-EXAMINED BY MR. SLOVO:

Since yesterday you have given evidence in connection with six or seven meetings of the African National Congress ?-- Yes.

I have the transcripts of these meetings before me and it is correct to say that at every one of these meetings there is a reference by one or other speaker, sometimes more than one speaker, to the fact that the African National Congress is a non-violent organisation ?-- That is correct.

There is also a reference at almost every one of these meetings to the fact that the policy of the African National Congress, or the policy which the speaker is putting forward, is one of co-operation with other races ?-- That is correct.

And therefore I take it that it is correct to assume that at the meetings which you attended of the African National Congress, not only these meetings, but various other meetings that you attended, these two points, the point of non-violence and the point of racial co-operation were ones which were always made by the speakers ?-- It is possible that that was said, but I do not remember that.

And it is also so that the six meetings in connection with which you have given evidence in the last two days took place -- at least five of them, after the Congress of the People

was held?-- Yes.

(No further questions.)

NO RE-EXAMINATION:

FURTHER EXAMINATION BY P.P. (MR. VAN NIEKERK):(4/9/55)

On 4/9/55 did you attend a meeting of the African National Congress held at Newclare?-- Yes.

Did you make notes at this meeting?-- I did.

Refreshing your memory from your notes, tell the Court what transpired at this meeting?-- 4/9/55, 11.30 a.m. to 3.5 p.m. Sampie Malupe, English; Chamile A, Interpreter Sesotho. I am giving warning to coloured people. We spoke only that this land is free for everybody. Men I am speaking here not as a mad man, since this Government came into power with his clues, in Parliament, they cannot compete with me. They only live on oppressing people. Today they have started attracting coloureds. The challenge of Government is a minor one. I warn you people work for this frightened Government your days are numbered. Minister of Justice Swarts had said openly that nobody will convince the congress person. Nationalists can do nothing unless they commit suicide or dam themselves into the sea. I will give you the next speaker. I shall call upon one of my volunteers, Mr. Keitsing. The first speaker, Keitsing, speaking Sesotho." I cannot make out what I recorded for the interpreter under the first speaker. Chairman you see this flag is for freedom. If you follow this flag you must know that you are a Congress follower. You must know a European is a killer. You must know that a European got us by means of the church using the Bible. Second speaker, C. Karai, Sesotho, H. Tshabalala interpreting English.: I greet you in name of Africa. We see this day a sad day that I must speak to sons and daughters of Africa. We are here when days are hard when the government has taken place of God. When



the Government is asking who are you, where are you come from. We are here because of the Bible and it is being claimed by Europeans as their property and yet they got it from the Africans. All what is written in the Bible is in the heart of African not Europeans. We have seen what Europeans are doing. They can do what they want, but we shall die in the land of ours. We have got the children because of these Europeans. The first Dutchman to land here was J. Van Riebeeck. The Dutches of the country are sons of African women -- just like coloureds. Indians are our nation. The time will come when we speak will understand each other. We must love each other. The Dutch boy in Parliaments says he has given by God to rule. We know people lik Nebuchadnezzar who were like ....." The sentence is incomplete. "We know what was end of Hitler. We are in danger to freedom. Let us not lose hope. We must prepare our journey to freedom. When we looked forward to Congress we are faced and arrested for many things. The one likes to kill must be killed. These Dutch boys know what they are after. Africans are arrested for passes in their motherland. Days are numbered for the foreigners. The child of the special member is also receiving this Bantu Education. What is the good of the Europeans. Why the white people want coloureds to know their mothers and yet they do not know them. Sampie Malupe: I now give up the chair to woner. He has arrived. Frank Madiba. We see that what we must do is to fight our works to freedom. I will call Mr. Mushi. Third speaker T.H. Mushi, English; H. Tshabalala, Zulu. Africans, it is marvellous to see this Government. Before we get into Christianity let us see what is taking place. We see this Dutchman Johannes De Klerk deceived people of Durban saying this apartheid is good because it goes with Bible. Now the coloured people are being arrested if having no pass. There was a ques-



tion why police arrest coloureds. Is that Christianity? Why there is no reason that coloured people should carry passes and be arrested. The white organisation in overseas put the question to Government of S.A. What are you doing about Africans? The reply was that it was domestic affairs. I remember some years back when we fight the pass there were people who did not know where were they standing. But today we accept them. I want to know that is it the law that they were given by Mr. Donges or Swarts to be coloureds. If so, then why they take them to N.A.D. Office. It is because this Government is jealousy wants to oppress every non-white. Today Europeans want classification of coloureds. Fourth speaker, B.Malchosiayane, English, S. Malupe, Sesotho. Chairman, Ladies and Gentlemen. We meet this afternoon when the powers are working. We are lucky because we are meeting at this time of haroritism."

What does that mean ?-- I don't know what it means. "Because of men and women refuse to settle their minds we have spoken here Government of this country is not understanding English or Afrikaans, but understand one language, Afrikaans. We must do something to liberation. This Government is Government of Nazis which attacks everybody. We have today the police state. Of course we have the police who go ask the pass. The Police state is existing today. We are responsible for what is going on here, even police legislation. We must mark with people of history like India and China. Let us close our legislation and unite. Freedom will not come to us like a manna from heaven. Go on with the struggle of freedom. Fifth speaker S. Malupe, English: T. Mushi, Sesotho: Chairman and fellow slaves: Speakers have spoken to you. Today we are living on a police state. We are not wondering today Strijdom is speaking Hitler's language. Why Government must start classifying coloureds. They want to classify the coloureds because

they want to win the vote. They claim to be Europeans and yet only Jan Van Riebeeck was a white man only. We are the people who know who learn the coloured people. These Dutch people are not known in Holland and have no place. So my people I say we are no longer tolerate slavery, but we must decide. We are tired now, we are no longer tolerate with people. These police boys will ban me tomorrow but shall never stop my activities. Men who work with their brains are with their wives, but these police are chasing us here taking information. Their children are attending the Bantu Education. Sixth speaker, Tshabalala, H., English; Sampie Malupe, Sesotho: I thank Mr. Chairman. When we sing a hymn we must consider its meaning. It is why we say let Africa back because it is for Africans. That is why the people when call for freedom lift up thumb. That is why you see Verwoerd taking freeholds away from Africans. When a white man steals he speaks with soft way. By teaching this Bible which the Minister shall claim any he likes to be his. That is why today they refuse the coloureds because their blood not worth the Europeans. It is only way to defeat. We must force the freedom. There shall be the time we see with this police because we are fed up.

Seventh speaker, A. Chamile. Chairman and Traitors. Those who do not want to be with me they are traitors. Chairman, freedom is coming and person shall know to which side they are. Your clerks chairman shall be busy sorting which is party you belong. As I am here you know that I fought against the Government with this Bantu Education that the Government schools must be closed. The Government must allow the non-European police to come to us and leave the Government service. They are our children, our fathers. The property owners also come here in this organisation. Chairman: Let us close our meeting and take off your hats from heads and sing the national song."

Do you know a person Sampie Malupe ?-- I know him.(31)

A. Chamile ?-- Yes. (8)

Keitsing ?-- Yes. (15)

Tshabalala ?-- Yes. (77)

Frank Madiba ?-- Yes. (23)

Mushi ?-- Yes. (40)

Can you identify them ?-- Yes, I can identify them.

Are they amongst the Accused ?-- They are.

(Notes handed in as G.147.)

NO CROSS-EXAMINATION:

FURTHER EXAMINATION BY P.P. (MR. VAN NIEKERK): (25/9/55.)

On 25/9/55 did you attend an African National Congress meeting held at Newclare ?-- I did.

Did you make notes at this meeting ?-- I did.

Have you got those notes with you ?-- Yes.

Refreshing your memory from these notes, can you say what happened at this meeting ?-- "African National Congress meeting, 25/9/55, Time 11.30 a.m. to 1.50 p.m. at corner Pollak Avenue and Hamilton Road, Newclare. Chairman, Frank Madiba, Sesotho. This meeting is called her in connection with the meeting which was at Trades Hall. We want to have one million signatures on this Freedom Charter on which we are going to ruled with. We see this Government is determined to have women carrying the passes. On January they are going to carry reference books in order that if the wife is preparing to go to another place must have a permit from Native Affairs Department. It is not right to have a group of 12 men ruling the millions of nations. Apartheid laws are being made up. I will call Mr. Chamile to speak with you. First speaker H. Chamile, Sesotho. Chairman, I thank you the opportunity you give me. I remember the dates 25th and 26th June this year at Kliptown when the meeting was held and I said 'Yes, this nation



wants freedom.' We see today children of Europeans will never see them wandering about in streets, but are at school. When it comes to view our side we see that many children are not attending the schools. They say the wives should be given passes. Why is that? It is because of this Government, who says 'No space in schools.' When I stand on my both feet I fight for nation. I beg you all to gather together so as to see to what is done by these children who have no parents to save them. Today we have our children are called tsotsis who killed us. Let us talk to them and bring them to us so that we shall have the freedom. Police, detectives and teachers are belong to the work class organisations. It is now time that we must request Government to give back these people, so as to have them. Second Speaker Ezrom Moloela, Sesotho: Chairman and nation: We must teach and ask ourselves if we meet here why? We must know what does the organisation stand for. Valga cannot free us, police cannot free us. Our work must be done in the nation. Let come to the police. They are our people. We were united. They could not go and join police force. My request is that we must work very hard day and night. What have Europeans thought to give women passes? We see the children had been stolen by unknown people to work on farms. Third speaker, S, Malupe, English: I. Bokalo, Sesotho: Chairman and the gathering. I want to put this that the people work under Swarts are under-paid. The difference you see the white police and non-European police. Where do they recruit the white police? From farms. These young uneducated boys. Who influence them that we troubled with the black people? You must sit on them. We do not blame them but we quote them to the justice. Here in South Africa we see the poor police who have no organisation to talk for them. We must tell them that Robert Swarts is taking away



their liberal rights because the people turn against them and yet he does not know the living of his police boys. It happened to my aunty who was arrested for liquor. Police said it is a fine of £1. I gave my uncle a 10/- cash. Immediately he left I saw him again come back and said the police has taken 10/-. I know Strijdom, his theory and his belief that the Afrikaner should rule in this country. But I reply to Strijdom that God destroys those who become mad. Strijdom is afraid because the wheel of freedom is no more in that Parliament house in Cape Town but with the Freedom Charter. So my people that is why I talk like this, because we shall get our freedom. In conclusion, I give warning to S.A. Government that the time is coming. Freedom in our lifetime. Fourth speaker, Tau, Mary; Sesotho. I. Bokala interpreter, English. As I am standing I would like to speak here in the presence of Verwoerd and Strijdom. They say our mothers must carry passes. I say to Verwoerd that before I carry a pass, he must tell his children to carry pass. Fifth speaker, I. Bokala, English; T. Mushi, Sesotho. It is nice chairman to shout Africa. There are many continents in the world, one of them is Africa, the Dark Continent. Chairman before I say anything about Freedom Charter I want people of Newclare to rise up. The world is in a march. When we look at Argentina we see people like the leader of Argentina, who do not rise up. Why do not rise up you poor slaves? We can see today world is marching to freedom. Here in South Africa you still speaking about freedom. Slavery is still in practice here. As we see at Northern Transvaal where children are being stole to these Dutch people. Yes, the time has come for the African National Congress to work hard for freedom. You must sacrifice for your freedom. The thing that keeps us out of free-

dom are lazy people in their houses and those in Parliament with their churches. So you can see that even the church is business. It is only robbery, so we can see there is nothing called of this stokfell. Now I come to something that person must be very perseverance. These organisations, African National Congress, Coloured Peoples Organisation, Indian Congress, South African Indian Congress, want the million signatures. Therefore we must work very hard. So ladies and gentlemen if you can take this Freedom Charter or Strijdom no soul could complain. When we have received these signatures we shall let you know what are we going to do with these signatures. Chairman: You have heard the member of Youth. I now ask the collection from you. The collection is 9/11. There is meeting at Western Native Township on 2nd....." The sentence is incomplete.

Do you know Frank Madiba ?-- Yes. (23)

Do you know A. Chamile ?-- Yes. (8)

S. Malupi ?-- Yes, (31)

I Bokala ?-- Yes. (7)

And T. Mushi ?-- Yes. (40)

Can you identify them ?-- I can.

Are they amongst the accused ?-- They are.

(Notes handed in as G.148.)

NO CROSS-EXAMINATION:

FURTHER EXAMINATION BY P.P. (MR. VAN NIEKERK): (11/12/55.)

On 11th December, 1955, did you attend a meeting of the African National Congress held at Sophiatown ?-- I did.

Did you take notes at this meeting ?-- I did.

Have you got those notes before you ?-- Yes.

Were these notes checked against a transcript ?--

Yes.

In the presence of a representative of the Crown and a representative of the Defence ?-- Yes.

Is this the transcript ?-- Yes.

From the notes and the transcript can you say what happened at this meeting ?-- (Witness reads G.150.)

Do you know Simon Tyiki ?-- I do. (75)

Can you identify him ?-- Yes.

Is he amongst the Accused ?-- Yes.

(Notes handed in as G.149; Transcript G.150)

On the 12th December, 1955, did you put in a report about this meeting ?-- Yes.

Will you have a look at that report ?-- Yes, this is the report.

When you drew up that report were the facts still fresh in your memory ?-- Yes.

Have you noted down in that report people who had attended this meeting ?-- I did.

Have you noted down some names in this report ?-- Yes.

Please read those names that have been marked ?-- Henry Tshabalala, Bob Ngwendu, Gordon Makgothi, Patrick Maloao, Johannes Modise, Peter Nthithe, Robert Resha.

Those names that you have mentioned there, do you know them all ?-- Yes, I know them.

Can you identify them ?-- Yes, I can identify them.

Are they amongst the Accused ?-- They are.

(Tshabalala, 77; Ngwendu 53; Makgothi 29; Patrick Molaoa 42; Modise 41; Nthithe 57; Resha 63.)

(No further questions)

NO CROSS-EXAMINATION:

FURTHER EXAMINATION BY P.P. (MR. VAN NIEKERK): (18/3/56)

On 18/3/56, did you attend an African National Congress meeting held at Newclare ?-- I did.

Did you make notes at that meeting ?-- I did.

Have you got those notes in front of you ?-- Yes.

Were those notes checked against a typed transcript in the presence of a representative of the Crown and a representative of the Defence ?-- Yes.

Is this the transcript ?-- Yes.

Who was the chairman of this meeting ?-- Native male Siwisa.

Who was the first speaker ?-- Jonas Matlou.

What language did he speak ?-- He spoke in Sesotho.

Was this interpreted ?-- The interpreter was native male Henry Tshabalala, into Zulu.

Who was the second speaker ?-- Native female Mrs. Ntsinne, spoke in Sesotho.

And the third speaker ?-- Sampie Malupe.

What language did he use ?-- He spoke in English.

Was it translated ?-- Into Sesotho by A. Chamile.

Who was the fourth speaker ?-- S. Tyiki, he spoke in Xosa and it was interpreted into Sesotho by S. Malupe.

The fifth speaker ?-- Patrick Molaoa, he spoke in English, and it was interpreted by H. Tshabalala into Zulu.

The sixth speaker ?-- Isaac Bokale, spoke in English and interpreted by Mushi into Sesotho.

The seventh speaker ?-- Henry Tshabalala, spoke in English interpreted by S. Malupe to Sesotho.

Eighth speaker ?-- Theo Mmusi, spoke in English interpreted by Isaac Bokala into Sesotho.

Now will you read the last three sentences of the speech of Jonas Matlou ?-- (Witness reads G.152; "If there is ..... Mrs. Ntsinne..... Sampie Malupe .... S. Tyiki....



Patrick Maloao..... Isaak Bokala..... Theo Mmusi.

Do you know the person Jonas Matlou ?-- Yes. (38)  
And Henry Tshabalala ?-- Yes. (77)  
Sampie Malupe ?-- Yes. (31)  
A. Chamile ?-- Yes. (8)  
S. Tyiki ?-- Yes. (75)  
Patrick Maloao ?-- Yes. (42)  
Isaac Bokala ?-- Yes. (7)  
Theo Mmusi ?-- Yes. (40)

Do you know these people; can you identify them ?--  
Yes.

Are they amongst the Accused ?-- They are.

(Notes handed in as G.151; Transcript G.152.)

NO CROSS-EXAMINATION:

FURTHER EXAMINATION BY P.P. (MR. VAN NIEKERK):

On 14/6/55, did you attend a meeting of the African National Congress Youth League, held at the Communal Hall, Western Native Township ?-- Yes.

Will you have a look at this report of yours; could you say whether you took notes at this particular meeting ?-- I did not.

Is there any reason why you did not take notes that you can remember ?-- In the hall itself we haven't got a chance to take notes because these people drive us out.

On this occasion were you driven out ?-- No, they did not; I did not take any notes I was just standing there.

When did you compile this report ?-- On the following day, 15/6/55.

Have you got a note as to when this report was completed by you ?-- 9.30 a.m.

On what date ?-- 15/6/55.

Is that your original report ?-- That is correct.

At the time when you made out this report, were the facts still fresh in your memory ?-- Yes, because I had drafted some things after the meeting.

What happened to that draft ?-- I tore it up.

Did you check that report together with a representative of the Crown and of the Defence against a typed transcript ?-- I did.

Is this the transcript of your report ?-- Yes.

Who was the chairman of this meeting ?-- The chairman was native male Kote.

And who were the speakers ?-- The first speaker Isaac Bokala.

DISCUSSION BETWEEN MAGISTRATE AND P.P.:

EXAMINATION BY P.P. CONTD.:

Will you have a look at the chairman's opening remarks; did he talk about the Congress of the People, the third line from the start of his speech ?-- Yes.

And Isaac Bokala, was he the first speaker ?--Yes.

Did he also refer to the Freedom Charter ?-- Yes.

And he referred to it again about four lines from the end of his speech ?-- Yes.

Was the second speaker Mmusi ?-- Yes.

Did he start off his speech: "Chairman, mothers and fathers we are meeting a time when our people are selling when the traitors are working together with the Government." ?-- Yes.

The third speaker, Mahawu ?-- Yes.

The fourth speaker, Patrick Maloao ?-- Yes.

Did he say: "We meet here at a time when the fascists of this country are oppressing us not only the

cliques in Parliament because these cliques in Parliament are sent by these other groups the Dutches from the farms. ?-- Yes.

"Here is Youth League which is faced with satanic legislation. Youth League do not realise that is faced with bad laws." ?-- Yes.

And "Bantu Education is a small thing" ?-- Yes.

"The concentration camp is still coming for the Youth League where they will be camped to fertilise the big farmers" ?-- Yes.

"We meet here when the farmers are reaping 80% out of us" ?-- Yes.

Was the next speaker Peter Nthithe ?-- Yes.

Did he also refer to the Congress of the People ?-- Yes.

And at the end of your report, have you got the following people as having attended the Congress: Elias Moretsele (No. 46;) Patrick Maloao (No. 42); Simon Tyiki, (75); Peter Nthithe (57); Piet Makgofo (26); Johannes Modise, (41); Robertson Tunzi (76) ?-- Yes.

These people whose names I have mentioned, Isaac Bokali, Mmusi, Patrick Maloao, Peter Nthithe, Moretsele, Makgofo, Modise and Tunzi, do you know them ?-- I know them.

Can you identify them ?-- Yes.

Are they amongst the Accused ?-- Yes.

(Report handed in G.153; Transcript G.154.)

NO CROSS-EXAMINATION:

FURTHER EXAMINATION BY P.P. (MR. VAN NIEKERK): (19/6/55.)

On 19/6/55, did you attend a meeting of the African National Congress at Sophiatown ?-- Yes.

Did you make notes at this meeting ?-- I did.

Have you got those notes in front of you ?-- Yes.

Refreshing your memory from these notes can you tell



the Court what happened at this meeting ?-- "Commenced  
12.30 p.m. Chairman: Africans the meeting is opened. To  
open this meeting is not a new thing. We want to teach you  
Africans that to go to beerhall is not a meeting. The churches shall not free Africa. We have many different churches but not one has freed Africa. In these meetings we want people to unite, Xosa, Zulu, Mosotho. Today the Dutch people are teaching us that they hate us. God says every human being are the same. Africans follow us. This is the right way. I will call the speaker to speak about Congress of People. As next week Sunday we have no meeting here, we shall meet at Kliptown. My first speaker. Mr. Mogofe. First speaker Mogofe. Chairman and slaves of Africa. I salute you this day. We meet here bad days. Since Strijdom took premiership the gaols of Africa are full of Africans. The detectives are so many and police since nationalists took over. Africans know history know all. The Dutches too are prepared to take steps of Hitler. Hitler said the Germans shall rule the whole world but now what is surprising, are the Germans ruling. These Germans they do not know who are their leaders. Some said our leader is Churchill, others say we are ruled in United States of America, France or Strijdom. Whose fault is it. It is for Hitler. Swart says that this freedom was offered by God to them. Africans I hope that most of you heard the speech of Verwoerd in connection with the boycott. There some think there that boycott is hours. Verwoerd says there are people ..... Verwoerd that children to return to school. Verwoerd says he wants the leaders of African National Congress to meet with them as he is prepared to meet them. The reply from African National Congress is that it is too late. Verwoerd says the children shall return to schools. If we stop boycott. There is no African said there must be

apartheid but is only Verwoerd. We found that the church that was with Verwoerd making these laws. Dutch Reformed Church is responsible for that and also Lutheran Church. We also refer to Dr. Verwoerd that since 1912 the laws were made in places like Transkei and Rustenburg, but did not work. When I talk of Modhe district, it was said that as person live there has right to buy land. But now is not like that. What is that now if Verwoerd cannot have this apartheid working complete. And yet it does not; let him look on side of Dutches. I want to explain this that Verwoerd if he is prepared to rob you to not care or you are in African National Congress or not. But he will rob you. You will see that from ministers top to members of Parliament are all the same. Strijdom tells lies in Rand Daily Maily paper of 18/6 that he wants to take the British Protectorate lands because people there they like..... What make these people to come in the Union is the poll tax and clothing. Let me say who likes the apartheid and the way we are oppressed. When you look outside in reserves, you will see that there is a law that oppress chiefs and ministers to agree with the Government in Bantu Authority Act. It is not the aim of Verwoerd to see an African living a better life. You will notice that the last two wars the Dutches were responsible for these wars. English people remain behind. You all African know that our eyes are facing Kliptown. Since the Government of the Nationalists every corner you find a detective. For instance like hotel of Moretsele. You see a detective Circa and Moeller keep observation on Africans. We see in town people are arrested for pass. What is pass? Africans I want to tell you that the Government thought we shall not succeed. We succeeded in election of 300 delegates to Kliptown. Swarts Verwoerd and Strauss will be there at the Congress of the people. Chairman: I want to let you know this Africans, the

children in schools now we are going to take them all from schools. Tell these teachers still earning their wages shall get work from municipality. We do remember of the time of Jesus birth, big governors were worried asking where Jesus shall be born. It was said that at Bethlehem. Some applies to Africans, we shall get freedom from Kliptown. I am going to call Swisa the shortman like Zacharia. Second speaker S. Siwisa. Africa in our lifetime. When we talk of the time you must know. You have heard our chairman talking about short man. My speech also short. Tell people what they know is difficult but we repeat. It is disgrace to meet with people at the same place all this time. There is time wasted where freedom must be born. How long being suffering. We are going to be free next Sunday. We are going to grow up freedom from next Sunday. The Chief Volunteer of Sophiatown is asking you to persevere as you are going to Kliptown. I want to be brief, that to come in meetings, it must not be nice. We must know that to come here we come to learn and take what is benefit for us. We see our meetings are successful in Sophiatown, but we have few females. Have you seen the danger before you in big block letters. First Bantu Education. It comes with a very dangerous way. However, the European has decided to bring this education. After notice that he gave you the right education he made mistake. Jealous was cause of it. When you talk about Bantu Education is to have this day not forgetful. We asked that Africans you may succeed to go to Kliptown. When you see Dutches after you here you must find out why they follow you. What we want is that we must be free in our country. What is left now is that we must catch hand to hand because freedom is with us. We must march to it. One friend of mine was stopped by the police asking pass. He gave the police, the pass was in order. So this friend took his pass and tear it in front of the police and



said I will never carry pass anymore. To be slaves, we are people accepting it. Even this Bantu Education is allowed amongst us. No European is teaching Bantu Education. If the teachers said we cannot teach this Bantu Education we do not know it. Nobody would do it. Same with the pass too. Mayibuye! Chairman: You have heard the short man like Zacharia. We are ministers of African National Congress. Do you like exemption in your country. No. We want Dutches at Kliptown where there is freedom. The Europeans will never buy me because I do not speak English language. Even at Grays Building I will never go there unless I am arrested. I will call my evangelist, as I am a minister. This boy is from Pietersburg, the boy of Mahope. Third speaker, D. Mahope. Africa! Chairman and gathering. We stand here at days when our heads are mixed up. Freedom has made our heads to be in disorder because we like freedom. There people intown who are working for their generations as they do not like this Government. The way towards freedom is now short. We have seen that Africa is near to get freedom. It is time now that we stand on our feet. African National Congress is the organisation that is standing for Africans. It is the organisation that has put up the people working in mines. Africans yesterday when Strijdom was saying he wants British Protectorates, say we like him. But he is telling lies, these people do not like him. Swarts says he is chosen by God. People asked him if Hitler was given by God such powers. We say to De Klerk that he is elected by Strijdom. We Africans we are going forward. There is no unity unless this one we have here. Africans, next Saturday and Sunday we shall meet at Kliptown. We must try our best to meet at Kliptown., the 26th which I hope we shall all succeed. This 26th is the day we shall defy these bad laws of Dutches. It is the day to

freedom in Africa. Africans, the world is looking at us as the light as we have seen the 2000 armed police during removal. We must see that people of Sophiatown want freedom. Chairman, Sons and Daughters of Africa. I end with these words. We Congress people we have no private. All we say on this platform was we want freedom. Let us unite. The Chairman: You have heard the speaker Mahope. I now want collection for this Congress of People at Kliptown. I thank you Africans. Your money is £3.0.11½d. I will now call boy of Matlou. Yes, Mr. Matlou please. Fourth speaker, J. Matlou. Chairman, Sons and daughters of Africa. I am going to speak this afternoon in connection with the Congress of the People. This Congress of People is to mark a day where we will make every chater about Africa. Chairman, Sons and Daughters of Africa, the cause is to put the removal of Sophiatown at Kliptown. Many speakers have shown why the people should get freedom. Chairman, there is going to be no doubt that Europeans of Africa are leading no state, are fear shivering. The African National Congress has succeeded in three-quarter of organisation that Africans are oppressed to talk with white men about liberation. The young men and old men are sent to a place known as Leeukop. This place was established in 1937 when African National Congress was not actually doing as it is today. Just see what Almighty God did. What happened in 1938? Hitler did throw the world in blood shed. I am trying to explain that you were oppressed even before what African National Congress do, what is doing now. African National Congress wanted to intercept this host of laws, try bringing this defiance campaign. African National Congress has realised that people in South Africa who are in dark corner cannot be reached. By this Congress of People we want to be represented by our people in Parliament. We

do not want Bantu Education. We do not want our children to be chased by Dutchman. So I want everybody in place at Kliptown at 2 p.m. We have 200 delegates to represent Sophiatown in Congress of People, Kliptown. Mr. Chairman truly I am always afraid to talk about Congress of People to people. It needs people to be explained what is Congress of People in this country. Here is a message from Chief Luthuli that everybody to leave things aside and look forward to Congress of People. What the Chairman has said that people to come on Wednesday meeting for particulars of Congress of People. I want to make an appeal to volunteers that they have too much work at Congress of People. I am elected by a vote of 900,000 to speak on behalf of them at C.O.P. Not like Verwoerd who was simply called in Cabinet. I would like to see people from Bethal, Poking, Hamanskraal, Mabiskraal, to see me immediately after this meeting in connection with the Congress of People. Mr. Chairman I will be not doing my duty if I do not call the slogan: Forward to Congress of People, Kliptown."

Do you know Mr. Makgofe that you have noted down as one of the speakers ?-- I know him. (26)

Do you know Matlou ?-- Yes. (38)

Can you identify these two persons ?-- Yes.

Are they amongst the Accused ?-- They are.

(Notes handed in as G.155.)

On 20th June, 1955, did you make out a report regarding this meeting ?-- Yes, I did.

When did you complete that report ?-- 9.15 a.m. on 20/6/1955.

From that report can you say who was the chairman at that meeting ?-- Simon Tyiki. (75)

Is he amongst the Accused ?-- Yes.

Can you identify him ?-- Yes.



Did you also record names of people who had attended this meeting ?-- I did.

Will you read the names marked ?-- Simon Tyiki (76); Robertson Tunzi (76); Jonas Matlou (38;) Piet Makgofe (26;) Henry Tshabalala (77;) Patrick Maloao (42); Johannes Modise (41);

Do you know the persons Tunzi, Tshabalala, Maloao and Modise ?-- Yes.

Are they amongst the Accused ?-- Yes.

Can you identify them ?-- Yes.

(No further questions)

NO CROSS-EXAMINATION:

FURTHER EXAMINATION BY P:P. (MR. VAN NIEKERK) (10/7/55.)

On 10/7/55, did you attend a meeting of the African National Congress at Newclare ?-- I did.

Did you take notes at that meeting ?-- I did.

Were these notes checked against a transcript ?-- Yes.

Have you got that transcript in front of you ?-- No.

From these notes does it appear that the chairman was F. Madiba ?-- Yes.

Spoke in Sesotho ?-- Yes.

The first speaker was Keitsing ?-- Yes.

Who spoke in Sesotho, and Bokala interpreted ?-- Yes.

The next speaker was S. Bokala who spoke in Sesotho Malupe interpreted into English ?-- Yes.

Will you look on page 2 (G.157) "Today they say they are the owners of land....." ?-- That is correct.

Then the speech of S. Malupe, interpreted from English to Sesotho by A. Chamile ?-- Yes.

He said: (Reads from G.157) "The white men are ....

Fifth speaker was A. Chamile who spoke in Sesotho ?-- Yes.

Do you know the following people? F. Madiba (23)  
?-- Yes.

Bokala (7) ?- Yes.

Keitsing (15) ?-- Yes.

Malupe (31) ?-- Yes.

Chamile (8) ?-- Yes.

Are these people amongst the Accused ?-- Yes.

Can you identify them ?-- Yes.

(Notes handed in as G.156; Transcript G.157.)

NO CROSS-EXAMINATION:

FURTHER EXAMINATION BY P.P. (MR. VAN NIEKERK): (2/10/55.)

On 2/10/55, did you attend a meeting of the African National Congress held at the corner of Morris Street and Victoria Road Sophiatown ?-- Yes.

Did you take notes of this meeting at the time ?--  
Yes.

Have you got your notes in front of you ?-- Yes.

Looking at your notes, can you tell the Court what happened at this meeting ?-- 2/10/55, A.N.C. meeting, held at corner Morris Street and Victoria Road, Sophiatown. commenced 11.20 a.m. to 3.45 p.m. Chairman, S. Tyiki, spoke in Xosa; Interpreter H. Tshabalala, spoke in English from Xosa. Africans, we have opened the meeting. Most of senseless people think that God will free us from this Africa. The man who loves his people is loved by God. Africans you are invited to attend this meeting because you are to carry passes. The first speaker is this man next to me. I am glad because Dr. Press who feels together with the Africans is here. First speaker, H. Tshabalala, spoke in English; Interpreter J. Matlou to Sesotho: I thank you Mr. Chairman, Sons and Daugh-

ters of Africa, because it is on African National Congress that is opposing the satanic Government of South Africa. The African National Congress, Coloured Peoples Organisation that is standing for oppressed people in this country. It is because of these green pastures that Dr. Verwoerd builds these concentration camps. We see we shall govern ourselves. We see Strijdom is not prepared to rule with us and we shall drive him into sea. The youths of this Africa must be determined for future of South Africa. The police were searching our properties so-called treason. We shall have to charge the Government for treason and we will die on the way for freedom. As long as there is still the oppression in this country there is no rest. The Second speaker Dr. Press spoke in English, interpreter H. Sthabla, spoke in Zulu. Mayibye! I want to read to you which police think is treason. Police came in my house and searched it and visited all leaders houses. Police cried about treason and Freedom Charter at Kliptown what was said. If you want freedom is that breaking the law. If he says doors of schools must be opened to everybody is it a crime. As people of this country we want to make our own laws to govern ourselves. We want people know what we want is freedom. The Freedom Charter should be sent all over to people. The leaders of the country will not be intimidated. We want freedom and and not afraid. I remember at Kliptown we were searched and our names and addresses taken down. I appeal to everyone to sign the Freedom Charter. You must know what freedom means. One million signatures we want. I remember on day of removal and 2,000 police arrived. Every person must stay where he likes. All laws made to oppress people must be abolished. The person in his house the law will protect him not to be disturbed. We are determined to learn and know about freedom. People will not be intimidated. Every person must say this freedom will fight side by



side. Mayibuye! Third speaker Steven Segale, spoke in English, interpreter H. Tshabalala, into Zulu. I could see that forces of Fascism which is determined to oppress Africans. The Dutch people are always talking about the cutting tails of Africans. You Africans won't believe that Bantu Education is made to kill minds of our children. Our children are taken to farms and work for 7/6 a month. Swart Minister of Justice was once arrested for 7 years and sent to concentration camp for high treason by Smuts. Do not expect God to give you freedom for yourselves. Do not wait somebody to lead nation but come yourselves. Dutch people when came here were given African women. Dr. Malan dominated from a black nation and today is a minister of religion. God created everybody the same and at last we shall rule this country. Join African National Congress. Do not think that people of Gold Coast do not know what they do. They fought for their freedom. It is not bloodshed that shall bring freedom but Unity is strength. Fourth speaker, John Rampolaoane, spoke English, Interpreter H. Tshabalala to Zulu. Chairman, Sons and Daughters of Africa. I salute you when these criminals came in this country found Africans staying in peace. We do not know who gave Dutch people the name so-called Afrikaners. They talk about apartheid. On 9th February we say 2,000 monkeys so-called themselves police. We see today the boy called Strijdom who calls himself Lion of the North. Instead of the present Government to give African people their rights they send the African people to concentration camps. By not allowing Dutch people near us, we must come together and know what freedom is. This Education bring by Verwoerd, must be thrown back to his children. If we say we want schools we do not want concentration camps. The person say women must carry passes is the one who arrests

African men and bring Bantu Education. He says these passes must be carried by African women, must be carried by Dutch women. This is our land. The Dutches must be kicked away from this place. We see Dutch people are wearing new shirts, because we fight and get arrested. We are fined in court and Dutches take the money and they buy shirts. If Dutches are tired of staying in this country they must pack and go. Government has failed to remove people from Sophiatown and he says women must carry passes. Today this Government wants high treason from our boots and pots. Tomorrow we will be arrested for cooking meat and potatoes. Today because our freedom is nearer the Dutch people are running mad. Fifth speaker: Jonas Matlou, spoke in English; Interpreter H. Tshabalala, into Zulu. Chairman, Sons and daughters of Africa. I see this crowd is incited because we are speaking the truth. The Government took action against the freedom-loving people. I am going to explain to you why Government is preferred to charge freedom lovers for high treason. In 1933 Hitler said want people of Germany want freedom must follow him. Because he was prepared to have all powers in his hands. All what Hitler was doing was evil, so he had to plan to have people together with him. When Hitler succeeded to unite people of Germany he introduced legislation to the youth of Germany. He then invaded Poland and France. What is happening here in South Africa is same like in Germany. Hitler succeeded to his wishes, and today the second Nazi leader of Germany Nazi is somewhere in Johannesburg. Nobody can blame these Dutch people because they are full of German blood. To prove this I remember during the last Great War Dutch people organised. Ossewabrandwag also. You remember about Rembrandt. What is treason? Is an offence in state committed, to overthrow the Government of the country. For this case police still have

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