

BY P.P. Yes, and then what happened? -- The Native girl got up and she was then taken into custody.

Did you injure her at all? -- No, I did not.

And what happened after this incident? -- The bus proceeded on its way.

And what happened to the car? -- The car was struck by stones and the windows and - the bodywork became dented and the windows were smashed; and the bus similar - also a few windows and the bodywork dented.

Now, did you observe any persons at the bus halt? -- Yes, I did. All the bus halts were picketed - had pickets.

Did you see anybody visit these pickets? -- Yes, I did. The Evaton People's Council - members of that organisation visited the pickets frequently. The Evaton People's Transport Council also referred to as the Boycott Committee.

BY THE COURT: This would then be pickets? -- Yes.

BY P.P. Who were they? -- Certain Mahomed Asmal, an Indian residing in Evaton, did so on his truck, driving from stop to stop.

Do you know this person Mahomed Asmal? -- Yes, I do.

Can you identify him? -- Yes, I would.

Please endeavour to do so? -- Witness identifies Accused No. 2 - Mahomed Asmal.

Now, I think the next incident that you witnessed was on the 7th September, 1955? -- Yes.

Did you receive a report and did you proceed to Evaton Location? -- Yes.

And what did you find? -- I found our bus No. 12 burnt out.

Yes, what had happened to the driver of this bus? -- The driver I visited in the Vereeniging non-European

Hospital the next day. He was still unconscious.

What was his name? -- Joshua Momezulu.

Now, I believe, round about the 19th September, 1955, the service was cancelled - or was withdrawn? -- Was withdrawn yes.

Now, was it re-instated at any time? -- Yes, it was re-instated on the 24th October the same year - 1955.

And now on that date, the 24th October, 1955, did you again accompany the buses through the township? -- Yes, I did.

Yes, and what happened? -- On approaching the Golden Highway I saw approximately 400 Natives marching up and down the Golden Highway armed with sticks, axes, iron bars and even pistols.

What did they do when they were walking? -- They were chanting "Asikwela".

Did anything happen to the buses? -- Yes, bus No. 18 and my private car were severely stoned.

I take it you didn't stop - you just went through? -- We chased through.

Were there any passengers in the buses that time? -- No, only staff.

Now, did you notice anybody that you know amongst that crowd? -- Yes, there were a few: Gabutlane was one; there was a Letsika; Kekane; a certain Mafokeng and Nhlapo.

Is that the same 'Nhlapo' that you referred to previously? -- Yes, he was prominent right through the boycott.

Now, the next incident, I think, occurred on the 30th June, 1956 - that you witnessed.....

BY THE COURT: That was 8 months later? -- Yes.

BY P.P. Did you again on that day accompany a bus through the

Location? -- Yes, I escorted bus No. 10 towards the Location on the Golden Highway. The bus was stopped by a crowd of Natives. The driver attempted to turn the bus back. One of our conductors, Peter Mgomezulu, jumped out of the bus when it was stoned. He was immediately set upon by the same crowd who had stoned the bus. They gave chase and he ran away. I did not see what had happened to him - if they caught up with him or not - but he died a day later in Baragwanath Hospital. I identified his body at the Government Mortuary, Johannesburg.

Now, during that period, how many times were stones thrown at the car in which you were travelling? -- Three attacks were made on my car.

BY THE COURT: During the whole period of the boycott? --- Three attacks were made on my car during the whole period of the boycott.

BY P.P. Now, were there any casualties - did the company suffer any casualties of its personnel? -- Yes, four casualties.

Fatal? -- Fatal, yes.

Who were they? -- Peter Gumbe, a driver; Johnson Chopo, a non-European Inspector of buses; Peter Mgomezulu, a conductor and Matonsi, another conductor.

Were any of these - did any of these receive their fatal injuries whilst on duty? -- Two of them did - Peter Gume and Peter Mgomezulu: Johnson Chopo - I'm sorry - and Peter Mgomezulu - not Peter Gumbe.

Did you at any stage attend meetings between - a meeting that was held by the Company at which there were representatives of the Evaton People's Transport Council? -- Yes, I have.

And who were the people who usually attended those meetings - the people from the Evaton Council? -- There was

J. Molife; Vismos Make; Nhlapo and quite a few others. And Bob - Mohammed Asmal - also known as 'Bob Asmal' was another

Now, I believe, one such meeting was held on the 7th February, 1956? -- Yes.

Did you take Minutes at that meeting? -- Yes, I did.

And did you transcribe your notes immediately afterwards? -- Yes, I did.

Were the Minutes take in shorthand or longhand? -- Longhand.

Was this a meeting held at Evaton between the Evaton People's Transport Council and the Evaton Passenger Service? -- Yes.

On the 7th February, 1956? -- Yes.

Did you have more than one copy made of the self-same meeting? -- Yes, I have.

Have you still got your original transcript notes? -- No, I don't, not the original manuscript - the one I have taken down during the meeting - which was on pencil on blank paper.

What did you usually do with these after you transcribed the notes? -- Destroy the notes.

Have you got the original of the carbon copy I have got here? -- Quite possible - it may be in our file at the office.

Will you have a look for it? -- I will.

BY THE COURT: Who typed the copies? -- Our office typist.

BY P.P. And after it was typed did you read through it? -- Yes.

And did you sign it? -- I have, yes.

BY THE COURT: You say you checked these copies and found them correct? -- Yes.

BY MR. BERRANGE: As at present advised. I have no objection to the copy of the notes going in - with one exception. I shall pass it to Your Worship in a moment - it is headed "Minutes of Meeting held at Evaton between the Evaton People's Transport Council and the Evaton Passenger Service on the 7th February, 1956, at 8.30 p.m." It then sets out who was present and there are various notes indicating shortly what various speakers are alleged to have said as one would ordinarily find in Minutes. The end of this document, however, on page 2 - in the last paragraph thereof - contains certain observations in regard to the meeting which have obviously been made by Mr. Zimmerman, the witness. These observations are of a matter - are a matter of opinion - and a matter of conclusion which it is the duty of the Court to arrive at and not for the witness to arrive at. Perhaps to illustrate to the Court what I mean, I can pass it to Your Worship and Your Worship can see for yourself what it is to which I take objection.

BY P.P. We will have this latter part pasted over, Your Worship, with a piece of paper.

BY THE COURT: Yes, so long as it is obliterated.

BY P.P. Yes, it will be obliterated. The only thing we want to retain is the signature at the bottom.

BY MR. BERRANGE: I would suggest that my learned friend proceed with the witness and during the interval my learned friend can take steps to obliterate it.

BY P.P. Now, Mr. Zimmerman, - EXHIBIT "G. 892" - looking at these Minutes that you have kept yourself, will you please tell the Court what transpired at that meeting to the bottom of page 2 - just prior to where you start with your observations of this meeting. Don't give your observations but will you please give the rest? -- Would the Court like me to

go through the Minutes entirely or just a certain portion of it.

BY THE COURT: You are required to read from page 1 to nearly the bottom of page 2 - where I have marked it? -- "Minutes of meeting held at Evaton between Evaton People's Transport Council and Evaton Passenger Service on the 7th February, 1956, at 8.30 p.m." "Members of the Evaton People's Transport Council present known to me were:- V. Make, Chairman; J.S.P. Molefi, Secretary; John Nhlapo; Levi Mbata; 'Kwebeka', Ketane; Nquala; Mlange; Kumalo; Zwane; Molokwane; I. S. (?) and there were others."

BY P.P. Have you got the name of 'Make' there? -- Yes.

What is the next one? -- J.S. P. Molefi, Secretary.

Yes? -- John Nhlapo.

Yes? -- Levi Mbata.

Yes? -- Kwebeka.

Yes? -- Ketane.

Yes? -- Nquala.

Yes? -- Mlange.

Yes? -- Kumalo.

Yes? -- Zwane.

Yes? -- Molokwane.

Yes? -- Iris Moore (?)

Yes? -- And others. Indian present - Mahommed Asmal.

Do you know these people - Make, Molife, Kumalo? --

Yes, I know Make, Molife and I should know Kumalo.

Can you identify them? -- Yes.

Will you try and identify Make and Molife? -- Witness identifies Accused No. 25 - V. Make and J. Molife - Accused No. 43.

Will you try and identify the man Kumalo? -- I am not sure of Kumalo.

Will you continue with your Minutes? -- "Meeting opened by V. Make stressing the atrocities and intimidation of the past attributed to the E.P.S. which will not be forgotten but borne in mind in dealing with the company at present and in the future. Mentioned the people who were killed. (a) E.P.T.C. (Evaton People's Transport Council) is the only body representing the people of Evaton in full but cannot make any decision without consulting the people at an open meeting. Reminds E.P.S. that resolution was adopted in meeting of Evaton People's Transport Council to boycott Evaton Passenger Service out of Evaton. This resolution still stands until Evaton Passenger Service can fully satisfy Evaton People's Transport Council. The Evaton People's Transport Council are only attending this meeting to hear and take note of Evaton Passenger Service has to offer the people to bring about a solution. Evaton People's Transport Council cannot decide to accept or reject but put the company's offer to the people. Mahommed Asmal wanted to know are the representatives of the Evaton Passenger Service present fully representing the company. Mr. Danyesa replies he is full representative as director and transport manager and can make a binding position having full authority to do so. Has the Evaton People's Transport Court the mandate of the people to come to a final decision? V. Make: The people of Evaton must make final decision and not the Evaton People's Transport Council. Evaton Passenger Service has not furnished Evaton People's Transport Council with agenda. Mr. Danyesa replied agenda requested by phone; impossible to furnish at such short notice by phone or post. Ketane requested full memorandum in detail to be drawn up by Evaton Passenger Service and

furnished to Evaton People's Transport Council who will read it to the people. Kekane continued: The people decide to accept or reject and Evaton Passenger Service will then be notified of decision made. Mr. Danyesa: The Evaton People's Transport Council has no full power to make decision and conclude an agreement. Copies of agenda drawn up by Evaton Passenger Service handed to Evaton People's Transport Council members and discussion invited. Molife: Agenda too vague. No sense in discussing same. Mahommed Asmal: It is up to the company to make suggestions not Evaton People's Transport Council. E.P.S. knows very well what is required. They must also bear in mind Evaton People's Transport Council is not going to bargain. The days of bargaining are long past. Kekane: These people take us for monkeys. Leave them alone and force our own buses in as we have previously decided. Make: Without detailed memorandum this meeting does not mean a thing. Mr. A. Carleo, a director of the company, suggested that a letter be written by Evaton People's Transport Council setting out point for point their demands. Evaton Passenger Service to consider the contents and furnish Evaton People's Transport Council with detailed replies to each demand and suggestion. A short meeting would then take place to make necessary adjustments suitable to both sides. Evaton People's Transport Council objected strongly and rejected Mr. Carleo's suggestion. Only Evaton Passenger Service Memorandum could bring about solution if acceptable."

Did you also receive a letter from the Evaton People's Transport Council dated the 14th November, 1955, and signed by J. F. Molife, Secretary? -- Yes.

EXHIBIT "G. 893" - will you please read that:? --
It is from the Evaton People's Transport Council, 3,
Wilberforce, Evaton, Transvaal. Dated 14th November, 1955.

Addressed to - Messrs. Evaton Passenger Service (Pty) Ltd., Beacon House, West Street, Johannesburg. Attention Mr. V.G. Danyesa. Dear Sir, we are in receipt of your communication of the 11th instant for which we thank you very much. We also wish to welcome you back to South Africa from your holiday in Italy and hope you enjoyed yourself. In reply to your request to meet our representatives to discuss the various problems which arose during your absence, we regret to inform you that all negotiations with your company have been terminated. Perhaps some of your colleagues who were engaged in the destruction of our boycott during your absence will be in position to enlighten you on your various problems alluded to in your letter. We are continuing with the boycott of your company's buses and are proceeding unilaterally in solving this problem which yourselves precipitated. Your company has caused irreparable damage to us through the loss of human lives and the general disruption of our peaceful village. We are therefore convinced that your company can never serve us in any manner in the future. Thanking you, Yours faithfully, (Sgd) J.F. Molife, Secretary for Evaton People's Transport Council."

Now, there is one question I omitted in the proper order. What was the estimated damage to buses during the boycott period? -- Approximately £5,000.

Did you at one stage - or can you say whether the boycott was universal in Evaton? No.

Did everybody support the boycott? -- No, not everybody did.

Did you at one stage have a conversation, or an interview, with Mahommed Asmal? -- Yes, I had in his shop in Evaton.

Was that the person whom you identified just now? --

Yes. (Accused No. 2).

Now, what did he say to you? -- We spoke about the boycott in general and the happenings in Evaton. Mahommed Asmal then said that the boycott was not really a boycott in the real sense but it was a struggle against white suppression and that they were feeling politically strong and they were fighting - in other words, to liberate Africa as were their brothers in Kenya, on the Gold Coast and in Rhodesia.

Now, during the period - when was the boycott officially ended? -- On the 1st June, 1957. The buses started running normally. We had a skeleton service between Johannesburg and Evaton up to the 1st June this year; buses were running; they were running half empty, not supported but an agreement was arrived at between the management and the Evaton People's Transport Council led by V. Make, J.F.P. Molife and Mahommed Asmal that finally the boycott would end on the 1st June and that they would instruct all their followers that the buses could be and should be freely used.

Now, during this period that the boycott was on, were any applications made for a transport certificate on behalf of another person or persons? -- Yes, during the boycott J. F. P. Molife applied to the Local Transportation Board for 4 certificates to run a bus service between Evaton and Johannesburg and it was duly gazetted.

Did that appear in the Provincial Gazette? -- It appeared in the Provincial Gazette.

Have you got the date? -- Application published Provincial Gazette on the 25th July, 1956, Page 250 - Heading - Department Transport.

Now, was there any difference in the fares as advertised in the Provincial Gazette. I take it the amount

of the fares was also included in the advertisement? -- Yes, the fares have to be included in the advertisement. The fares are gazetted.

Now, was there any difference between the fares that he applied for and the fares - the increased fares - which you were authorised to impose? -- Yes, that difference there was. J.F.P. Molife applied to run four certificates at our pre-boycott fares - our pre-increased fares.

BY P.P. NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. BERRANGE:

At what fares are the buses operating now? -- At the pre-boycott fares.

And, I take it, that your company must have suffered a great loss financially as a result of this boycott? -- Yes, we have.

Not only because of £5,000 worth of property that suffered but also as a result of loss of profits? -- Yes, that is true.

Have you any idea of what losses you sustained over this period? -- No, I couldn't tell the Court.

Could you give it to us, perhaps in round figures? -- I never worked that out. It is in the hands of our managing director.

Can we say that it runs into thousands of pounds? -- Yes, that is so.

Do you know who "The Russians" are? -- With reference to Evaton, yes.

They are people who generally have a long record of violence and intimidation behind them - generally in the Witwatersrand and not only in Evaton? -- Yes.

You know that? -- Yes, that is generally known.

And is it correct that The Russians used to ride

around in your buses whilst the boycott was on? -- That would be incorrect.

And is it correct that the Russians used to ride around in your buses while the boycott was on jeering and gibing at the people at the side of the road? -- Incorrect.

And if any Police officers gave that evidence they must be telling the Court a falsehood? -- They couldn't have given that evidence.

Don't tell me they couldn't have given it if I say to you that they did? -- Your Worship.....

Do you hear what I say? -- I heard you, yes. I escorted the buses daily and every bus and I have never come across any of my passengers - whom I do not consider as Russians - amongst whom were Basutos, Xosas - of all nationalities - going into town for work and I at no time heard any of the passengers on the buses nor the staff jeering at the crowd standing alongside the road.

BY THE COURT: That may, of course, have happened while you were not there? -- Your Worship, I escorted for that period every bus. There may have been one or two that escaped my notice but every bus otherwise.

CROSS-EXAMINED BY MR. COAKER: You were in the regular habit of escorting your buses to and from Evaton were you? -- That was my regular habit.

Would you say that whilst they were running you went into Evaton almost every day? Every day.

And you have now described to us certain incidents - are those the only incidents worthy of note which you personally observed throughout the boycott? -- No, there were many others.

There were many other incidents? -- Yes.

I take it that you mentioned them in the statement

that you may have given to the Crown all the incidents which you considered worthy of note? -- I mentioned all those outstanding incidents.

Did you have consultations with representatives of the Crown before you were called to give evidence here? -- Would you repeat that question?

Did you have a consultation with a representative of the Crown before you were called to give evidence here? -- I had no consultation. I was just asked to give my statement.

Did you write it out? -- It was written out.

By whom? -- By Captain Prinsloo.

Of the Security Branch of the South African Police? -- I take it he is -- I don't know.

Did you have an interview with him? -- He came to see me in my office.

I am not delving into anything confidential between you and Captain Prinsloo but, briefly speaking, does it come to this that you had an interview with him? -- I wouldn't call it an interview.

BY THE COURT: What was it then? -- He asked me what I knew about the boycott and as I gave it to him so he wrote it down and on completion of that statement he asked me to sign it; I signed it and he left.

BY MR. COAKER: Now, when was this, Mr. Zimmerman? -- I cannot recollect the date but it was sometime back.

How long? -- A few weeks back.

A few weeks back from today? -- Yes.

And prior to that time, I take it that you had not made any statement, so far as you know, to any member of the Security Branch? -- I have had a discussion previous to that with a certain Mr. Wessels of Vereeniging or v.d.Byl

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