

placed before it in order to come to a conclusion.

BY MR. BERRANGE: Yes, but I still submit, Sir, with respect that I would be .....

BY THE COURT: I must ask you not to carry this aspect too far.

BY MR. BERRANGE: That is why I only asked the witness the question, having regard to his knowledge of the state of affairs existing, does it make sense to him. I'm not saying that it is right or wrong. Does it make sense to him, to couple the Malan Government with socialism.

BY THE COURT: Supposing he says "Yes;" you would say "No."

BY MR. BERRANGE: I am bound by his answer; I'll accept his answer.

BY THE COURT: You may test the man's bona fides that way.

BY MR. BERRANGE: I am trying to get assistance from the Court for the witness; that is all. I am not attacking his credibility. Because here we have, Sir, the coupling of the Malan Government with the socialists. I only want to know from this witness whether that makes sense to him.

BY THE COURT: Socialism in a certain sense might be coupled with the Government, although it is not professedly a socialist Government. Because so many measures are carried out intended to socially uplift the people, although the Accused may not feel so about it.

BY MR. BERRANGE: I am afraid, Sir, at some stage in these proceedings we are going to embark at great length on questions of theory and various ideologies, and I don't want to be led at this stage to discuss it; but speaking for myself I would .....

BY THE COURT: Yes, I was just pointing out the dangers of putting a question like that.

BY MR. BERRANGE: I would only be very surprised to hear for

myself, Sir, that socialism and our Government have anything in common.

BY THE COURT: Yes, of course, that's your view.

BY MR. BERRANGE: That may be a view expressed by many witnesses in this case. If they have, if it is suggested that they have, it would certainly be of great assistance to the Defence.

BY THE COURT: Well, I don't know how the witness feels about it; he may not agree with you.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

I notice that some of your report is in Afrikaans when you are reporting that which has been said by the various speakers; and some of it is in English. Now, there must, of course, be a reason for that, and I will be glad if you will tell us the reason?-- Portions of these speeches were not delivered in English; other speakers spoke native languages. The Afrikaans portion has been translated by me into Afrikaans from the native languages.

Do you understand the native language?-- Yes.

You have already told us that you have attended very many meetings, you objected to the word "hundreds"?-- Yes, somewhat meetings.

If I asked you today to tell me in regard to every meeting that you have attended in what language the speakers spoke would you be able to do so in the absence of any notes to that effect?-- It is impossible.

Of course it is. Because you have got to rely upon your notes made at the time for your recollection?-- Yes.

I'm not for a moment suggesting that you are being untruthful in this, but I am suggesting that you are making a mistake; because my information from all the speakers who were there at this meeting on the 2nd May, is that on this

particular meeting nobody spoke in the native language, but that they all spoke in English ?-- I can't remember what language.

That's fair enough. Of course, it was quite impossible for you to get down everything that was said ?-- That also depends on circumstances.

Can you remember in so far as this particular meeting is concerned, whether you were able to get down everything that was said ?-- Not everything word for word, but I wrote down a reasonable portion.

That is also fair enough, but there may have been things said which have been omitted, that you couldn't get down. ?-- Quite possible.

You were on the Special Branch at the time that the Defiance Campaign took place ?-- No.

When did you join the Special Branch ?-- I can't remember exactly, but it is about three years ago. It could be less than three years, but not more than three years.

At the time then that you reported this meeting, you were quite new to this sort of work ?-- Not very new.

You said about three years ago. This meeting was on the 2/5/54, we are now going on for March 1957, that would be just two months and a few days short of three years ?-- It could be.

That is why I suggest at this time you were new to this sort of work. Tell me, as a police officer, did you in any event know about the Defiance Campaign ?-- I knew about it. I heard about it.

Maybe you made some of the arrests in the Defiance Campaign ?-- No.

But you do know that the Defiance Campaign, or the cam-

paign which was based on the policy of non-violence, passive resistance ?-- I have no knowledge about that.

You don't even know that today, although you've been in the Security Branch for three years ?-- No.

So that when the speaker, Kathrada, said this: "We live in the era of the Defiance Campaign ....." and a few sentences later said: "Now we must talk to the whites in the only language that they understand and repeat a Defiance Campaign," you tell His Worship that you don't know whether he was urging his listeners to resort to violence or non-violence. ?-- I wrote down exclusively what he said.

Yes. I at any rate am giving you credit for being more than just a recording machine. I just want to know from you this answer. You did not know when he said "We must repeat a Defiance Campaign;" you don't know whether that was exhorting his listeners to violence or non-violence; you don't know. ?-- I only heard about the Defiance Campaign; I was not involved in it.

Does that mean that your answer to my question, which I don't want to have to put for a third time, is "No." ?-- I couldn't tell you what he insinuated to his listeners.

Right. Then the answer is "No." Then paragraph 3, page 3: "The Government can come with its dirty police force; we have our force, which is the strongest force in the world, namely, the force of our labour." Do you want me to translate that, because you read it out in English, so I may as well give it to you in the same words as you used ?-- That is what I wrote down.

And you don't know then whether the speaker under these circumstances was encouraging violence or non-violence ?-- No.

Because, you see, I am told that the speaker then, at

that stage, went on to explain himself. And having said that "We have the strongest force in the world, namely, the force of our labour," and having gone on to say: "We are not uncivilised, like they are. We are civilised," he then pointed out to his listeners that "We are not uncivilised like they are in using machine guns; but we are civilised, because we will use the force of our labour," and he went on to indicate what would happen if by using the force of our labour, what would happen to the country, if, for instance, everybody withdrew their labour throughout the country -- is that possible?-- If he had said it, and I had heard it, I would have written it down.

Were things being said which you did not always hear?--  
No.

Then why do you qualify your answer by saying "if I had heard it."?-- If I had heard it, I would have written it down.

Why, if you say you heard everything, why do you qualify your answer by saying: "If I had heard it."?-- It means that if the speaker had said it, then I couldn't have heard it.

Is that possible?-- Could be possible.

That's all I want to know. And indeed, you have already told us that you didn't get down everything, but most of what was said, and I see from a perusal of your statement, or your report, in regard to every single speaker who is referred to there, you have said: "Die volgende spreker het onder andere gesê...." inter alia, amongst other things?-- Quite correct.

And that necessarily implies that you didn't get down everything that was said?-- I've already said that I wrote down a reasonable portion of it.

A reasonable portion, and of course, those portions which you thought were important?-- Not exclusively. I wrote down as much as I could.

Would you agree that the speakers made it clear ..... or may I put it to you this way, the whole tenor of the speeches made on that day was a bitter attack on the Nationalist Government and the Police Force, but not on the white people as such ?-- Everything that was said was written down by me as contained in that document.

But Mr. Hattingh, you have just told us over and over again that you didn't get down everything that was said; why take us back on that now ?-- I can only go as far as I have written.

By what is written down. Then I am putting it to you; you yourself have other than what is written down here no independent recollection of this meeting; is that what you are trying to tell us ?-- Except what is written down in that document there is nothing I can specifically remember about this meeting.

That being so, if witnesses were called who either spoke at or listened to the speeches at this meeting, and who testified that the whole tenor of the speeches was an attack on the Nationalist Government and the police, but not on the white people as a whole, you would not be prepared to deny that ?-- The only knowledge that I have about these meetings is what I have written down, and what I have heard and what I have .....

And having regard .....

DISCUSSION BETWEEN MAGISTRATE AND MR. BERRANGE:

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

(Question put to witness again): ?-- I won't deny it.

That's all I want to know. And indeed, we have as well as that admission by you, these sentences: "We want freedom and happiness for everyone, irrespective of race. We want to put an end to this system that one section of the population is happy at the cost of the others." "We want justice for all

people and we will work with the white people. This is their country as well as ours. We invite them all to work together with us on our programme." Now did you know what the speaker was referring to when he said "We want to put an end to this system that one section of the population is happy at the cost of the others." Did you know what he was referring to?-- He referred to a system; I don't know what system he actually referred to.

So your answer is you don't know?-- I don't know.

I am referring to page 5, paragraph 5. "As julle hier die wapens opneem sal julle groot battalions kry van Alexandra en elders wat julle sal help in die stryd." Do you know what weapons were being referred to when the speaker said "as julle hier die wapens opneem."?-- No, it could be any weapon.

Yes, you see why I ask you that question is because if I look at the context of this, and I look at the preceding paragraph -- this is Molefe's speech -- there is nothing contained therein to indicate that any form of weapon or opposition or struggle should be utilised. That is in the first three paragraphs of his speech. Then we come to the paragraph I have just read to you, which says "as julle hier die wapens opneem" which doesn't seem to refer to anything beforehand. That is why I want to suggest to you that you must necessarily have omitted something at that stage. I hope I am making myself clear?-- It all depends which word is used.

It is "hier die wapens."?-- (Reply not interpreted: Volgens daardie sin beteken daardie woord "hier" n spesifieke plek waar hulle die wapens moet opneem. Hy sê as julle hier die wapens opneem sal julle battalions kry.)

Yes, but in any event, it means still the same thing; it means "these weapons," whether you say "hierdie or hier die."

BY THE COURT: Not necessarily. The accent falls on "die."

BY MR. BERRANGE: "...hier die wapens."

BY THE COURT: But if you say "hierdie wapens" it may convey another meaning. That is the point that the witness is stressing.-- As die woord uitmekaar geskryf is, die woord "hier" dui dan 'n spesifieke plek waar die wapens opgeneem moet word, maar nie die spesifieke wapen nie.

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

But you will still agree with me that there is nothing preceding this paragraph in Molefe's speech which makes any reference to any form of struggle, weapons, opposition or anything at all. That is why I am suggesting to you that at this spot, just immediately preceding this paragraph with which I am dealing must have been one of the occasions on which you omitted something.

DISCUSSION BETWEEN MAGISTRATE AND MR. BERRANGE:

CROSS-EXAMINATION BY MR. BERRANGE CONTD.:

I want to make a correction, however, so far as this witness is concerned. I did suggest to you that all the speakers spoke in English. And I want to indicate to you that I was wrong in that, and I want to indicate it to the Court. The evidence will be given that Nthithe spoke in Tswana ?-- I have already told the Court that some of the speakers spoke in native languages.

That is why I am making a correction. I agree with you for once. I still want to put my question to you. Would you be prepared to agree that immediately preceding the fourth paragraph in which Molefe speech is concerned, you may have omitted something which would explain the reference to weapons. ?-- It is not impossible.

That is all I want to know. Were there any other members of the police force making notes at this meeting ?-- I can't remember.

Have you no knowledge of it -- have you gained any



knowledge subsequently ?-- No.

Tell us if you can remember, where were you when you were recording these speakers ?-- I was at a car, about 18 feet or 20 feet away from the platform.

In a car ?-- Outside the car on the bonnet I wrote.

You were leaning on the bonnet and writing your notes on the bonnet ?-- Yes.

Was the car in the street ?-- It is an open stand.

Just for the purposes of record; you will admit that it took you half an hour, from 3.5 to 3.35 to deal with this meeting and to read out the speeches, in Court ?-- Yes.

And the meeting itself lasted for four hours ?-- Yes.

(No further questions)

MR. COAKER: NO QUESTIONS.

MR. SLOVO: NO QUESTIONS.

NO RE-EXAMINATION:

JACOB APRIL, duly sworn,

EXAMINED BY P.P. (MR. LIEBENBERG):

Have you already given evidence in this case ?-- Yes.

On 16/5/54, did you attend a meeting that was held in Kwatema Location, Springs ?-- I did.

Did you make notes of speeches delivered at this meeting at the time ?-- I did.

What did you do with your notes ?-- After I had prepared my report I destroyed my notes.

When did you prepare your report ?-- The following morning.

Is this the report that you prepared the next morning ?-- Yes. (Exh. G.19).

Would you say the details of the speeches were fresh in your memory, or had you forgotten them ?-- Very clear at the time, and furthermore I still had my notes with me.

By what organisation was this meeting arranged ?-- It was said African National Congress Youth League.

From when to when did it last ?-- About 12.30 to 3.15 p.m.

Who was the Chairman ?-- Fred Mohlaoli.

What did he say at this meeting?--He said that this was an African National Congress Youth League, and the chief speaker would be the A.N.C. General Secretary, Walter Sisulu. Before Sisulu spoke, the Chairman said that he would first call upon members of the Youth League. He then called No. 2, Saul Mtembu.

And after Saul Mtembu, who spoke ?-- Isaac Morale, of Springs and after Isaac there came Molato of Brakpan location. After Molato there was Florence Rokoane; after was Velli Sidina.

What was his speech about?--He said that Drs. Malan and Verwoerd have no right to control the African children; the Africans are there to control the children. The hostels are tents where farmers should come and get farm labourers. The speaker further said that South Africa is the land of their birth. When the Europeans came to South Africa they brought Christianity and education. The Africans have been progressing ever since. The Bantu Education is only a means to retard the African children." Then Walter Sisulu spoke. He said that the meeting should first look at the flags. The flags are not the A.N.C. flags; both flags are for the youth league. The people of Kwatema are keen. This shows they could start a big A.N.C. organisation. The speaker said that when the Europeans came to South Africa the natives had their own way of education. The traditional education worked well in those days. The Western civilisation which the Africans took from the Europeans also worked well. Today it is easy for an African to go anywhere and express himself with

people who can speak English. The speaker further said that he went to Europe. A person who could not express himself in English would not visit Europe. The Chinese were oppressed and after a long time they got freedom. The Africans are oppressed. There is a time when they will get freedom. It is the duty of the A.N.C. to organise the Africans." The speaker concluded.

Do you know this pamphlet ?-- Yes. (G.20)

Where did you get that pamphlet ?-- I got it at the square at Kwatema where the meeting was held. They were distributed there.

Will you read it ?-- "People of Kwatema come and hear Walter Sisulu and other prominent speakers on Bantu Education Act, Western Areas Removal Scheme, increase in rents; removal of youth to hostels at Freedom Square near bus terminus, Kwatema Township, Springs, on Sunday 16th May at 10 a.m. Come in your thousands. Issued by A.N.C. Youth League. Kwatema."

Was this meeting held at this address described on the pamphlet, Freedom Square, near the bus terminus ?-- Yes.

Do you know this person, Walter Sisulu ?-- I do.

Can you identify him ?-- Yes, I think I can.

Will you do so ?-- (Witness leaves box and identifies Accused No. 70, Walter Sisulu.)

(No further questions.)

CROSS-EXAMINATION RESERVED:

COURT ADJOURNS:

22/2/57.

COURT RESUMES:APPEARANCES AS BEFORE:

MR. BERRANGE: So far as the last witness is concerned, Sir, I have no questions (Jacob April).

BY THE P.P.: I would just like to indicate, Your Worship, that the medical report in respect of No. 114, V. Mini, is still outstanding.

MR. COAKER: With regard to this matter, your Worship, I have here a certificate, but it is not very clear to whom it refers - it refers to Voyosele and the Accused who is missing is V. Mini. I understand he is Voyosele, but perhaps my Learned Friend can tell me whether that is, in fact, his name.

BY THE COURT: What is the number of the Accused?--  
114, Your Worship.

MR. COAKER: 114 is V. Mini.

BY THE P.P.: What is the Christian name of the Accused, Voyosele.

MR. COAKER: This certificate does refer to him, Sir, but it describes him as Voyosele without mentioning his surname. I beg leave to hand it in.

BY THE COURT: Is there any cross-examination of this witness, Mr. Coaker?

MR. COAKER: I have no questions to put.

BY MR. SLOVO: I have no questions to put.

BY THE P.P.: NO RE-EX.

BY MR. COAKER: There is one matter arising out of the last witness, April. I believe his notes have been handed in by consent but I haven't got any notes, or rather his report /  
has been

handed in but I haven't any notes as to whether it has been given a number.

BY THE COURT: The report read by this witness?

BY MR. COAKER: No, by April, by Native Detective .. April. I see it is marked G. 19, so that must be the number assigned to it.

BY THE COURT: G.19, yes. That is the report handed in by April.

THE CROWN CALLS

ISAAC SHARPE, s.s.:

XP. BY THE P.P.: Have you already given evidence in this case? -- I have already given evidence.

And on the 16th May, 1954, did you attend a meeting that was held at the corner of Morris and Victoria Streets, Sophiatown?-- That is correct.

And did you make notes of the speeches delivered at this meeting?-- I did.

And did you make these notes at the time the speeches were delivered?-- That is correct.

Will you look at Exhibit G.18?-- Yes.

It was already handed in yesterday?-- Yes.

Are those the notes that you made of the speeches of this meeting?-- That is correct.

Now, will you refresh your memory from these notes and say by what organization this meeting was convened?-- The meeting was called by the African National Congress.

At what time did it start and at what time did it end?-- The time it started is 11.10 a.m.

BY THE COURT: And ended at what time?-- It is at the back of my notes, I would be able to. I always put the time at

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the back of my notes.

You haven't got the time? You can't say?--

I can't say at this stage.

Who was the Chairman?-- The Chairman was P.Q. Vundhla.

And what did he say?-- We have now opened our meeting. The meeting has been called by the African National Congress to discuss the deprivation of property. As we are meeting today, the Boer in Parliament are discussing the removal of the Western Areas without consulting with you. Foolish Boer are meeting in Parliament only depending on the Police and guns. These foolish Boers of Malan haven't got many followers." There is a word that I can't make out but before that word is written "has big following." "I am talking intentionally in Xosa so that the detectives who are taking notes will not be able to follow me, and understand what I am saying. I have already told you that the Boers in Parliament are discussing and it is quite clear that they are not in agreement. The U.P. and Labour Party disagree with the Nationalists. <sup>If</sup> you can make a difference between two thieves. it is up to you to make that difference. The Nationalists are stealing as well as the U.P. The City Council have sent an deputation to interview Verwoerd, asking that the removal be left to them but Verwoerd refused. There will be a conference to discuss the removal, your delegates"...sorry "You, Detective, shall write it if you can" The second speaker is S. Tyiki. He said "There are men who are not saying "Afrika". Perhaps they think this is a play. This is not a play. This is a big work which is surprising the country

The Boer do not want to see unity among the Africans, among the people. The African National Congress want unity and peace among the people so that all the people shall live in peace. But the Boers are bad people. They not want the people to live in peace. They want that there should be quarrels among us. The African National Congress is taking notice of that. We want peace. The Boer will now down to us, soon. I hate the Boer, I can't help it. I would like the Boer to leave this country soon, because the Boer are not God's people. They are not God's people but they belong to Satan". And, your Worship, there is another word here that I can't make out, I can't decipher it, but just before it, after that word, "They have brought to us a God of robbery. In this country there was no sin. The White Man brought sin into the land. What are you Africans doing when this place is taken from you. The Africans say they are not moving. This is not a play. Soon as the Boer hear that you don't go they get busy and prepare guns. You must never believe a Boer because he is a liar. He can never preach to me. There is no truth in them. They are full of jealousy. Even the Chiefs when they speak on behalf of their people, that Chiefs is branded as a Communist and many have been branded a Communist. I and Vundhla are prepared to be arrested by Malan. We are going to die for others. We are going

to die for our people. The day we are arrested I will see who is a coward. I say we are not going to Meadowlands. Malan will only take our dead bodies. Let us prepare ourselves, not be afraid of the White Man even when he come with his gun. We will throw him with stones. God only selected Moses to lead the children of Israel. He will only select one man to lead the African. Let us look to Iathuli. He is our King. We, the African People, Iathuli said we are not moving from Sophia. The guns will discharge water, not bullets. The A.N.C. is the only organization which is going to liberate all the people in this country, even coloureds. The country belongs to the Africans, the African man. Let us not be afraid to die or to starve or what are we going to whar. I am welcoming the visitors into Sophiatown to fight for freedom for the African". This concludes the speech of the speaker, your Worship. Now the Chairman: "We are now going<sup>to</sup>/go on with our meeting. I am now going to give you Nokwe." The third speaker, your Worship, is P. Nokwe. He commenced by saying "Afrika" three times, your Worship. "Sons and daughters of Africa, I have no words to express<sup>the</sup>/honour<sup>to</sup> given<sup>to</sup>/me this opportunity to address and this is the honour to the youth. In Indo-China has become victorious. Sons and daughters of Vietnam have fought the French. The French use all modern arms. The French has murdered the people of Vietnam assisted by the rich



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American, but the Vietnam is marching to victory. Today the so-called "Eagle Dollars" has run away from Geneva. A month ago we were told that the French were victorious. A week ago we were told that Din Bin Phu has fallen. Why I talk about victory when the meeting is supposed to be for Africans. There are in the world two causes of suppression and freedom. The forces of freedom has been marching from victory to victory. It was said that the sun never sets on the British Empire, today the sun is setting. We know who are our friends and enemies. The stupid statement made by Malan that the atomic bomb is all right, we will die, this was not the first stupid statement made, but the French said while Din Bin Phu was falling-said the French soldiers must go on fighting because they were not only forces" I couldn't get the speech clear there, your Worship, "the forces" - here I could not hear the exact word the speaker said, that is why the sentence is not complete, but the words after the "forces" - "of the masses, of the people, I say the A.N.C." - there is another word which I can't make out, your Worship, the word after that is "oppose Malan".

"Malan says the A.N.C. is responsible for this trouble in the world because I say all the men must be free, we say Malan, Churchill, - another word I can't make out, your Worship - Malan say that we must die /<sup>a</sup> certain time, I say we don't want to die. Dr. Malan - another word, your Worship I can't decipher the word these things in terms of operation. Do Malan say ...

BY THE F.P.: May we have that repeated please?-- The word - Dr. Malan - there is a word in front - is - I can't make out - word "these things, word, word, one word, these

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THINGS in terms of operation, in terms of reaction  
your Worship.

"  
BY THE COURT: In terms of?--- Reaction, must scare  
the people.

"  
BY THE COURT: Scare the people? -- Yes. By getting  
us many police as possible. We say by doing so  
you are creating a seat of rebellious. We say  
build more schools and destroy goals - we say to  
Dr. Malan in the end we will beat you because you  
are going back, backward. The forces of reaction  
are going backward and the forces of freedom are  
going forward. Malan is passing laws because he  
wants to crush the A.N.C. We have told them that their  
barbaric laws can no longer scare the people because  
the African National Congress has instilled defiance  
in the minds of the Africans, African people. Sengu  
tried to emulate the A.N.C. by calling his organization  
Bantu Congress. He was a personal friend of Charles  
- a personal friend of Charles Robert Swart. They have"  
- there is a word I can't decipher, your Worship ,  
"  
"They have" - the word I can't decipher, your Worship, with him  
in the Union Building." I think the word says "let"  
"in the Union Buildings. The Special Branch had tea - "  
No, it is not that, your Worship, "And had tea with  
them - another word which I can't decipher, your Worship.  
Special - I can't make it out, "special brand" - "building "  
and there in a "special brand" had tea with him. He said  
that there is no wrong in South Africa. Only the thing  
which is wrong is the Indian. He has also given a car.

Now they have new technique, to plant their spies to get into the A.N.C. and spread false news so that the people will become - so that the people lose confidence in the leadership of the A.N.C. They want the A.N.C. office to go to the locations. The statement of Lobello last week's Bantu World - has given the Government ground to ban to banish leaders and he has called for a" - another word, your Worship, I can't decipher - "called for - them from the leaderships which means he want the Government to ban more leaders of the African people. You must be ruthless against the provocateurs and spies put into the A.N.C. You must bear that the struggle is not smooth but is full of ups and downs. I warn you that you will find spies and provocateurs . It is a policy that everyone in the A.N.C. should develop with - develop ruthless against the enemies of the A.N.C. I want to give this information to the special branch. We know their techniques. We are not moving from here". That is the end of the speech of this speaker, your Worship. The Chairman: "Ladies and Gentlemen, at this stage I am disturbed by something you don't like. What do you mean by saying 'we are not moving'? There must be some of the things. We have heard what Nokwe said, how spies get into Congress. The Bantu World appears not prepared to attack the Government, but to attack the A.N.C. I must tell them that they are

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playing with fire. The Bantu World is busy pointing out what certain people are doing to enable the Government to take steps against them. Nobody will stop the A.N.C. Malan, the dying man, know that too. Nokwe told you that members of Parliament cannot think. How can they think when their upper body <sup>is</sup> moved. I call upon you to join Congress. Come forward and join Congress. Join in the broad daylight. We want you to join Congress, so that we will be able to control outside Congress. We cannot control you, I want by June to have about ten branches in Sophiatown. Congress tickets what finish people must give their money at the table. Their names taken down. I thank those who have joined Congress. I want also give notice next 27.5.54 the Youth will have their conference at the Trades Hall, 30 Kerk Street. All should have tickets because without tickets nobody will be admitted. This is done to prevent spies going gaining admission like the Bantu World." This concludes the speech of the speaker, your Worship. Now, the fourth speaker, Lillian Ngoyi. "Members of the Executive, Transvaal, said we are not going from here. The first things I thank the Chairman for the honour allowing <sup>me</sup> to speak to you what I want to thank those people who are prepared to work with the A.N.C. I would like to say that those who are who have, just joined the A.N.C., they must realise that they have put upon them a burden, but we want to encourage you, to be aware of those who will come to you and say "Look for Indians and Coloureds". There is another word, your Worship,

(SHARPE)

I can't decipher here." The A.N.C!" - that is the word -  
 "The A.N.C. is for all people" - that is the word that I  
 said I cannot decipher - "The people who bought ground  
 in Sophiatown want this land to be inheritance by their  
 children, to be inheritance to their children. I want  
 to warn you the Government - I've got the word "tenant"  
 there, your Worship." That you will have no houses in  
 Meadowlands because houses are, all houses in Meadowlands  
 are only given to tenants proper. You, the sub-  
 tenants, will be left here to see for yourself. That is the  
 thing that  
 disgraceful, we have Non-European coming to write what  
 we say, the oppressed people. They themselves are also  
 oppressed and Malan had a meeting in Nanceville  
 He said to the Boer that Africa is for the Afrikaners.

BY MR. BERRANGE Could we have that again, Sir? Please repeat  
 from Malan had a meeting? -- Malan had a meeting at  
 Nanceville. He said to the Boers Africa is for the  
 Afrikaners. When you put a stone on it, on a fountain,  
 waters will find its way out we, the African  
 Nationalists are not afraid of death or gaol. We want  
 peace; we want to ask this question: How did other  
 nations get freedom? Ten leaders can be banned and  
 ten others will rise. The Boers formed a unity  
 conference and yet they did not know what is meant  
 by unity. The unity conference excluded the majority  
 workers of this country. A man can be now  
 a coward but when his rights are being taken he makes  
 means to defend it. We, the women, are going to do it.  
 It is nonsense to say that children are going to be

educated under the Bantu Education Act. Malan gave you Bibles, now at the end he is removing you from here. Now, he says that you must not steal but he in turn steals you, steals your wages and went the whole - I want the whole world to look at this place because of Malan. He says that he is going to rise you - to rise your taxes for education of your children." Another word, your Worship, I think it is "unity" but I can't make it out, but he said " must smile under all difficulties."

MR. COAKER: Can we have that sentence again, your Worship, I am afraid I haven't.

BY THE COURT: Read that sentence again?-- That is what I say. I can't make out that word. That new finder ust smile under all difficulties.

Who must smile?-- I think I must read the above sentence from "Education of your children - must smile under all difficulties".

BY THE COURT: I must have that word before "smile"?-- must...

MR. BERRANGE: I <sup>trying</sup> am/ to find out what the word before

"must" is?--- The word may be "under" or "finder"- I can't make it out. There is a unity, I don't know. "The pot, yes that is "the pot",

BY THE COURT: May be it is a reference to the pot and the kettle? --Yes. It is said the wayfare is a duty.

BY THE COURT: What is a duty?--Wayfare.

Welfare? -- Wayfare.

Spell that word?-- W A Y F A R E. "It is to serve the King. What! Damn the King. Where is he now when we are suffering. We are not going to say God save

(SHARPE)

the King but African Anthem. We are going to sing GOD SAVE LUTHULI, because Luthuli is our Jesus. Jesus Christ. Luthuli was called at Pretoria and he was asked to say do he want to remain a Chief of African National Congress leadership. The Boer is nothing after all. He is rubbish or a boy, they are going to spit on him. No Boer will stand in our way. Here in Newclare, and Sophiatown, because we can manage Sophiatown I can't decipher that word - it may be "become" - Sophiatown from becoming".

BY THE COURT: Just read the sentence again?-- Here in Newclare and Sophiatown from becoming - or become" to the manager of Native Affairs Department - N.A.D. - saying that the people who are, who, which, who want shop at Meadowlands must contact him. He is told by Verwoerd to do so. His letter was read by Mfete to show what the Europeans don't - they don't understand.

BY THE P.P.: I am sorry to interrupt?-- No, they call us native...

BY P.P.

BY THE COURT: One moment. I think, you must go back and start again where you read "The Boer is nothing.... or "Luthuli was called to Pretoria and was asked to say whether he wanted the leadership?-- Start from where?

BY THE COURT: From "the Boer is nothing." -- "All the Boers are rubbish. We are going to spit on them. The Boer will stand - no Boer will stand in our way.

BY THE P.P.: And now, will you make sure that you go on from the right page from there?-- "No Boer will stand

(SHARPE)

in my way to freedom. The Boer in Parliament are fast asleep. You see Africans, we can be determined there is nothing can stand before us. When Marx Kotane goes to Parliament they will be so frightened. I am not telling you lies but what I saw in Parliament, they are shivering. Natal say that there is a man who is making guns called Mazambani. They don't know that we have many Mazambani's. We are not going from here." This concludes the speech of this Speaker, your Worship. And now the Chairman. He said here is a letter which is being circularized here in Newclare and Sophiatown from the <sup>Manager of the</sup> N.A.D. saying that people who want shop at Meadowlands must contact him. He is told by Verwoerd to do so. This letter was read by Mfete to show that Europeans don't know, they don't understand us - that is what I tried to convey him, they call us natives, is there anybody, anybody is a native. We are all Africans. The letter says you must be a person who is legally in Johannesburg. Can you understand that. You must first ask permission to be in Africa in your own land. You know a white man what he,.. what he knows, they are Europeans.

BY THE COURT: Just repeat that, will you, the last sentence? --"You in your own land".

No, just go back to the last sentence?--

The white man wants - the white man wants that these  
are  
Europeans/never defeated, never defeated us, but they



(SEARPE)

deceived us by many ways. On Wednesday we are going to discuss the Bantu Education Act. We are not going to allow our children to be given this poison of the Bantu Education Act. All should attend even those who haven't got children. The people are going, the people who are going are giving information to the Government. The day of freedom, they will not know where to go to. These detectives says "Boss" to the white people. I don't call, I don't care. I don't care what the Boer, we want" -

BY THE COURT: "I don't care?"--"I don't care what the Boer - we want to stay. I won't say Baas. I will never say to a Boer that he is a boss. All you should know this Teach your children never to say "Baas" to a Boer. themselves They teach your children to say it -

Repeat that?-- They teach your children...

No, before that?--"A boss, all you should know this, teach your children never to say "Baas" to a Boer because they themselves teach their children to say it. Next Sunday a meeting will be held in Newclare." This is the end of the Chairman's speech. The meeting terminated at 1.45 p.m.

BY THE P.P.: You have mentioned S. Tyiki, P. Nokwe, Lillian Ngoyi. Do you know these persons?-- I do.

Can you identify them?-- Yes.

Will you do so? --WITNESS IDENTIFIES

P. NOKWE, Accused No. 56 and SIMON TYIKI, Accused No. 75.

BY THE P.P.: Your Worship I don't know whether I should allow this to go on. I would like - with the permission

of the Defence to make some announcement to the Court.

BY THE COURT: Just one moment.

MR. BEERANGE: I am certain that any announcement that my Learned Friend will have to make to the Court will always be characterized by fairness, so, whatever it may be, as far as I am concerned, he may make it.

BY THE P.P.: I just want to say that this one person is in hospital, and the witness is not aware of that. He might stand here all day.

BY THE COURT: I have forgotten that. There is no object in asking him to point out the third person - is that Lillian Ngoyi?

BY THE P.P.: Yes. She is the person who is in hospital.

BY THE COURT: She is not here.

BY THE P.P.: Now, did you also make a note in your notebook of persons who attended this meeting?-- Yes.

And what names did you record?-- People seen at this meeting. No. 1, S.W. Ngwendu.

Do you know him?-- I do.

Yes?-- Second: Bennet Magosinjana. Third - Robert Tunzi, Fourth: Fred Madiba, Sixth: Sampie Malupi, Sixth: Wilson Vikale, Seven: Abraham Molwlele, Eight Joseph Matlov Nine:- Harrison Maklona, Ten: Stephen Segale, Eleven: Piet Mabezela, Twelve:- John Mateman, Thirteen: Joseph Motlou, Fourteen Martin Mofeka, Fifteen: Albert Moliti.

Now, do you know S. Ngwendu?-- I do.

Robert Tunzi ?-- I do.

Sampie Malupi?-- I do.

Joseph Matlou? -- I do. He is not here.  
 And can you identify Ngwendu, Malupe, F. Madiba and Robert Tunzi?

BY THE COURT: I did not get that number.

WITNESS IDENTIFIES:

Sampie Malupi - Accused No. 31.

William Ngwendu - Accused No. 53.

Frank Madiba - Accused No. 23.

Robert Tunzi -- Accused No. 76.

BY THE P.P.: That concludes his  
 evidence in chief.

COURT ADJOURNS.

ON-RESUMING:

ISAAC SHARP (Under former oath)

XKD BY MR. BERRANGE:

You told us yesterday that you get everything down which  
 the speakers had said, you remember that?-- That is correct.

Does that also apply to this particular  
 meeting held on the 16th of May, 1954?-- It is correct.

And you also told us yesterday that when  
 speakers used one or other of the African languages, you  
 translated it into English for the purpose of your notes?--  
 Correct.

Did that also apply here-- Correct. Those  
 who spoke in English.

And you told us yesterday that when  
 making these translations into the English language you had  
 done it in grammatical form?-- Correct.

did  
 And tell me /you understand everything that  
 was said by the speakers at this particular meeting on the  
 16th of May, or were there some things said that were above  
 your head?-- I understood all that was said what I have got

in my notes.

You understood everything that was said which you have got in your notes?-- Correct.

I see. Well, perhaps you will help me then to explain to me what certain things meant because I couldn't understand it. I will deal with that, however, in due course. Have you got anything in your notes to indicate in what language the various speakers addressed the meeting?-- I did not put it in my notes, but I do know what language were used.

And you can remember the language used by every speaker at this particular meeting?-- Correct.

And you can remember the language used by every speaker at all meetings which you attended even as much as three years ago?-- I think I will....

Is that your evidence?-- I think I will be able to know what language was spoken at a particular meeting.

I am asking you whether you say that you can remember what language was used by every speaker at every meeting which you <sup>have</sup> attended over the last three years?-- I am not going to commit myself. I say I think I will be able to tell what language were used at these meetings. It is very difficult for me to say unless I have got the notes with me.

Did you at any stage in reporting any meeting ever set out the language which was used in your notes?-- The speeches were made later.

Then you started recording in the language

that had been used?-- Correct.

What made you start doing that later?--

Instructions were given to the effect.

To? --That... we should..

To you?-- Not to me alone.

But to you amongst others?-- I can't understand, I said. The instructions were given not to me particularly but to all.

I see. Who gave those instructions?--

Our superior officers.

Who was that?-- The instruction must come from Maj. Spengler.

But who gave you the instructions. Who conveyed them to you personally?-- Every week we have a different man who is in charge of the duties. He gives instructions.

And did more than one man give you these instructions?-- Yes.

You seem to be a bit doubtful?-- No, I am not doubtful about it.

Well, who were the persons that gave you these instructions?-- The particular Sergeant in charge of the group at that particular week-end.

But give me the name?-- If you want me to give names at random, I will do so.

No, I want you to tell us the truth as far as you can remember it as to who it was that gave these instructions to you, to you personally?-- It may be

Det. Serg. Muller when he is in charge of the duties.

Can you remember?-- Yes, I do remember.

What do you remember?-- That he gave the instructions.

That it was Mr. Muller who gave you the instructions?-- Yes.

You remember that?-- I remember.

Very well?-- Yes.

Without any doubt?-- Without any doubt.

Then why do you say: "it may be Mr. Muller"?--

I don't say it may be I...

You did say it may be?-- When he is on duty, when he is in charge of the duties.

Do you deny that you said it may have been or may be Sergeant Muller. Do you deny that you said that?-- I don't deny that. First I say that I can't say at this particular group who was in charge of that group, when instructions are issued, but Serg. Muller may have given them or the other Sergeant may have given them.

Can you remember Muller giving it?-- I do.

Then why did you say it may be?-- I thought I made it quite clear to you that when I use the word "may" is when I say I can't remember who actually gave instructions at this week and that week, but I say Muller is one of those who gave instructions. He is a Sergeant who was in charge of the duties.

And do you know why it became necessary to give

those instructions?-- I don't know.

Was it not because of the fact that when you were questioned after having recorded a number of speeches in which you did not indicate the language that which was used, you were then unable to remember?-- No.

Was that not the reason for giving these instructions?-- No.

I see. Now, in what language did Tyiki speak?-- Who,

Tyiki? -- Tyiki spoke

In Xosa.

In Xosa?-- Yes.

Which you told us you understand?-- Yes.

Vundhla?-- Vundhla spoke in Xosa and he interpreted with English.

I see. And Vundhla said that this meeting had been called by the African National Congress according to your notes?-- Correct.

Not under the auspices of the African National Congress?-- In my notes I haven't put "auspices", "called" I said/by the African National Congress.

Yesterday you told us that you put "auspices" because it was the same thing, but at this meeting you don't put "auspices"?-- The word auspices or not, it makes no difference to the notes.

I see. I will not embark upon a further examination of you because I am sure you are going to tell me the same thing that you told me yesterday. Now, in making a translation from Xosa into

English, I want to read to you a few of the things that you have recorded and which you read out today. First of all we will deal with Tyiki. "The A.N.C. wants unity and peace so that all the people to live in peace"?-- Yes.

You reckon that is grammatical?-- That is my translation <sup>of</sup> Tyiki - what he said in Xosa.

A grammatical translation?-- Well, I wouldn't say grammatical translation.

But you did say so?-- It is what I translated from Xosa.

You said it is a grammatical translation?-- You said to me that.

I am asking you whether you say so?-- You put that word to me.

Do you mind answering my question and not wasting our time. Do you say that that is a grammatical translation?-- I wouldn't say it is a grammatical translation.

You wouldn't say so. Yesterday you did, of course. "Even when Chiefs speak to other people, that Chiefs is branded as a Communist". Is that a grammatical translation?-- It is correct.

You reckon that is grammatical?-- Yes.

"Even when the Chiefs speak to the other people that Chiefs is branded as a Communist"? -- Chief is branded as a Communist.

"That Chiefs is branded as a Communist" - grammatical?-- Your Worship, when a man speaks in Xosa, it is not an easy thing in the meeting where you not given a chance to think - I just got to write down the best I can.



That is exactly what I want from you. You found it very difficult, didn't you?— Not actually but ..

Well, what is the point of your explanation if you did not find it difficult?— It depends on what the person says,.....

I want to say whether these are the words that were used?— That is the words used.

Or whether they were the words that you have used?— That is the words, ..

With a little bit of invention?— No invention whatsoever,

You say that that is a grammatical translation. Do you or don't you?— I don't.

You don't. Yesterday you did. When you said "When Malan comes with his machine guns we will throw him with stones", Is that a grammatical translation?— That is the translation I have put down in my notes.

You say that that is a grammatical translation?— I deny that.

Hmm? — I deny that.

You deny it. Now, I asked you if you understood everything and one question I haven't understood and seeing that it is you who translated it, I am entitled to ask you to tell us what you meant by it. "Let us not be afraid to die or to starve, or what we are going to wear"?— That is what it actually means what I have put down there.

Did you understand that?— I did.

You did. Well, would you be so good as to help me in my stupidity and just tell me what it means.

I will repeat it to you again. "Let us not be afraid to die or to starve, or what we are going to wear"?-- That means they must not be afraid to die, I don't know actually what he was aiming at, but he was saying that to the people, they must not be afraid to die.

You don't know what he was aiming at, so you didn't understand it altogether?-- I put the words down as it came from the speaker.

Answer my question, you did not understand it altogether?-- I understood what he said.

Even though you say you don't know what he was aiming at?-- I did not know what he was aiming at but I understood what he was saying.

Well then, tell us what he was aiming at?-- I don't say that. I say I understood what he was saying. I don't know what he was aiming at, or driving at.

You draw a distinction between knowing what a man is aiming at and understanding him?-- I just wrote down what the man says.

Do you draw a distinction between what a man is aiming at and understanding him?-- Your...

Do you draw such a distinction, yes or no?-- I do.

You do. Thank you. Now, then, Mr. Nokwe is a man well-known to you? --- Correct.

And I think you will agree that he is an educated man?-- Correct.

He is an Advocate of the Supreme Court?-- Correct.

I see. And in what language did he speak?-- He spoke in English.

(SHARPE)

He spoke in English?-- Yes.

And are you wanting to suggest that that which you have recorded, which I am going to suggest to the Court later <sup>on</sup> / is mostly gibberish, that that which you have recorded is that which was uttered by Mr. Nokwe, the Advocate of the Supreme Court?-- As I understood him.

I can't hear you?-- As I understood him,

May you have misunderstood him?-- No, I say as I understood him.

I am asking you do you say that he used these words as you have recorded them in your notebook?-- Yes.

And those sentences?-- Correct.

Those sentences which are completely incoherent, I will suggest to this Court?-- Correct.

That is the way Mr. Duma Nokwe spoke in English?-- Correct.

When he used the expression: "where these things in terms of reaction must scare these people" - did you understand that?-- I did as he said it...

Did you understand it is my question?-- I understood what he said.

Then will you be so good as to help me by telling me what that sentence means?-- I don't know.

You don't know yet you understood it?-- I understood and I wrote it down.

But you don't know what it means?-- No.

That is how

I see. / you understand. When he said - that is Mr. Nokwe again - Nokwe told you - no, I beg your pardon - that is Vundhla referring to Nokwe. When Vundhla said "Nokwe told you these members of Parliament cannot think, how can they think when the upper body is moved". Did you understand that?-- I put it down as it came from the speaker.

Will you answer my questions?-- I don't understand what he meant.

You don't, I thought you told me when I started my cross-examination that you understood everything that was said. You want to contradict...?--  
However,  
I understood everything that was said, but I don't know what was the aim at. That is what I said to the Court.

Ah! But you see, Sharpe, you told His Worship a moment ago that you didn't understand this?--No, I never said that.

Do you deny that you said less than ten seconds ago that you couldn't understand what is meant ..?-- I deny..

Don't interrupt me...? -- I deny..

Don't interrupt me until I have finished my question. Did you or did you not tell the Court a few moments ago that when Vundhla said "how can they think when the upper body is moved" that you did not understand that. Did you say that or did you not? -- I understood...

BY THE COURT: I think he said he understood it but he does not understand what it means.

BY MR. BERRANGE: Yes, what it means?-- That is what I said.

I see, and when

Lillian Ngoyi spoke and she said "We want to encourage you to beware to those who come to you and say : Look for Indians and Coloureds". Now, in what language did she speak? -- She spoke in English.

She spoke in English. And those are the words she used.

BY THE COURT: I don't think that is a complete sentence.

BY MR. BERRANGE: It was as much as I was able to understand from the witness. Can your Worship assist me?

BY THE COURT: "Look for Indians and Coloureds. The A.N.C. is for all people".

BY MR. BERRANGE: Well, I left out the concluding portion. That is understandable. "We want to encourage you to beware to those who come to you and say: Look for Indians and Coloureds". Are those her exact words?-- These are the exact words, but the sentence is not complete.

Are those the exact words?-- These are the exact words.

You say the sentence is not complete?--  
Correct.

Will you please complete it?-- I can't complete it.

Did you not hear it?-- I told the Court that I couldn't make out from my notes what was the words before these words.

Oh no, you did not, not in this context, Sharpe, not in this context. That is not the time when

you said that you couldn't make out... ?-- I told the Court that there was a portion....

What do you say is incomplete here?-- The words before that. I couldn't make them out.

Hm?-- The words before that. I couldn't make them out.

You didn't make them out?-- No.

BY THE P.P.: I would like to say that the witness at this spot did say that he couldn't make it out. I put a question mark,...

BY THE COURT: Yes. I put a dash just before the word.

BY MR. BERRANGE: Well, if the sentence was incomplete it shows that you did not understand the rest of what you did hear, doesn't it?--It is on my notes, but I couldn't decipher it now, today.

Can you understand it now?-- I understand it, the portion of it as it appeared in my notes, as I read to the Court.

Well, what does it mean, please if you understand it?-- I don't know what it means.

You don't know what it means but you understand it. "It is said wayfare is a duty". Do you remember that?-- I do.

Do you understand it?-- I don't understand it.

I see. I thought you said you understood everything that was said?--No, I told the Court that I understood, but I don't know the meaning of it.

You just said you don't understand it. You can't play with words with me, Sharpe. -- I am not playing with words.

And then, when Vundhla spoke again and said: "What the Whites want is that these Europeans never defeated us." Did you understand that?-- I wrote it down as it came from the speaker.

I never asked you whether you wrote it down...? I asked you whether you understand it, don't let me put my question to you twice?-- I did.

You did...

BY THE COURT: When you say that you understood it, do you mean that you merely understood the word, or do you also understand the sense of the word?-- No, not the sense.

BY MR. BERRANGE: Allright, then we have arrived at this state of affairs. There was a lot said at this meeting at which you understood each individual word, but a lot of what was said was said in such a way that you did not understand the sense of it?-- Not that I did not understand the sense but that I could not catch what the speaker was saying.

You didn't catch what the speaker was saying?-- What the speaker said and I could not catch is not in my notes.

I see. So then there was a lot said that you couldn't catch?--It is correct.

Correct. At this meeting the sort of things which you did not catch might have been a call to the people to be non-violent in their struggle. You may not have caught that?-- I don't know. I could not say what were the words used.

I say, you may not have thought that?-- They are not in my notes.

Do you mind answering my question. Why must I put my question to you three times and more. Do you say that that may have been said and that you did not catch that?-- I would not dispute that.

You would not dispute it. If you had only not disputed it the first time, I wouldn't have to put the question three times. I am coming back to the statement made by Vundhla when he says that "Nokwe told you these Members of Parliament cannot think. How can they think when the upper body is moved." I would like you to tell his Worship whether there is anything in your notes to the effect that Nokwe said anything of the sort.

BY THE COURT: I don't appreciate the question.

BY MR. BERRANGE: Vundhla, according to the witness, is alleged to be talking and alleged to be telling the meeting or repeating to the meeting something that Nokwe is alleged to have said, because, according to the witness it reads in the following way. Vundhla is talking and he says: "Nokwe told you those Members of Parliament cannot think. How can they think when the upper body is moved". Now I am asking the witness whether there is anything in his notes on Nokwe's speech in which those words are included?-- No.

So that is also something you must also have missed in Nokwe's speech?-- Probably.



Probably. And one thing I wasn't clear about, and perhaps you can assist me because, as I say, I seem to understand very little of this. You told us that Vundhla, when he spoke again, said he was very disturbed about something?— It is correct.

Can you please indicate to me what Vundhla was disturbed about?— It is stated in my notes. I can't recollect.

Now, would you please refer to your notes and explain to me in simple language for my edification what he was disturbed about?— I can't say what Vundhla meant when he say that he was disturbed.

Something else that you couldn't...?—  
That is what he said he was disturbed .. to the people.

I see.

BY MR. COAKER: NO QUESTIONS.

BY MR. SLOVO: Have you any independent recollection of this particular gathering, apart from your notes?—  
I do. As soon as I get my notes I have an independent recollection beside my notes.

And from what you remember of this gathering would you say that the majority of the speakers spoke coherently - spoke sense in the technical meaning of the term?— What they spoke?

Your general impression was that at the end of the meeting the people understood what was being said?—  
Correct.

Now would you agree that your version of what the of what the speakers were alleged to have said in large measure makes absolute nonsense?— Well, I wouldn't say that.

You don't agree with that?-- No, I don't agree with that.

You say it makes sense?-- I say it makes sense as far as my notes are concerned, except where I couldn't make it quite clear.

You say that those portions in Nckwe's speech which have been referred to by Mr. Berrangé, make sense. It is not nonsense? -- It is not nonsense.

And the people understood that?-- They understood.

And that is what was said?-- Yes.

And you don't understand it?-- I say I understood but I did not know the meaning, that is what I told I told the Court.

You did not know the meaning?-- Yes. I understood what was said.

MR. SLCVG: NO FURTHER QUESTIONS.

BY THE P.P.: I would like you to refer to page 57 of your notes and particularly this passage to which your attention was directed just now reading something like "Nokwe told you that those Members of Parliament cannot think. How can they think when their upper body is...what? Have you found the passage?-- I am just trying to get to that .....

It is a few lines before Lillian Ngoyi's speech on page 57. About the middle of the page. Will you start reading somewhere?

BY MR. BERRANGE: I have no objection to my Learned Friend's criticism....

BY THE P.P.: I would like him to look at the word...

BY THE COURT: Have you got the passage. Just read that passage again. -- "Those Members of Parliament cannot think.

How can they think when their upper body is moved".

"Is moved", is that the word -  
"moved".

BY THE COURT: Will you spell it?— It may not be "moved".

BY THE P.P.: Will you underline it, I would like his  
Worship to see it. Will you underline the word. Have  
you a pencil there. I would like your Worship to  
see the word.

BY THE COURT: I think I can recognise the word as "wood".  
W O O D. And the Upper Body<sup>probably</sup> that applies to the Senate.

BY MR. BERRANGE: I suppose it really should be "dead  
wood".

BY THE COURT: No, but have a look at that again. Is  
that word not 'wood' - w o o d?— I think it is wood - that  
the upper body is wood.

Are you satisfied now that the word is "wood"  
and not "wool"?— Yes, I am quite satisfied... "when the  
upper body is wood."

BY THE P.P.: He will deal with the next meeting again

Now, on the 6th of June, 1954, did  
you also attend the meeting that was held at the corner  
of Bevan and Hamilton Streets, Newclare?— Correct.

Did you make notes of the speeches of the  
speakers at this meeting? — I did.

And will you refer to the notes that you made  
at this meeting?— Yes.

And say by what organization this  
meeting was called?—The meeting was called by the  
African National Congress.

When did it start and when did it close?— I  
cant catch the word.

When did the meeting start, how long did it last?— The meeting started at 10.45 a.m.

BY THE COURT: And it closed at what time?— 2.10 p.m.

BY THE P.P.: Who was the Chairman?— The Chairman was Bennet Seitschiro.

Spell it?— S E I T S C H I R O.

Yes. Did you record his speech?— I did.

What did he say?— He said the meeting has been called by the A.N.C. to discuss the removal and education. "I am going to carry on until the Chairman of the meeting comes". Now the speaker, your Worship, after the Chairman which I have record down here as a second speaker, is Esrom Moele.

Yes. What did he say?— He said: "Mr. Chairman of the gathering, I am glad that I am given this opportunity to speak to you. I am going to speak about education of our children.

Yes. And who was the speaker/<sup>after him?—</sup>— The Chairman spoke after he commenced on what this man said.

Yes, and after the Chairman again?— Sampie Malupi.

What did he say?— He was the third speaker. He said "Mr. Chairman and the audience, I feel hurt to see that few people ....are few at this meeting. The African are a different people. They not listen to you until the danger is visible. The battle we are fighting today is a serious battle, We have here ... we have never had before. Before Congress started this battle in 1912, the Congress must

tell Malan that he is a visitor. The African own the land. They are people who say they want freedom and yet they don't know what is freedom. Can you tell a man to believe you when he is hungry and you full. . . . Some people call Verwoerd Minister of N.A.D. Who elected him to be Minister of N.A.D. I say he is not a Minister of N.A.D. but a robber. They gave us education today ... They gave us education. Today they are taking it away. Today they say "Die hond speel die mondfluitjie en die baas dans", that is why they are.....

BY THE COURT: Just repeat the last sentence please. "Die hond speel die mondfluitjie"— "Die hond speel die mondfluitjie en die baas dans". That is why they are taking away the education from us. We are not going to Church until we get our freedom." This concludes the speech of the speaker. Then the Chairman: Chairman "Ladies and gentlemen, this meeting is going to be a nice meeting because we are going to discuss the education of our children. I am going to give you speaker who is going to discuss the education question. Tyiki, the next speaker. Member of the Regional Committee who have called this meeting. The third speaker is Simon Tyiki. He said "I am also going .. I am going to do unusual things which is done to Africa, which is done, Afrika, Afrika.... "

BY THE COURT: Just repeat that. "I am going to do unusual things.."— I am going to do unusual things , which is done. Afrika. Afrika. The first thing I want to know if all the

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persons present here are members of Congress. The reason I ask, I am asking is this that we want to speak to people who are under oppression because we have people who think that they are clever and some think they are highly educated. There is nothing new. I am going to tell you education made us to see that the European steal our country. What retarded the progress of the A.N.C. is because if a man is highly educated in the leadership of the ANC, was told not to speak in this or that manner because it was said he was educated and he must not to speak like this, like the others. Malan would appear. He is sent by God, in order to unite the Africans. God, today has sent Luthuli, having in him, in his possession the staff of Moses to liberate the Africans. I know that even if I am arrested, I will be with Luthuli in gaol. Africans, South Africa let us show Malan that he will not have power over God. Malan is out to destroy the Africans, African generation to come. The Europeans brought with them the tsotsisim...

Tsotsisim...Tsotsiism, yes?--Tsotsiism was unknown amongst the Africans. The Boer are afraid that education is going to make the African better than them. Let us fight for our education, by our bodies and souls. Let them take our rights when we are dead. Your children are sold to the Boers in Bethal, a "kaffir" - what is called a "kaffir", is treated worse than a horse." Your Worship, there is a word like "I now refused to be preached" and I now refuse to be preached by a white man.

BY THE COURT: And I now....?-- refuse to be preached by a white man, not knowing who is god, what example we get

from the white man. Is there a Minister of Religion or a teacher present. They are absent because they are afraid that they are going to lose their livelihood. Such people are known to the African people. Let us look down upon them. Let us look down upon the Police. Let us take them like rubbish. Let a person do a different work - differences of work than to sell these people like the Police. People who are not here are people who have brought up children"- but the word, your Worship, I am not quite certain if it is "here" - "children, not knowing for what purpose. I think it is "bad children", your Worship,"are people who brought up children, not knowing ..

BY THE COURT: Just repeat that sentence again... ?—

" People who are not bearing children are people who have brought up children not knowing for what purpose. I am now going to discuss education, but I am not educated.

BY THE P.P.: Are you reading on the page following the previous one?— I beg your pardon.

BY THE COURT: Have you got the right page which followed the last one?— I am sorry, I am reading the wrong one. Instead of turning the page from page 103 to page 104...

Start from the end of the last page and continue.....?— "Let the person do a different piece of work than to sell his people, like the Police. There are people who say : "What can you do to the white people. They have been blessed by God. How can God bless a thief." That concludes the speech of Tyiki. Now comes the Chairman.

He said. "I must thank Mr. Tyiki speech. People must join Congress because Sunday after next Sunday we are going to have a conference at the W.N.T. No one without a ticket will be admitted. Let the people visit people in their houses." There is a word I can't decipher. It says something about "membership for congress." Now comes the 6th speaker, your Worship, G. Sibande.

He said: "I thank you, Africans this opportunity. The Africans are in difficulty.. a difficult time. Our children...

BY THE COURT: Will you repeat that - Africans?-- You Africans, the opportunity....

Just repeat the sentence?-- I thank you, Africans this opportunity. Africans have a difficult time. Our children"- your Worship, it can be "sin" "That is the present time, a very difficult time. People who are bear"- I can't make out that word -"are people who have brought up children not knowing for what purpose. I am now going to discuss education, but I am not educated. At Bethal only prisons are being built but no schools, Verwoerd has seen that despite the poor education given to Africans they are going forward. They are determined, they are alarmed that , they have alarmed Verwoerd. Even the present education was not good, We want it removed and education improved. But in the midst" - there is a word before "education" I can't make out -"If we want to go forward - Dr. Verwoerd



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say that the African have no...

BY MR. COAKER: Can we have that again, Sir, I am afraid I have not been able to follow this last sentence at all.

BY THE COURT: Just repeat the last sentence?-- The last sentence, that is "in the midst of education it will want forward"-- there is a word that I can't make out. Forward.. Dr. Verwoerd say that the Africans were no longer afraid for the white man, so he saw that something must be done, but we can tell Verwoerd that he will never succeed. I think he is afraid to think. There is no longer Africans who are afraid of the white man. This is a sign of the times. The education they want to give us is to enable us to know who is the white man, that is all. We must reap the riches of our land. When van Riebeeck came here, we gave him cattle, land to plough and also wives... but he then ... but what he then done... what a lion did to one who help him. The teachers are assisting Verwoerd to destroy the education of our children. We can lead this heathens. Our children will not visit our graves. When a white man says to you you are a good boy" he means "you are a good fool" which means in other words "You are a Communist". The time to be a good boy to the white man is ended. All those who go with Verwoerd, we will put them aside. I am now coming to the end - to the removal. When the white man started to preach to us, he used to tell us a verse which say "Fear those who are above you", meaning the white man.

Do they think they can teach us? - there is another word I can't make out - treat us the same - I don't make it out. - they can teach us, tell us to come Sunday - I can't make out that word - I put a question mark, it means I could not catch the word properly. When we can read the Bible better than that, we understand all which we heard in buying this properties. When they were discussing the removal they did not think of calling the people - another word I can't make out - then the Cabinet decided that the Western Areas must be removed to Meadowlands. They then also decided to form Cheesa Cheesa organisations, and these Cheesa Cheesa came about after the Western Areas Commission made the reports to the Cabinet. I saw the result of the Cheesa Cheesa.....

BY MR. COAKER:

I wonder if the witness could go back and start again from "When the Cabinet decided the Western areas must be removed to Meadowlands"?

<sup>q</sup>  
BY THE COURT: Will you read again from "When the Cabinet decided that the Western Areas must be removed"? --  
I am just looking for the word Cabinet. It is the word I say I couldn't catch. I think "calling the people who is the owners of the people - then the Cabinet decided that the Western Areas must be removed to Meadowlands. They then also decided to form Cheesa Cheesa organisations and

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