

REQUEST FOR FURTHER PARTICULARS.

SACHS 3/11

R. v. SYNOD MADLEBE & OTHERS.

The following further particulars to the charge in the abovementioned matter are requested:-

- 1) In relation to each accused:  
In what manner is it alleged that he associated himself with the alleged unlawful campaign?
- 2) (a) Where and when and at approximately what time and place did the alleged gatherings take place?  
(b) Which of the accused were associated with each gathering and in what manner?  
(c) Copies of the documents referred to are required.

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF CAPE PROVINCE

Holden of Cape Town

In the matter of

REGINA

VERSUS

SYDNEY MADLERS AND OTHERS

FURTHER PARTICULARS.

BE PLEASED TO TAKE NOTICE that the following further particulars to the charge sheet in the above matter are herewith supplied in response to the Request for Further Particulars:-

I. Id paragraph 1.

It is alleged that the names of the persons noted in the Schedule hereto under the heading "Speakers" did address the various meetings listed in the said Schedule to the general effect set out in annexures "C" to "BB" to the said Schedule. Furthermore it is alleged that the said accused the one or the other or all of them, did assist in the alleged unlawful campaign by taking part in the various Pan-Africanist Congress Committees, and in their deliberations and by acting as alleged in the Charge sheet, all in furtherance of the alleged unlawful campaign.

II. Id paragraphs 2 (a) and (b)

The places, dates and times of the alleged gatherings are set out in the attached Schedule read with annexures "C" to "BB" thereto together with information as to which of the said accused were allegedly present at each of the alleged gatherings. The manner in which the said accused are alleged to have associated themselves with the gathering is by making speeches and by acting in furtherance of the alleged common purpose between such accused and other persons who were either present at the said meetings or who were associated with the alleged campaign against the said laws

III/.....

III. Ad paragraph 2 (c)

Copies of the documents referred to are not furnished inasmuch as they amount to evidence and will be produced to Court at an early stage to enable Counsel for the Defence to peruse same.

IV. In order to assist the Court and Counsel for the Defence, the Crown annexes hereto

(a) List of proposed exhibits with supplementary list thereto

(b) List of accused persons. This list is attached only to the Defence copy, but a further copy is available should the Court require same.

This action is subject to the condition that it be not construed as forming any part of the Charge Sheet or Further Particulars thereto

Dated at CAPE TOWN this 1st day of June, 1960

P. ALTON CUPP  
SENIOR PUBLIC PROSECUTOR

TO:

Adv. A.I. Sachs  
Defence Counsel

AND

The Clerk of the Regional Court,  
CAPE TOWN.

SCHEDULE TO FURTHER PARTICULARS.

DETAILS OF  
MEETINGS.

SPEAKERS

- (a) PLACE  
(b) DATE  
(c) TIME

"C"	Nyanga Football Ground 3rd May, 1959 3 p.m. - 6 p.m.	1. C. Kolokoti 3. E. Kagwentahe 5. A. Matross 7. T. Seedibuyano	2. D. Phajane 4. F. Faluka 6. A. Gaberone 8. I. Kobona
"D"	Transit Camp Nyanga 5th July, 1959 3 p.m.	1. C. Kolokoti 3. A. Matross 5. D. Phajane 7. I. Kobona	2. A. Gaberone 4. T. Seedibuyano 6. E. Kagwentahe
"E"	Nyanga Sportsfield 2nd August, 1959 12.30 p.m. to 3.30 p.m.	1. C. Kolokoti 3. L. Sgwaba 5. A. Faluka 7. B. Siboto	2. I. Kobona 4. S. Madlebe 6. L. Kestaini 8. A. Matross
"F"	Shunge Square, Langa 11th October, 1959 3 p.m.	1. E. Kagwentahe 3. D. Phajane 5. L. Kestaini 7. F. Phusa 9. C. Kolokoti	2. G. Mhiso 4. A. Seronge 6. A. Matross 8. L. Sgwaba
"G"	Nyanga Reef 25th October, 1959 3 p.m. to 6 p.m.	1. L. Sgwaba 3. A. Matross 5. C. Kolokoti	2. A. Mampo 4. I. Kobona
"H"	Langa 1st November, 1959 3.15 p.m.	1. E. Kagwentahe 3. I. Kobona 5. S. Madlebe 7. F. Shaba	2. F. Shusa 4. G. Mhiso 6. A. Matross
"J"	Nyanga Sportground 17th January, 1960 2.45 p.m. to 6 p.m.	1. A. Matross 3. A. Mampo 5. E. Njingo	2. A. Gaberone 4. D. Phajane 6. C. Kolokoti
"K"	Shunge Square, Langa 14th February, 1960 1 p.m. to 4.30 p.m.	1. G. Mhiso 3. A. Matross	2. C. Kolokoti 4. F. Phusa
"L"	Nyanga Reef 21st February, 1960. 3 p.m. to 6 p.m.	1. S. Madlebe 3. A. Matross 5. F. Phusa 7. I. Kobona	2. C. Kolokoti 4. L. Sgwaba 6. E. Kagwentahe
"M"	Transfontain Nyanga 28th February, 1960 3.30 p.m.	1. C. Kolokoti 3. A. Gaberone 5. E. Kagwentahe 7. I. Kobona	2. G. Mhiso 4. F. Phusa 6. T. Seedibuyano
"N"	Seaflats Langa 28th February, 1960 1.15 p.m. - 1.45 p.m.	1. C. Kolokoti	2. A. Matross

DETAILS OF MEETINGS

SPEAKERS

- (a) PLACE
- (b) DATE
- (c) TIME

"0"	Nyanga 28th February 1960	1. C. Solokoti 2. A. Matross
"P"	12th Avenue, Windersere 5th March, 1960	1. S. Madlebe 3. D. Nanto 5. A. Dula 2. P. Bonale 4. J. Fochasi
"Q"	Makana Square, Longa 5th March, 1960 2.30 p.m. to 6.30 p.m.	1. S. Shaba 3. G. Mllovu 5. F. Mibongo 7. E. Mqwentshu 2. D. Siboto 4. S. Mqwentshu 6. N. Solokoti
"R"	New Flats, Longa 6th March, 1960 10.30 a.m. to 1.00 p.m.	1. G. Mllovu 3. A. Mqobolwana 2. L. Mzolene 4. E. Mqwentshu
"G"	Nyanga East 6th March, 1960 3.10 p.m. to 6.35 p.m.	1. A. Matross 3. E. Solokoti 5. F. Seedibuyane 2. D. Mhahane 4. A. Gaborone
"T"	Nyanga East 6th March, 1960 3.00 p.m. to 6.30 p.m.	1. S. Madlebe 3. E. Mqwen 5. F. Mhase 2. A. Dula 4. P. Bonale 6. L. Mqwen
"B"	East Location, Forecaster 13th March, 1960	1. G. Mllovu 3. A. Gaborone 5. F. Mhase 2. E. Mqwentshu 4. E. Mqwen
"V"	Cochet Street, Athlone 13th March, 1960 3.40 p.m.	1. L. Masisini 2. S. Madlebe
"F"	Grand Parade, Cape Town 17th March, 1960 1.15 p.m. to 1.45 p.m.	1. G. Mllovu 3. D. Mhahane 2. E. Mqwen
"X"	Nyanga East 20th March, 1960 3.10 p.m. to 6.00 p.m.	1. S. Madlebe 3. L. Mqwen 2. F. Kgosane 4. E. Mqwen
"Y"	12th Avenue, 4th Street Windersere 11 a.m. 20/3/60	1. S. Madlebe 3. J. Solani 2. A. Dula 4. E. Fochasi
"Z"	Secklorsdrif, Nyanga East 20th March, 1960 2.50 p.m.	1. A. Matross 3. A. Solokoti 5. C. Solokoti 2. D. Mhahane 4. A. Gaborone
"AA"	Mwanga Square, Longa 20th March, 1960 2.30 p.m. to 6.15 p.m.	1. F. Kgosane 3. N. Shaba 5. F. Mibongo 2. G. Mllovu 4. D. Siboto 6. E. Mqwentshu
"AB"	New Flats, Longa 20th March, 1960 START 10.30 a.m. to 2.00 p.m.	1. G. Mllovu 3. E. Mqwentshu 2. L. Mzolene 4. C. Solola

*Handwritten signature and date: 20/3/60*

Dups (Not boxes),<sup>but</sup>

EXHIBITS

1. Pan-Africanist Congress membership card in favour of Isaac Mqwenkhe
2. Receipt from Pan-Africanist acknowledging receipt of K.L.S.G. from Isaac Mqwenkhe
3. Pan-Africanist Congress membership card in favour of Christopher Siskoff
4. Two letters dated 28th February, 1960 addressed to African National Congress
5. Donation collection sheet in favour of Beneliat Edibongo
6. Notes found in possession of Phillip Kgosane by D/H/Cat. Pienaar
7. Copy of "The Africanist" issue of February-March, 1960.
8. Copies of Pan-Africanist Congress Constitution and Manifesto
9. Pamphlets found in possession of Phillip Kgosane by D/H/Cat Pienaar
10. Four envelopes with letters therein found in possession of Phillip Kgosane by D/H/Cat. Pienaar.
11. Donation collection sheet in favour of Ben Siboto
12. Pamphlet "Final Instructions"
13. Pan-Africanist Congress membership card in favour of L. Mqomo
14. Pamphlet "Passes Must Go Now"
15. Two pamphlets "Passes must go now"
16. Letter dated 10th February, 1960 signed by A. Mape as Regional Vice Secretary.
17. Letter dated 21st January, 1960, dealing with "positive programme against the Pass Laws"
18. Copy of "The Africanist" issue February-March, 1960
19. Pamphlet "Siyithile - we have come"
20. Letter dated 18th March, 1960, confirming executive positions
21. Pan-Africanist Congress membership card in favour of S. Ndlovu
22. Letter from Secretary, Pan-Africanist Congress. Longe
23. Pamphlet "Final Instructions"
24. Donation Collection sheet found in possession of Allen Dula
25. Letter dated 4th February, 1960 signed by P. Kgosane
26. Letter dated 20th December, 1959, signed by L.F. Kgosane as Regional Secretary
27. Letter dated 22nd January, 1960 from National Secretary, PAC
28. Letter dated 21st January, 1960 found in possession of C. Siskoff
29. Notebook found in possession of Abel Gaborone
30. Annual Report of PAC, Bopane Branch
31. Letter dated 16/3/60 confirming executive positions
32. Envelope addressed to "Mr. Mape"
33. Draft letter to "Cape Argus" by A. Siskoff
34. PAC membership card in favour of A. Siskoff
35. Receipt from PAC in favour of S.A. Siskoff
36. Book found in possession of A. Siskoff
37. Three pamphlets "calling the Nation"

Some of the exhibits in this case, including the affidavits, exhibits, etc. were not in the possession of the State but in the possession of the particular exhibit. Proof of such finding will be adduced in court.

SUPPLEMENTARY EXHIBITS.

- 39 Copy of P.A.C. Disciplinary Code
- 40 Copy of the Constitution of P.A.C.
- 41 Copy of the Constitution of P.A.C. together with copy of the Manifesto of the Africanist movement
- 42 Copy of the Constitution of P.A.C.
- 43 Copy of report of National Executive Committee of P.A.C. to the first Annual National Conference of that body

ANNEXURE "A"

1.	Synod HADLESE	: 8th Ave Windersere. 44 years. Labourer
2.	Abel GABORONE	: 625A, Nyanga East. 30 years. Labourer
3.	J Casson MOKOFO	: 19 Jungle Walk, Langa. 29 years. "
4.	Elliot MACHENTSHU	: Room 18, Zone 14, Langa. 25 years "
5.	Stilton MATSINA	: 8.7, Nyanga East. 27 yrs. Labourer
6.	Phillip KOSAN	: Room 3, Block C, Langa. 23 yrs. Student
7.	Laurence MOSEBI	: 515 Nyanga East. 40 years. Labourer
8.	Diego PHAJIE	: 180 Single Quarters, Nyanga East. 32 years. Labourer
9.	Maxwell MOKOTI	: Room 10, Zone 6, Langa. 25 yrs. Labourer
10.	Inogh MAFWA	: 346 Nyanga East. 23 yrs. Labourer
11.	Spoliffe MUGA	: 2511 Nyanga East. 40 yrs. Lab.
12.	Soroon SHUBA	: 14 Sondi Ave Langa. 36 yrs. Lab.
13.	Benning MOKALI	: 11th Ave, 4th St. Kensington 32 yrs. Lab.
14.	Alfred MAFPE	: 2330 Nyanga. 22 yrs. Lab.
15.	Laurence MABISINI	: 4 Seaforth Steep, Athlone. 33 yrs. Lab.
16.	Peter MOKALI	: Salopane Ave off 8th Ave, Windersere. 35 years. Lab.
17.	Twelve Seedubea MAFAPULEA	: 1120 Nyanga. 36 yrs. Labourer
18.	Wilson Mibongo MABETSI	: 21 Sokech Ave Langa. 22 yrs. Lab.
19.	Ashton MJOZOFANA	: Block 14B Langa. 25 yrs. Lab.
20.	John SIMANGA	: 15 Nyanga East. 41 yrs. Lab
21.	Ladobe MILEPE	: Room 18, Block B Langa 41 yrs. Lab
22.	Caleb MASE	: 42 Sondi Ave Langa. 50 yrs. Lab.
23.	Algenon SIKILI	: 56 Browns Camp Nyanga 48 yrs Lab.
24.	Abel <del>MOKALI</del> MOKALE	: Room 57, Flat C Langa 39 yrs. Lab.
25.	Christopher MOKOTI	: E.17(a) Nyanga 34 yrs Lab
26.	Donald MUYO	: E 2222 Nyanga East 26 yrs. Lab.
27.	Anoa MATROSS	: 1120 Transit Camp Nyanga East 39 yrs Lab
28.	Simon MACHENTSHU	: Zone 5, Room 43, Langa 31 yrs Lab.
29.	Edron MODOZA	: 675 Nyanga East 46 yrs Lab.
30.	Ben Siboto	: 6 E Rubusana Ave Langa 26 yrs Lab.
31.	Alan Dule	



In the matter between

REGINA

versus SYDOR MADLEBE & OTHERS

FURTHER PARTICULARS

In relation to paragraph 1 of the Request for Further Particulars, the following further information is supplied:-

1. SYDOR MADLEBE

EXHIBIT NO.

INFERENCE SOUGHT TO BE DRAWN

14

To show campaign against the pass laws

15

To show campaign against the pass laws

16

To show membership & active participation in PAC

17

To show that Madlebe was involved in distribution of documents and that campaign was planned

18

To show campaign against the pass laws

19

To show the scope of the campaign

20 & 31

To show membership of PAC

2. ABEL GABERONI

EXHIBIT NO.

INFERENCE SOUGHT TO BE DRAWN

3 ✓

To show membership in PAC

20 & 31 ✓

To show membership in PAC Committee

30 ✓

To show executive positions of A. Gaberoni

3. GABSON NDLORU

21 ✓

To show membership in PAC

22 ✓

To show common purpose in meetings

29 ✓

To show position in Committee of PAC

4. ELLIOT MACHENYERU

21 ✓

To show position as Secretary

22 ✓

To show position as Secretary

5. HILTON NYANA

20 & 31 ✓

To show membership in PAC Committee

32 ✓

To show link with Regional Committee

6. PHILLIP KOSARA

5

To show position as Regional Secretary

6

To show knowledge of campaign

7

To show campaign against pass laws

8

To show objects of PAC

9

To show cases cases in distribution etc of pamphlets

10

To show position as Regional Sec.

11

To show complicity in campaign

12 25

To show objects of PAC

12 26

To show executive position

14

7. LAWRENCE MUKERRI

20 & 31

26

27

To show executive position

To show quondam position as Regional Secretary

To show position as Regional Secretary

8. DIAGO MUAJARI

20 & 31

30

To show executive position in PAC

To show executive position.

9. BROCK MUYA

13

To show membership in PAC

10. WYCLIFF MUYA

20 & 31

To show executive position in PAC

11. NORRIE MUYA

20 & 31

To show executive positions in PAC

12. ALFRED MUYA

XXXXXXXX 16

29

To show position as Regional Vice-Sec.

To show executive position in PAC

13. LAWRENCE MURININI

20 & 31

To show executive positions in PAC

14. PETER MURILI

20 & 31

To show executive positions in PAC

15. K. MURIBONGO MURITSI

5

To show membership in and assistance to the affairs of PAC

20 & 31

To show executive positions in PAC

16. LAUREN MURILE

20 & 31

To show exec. positions in PAC

17. ALGERNON MURITI

30 ✓

33 ✓

35 ✓

36 ✓

To show exec. positions in PAC

To show pending attack against p case la

To show that Muriti was an active member of PAC

To show knowledge of various committee meetings of PAC

18. CHRISTOPHER MURIKOTI

3

4

16

27

28

29 & 30

To show membership in PAC

To show complicity in anti-pass campaign

To show knowledge of meetings of committees

To show knowledge of campaign

To show complicity of knowledge

To show exec. position.

19 ABRAHAM KATROSH

20, 30, 31

To show exec. positions in PAC

20 SIMON HAOVENTSHU

1

To show membership in PAC

2

To show continued participation in PAC

21 KEURON HOSOKA

29 & 30

To show exec position in PAC

22 RAE SIBOTO

1

To show position as Secretary

11

To show active participation in affairs of PAC

20 & 31

To show exec. position in PAC

23 ALLAN BOLA

16

To show participation in PAC

23

To show connection with campaign

24

To show collection for PAC and membership thereof

1st June, 1960

F. ALTON CUFF

SERICE PUBLIC PROSECUTORE