

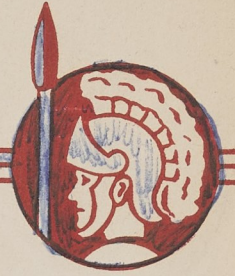
R.v. Madlebe & Ors.

Adv. A.L. Sachs,
1009 Utilitas,
1 Dorp St.,
CAPE TOWN.

MCH41-45-1-10 ph. 2-1272.

72.

CENTURION



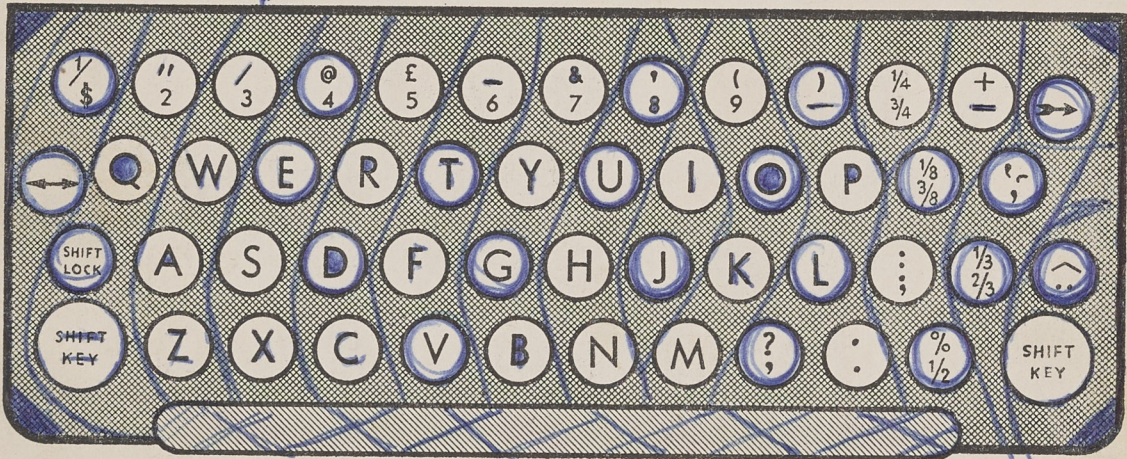
S.H. WHITE:

Ic.	1
Xxd. No 6	1-2
— 18	2-3
— 7,	3
— 1,	3
— 25,	3-4
— 15	4.
Re X? (23/11/60)	5-8

SACHS 31/14/6

TYPING PAD

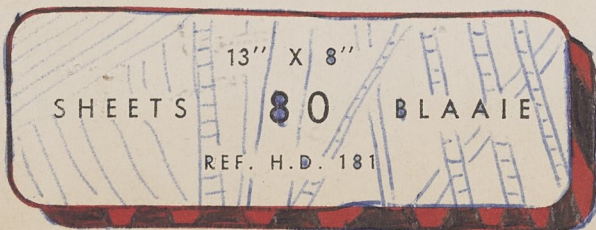
Xxd. S.S.? (cont?) 8



+ 3 pages
of other?
At dat
back

TIKSKRIFBLOK

{ 70 No. 2 (Specimen)
with page done }



MANUFACTURED BY: VERVAARDIG-DEUR EVELYN HADDON & CO., LTD. CAPE TOWN/KAAPSTAD

Samuel Hendrik White:

Det. Constable SA attached to Security Branch, C.T.I.
28/2/60 I was on duty at a meeting held at

Nyanga Loc. Held under auspices of PAC.
Started at approx. 3.30. There were a no. of
speakers. Only 1 - Obus. Mlokoti spoke -
English at times. His speech was mostly in a
Native language which I did not understand. I took
it down in shorthand. Accd. No. 25. I later
transcribed them & had them typed - into English.

This copy is a true & correct transcript of my notes.
Exh. "H" (Annexure "M") (Mlokoti).

Major portion - in Native language. The English
was interspersed - it seemed as if he were
interpreting ^{part of} his own speech. I couldn't say whether
this interpretation was a correct interpretation of his
native language. I transcribed the notes the following
day. The events in my mind were still fairly fresh.
I made no attention to the notes.
It might have been necessary to make erasures - they would
be done at the meeting.

Keel. ~~Exh.~~ Accd. NO. 6:

His speech was in a native language, but he interspersed with
the remarks in English which I took down. Interpretation - appeared
to be not of his whole speech. I took down all he said in English.
Merely a fraction of the whole speech. I was not alone taking notes.
Nat. Det. Sekame assisted me and, I think, Jubase. I know it was
Sekame. I don't know what they took down - they were there to
take down what was said in a Native language which I did not
understand. We did not compare notes. Mine were in shorthand -
they did not read it. There is a page started & not completed.
I have not indicated where & how started. I've been in the Special
Branch since its inception. I have been attending meetings of a like
nature for about 32 years. In circumstances I have the power of arrest.

Mloboti was taken into custody after making this speech. I had nothing to do with that. I don't know why he was arrested. I think it he was arrested in connection. At that time I thought his speech was incoherent. I had attended a meeting just prior to that & thought the situation so explosive that I reported to a superior officer. I had had many years experience of such meetings - at a meeting held that morning in Langa I felt a charge - the situation I felt it necessary to advise my superiors of this position. It is my duty to report my impressions I might get from meetings such as these. The general tenseness at the meeting, the attitude by speakers & the nature of the speeches made me feel - was explosive. That afternoon only Mloboti was taken into custody. He had also spoken at a previous meeting. As far as I can recollect he was the first speaker at this meeting. There were quite a number of speakers, the tenseness continued throughout. The size of the crowd varied from time to time - at commencement there could have been 150 - 200; grew later to ± 300. I took down every word Mr. Mloboti said in English. There is no mistake in what I have taken down. I think the people Mr. Mloboti addressed understood him. All the speakers did not mix up the languages as Mr. Mloboti did. Only Mr. Mloboti mixed the languages. I remained at the meeting until the close. I had been to 1 PAC meeting earlier the same day at Langa. I did not take notes at that meeting. Mr. Mloboti was a speaker there. At the earlier meeting he also mixed the languages - more or less as in the afternoon. I was caught unprepared - is unusual - speak in English. For a long time he spoke in Xhosa. Later seemed to translate part of his speech into English. I immediately know no Xhosa. Used "Russia" - China - in Xhosa. Immediately afterwards used in English.

Tue. Dec. 18: I say this meeting was a PAC one because at the completion of the meeting at Langa it was announced that the PAC was proceeding to Nyanga to complete the meeting there. I knew Mloboti - because he had spoken at the previous meeting & been pointed out to me by member of the Special Branch. It is difficult to say how long he addressed the meeting. I took my notes home. I probably left the notes in the sabbath school of the car in which I travelled. My wife and I at home - occasionally my grandchildren. I took notebook to the office the following day. I typed it out as it is here. I took down word for word what he said in English. I was concentrating on that. I know there was a campaign on to get the people to go to police station, surrender themselves, refuse bail or fines. I gathered that that was part of the campaign in progress. I took it that people should not carry passes from 28th. There were 2 Nat. Detectives with me, who also took notes. I doubt whether what I took & they took would be the same - they were writing in longhand. I don't know how much they got of the speeches. The notes of the Nat. Dets. might be quite different.

English 1 3

from mine - I don't know. They took down Xhosa. I don't know if they took English as well. The officer who took Mlohoti into custody spoke to me about it. He asked if I had taken down what had been said by Mlohoti. He told me ~~what~~ he would be arrested. I did not think at the time I would have arrested him, but I intended taking action against him. I would submit my report - it would be for H.B. to decide whether to prosecute. In any case my notes would be submitted to my superiors. In my opinion in his speech there was incitement - would have prompted me to take steps. I merely took down what I heard. I did not speak to Mlohoti afterwards. I didn't ask him for his name. I relied on the truth of what I was told. I had seen him at previous meetings. He was referred to as Mr. Mlohoti. Other people referred to him as such. If he were referred to by a false name - know for meetings addressed - Xhosa to be interpreted in English - other native languages there were remarks made in English by other speakers - which I did not take to be part of the speeches. I spoke to some of the people at the meeting - English. They only addressed the meeting in Xhosa, not English. They may have made occasional remarks in English, but they did not seem to interpret their speeches as in this case. I don't think sentences in English were used - had there been I should have made a note. It is possible, though, that I didn't notice. When I came to the meeting in the morning, Mlohoti was speaking.

Xed Accd. NO. 7:

I am a special constable in the Special Branch. I have no idea of the strength of the PAC in Nyanga or in the whole Peninsula. I don't know about the organisation. I go to take down speeches. I merely know there is such an organisation. I don't know what Mr. Mlohoti's position is in the Nyanga Branch. I don't know any of the secretaries of PAC. I don't think I could name any of the Aed. Mlohoti I have seen at many meetings. I make an estimate of the no. of people present. At one stage it seemed that the audience wanted to prevent the arrest. Some of the leaders - tried to stop crowd: did stop. The word, the police took no action. There was singing at the opening of the meeting. Prayers were said - as far as I know in Xhosa. I don't know of any interjections when Mr. Mlohoti spoke. He was arrested after he had spoken. I don't know what charge was laid against him.

Xed Accd. NO. 1:

Mr. Mlohoti spoke in Xhosa & gave impression that what he said he interpreted into English. There was no interpreter on that day. The major part of his speech was delivered in Xhosa. He couldn't have interpreted his whole speech into English possibly only a very small part. I was in charge of our section. The notetakers had their instructions from their officer in charge. Lieutenant de Villiers ordered the arrest. I would not be surprised if my notes differed from those of my colleagues.

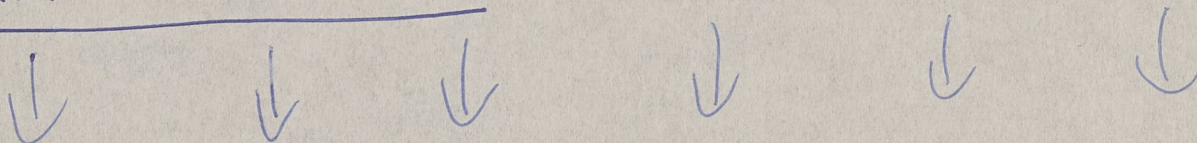
Xed. Accd. NO. 25:

I took down what I heard. I understood what was said. I deny that I made 2 mistakes. I don't know what he meant - I took down what I heard. [Witness refers to 2 sentences: a) "We want the Africans" b) "We cannot take ... back."]
 Witness: a) - did not use word "Black" b) "We cannot hate the Xhosa & not hate the man who administered it."

I take down in shorthand or what I heard. American perhaps not understand a word - then I would not write it down. (4)
"Hate" & "take" sound very similar - might have said "hate" instead of "take".

Accd. NO. 15: I cannot remember how many PAC meetings I attended, mostly at Langa & Nyanga. I've attended meetings all over the place. The PAC is a fairly secret organisation. I can't point out any leaders of the PAC. Mloboti is the only one I can remember in Court. My duties are to take notes where I can (Egl. or Afrikaans) & to report on the meetings. I rely on the Bantu detectives with me to provide the name of the speakers. I think this is the only meeting that I can remember that one of the speakers used English. In this instance I saw the speaker & took particular note of him. I can't remember that I saw a flag. I was informed that it was a PAC meeting, which was confirmed by the Mat. Detective with me. I had already received a telephone message that there was a PAC meeting. If detectives are with me they might show me what has been said - I use - my report. I make copies of their reports & submit to the proper authorities. All 3 of us were busy taking down notes. I have often seen you but I can't say what your name is - I may have seen you at meetings. At Nyanga meeting was about 25 yards from the bhayman. As far as I can remember it was a fine day. I was in a car. They made use of a loudspeaker. I was standing sideways to the meeting and had the door open facing the meeting. I could hear every word used by Mr. Mloboti. There may have been a mistake over a word.
[Accd. NO. 15 - I was there and I heard personally.]

Adjourned to 20th / 7 / 60.



23/11/60. Det. Head Const. Lawrence (std.)

Ek het nie hierdie dokumente voor die Hof vanterore gesien nie - maar ek het soortgelyke dokumente gesien.
~~die bevat dieselfde info~~
Ek het nie almal - van dieselfde vanterore gesien nie.

Ek het vanterore gesien:
Esh. 37 - Calling the Nation
Esh. 15 - Passes Must Go Now.
Esh. 8 - "Africanist" - pamflet
utgegegee deur die PAC.

Uit die drie het ek vanterore gesien.
Ek het nie seker of ek die gesien het voor die 13ste maar is seker dat ek hulle gesien het voor die 20ste.

Op die 24ste van Maart van hierdie jaar was ek by - Polisieostasie.
Kordon middag het ek afgegaan na die blagtekantoor - daar was 100 Bantus - onder leiding van Beck NO. 18. - by het opgetree as hulle spreek. Hulle was monter. Hy het daarop aangedring dat hulle gearresteer moet word want hulle was nie in besit van bewysboeke nie.

Ek self het hulle nie arresteer nie maar onder polisie het hulle aangehou Beck. NO. 18 was ook aangehou of die dag - tot beste van my kennis.
Volgende dag 25ste by Kaledonien het 'n groot skare Bantoes aangekom

Volgens my estimate sal ek sedas was
± 10,000 van hulle. Hierdie neme het ook
saamgekom en gese - ook nie bewysboeke -
hulle besit nie. Met daardie geleentheid
het ek Besk. NO. 3 gearreter. Besk. NO. 6

is ook gearreter. Die skare het geweer
an uiteentegaan en daarom sargedring dat
hulle leers Besks. 3 en 6 eens outet moet
word. Dit is gedoen - laat loop of hulle eie

Daarna is die skare uiteen nadat NO. 6. hulle
toegeprek het en gese hulle moet huistoe gaan.
Op daardie geleentheid was Besk. NO. 21 een
van die 5 neme met wie die ^{Kommissie} ~~Kommissie~~

in sy kantoor gepraat het. Ek was teenwoordig.
Die ander 4 persone was nie van die Besk.
Ek het notes gemaak van die onderhoud.
Die notes is onmiddellik daarna (na die onderhoud)

van rouwe notes gemaak.
Voor die onderhoud was Mrs. Patrick Duncan,
redakteur van nuusblad Contact in bespreking
in kante van naam Landis Makwetu. Ek het

gehoor Patrick Duncan gese dat hy of
verzoek van in vried P. Kgao gekom het
Makwetu. "Ek wonder hoe lank sal weer -
voordat ek opgesluit word."

Duncan: "Antret in week"
in sy kantoor het Kol. Terblanche gese in sy
kantoor - Duncan ook by en 5 neme:

Kol. Terblanche: I have called you as leader in
her to find out the meaning of this gotheing.
You know that all gotheings are illegal.
I have been very patient with you African people
but I cannot allow an obstruction like this -
the street. - I will have to disperse the crowd.

Duncan: But kol. these people have come
here to be arrested for failing to carry pass.

Is there no way - which you can satisfy them, even if it is just by taking their names. They are peaceful - the crowd is under the control of their leaders.

Kol. Terbl. But I'm not going to arrest anyone of them.

Makwetu: (Hoopspeker vir Bantoes) But kol, we have some here to be arrested. We are not carrying passes.

Terblanche: you are 5 responsible people: why have you come here.

Makwetu: To be arrested.

Terblanche: why don't you go with your complaints to the proper authorities.

Makwetu: We have tried everywhere to get passes abolished - now we have come here to the notice who must see that the law is enforced.

Kol: Do you see any room here to accommodate all the people?

Makwetu: yesterday arrested - 101.

Kol: Don't want to appear in court.

Makw. Never carry pass again.

Kol: Must desperse.

Makw. From easily desperse.

leader released - crowd despersed.

There was vreedzaam - geen dreigemente.

Op 30ste Maart - ook of Kaledanklein.
- 11-30 groot aantal Bantoes voor my kantoer
- sangeding dat hulle gearresteer word word
- omdat hulle nie hulle bewysboeke gehad
- het nie. Die skare het baie goue sangegevoel
- totdat ontrent etensamer - ontrent 20,000.
- In oppte van alle pogings van polisie - het
- hulle geweier om te gaan. Hulle het daarop
- aangeding dat hulle hul leier wou hê

Van vorige optoging - het elc uitgeend
 dat Kgorana - leier was. Ek het persoonlike
 kennis gedra - leier van optog of de Waal Dowe
 Ek het - om Kgorana te gaan heel.
 Ek het hom veg oor troek - Koela det. zely
 saam met ander Bantoes. Ek het pousse
 verduidelik. Gese by molt saamkom. Saamgeen
 na Kol - Terblanche. Na saamspreek is die
 deare uitnekaar.
 Terwyl ek met Kgorana aan loof was
 het hy gese by wou die Minister sien
 want sy mensie wies om soot weg - pas
 te dra. Ek het daarop gese - ek kan nie
 die oordeel met Min. seel nie.

Joe impression - leaders were interesting
 people.
 20th - understood what Kgorana.

Organis. - office:
 Bant. det. attend meets. - always
 accompanied by Europ. det. He submits fol.
 day - to me. No intro. - notes to Europ.
 Marks - identify - Europ. top know he
 attended with Bantus. Working irregular to
 take notes home. Next morning - notes to
 typist who types them & original notes & copies
 are put in files & locked away. Normally B. det.
 not seen. except - read before be.
 No instructions to alter. 5 speaks
 Impressions at 2 meetings. 13th Worcester.
 Much enthusiasm amongst - nats. ± 300.
 21st Nyanga - apparent meeting one of
 head reinforcements - bopwa - arrived.
 got present. Different from any attended.
 came to car - shouted into car. Mass hysteria.

[8] Kgorana spoke in Engl. said: comp. will be
launched 1 n.m. next morning. to speak.

2/21 to Langa. - to New Flats. ± 2,000.
3 came over Kg. Ndlovu & Magweba (?)
Kg. asked for dist. Comrade - Rheeder.
said: want to be arrested.
J: wanted - Judge's Rule. Questions & answers.

led By Sachs:

By Court:

2 processions:

Witness - was no organised procession -
people drifted spontaneously
March on 30th - I would have called a
procession - started from Langa - up to de Waal
drive - to top end of Roeland Street -
I found Accd 6 - a little way
from the crowd - from what I asked him I
gathered he had led the procession. I don't
know whether he had the right to lead a
procession or not.

By Accd 6:

By Accd 18:

My first concern in a book is what is inside. I don't worry who the author is. I have heard of A.C. Jordan. ~~He~~ I used to see him at the University or in the streets. I know he also writes Xhosa books. I am not sure how I knew. I cannot say if he wrote "I am You". [He did. I'm glad to hear it.] I would know that in 1963. I will know that.

I read good Xhosa there. Please quote - but if you quote anything I cannot remember then I will tell you I cannot remember. I can translate Xhosa to English tho' I don't say I'm an expert. An expert is a person who is definitely ~~is~~ sure about anything. I know Xhosa but I am not an expert in Xhosa. An expert in Xhosa is one who is so sure of himself that he will not make mistakes. I can make mistakes - in translating Xhosa into English. I possibly made mistakes in my notes - but not the whole record. I have told my superiors that I sometimes have difficulties - but they did not say anything. I did nothing about it. I resigned myself to just making these notes, wrong or not, to use in Court as evidence.

I did state that there was a difference between a person reading & a person making a speech. The difference is: A person who just speaks has to think, while a person who reads, just reads. I attend Church. I have listened to a Minister preaching. Some preachers stop to think, another doesn't because he had already prepared his text. Some of the speakers think, others just go on speaking - without thinking. My notes are the same whether a speaker stops to think, or goes on. It is easier with a person who stops to think because then I get more time. I cannot remember who of these stops to think. The people who stop to think - they do not act in exactly the same manner than yesterday's text. Some stop longer than in the text. During the text, the pauses were put in definite places. Sometimes a speaker prepared his speech before coming to the meeting. I would take down notes from his speech as well. I have never come across a person who delivers a speech from a piece of paper, except a ^{small} paper to remind him what to say. I have recorded Mr. Kgobane's speech. In March 20th (also in June). I saw that he made a speech then I started writing. ~~then~~ He had a small piece of paper. I cannot remember whether he read, but he looked at a small piece of paper. I would not contradict you if you said he read his whole speech. Size \pm 8" x 10" - I did not notice if written on both sides. I am telling the truth. Maybe a little smaller than 8 x 10. I did not measure it. I did not see any other piece - I saw one. It was neither easy nor difficult to note Kgobane's speech. It was in English. I did not note his whole speech. That is why I say it was not very difficult. I wrote down whatever I could. He would have because there was an interpreter. I did some dictation at school. I wrote all down because the person who dictates ~~could~~ would not go on until all had written down everything. The dictator would pause until he saw you were finished.

(TEST) Stool - The Xhosa used by acid. xxix is not the usual Xhosa but is more idiomatic - he might have looked it up in a book & is now using it. [Text starts again]. I have taken down what I could because the Xhosa now used is not the same as that used at the meetings.

By that I mean that the X Xamias can take anybody from the audience & ask him to say what he has used, because the Xhosa used is not the usual Xhosa. I was born in Qumbu. I am a Xhosa. I know Xhosa. I got the Xhosa I know from where I was born. It is the Xhosa that is used all over the country — you have used idiomatic expressions & I have already told the Court that I am not an expert in Xhosa. I did learn Xhosa in school but the Xhosa used by the X is not the usual; he must have sat down & collected bits here & there. I mean that you have used idiomatic expressions that are not normally used. If a speaker at a meeting used such expressions I would not record it & even the people at the meeting would not be able to grasp it. I am not because it is not Xhosa that is normally used by all the people. I do not say that all the people who attend those meetings are as stupid as me, but the Xhosa used is mostly idiomatic. I have come across these expressions but because I do not use them, & it is some time since I last saw them, I cannot remember what they are. What you used was probably collected together or you got that from a book. ~~I say that it is something~~ I think you have a book in jail. There are some things in Xhosa I can't interpret because they are idiomatic expressions. Speakers would use id. exp., but those which can be understood by other persons. They do not ask whether the people understand, but they say things the people will understand. You were too fast & besides that I could not grasp what you meant in your speech. I do not say that people at meetings understand English better than Xhosa. The speakers used difficult words like Communism, Tribalism etc. I will not say that they used the words expecting the people to understand — but these are the words they used. The people did clap, so they must have understood. ~~But~~ The people must have understood what "Communism", "Tribalism", "Denominational" mean. I have never noticed what education ~~they have~~ people who attend the meetings have. No, it is ~~is~~ very difficult with me to judge a person's education watching him. I have been at the station here at about 5. I have seen people walking towards the train from the docks. I cannot say that they are not educated because they come from the docks. It is possible that an educated person works at the docks because he got into some difficulties.

I have just about taken down nothing from your speech. Because I took down only the first portion & then I could not keep up. It is not because I am uncomfortable. I have left out almost all of your speech. I only got the first small portion. You were not very fast but I took down what I could & I did not want to leave out some. I am satisfied with the speed. He was fast but I do not complain. My reason for not getting it was that he used id. exp. which I could not translate. I said I did not want to shorten — because I didn't know the id. exp. which you used. At the meeting I found some difficulty translating from Xhosa to English. At these times, when I found that it was difficult to translate, I would stop & leave the rest out.

Exhibit "E"

I would leave it if I felt that there was nothing substantial in it. I would rather leave it out altogether than write it down if I felt it had no meaning. I would leave out the part I could not translate & take down the rest that he would say. Today, I found my first difficulty from the very beginning - after I had started. I found some difficulty after I had started writing. [Interpreters starts reading] at X's request for the witness to say where he started encountering difficulty - "Angamalawu antaba" are words I did not understand your id. exp. & also that you were too fast. "Angu...ent-" is an id. exp. That is where I stopped writing. I'm telling you the truth - that's where I stopped & went no further. I did translate that expression into what I thought was the right thing. I explained that expr. in the manner I thought was right. I know the expression. I do not know the others. I know this one because the way I explained it is the way I think it is right. I have just heard it anywhere. I came across it by hearing people use it. The expr. I wrote down is the one I knew - I left ~~wrote down~~ there not used by the people. I said that you used expressions that are not usually used by the people. This expression "Angu...entaba" is in constant use. I told the Ct. that you used expressions that are not normally used by the people. I complained only after that one "angu...ent". The speech now made was in English - I only wrote down the first portion. What I wrote down in Xhosa is Izwe lethu, Africa. I wrote it in Xhosa & am not going to change it now. There is no reason for writing that in Xhosa. That is the manner in which I write it. I have no reason except that I always do it in that manner - it is their greeting - I never translate it.

Cont adjourns for the day.