

TREASON TRIALS DEFENCE FUNDSPRESS SUMMARY

No. 41

This is the fortyfirst issue of a regular bulletin giving a factual resume of the proceedings of the Treason Trial.

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Period Covered: 29th August - 8th September, 1960.

APPLICATION WITHOUT GROUNDS

On Monday, 29th August, Mr. Justice Rumpff delivered his judgement on the application for his recusal, brought by the Defence Counsel in the previous week.

The Defence complaint was not that questions had been put, or that they were irrelevant, but that after five months of defence evidence, the accused thought that they were not getting a fair trial. During this period he had put questions to the witnesses in a manner which they felt infringed the rule that justice must not only be done, but must manifestly be seen to be done. In view of the Presiding Judge however, the present application was without any grounds for support and had been made either without full consideration of the record or under a complete misconception of the rights of the matter.

Mr. Justice Rumpff then went on to a detailed analysis of the questions put to him in relation to the whole evidence, pointing out that his questions covered only 200 pages of the record out of 5000 pages of evidence. The Crown case was based on between 4000 and 5000 documents, covering also 280 meetings at each of which 2 to 3 speeches had been made. It was therefore self-evident that relatively few questions had been asked by himself.

JUDGE DENIES POLITICAL DEBATE

As far as the manner of the questions was concerned, it had been alleged that he had allowed himself to become involved in political debate, taking up an attitude hostile to the witnesses, whom he had challenged by putting assumptions to them. His questions had been termed a "planned scheme of cross-examination" and it had been suggested that pressure had been applied through repetition of the questions. The accused were said to have come to the conclusion that, on important issues, he had adopted the Crown line.

The Judge President said that having read the passages of which the Defence complained, he had no doubt that the criticisms made by Defence Counsel were totally unfounded. Mr. Justice Rumpff then referred to eleven of the 122 Defence examples, showing how in some cases his questions had been attempts to bring the witness back to previous questions. He dealt similarly with other passages which he described as tainted in the eyes of the Defence. The passages referred to by the Defence as an important illustration of systematic cross-examination of the witness Helen Joseph, which ought to have been undertaken by the Crown, was in his view an example of bringing the witness back patiently to a particular question. The witness did not give simple answers. It was not cross-examination and no reasonable person could have understood it in that sense.

Breakdown.

Mr. Justice Rumpff also commented that he did not pretend to understand how Defence Counsel could have suggested that his questions might well have caused the breakdown of the witness Helen Joseph on a particular day. He knew

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nothing of any breakdowns. His questions had been put during the morning and the Crown had continued cross-examination for the rest of the day. The next day the witness had given evidence as usual.

Quoting various authorities on the duty of a judge, Mr. Justice Rumpff said that this question was one of reasonableness. Reasonableness had to be assessed in the light of the duty of a judicial officer to arrive at a just decision. It was not irregular to pursue a line of investigation not undertaken by the Crown. It was clear to him that while a judge was probing to the bottom of things, he was discharging his duty. He was not unmindful of that his questions had not followed at the conclusion of the Crown cross-examination and that this feature had been said to give rise to the fear of the accused that they were not getting a fair trial. But this was the right of a judicial officer beyond any question. In the present case the evidence of the witness ran over days and weeks. It was therefore convenient to take the questions as they arose rather than postpone them, which would involve the necessity of referring back. The Judge President concluded that in his opinion the fear of the accused was unreasonable and unfounded and the application for recusal was refused.

Advocate Fischer rose to renew the Defence application for special entries to be made both in respect of the interventions on the grounds set out the previous week and also in respect of the refusal of the application for recusal, on the ground that it constituted an irregularity in terms of Section 364 of the Criminal Code. This application was granted by the Court.

LANGUAGE OF THE BEERHALL

The evidence-in-chief of the accused Robert Resha was then continued by Defence Adv. Fischer, who led the witness on meetings which he had addressed. Mr. Resha stated that when he had referred to the "language of the beerhalls" he had been referring to riots, which had taken place two weeks previously. He had witnessed some of the incidents of the riot and had seen the police baton charging and beating up African people. He himself had tried to prevent the stoning of cars, because he had felt it his duty to stop the stoning of innocent people.

His reference to the "language of the beerhall" and to the language of the Germiston hostel, where there had also been violence, was clearly and definitely outside the A.N.C. policy. After this meeting he had been called by two members of his branch executive who had felt the speech was completely outside A.N.C. policy and he had agreed and had apologised for making the speech from an A.N.C. platform. The matter had also been reported to the Branch Executive, which had condemned his speech.

Sacrifice, but not Violence.

Dealing with other speeches Mr. Resha, emphasized that violence had never been recommended for the Western Areas Removal Campaign. The idea of sacrifice did not imply violence. "We are prepared to struggle, perhaps to die, but the violence will come from others, not from us", he said. The witness referred to the government policy of banning the leaders of the people, such as Chief Luthuli, Dr. Dadoo and Mr. Sisulu, who had put forward the policy of non-violence, and were responsible for the behaviour of the people. The phrase "The young blood has been boiled" which he was reported to have used, might have been put in a different way, it was normal for youngsters in any oppressed country to think of violence first and question afterwards. He had done so himself when he was young.

Advocate Trengrove Q.C. for the Crown, commenced the cross-examination of the witness with a number of questions on the personnel of various committees on which the witness had served. Turning to the statements by the witness in his

evidence-in-chief on the treatment of Africans by the police, Adv. Trengrove asked whether he had read the Report of the Commission of Enquiry on the Western Areas tram boycott of 1949.

No confidence.

The witness replied that he had given evidence at that enquiry, but had had no confidence in it, and had not read the report. Replying to Mr. Justice Bekker, the witness said he had no confidence in a Commission which did not include the people affected. Adv. Trengrove put it to the witness that he knew very well what was in fact contained in the commission report, that the police had dispersed the crowds on that occasion to protect from assault the people who were using the trams. The witness replied that he knew that perfectly well because he had been on the scene; the young element had assaulted people at the tram stops, but he had been referring in his evidence in chief to people assaulted by the police at the tram stops.

When Adv. Trengrove suggested that it was part of the tactics of the A.N.C. in the Western Areas, whether in connection with boycotts or anything else, to create a situation in which the police had to interfere to restore law and order - and were then blamed for the consequences. The witness replied that this suggestion was unfounded and there was not an iota of evidence to suggest it.

Adv. Trengrove: "You exposed innocent people of the Western Areas to these conflicts between the police and subversive elements to suit your purpose".

Mr. Resha : "You don't know what you are talking about!"

Minister unreliable.

Replying to questions by Adv. Trengrove on an assurance by the Minister of Native Affairs in 1953 that there would be no removals to Meadowlands before houses were built, the witness said that he placed no reliance on the Minister of Native Affairs, then or now. The Minister's reply in Parliament had been to Dr. Smit, not to the people who were going to be removed, and no assurance had been given to them at any time since the Nationalists came into power and mooted the removal scheme.

Adv. Trengrove : "If the Minister makes a statement in Parliament replying to the opposition, you don't accept it?"

Mr. Resha : "The Africans are not represented in Parliament The Minister of Justice said in 1956 that 200 people were going to be arrested for High Treason, and only 156 were arrested. I therefore place no reliance on what any Minister says."

Adv. Trengrove : "Were you disappointed?"

Mr. Resha : "I said he was unreliable!"

Adv. Trengrove : "Did you tell the people not to accept the assurance of the Minister?"

Mr. Resha : "I told them and went further to say that they should place no reliance on Verwoerd. He is not a Minister of Native Affairs, but a Minister of Defence against Native Affairs. The African people place no reliance on him".

Mr. /

Mr. Resha said that although he spoke for himself, Congress of course did not place any reliance on Ministerial assurances.

Adv. Trengrove returned to the cross-examination the following morning by questioning the witness on his change of opinion regarding the use of violence as a means of achieving political ends. Mr. Resha repeated that in his youth he had shared the normal outlook of youth that violence could solve problems, but said that he had changed his mind since joining the A.N.C.

He denied strongly the suggestion by Adv. Trengrove that he had never abandoned the idea of violence. Replying to questions on the aim of the A.N.C. Youth League to establish "the highest form of democracy", the witness explained that the Youth League, and the A.N.C. mother body, wanted to achieve a true democracy - a country where everybody could be free.

Africa Struggle.

When it was suggested that the Youth League regarded the People's Republic of China as the highest form of democracy, the witness replied that the Youth League had not been concerned with China - the struggle was in South Africa. What knowledge he had about China or the Soviet Union he had obtained from documents and newspapers. He knew there was a Socialist state in China and conceded that it might be on the way to becoming a Communist State. When Adv. Trengrove enquired what examples he could give, other than China, of a state where all people were free, the witness quoted Belgium, Great Britain and France. He qualified the inclusion of Great Britain with the statement that Britain had colonies where people were not free, but the people in Britain itself were free.

To the suggestion by Adv. Trengrove that the A.N.C. Youth League tried to foster amongst its members a racial hatred against the white man, and to create racial tension, Resha replied: "That is not correct. The task of the A.N.C. Youth League, in which we have had a great measure of success, has been to foster race co-operation between the various groups. We have condemned racialism."

Adv. Trengrove then turned to the publication of the African Youth League, the African Lodestar quoting passages at length from a number of articles. The witness explained that this journal would be edited by a member of the Transvaal Executive of the Youth League. The editor would be expected to reflect the policy of the A.N.C. Youth League, but he did not know if this had always been the case. Names of authors might not always be published. This would be at the discretion of the editor.

Seizure of Power.

Replying to questions on the meaning of the quotation "... seizure of power in the shortest possible time is the only way to handle the imperialists", the witness said that the expression "seizure of power" could mean to be in power yourself and drive others out, or to seize it by participating and sharing in it. It did not necessarily mean to grab it. It could not indeed have that meaning here in view of the background of the A.N.C. Youth League policy of non-violence.

Mr. Justice Bekker: "Your justification of this passage is that no matter what violent implication there might be, it must always be read against the non-violent policy?"

Mr. Resha : "No, I did not give a blanket answer. I say that if it is capable of two meanings, I would give the non-violent meaning, because of the policy of the organisation.

Replying to Mr. Justice Bekker, Mr. Resha said that a Government based on a minority of the people would always be in danger because it was ruling

against /

against the wishes and the will of the people. He agreed with the suggestion by Adv. Trengrove that, if the Defiance Campaign of 1952 had reached its final stage, it would have been a danger to the stability and security of the State.

Precious Document.

The witness then described "No Easty Walk to Freedom" as "a very precious document" which clearly expressed Congress policy, and about which no Congress member had any reservations. Adv. Trengrove then dealt with an editorial of the African Lodestar, questioning the witness closely on the reference to the unleashing of the fury of the oppressed people. The witness pointed out that if this implied violence, it would be inconsistent with A.N.C. policy. The A.N.C. was not designed to unleash fury at any given time. The A.N.C. Youth League members were, however, well aware of A.N.C. policy, and would know whether statements in the African Lodestar were or were not in line with A.N.C. Policy.

Asked why in the African Lodestar, views on Kenya were placed before the youth, and 'legalised murder' suggested, Mr. Resha replied: "It was relevant because what was happening in Kenya was likely to happen here."

End of Emergency Detention.

On the following morning, August 31st, the 29 accused appeared for the first time in 156 days without a police escort, having been released that morning after 5 months detention in terms of the Emergency Regulations.

Adv. Trengrove resumed his cross-examination with questions on the three lectures, The World We Live In, etc. Mr. Resha said he had found them highly involved and not particularly relevant to the struggle of the A.N.C. At times he did not know what the author meant, and at other times he did not know if the author were correct. He had not himself made a study of capitalism.

Mr. Resha said that in his view imperialists were those who oppressed others in their own country. He thought the terms imperialism and capitalism were synonymous. Originally he had read the lectures, and had then put them aside as being involved and not particularly relevant.

"Now I have discovered things I didn't attend to them" he said. Some passages he felt were in conflict with A.N.C. policy, but other facts, particularly in the third lecture, "A change is Needed" were relevant. He did not deny that the lectures were intended for use by volunteers and active Congressites, but stressed that they were particularly designed for workers and active trade unionists. He repeated emphatically that they were not, in fact, used by volunteers. Because the lectures had come from the National Action Council, and not directly from the A.N.C. headquarters, they had not been taken seriously. The branches were at that time extremely busy campaigning against Bantu Education and for the Congress of the People.

Legal Means.

Replying to questions on the Western Areas Removal, Mr. Resha said that the A.N.C. and the other Congresses were particularly concerned with the legality of the methods of resistance. They had obtained legal opinion. The A.N.C. had always known that the Government was "keen on a racial clash, as in the case of Sharpville, where innocent people were murdered in cold blood by this Government." But the Congress and its allies had done everything possible to avoid a bloodbath and fortunately they succeeded.

Adv. Trengrove: "One of your objects was to force the Government to remove the people by intimidation and force."

Mr. /

Mr. Resha : "That is absolutely incorrect and most unfounded."

Adv. Trengrove : "You wanted to provoke the Government to use force and intimidation."

Mr. Resha : "Never at all Our aims were to defeat the government by preventing it from removing the people from the Western Areas."

Non-Collaboration.

Adv. Trengrove then put to the witness an extract from the Report of the Secretariat on the Western Areas in which it was stated that the object had been to foster a mental attitude of non-collaboration and compel the government to secure the removal only by the use of intimidation and force. The witness replied that the A.N.C. wanted to demonstrate to the Government that the people were unwilling to move and that this would be the only way in which the Government could succeed. The way in which Adv. Trengrove had put the question was unfounded. The objective of the A.N.C. was to defeat the Government.

Adv. Trengrove : "You want the government to use force and intimidation".

Mr. Resha : "We want to struggle, and no amount of force and intimidation will deter us!"

Adv. Trengrove: "You know full well that the situation you were creating in the Western Areas would be a spark to start off a conflagration."

Mr. Resha : "We know the government wanted to start a conflagration because it wants to rob the people of their rights and threatens force. The Government sent 2000 armed police to remove the people."

Adv. Trengrove: "You regarded that as a victory?"

Mr. Resha : "Yes, because they went away without shooting one person."

The Court then adjourned for the afternoon so as to give the accused the opportunity to reach their homes early after the five months detention.

Events disgusted Witness:

The following morning, September 1st, Adv. Trengrove questioned Mr. Resha on his speech in which he had referred to "the language of the beerhalls". Mr. Resha explained that there were a number of things taking place in South Africa and in Sophiatown which had worked on his mind and disgusted him.

Adv. Trengrove: "What was your object in saying this to the youth of Sophiatown?"

Mr. Resha : "I wanted them to know what I am about to tell you."

The witness then spoke of the Germiston hostel incident, of the intensification of permit raids and people being killed "ruming away from permits", of woman giving birth in the streets of Newclare and on the veld outside Sophiatown; of his anger at Bantu Education and the expulsion of well-trained school teachers.

"All these things and others were working in my mind" he said.

Mr. Resha agreed that in the speech he had called upon the youth of Sophiatown to use the language of the beerhall riots. He agreed that the Chairman at this meeting, Mr. Peter Mthithe, had endorsed and supported his incitement of the youth, and added that he regretted his influence on the Chairman.

Adv. Trengrove : "I put it to you that the only reason you have admitted responsibility for this speech is because the shorthand writer took it down, and you can't get out of it."

Mr. Resha : "No. I place no reliance on the shorthand writer because he also has made mistakes God alone knows what I did say."

Asked why he referred, in another speech, to the police as cowards and imbeciles, the witness replied that only hooligans and imbeciles would go to a peaceful A.N.C. meeting and disturb it, and only cowards would go fully armed to a peaceful unarmed meeting.

Police Tact Averts Bloodshed!

Adv. Trengrove suggested that in all campaigns, there would have been bloodshed had it not been for the "restraint and tact of the police". The witness replied : "It has never been the policy of the A.N.C. to provoke bloodshed. The A.N.C. has avoided bloodshed right through." Adv. Trengrove then read to the witness a statement by Mr.H. Lawrence, when Minister of Justice, praising the tact and restraint of the police during the Mine Workers Strike in 1946. The witness interjected : "After the police had shot and baton killed! It would appear that the Crown and the Minister of Justice look at brutal assault and murder as restraint to be commended. Not I! If the Crown and the Minister are happy that the police baton charged - we condemn it. We differ."

The witness denied strongly that the Congress wanted violence. "Throughout the years there has not been a single case of Congress members charged for violence."

Adv. Trengrove: "In the Western Areas, you embarked on a vicious and ruthless campaign using masses of innocent people and provoking violence between the government and them".

Mr. Resha : "There is no evidence anywhere before this Court of such actions. The A.N.C. is clearly and completely non-violent. Throughout the Western Areas Campaign not one Congressman was arrested for anything arising out of violence, despite the actions of the police who broke down doors and other such things."

APPLICATION FOR DETENTION

When the Court was about to adjourn at the end of the day, Crown Adv. de Vos Q.C. rose to make an application, as a matter of urgency, for the detention of all the accused, in terms of Section 162 of the Criminal Code. This provided that, when a trial was postponed or adjourned, the Court might direct that the accused be detained until liberated in law or released on bail. The Crown would lead evidence from a high ranking police officer to show reasons why the accused should be so detained.

Defence /

Defence Adv. Maisels Q. C. pointed out that the accused were before the Court on summons, and submitted that there were no grounds for arrest and that this Court had no power to order the arrest of the accused. As from October, 1958 both bail and the bail conditions had been withdrawn. No evidence could be admissable. Adv. Maisels reminded the Court that at a certain stage of the trial, the late Adv. Pirow had applied for bail to be reimposed. He had then warned Adv. Pirow to arrest the accused at his peril! Adv. Pirow had then said he would not press the matter. When the first indictment had been withdrawn, the bail had been returned to every person by the Attorney General.

Giving Judgement after nearly three hours of argument and consideration, Mr. Justice Rumpff said that in his view this section of the Criminal Code had never been intended to give the Court power to deal with persons not in custody or on bail and left free to come to Court. The application by the Crown could not be granted. Mr. Justice Kennedy and Mr. Justice Bekker agreed with the Judge President.

The Court was adjourned until September 6th.

COMMUNIST INFLUENCE.

When the Court sat again on Tuesday September 6th., Adv. Trengrove resumed his cross-examination of the accused Robert Resha, suggesting that the only people whom the accused knew to be connected with the bulletins Liberation, Fighting Talk, New Age and Advance, had been members of the Communist Party. Volunteers had been encouraged to read these bulletins. The witness admitted that he did not know if these people had ever changed their views after the dissolution of the Communist Party in South Africa. He was neither concerned nor worried about it. If these persons had been indoctrinating the African people with Communist propoganda they would have been arrested by the Government.

Mr. Resha denied that the African National Congress policy in world affairs followed the lines of the Peace Council. It had an independent stand and did not follow the line of any particular organisation with regard to world affairs. It had its own policy which might be the same as that of other organisations. In so far as the A.N.C. and the Peace Movement both believed in peace, their policies would be the same. He had not however, compared the policies of both in regard to such specific matters as Formosa, N.A.T.C., S.E.A.T.C., Kenya, the H. Bomb or Hungary.

Asked whether he would take part in any war for the benefit of South Africa, the witness replied "I did not and I won't!"

Slavish Imitation.

After a series of questions on his own relationship and that of the African National Congress to the Peace Movement and the S.A. Society for Peace and Friendship with the Soviet Union, Adv. Trengrove suggested that the attitude of the A.N.C. towards world affairs slavishly followed the Soviet Union and that their source of information was the "world front organisation" and the S.A. Peace Council.

Mr. Resha : "The African National Congress is an organisation consisting of intelligent and mature politicians who at any given time will make their own interpretation. Such men as Chief Luthuli are head and shoulders above the politicians of South Africa. To think that we are dictated to is an insult to my organisation."

Replying /

Replying to questions on the Freedom Charter, the witness said that there should be neither white supremacy nor black supremacy. The Freedom Charter envisaged that all the people of South Africa should participate equally in the Councils of State. "We are opposed to the present position and we will fight it to the bitterest end", he said. It was not a question of the whites losing the franchise, it must be given to everyone, black and white. The whites would have to forego nothing, but would have to share with all people.

When Adv. Trengrove suggested that in the Western Areas Removal Campaign, the A.N.C. was deliberately striving for a bloody conflict between the Government and the masses, the witness replied: "Your wishes have nothing to do with the policy of the A.N.C. Our policy is clear, it doesn't support violence. We want happiness for all people Our policy had always been non violent. The man to accuse us of violence has yet to be born."

Democracy - Freedom for all.

Re-examined by Defence Adv. Fischer, the witness said that his understanding of true democracy was that everybody should be free, particularly to participate in the Councils of State. By economic freedom he meant that the African people should be allowed to sell their labour freely, to form trade unions, and to enter all trades and professions. This was of great importance to Africans. On the Western Areas Removal Campaign, Mr. Resha said that the main object of the Congress was to compel the Government to abandon the scheme. If they had been prevented from implementing it, the government would not have then carried it on in other areas.

The next Defence witness was the accused Patrick Molaa, born in 1925, Roman Catholic, and matriculated. Led by Defence Adv. O'Dowd, the witness said he had joined the A.N.C. Youth League in 1946 but had only become active in 1954. His understanding of A.N.C. policy was "a South Africa as a home for all, irrespective of race." The A.N.C. was struggling for the rights of all people through non-violent methods. As a volunteer in the Western Areas his tasks had been to assist in the census of the residents and to propagate the Congress viewpoint. The slogan "We shall not move!" had meant that the people would not move voluntarily.

Referring to a speech of the accused Robert Resha in Sophiatown, the witness said that he had thought this speech "very inciting." The examples used had not been pleasant and "a few of us were very worried". At a Branch meeting in the following week, a general warning had been given to A.N.C. members against inciting the youth of Sophiatown to violence.

People's Democracy.

Cross³/₄ examined by Adv. Hoexter, Mr. Molaa said that he understood the A.N.C. idea of a people's democracy to be a country where every person would have a say in the Government. He could not himself give examples of a people's democracy as he had not studied the government of other countries, but he had heard other people refer to such countries as Rumania, the Soviet Union and China.

Referring to the speech of the accused Robert Resha at the volunteers meeting on 22.11.56, the witness said that he agreed with the theme of discipline, but thought the examples might not be healthy. He himself had always called in his own speeches for admiration of discipline, even quoting Hitler. The theme of Mr. Resha's speech had been to call for dedication, obedience and devotion to the struggle. When he had said that the examples might not be "healthy", he had not meant that he thought they might create an unhealthy impression on the audience, for the speech had been made to Congressmen.

On the following morning, September 8th, the witness Mr. Maloac

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said that after having read again the three lectures, he had found them not to be contrary to A.N.C. policy. He disagreed strongly with Adv. Hoexter's suggestion that Congress policy was that a sweeping change could not be brought about by gradual reform, but only through one bold stroke. Congress did not expect to achieve its aims all at one time.

Farm Labourer.

The accused Gert Sibande was the next Defence witness to be called. Born in 1901 he had worked as a labour tenant on Bethal and Ermelo farms. He had never been to school but had taught himself to read and write. From 1922 until the present time, he had been a lay preacher of the S.A. Gospel Church of Zion. A widower, he had 10 children, all dependent on him.

Mr. Sibande said he had first heard of the African National Congress as a youth from his father. He had been disturbed by the 1936 legislation which had deprived Africans in the Cape of their vote in Parliament, for his experience in Ermelo had shown him that the Africans needed representation in Parliament. Ermelo people had great confidence in him and brought their troubles to him. He had formed the Farm Workers Association there, of which he had been the Chairman. The objects of the Association were to prevent the eviction of farm tenants before they could reap their crops, to free the tenants from debts to the farmers for advances of food, and to press for individual and not family wages for each worker. He had noticed the African National Congress opposing the 1936 legislation, and when his Committee had had no success with deputations to the Native Commissioner over their grievances they decided they should join Congress. He had then been sent by his Committee to an A.N.C. Conference where he had spoken. On his return he had formed an A.N.C. Branch in Bethal. His own knowledge of the A.N.C. and its policy he had learnt from his father and had never heard of any policy of violence. The non-violent A.N.C. policy "goes with my religious beliefs" he said.

Homeless and Destitute.

After 20 years of A.N.C. work, Mr. Sibande said, he no longer had a home or any livelihood. When he had been deported from Natal, the Special Branch detective had said: "You'll never again see anything wrong in the town and tell the whole world?"

Describing the conditions of farm labour, the witness said the African men were told to take off all their own clothes, and were given an empty sack to cover themselves. They had to work "early and late" and to eat their food "from the floor like pigs." Some labourers had died from cold; he had seen and touched their bodies at the police station. When the labourers tried to go to the Native Commissioner to put their grievances before him, the person in charge would say they had deserted, and arrests would follow. On one occasion he had himself gone to the Chief Magistrate to say that the farm labourers had been on their way to him when they were arrested. The case had not been proceeded with and the men were sent back to the farm.

On the 1st May, 1950 he had organised demonstrations and processions in Bethal. The demonstrations were peaceful and he had said to the people at the meeting "even if a fly sits on your nose, you must move it, not kill it". Mr. Sibande said that he had started writing directly to the

Minister /

Minister of Native Affairs, Dr. Verwoerd, who replied saying that he had met the chief who had told him that conditions had improved. "I then asked the chiefs, they said they had never seen him and the conditions were the same. So I then answered the Minister and said "no one knows you or knows that conditions have improved."

At this stage Mr. Justice Rumpff informed the Court with regret that an adjournment would be necessary until September 18th on account of Mr. Justice Bekker's ill-health.

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