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I ? - B. Mtolo, Cross-Examination
by Mr. Berrange, Dr Yutar

B, Mtolo

--I am not in agreement with that.

MR. BERRANGE (to the Court)

I think what happened was that the witness refreshed his memory at that time. BY THE COURT: Yes he did not say he made the notes at that time.

CROSS-EXAMINATION BY MR. BERRANGE (CONTINUED):

I have no quarrel with you about that at all. What I am asking you, however, is this: today, when I asked you to tell us everything that passed at this meeting, you forgot to make any mention of these complaints and that you had made these complaints to Mlangeni about your requests for money, and you have made a great point during your evidence about these complaints. Had you forgotten about that today?---As a human being you can't remember everything precisely.

That is my whole point. As a human being, you can forget the most important things sometimes, isn't that so? ---For an example, you referred me to the money now. That was a matter that was raised there that I forgot to mention.

And all the other things, that you have forgotten in regard to your meeting with Harold Strachan. That is the only point I am making, as a human being you can forget the most important things, and you can make mistakes. That you are prepared, when we deal with the question of what Mr. Mandela told you to deny that he said certain things. ---I have already told you that what persons say at a meeting and in particular the instructions given by people is different, because instructions you have to bear in your mind.

Yes, and these were instructions.--Yes they were complaints and reports.

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Now you remember you told his lordship in regard to an experiment that you made with black powder.---Yes.

You say you stir the ingredients, and you put a runner of black powder on the ground, set it alight, and you found that it worked very well indeed?---Yes.

Where did you get the ingredients for the black powder?--I bought some add Ablon Duma bought some on my instructions.

Included in the ingredients in saltpetre is n't it? ---Yes.

Did you buy that?--Yes.

Where?---At the chemist.

What did you ask for?---Saltpetre. I gave Duma a note and sent him to the chemist with the note.

Asking for a certain quantity of saltpetre?---Yes.

You had no difficulty in getting it?---I can tell you that that was not ~~difficult~~ difficult to obtain, but shortly after that when I went to another chemist the European there said 'No I can't give it to you.'

Did he say why?---He said it was dangerous.

He must have been suspecting you?--Don't know.

And then we will take you to Rávonía. You remember you arrived at Rivonia.---Yes.

You told us you saw Walter Sisulu there.---Yes.

He said he was just going, he was in a hurry,--Yes.

You had a few words with him?--Yes.

And he went off.---Yes.

And you told us about the conversation that you had with Mbeku and you went to bed that night?---Yes.

Now if I understand your evidence correctly you got up very early that morning, the following morning?--Yes. I got up early.

BRUNO.

About 6 o'clock?--I would not say that it was about six, it was early.

Were you the first to get up?--No others were also up.

Didn't you get up first of all in order to go and air your bed and blankets?---That was the last day not the first day.

Well I am told it was the first day. I don't want to embarrass you but you had had a lot to drink the night before?--I am not embarrassed at all, and I am quite prepared to tell you why I got up so early.

Yes?--I am prepared to tell the Court why I got up so early.

You look as if you want to tell the Court.--no, I am under the impression that you think I am afraid to tell you.

No I just said I did not want to embarrass you. You had had a lot to drink the night before hadn't you?---Very much.

I am told that that little drinking party took place the first night you were there.---No it was not.

And that is why, as you have already told us in evidence, you got up so early on the next morning, that is the second day that you were there.---No.

What time do you say you did get up?---I got up in the morning early when all the others got up, but it was still early.

That does not help me in finding out what time it was. Before sun up?--yes the sun was up already.

And you had a discussion with the man from Port Elizabeth, didn't you?---Yes.

You told us that a certain European came there that morning?--Yes.

Did you have a discussion with this man from Port Elizabeth before or after this European came?--We were talking to each other when this European arrived.

You were talking to each other when this European arrived. This European you have already identified as being Arthur Goldreich. And then you asked Arthur Goldreich the name of saltpetre?---Yes I asked him what the correct name was.

What is wrong with the name saltpetre, isn't that correct?---I know from experience, I work in a hospital. I know that things are called by names and that they have real Latin names.

Why did you want to know the Latin name?--Because I wanted to have a thorough knowledge of it.

Why did you want to know the Latin name though? Look, you had already bought saltpetre.---Yes.

You had already found that you could buy it. You had made a preparation with it, which had worked successfully. Why did you want to know the Latin name for saltpetre.--I wanted to broaden my mind, to have knowledge of what I am doing it.

Oh I see, just in order to broaden your mind. Is that the only reason?---To have knowledge of what I am doing.

To whom did you direct this enquiry as to the Latin name, the real name?---I asked this person from P.E. and then he said he did not know. Then he asked Goldreich whether he knew.

This person from P.E. was an African wasn't he?---Yes.

Did you think that he would know the Latin name?---Yes, I thought that he would know, because we were discussing

this black powder at the time, and he was telling me all about the black powder, and I thought that he would know.

So then the enquiry was directed towards Goldreich?

--Yes.

And Goldreich said that he had also forgotten the name?--Yes he said he had forgotten but he would go and look it up in a book in his house.

And he ran to the house?--No he did not run, he walked.

But wasn't he in a tremendous hurry to get away Goldreich?--Yes but that does not mean that he ran to the house.

Was he in a very big hurry when he came into the room?--He was fully dressed.

And was he in a very big hurry?---I cannot tell you how great his hurry was. He only said 'I am going away this morning, as I am now I am on my way to Port Elizabeth.'

Didn't you know that he was in a very big hurry?

---The extent of his hurry I can't say.

Did you realise at that time, when you addressed the request to him, that he was in a very big hurry?---He said he was in a hurry to get away, but I can't tell you how...

Oh, he said he was in a hurry to get away, because that is what you said, you see. When you gave evidence last time you said 'I know that he was in a very big hurry.' --- He said so. But to say that he ran to the house, I don't agree with that.

Don't you? Well that is what you said last time, you know, this is the picture that you painted, of this man Goldreich, you first of all wanting to know the latin name of saltpetre, because you want to broaden your mind, then

Goldreich comes in, he says he is in a very big hurry, he is on his way to Port Elizabeth. He says 'I am leaving immediately'. He says he has forgotten the Latin name of saltpetre, and he hurries to his house in order to look it up and bring the information back to you? In fact, he did run to his house - that is what you said. "He said he would go to his house and go and look it up in his books. Then he went out, ran towards the house, after a while he came back" and what did he say?---It is potassium something, I have forgotten the second portion of it.

So that is the picture that you painted, of this man who is in a very big hurry, running to his house, looking up a book so as to enable you to broaden your mind. Mtolo, haven't you given this bit of evidence about you wanting to broaden your mind, and wanting to know what the Latin name for saltpetre is, and Goldreich running to his house when he was in this big hurry, just because of the fact that books of on explosives were found later on to your knowledge in Goldreich's house?---What was found in Goldreich's house and all that I have no knowledge of whatsoever. I was in Natal at the time.

You could of course have been told later on when you gave your statement?---By whom?
By the police?---No.

BY THE COURT:

Just arising out of this point before you go on to the next point, do you know anything about chemical formulae? You don't know for instance what the reaction is, if you have got two substances and you mix them together, then you get a third substance formed do you know anything about that?---Apart from what I have said here what I had been taught specially, I know nothing else.

How much schooling have you had?---I did not complete

J.C.

Then you must have learned something about chemistry, didn't you?---That was not one of my subjects. I picked my subjects myself..

Yes you did not take chemistry?--I did not take chemistry.

CROSS-EXAMINATION BY MR. BERRANGE (CONTINUED):

Now you say that you saw No. 5 at this place?---Who is No. 5.

Kathrada.---Yes.

Did he look like this? Can you identify him from the photograph?---(Photo shown to witness) . He was not wearing sunglasses.

No? Otherwise was he like that?---It was just.. although I did not know what the original colour of his hair was I could see that it was dyed but he was, as I saw him, I could recognise him as Kathrada even though..

You are not answering my question. Did he look like this, with the exception of the sunglasses?---I don't know what you mean by that. Do you mean the clothes?

No I mean the face and the head.---I can just say that it was Kathrada, and I recognised that photo also as Kathrada, but at the time he did not have the sunglasses that he has got on on the photo.

Did he look like this with the exception of the sunglasses, that is all I am asking----Yes.

Yes, he did! And you had never seen him before?--- Except newspaper photos.

You had seen his photograph in the newspaper?--Yes

That is the only time you had ever seen him?--Yes.

And then you saw this man with hair that had been dyed, and a moustache, a bit moustache, according to the photograph, who looked like the photograph, with the exception

of the sunglasses, and from a newspaper photograph you immediately recognise this man as being Kathrada?--Yes I did.

I see. I can only tell you that when the police came and ~~xxx~~ arrested him, the police themselves did not recognise him? AND THEY HAD seen him many times in the flesh, and not in a newspaper.---Kathrada even said to me, himself, of his own accord: "Do you recognise me, see who I am?"

You see, that is a point I want to take up with you. I don't think it is of any great importance, because there will be no denial that Kathrada was there, but I want to put it to you, because he will say that you asked him whether he knew you. ---No.

No I am sorry, my lord, I am reading it from the witnesses' notes. Kathrada says that there was a light-hearted exchange of pleasantries between the two of you, and what he said to you was "Do you know that Kathrada has left the country?" and you answered and said "No, we heard he was underground somewhere".---That was said.

That was said?--And then he said, "and can you see who I am?"

And then he disclosed himself to you?--No, he was called Petro.

Yes?--And then I said to him "You are Kathrada." I even went further and said to him "I remember you from the time you were banned when you went to Mandela's trial"

Of which you saw photographs?--Yes.

And you recognised this man we have in this book from a photograph in the paper? It is of no real importance, but I am just putting it. But what I do want to ask you is this: on the following morning, that is the morning following your arrival at Rivonia, you say you got up early, and you

had a discussion with this man from Port Elizabeth.--Yes.

You told us this man was an African.--Yes.

And I suppose you spoke to him in the same language which you people had used the night before, Zulu?--Yes.

I see. The only point I want to make about this is that Kathrada will tell the Court that he did not hear what it was that passed between the two of you. He was either asleep, which he cannot remember, or he was not paying attention.---I don't want to be confused now. Does Kathrada say that he did not hear..does he say that he did not understand or follow what was said between me and the Port Elizabeth man, or between me and ...

Exactly what I put to you, that he did not hear what was said either by you to the Port Elizabeth man, or by the Port Elizabeth man to Goldreich, or by you to Goldreich.---And not no. 4 accused? Not Mbeki?

No,no.--I cannot say whether he heard or not. We were three together talking there, but I cannot tell you whether he heard or not.

You say that later on that morning you saw Mbeki typing?--Yes.

And that later on Kathrada took a leaflet out for the purpose of stencilling it?

(Mr. Berrange asks for this leaflet, from the State advocates.)

Do you know what was in this leaflet?--After Mbeki, no. 4 accused, had drafted this leaflet he gave it to me and asked me to read it, so I saw it.

(DR. YUTAR: I would like to assist my learned friend. If the witness can indicate what he read I will be able to indicate whether I have such a leaflet in my possession).

BY THE COURT: Perhaps he can explain - what was it headed, and what did it contain?--It was dealing mostly with June 26th.

How the people had to celebrate June 26th.

AT THIS STAGE THE COURT ADJOURNS FOR THE
TEA INTERVAL.

ON RESUMING AT 11.30 a.m.

CROSS-EXAMINATION OF BRUNO MOLO BY MR. BERRANGE (CONTINUED):

INTERPRETER informs the Court that "celebrate" is not quite the correct translation - in Afrikaans it would be "Daardie dag word gehuldig."

MR. BERRANGE: My lord, the State has not been able to lay its hands on this leaflet as yet. Steps are being taken to procure it, so I will have to leave this meanwhile and go on to another point in the meantime. Do you remember when Barney Desai came to Durban and said he wanted to see the Regional Command?--Yes I got that information from Billy.

And what did you do about it?---I was not satisfied that we had to see him. That is why, one of the reasons, that I had to establish, make sure of, when I went to the High Command.

Yes?--Whether we should or should not see him.

What happened then?---Govan Mbeki said no we must not meet him.

Where did he say that?--At Rivonia.

I am talking long before Rivonia.--Let me put it this way, the Regional Command received information about Barney Desai's request to meet the Regional Command, and then we were not satisfied that we could meet him. That is why I made enquiries at the High Command about it. The Regional Command decided it, because I had already received information that I should go to Rivonia, the Regional Command then decided that I should enquire into that, as to whether we should see him or not.

You remember the occasion when you made arrangements to be met on the 30th May at Germiston?---13?

No 30.---Yes in May that is quite correct.

How did that come about?--

Let me cut it short - was there a meeting of the Regional Command?--Yes that is right.

And the meeting was in regard to your going up on the 30th?---Yes and then arrangements had to be made for somebody to meet me.

And where was this Regional Command meeting?---at that time we were holding our meetings, and that meeting was held, in the van.

And was it there that you told Billy to inform Johannesburg that you would be there on the 30th May?---That final arrangement was made in Billy's flat where Billy had got the instructions to advise me.

What did you go to the flat for?---That is where we made the final arrangements of my leaving.

Who made the final arrangements?--It was when Billy was writing the letter to advise I am coming.

But you had made all those arrangements before. You had agreed on a date.---Yes. But the letter advising them about my coming was written in Billy's flat. Billy wrote it in his flat.

You had earlier agreed on a date.---Yes we had.

And everything was finalised and all that had to happen was that Billy now had to write the letter advising them? ---That is so.

Now I am asking you what made you go to his flat? ---Everything was arranged finally, except that it was not 100% certain about the date. I had some other duties to perform, and it depended on that, so I went to Billy on that

day to say "I have performed my duties. The 30th is alright now, so now you can write and tell them it is the 30th."

But had you agreed on the 30th May when you were with the Regional Command?---The date itself was not fully decided, because the date of my departure depended as to whether I would have completed certain duties which I had to perform, in regard to the Trade Unions, therefore the finalising of the date was between me and Billy.

Now you arrived at Rivonia.--Yes.

What time of the day was it?---It was in the evening. I should approximately between half past seven and eight.

And who was the first person you saw?---They were all there together.

Who was the first person you spoke to?---Walter Sisulu was the first person I spoke to.

Solomon Mbanjwa was supposed to go up as well, was he not?--Yes.

Who was he to represent?--The A.N.C.

And you were representing?---Umkonto we Sizwe.

So there were two different representations?--Yes.

Because there were two different organisations?

---Yes.

And what happened when you saw Walter Sisulu?---He asked me where Solomon Mbanjwa was.

Yes?---I then told him that I was also only surprised to hear it from Mtembo here that Solomon Mbanjwa had to come.

Yes?---Then Walter said 'alright, I will give you a message to take.'

To?---That I had to convey the message to Solomon Mbanjwa.

At that time was it clear that Walter Sisulu was in a great hurry to get away[?] ---Well, he was sitting but down, therefore I cannot say, if he said there was somewhere he was in a hurry to go to.

Was he in a hurry to leave?--He said so yes.

Yes. And did he leave?--Yes.

Almost immediately?---As soon as he gave me the message, after he gave me the message.

I see. What was the message?---He said I must tell Solomon Mbanjwa to tell the A.N.C. that it is required that by the end of July that they must find 300 volunteers in Durban, and then, 200 in Durban..

Not 300,---Not 300. I made a mistake, I am mixing that up with the rural areas. (Witness says something to the interpreter). INTERPRETER: No, not the rural areas.

What you are doing is you are mixing up ~~up~~ this conversation with the conversation you had with Govan Mbeki. ---That is correct. Walter Sisulu said from Durban 200 volunteers were required, and 2000 from the rural areas, are required.

Yes?--That will be required at the end of October, the 2000.

Is that all?---The 200 at the end of July. He said now seeing that I am in a hurry, there is somewhere I am going, ^{the} rest of the information that you should get you will get from Mbeki, in regard to those volunteers that he had mentioned.

Did he then leave?--He then left.

You see because Walter Sisulu will deny that he said this to you. And what I want to put to you is that you are really putting into Walter Sisulu's mouth what Govan Mbeki..what you allege Govan Mbeki told you. And that in

fact it was correct when you said a few moments ago you are mixing up the meeting with Govan Mbeki with that of Walter Sisulu.---No. What Walter Sisulu said and what Govan Mbeki said are different altogether. Walter Sisulu said 200 were required from Durban, and after we had spoken, and then after I had spoken with Govan Mbeki, he, Govan Mbeki, said we must find 300.

Anyway I am putting to you that Walter Sisulu will deny this, and what is significant, and again I want to suggest to you that you are making things up - you remember when you gave your evidence you were asked to tell what it was that Walter Sisulu said, and in evidence in chief you told the Court and his lordship, you gave this evidence about the 200 volunteers and 2000 volunteers from the rural areas but you went even further than that. You said that he said that Natal was to be divided into seven divisions. Had you forgotten that just now when I asked you this question?---He mentioned that, and said that the explanation I would get fully from Govan Mbeki.

You said a moment ago that the explanation in regard to the volunteers you would get fully from Mbeki, not the explanation in regard to the division. I asked you to tell us what it was that Walter Sisulu told you, and all you mentioned was the volunteers. Not a word about the divisions. You went on to say that the explanation in regard to the volunteers you would get from Mbeki. You made no mention whatsoever about Natal being divided into divisions. I am asking you, had you forgotten that when you gave your evidence a few moments ago?--Yes.

You had forgotten.---I forgot to mention that, that is right.

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Now you remember giving evidence in regard to the groups that had been formed in Natal?---Yes.

And you remember telling his lordship that you taught ~~the sergeant~~ the sergeant in charge of the groups, you gave them instructions?---Yes. I remember that.

Are you able to tell us who the sergeants were that were in charge of these groups?---I can yes, but I am not certain that I can place them in their correct groups, but I can tell you who they were.

Has your memory failed since last time?--I can try now to do it.

I am asking you has ~~f~~ your memory failed?--No.

Because on the last occasion you were able, without any hesitation whatsoever, to say who was in charge of which group?--Yes, and I can say it now.

Why did you say a few moments ago that you were not certain?--I said there is a possibility that I ~~might~~ might not be able to place them, but I could try, as I tried last time.

Alright, well we won't take you any further on that. Who was in charge of the Kwa Mashu group?--Kernick.

Hammersdale is the one I am interested in.---
Solomon Mbatu.

Are you quite sure of that?--Yes.

Right. You also told us on the last occasion on a number of occasions that it was always mentioned of the A.N.C. that you must be a member of SACTU and members of SACTU should be a member of the A.N.C.---That is correct.

Was this an instruction that had been given long before as you say the A.N.C. had decided to go over to violent means to achieve its ends?---Yes.

And in fact it is not quite accurate. The position

is that not all SACTU members could become members of A.N.C. is that not so?---I would say that is correct to a certain extent because ~~Ø~~ SACTU in its membership includes all races of whites which would not be the case with the A.N.C.

QUITE SO. And conversely A.N.C. members who are not workers or members of Trade Unions could not be members of SACTU.--Not quite correct. People for instance a man who has a business, who is not a worker, ~~who~~ has a business, people like that do join SACTU and become a member - some of them.

But how can they join SACTU unless they are members of a Trade Union? SACTU, as you have already told is, is the South African Congress of Trade Unions, to which the trade unions are affiliated.---I have yesterday explained that ~~people~~ people who are not members of any Union could become members of SACTU through General Workers Association.

General Workers Union.--It is called General Workers Union.

That is what I am talking to you about. Anyway, I want to cut this short: isn't the position this that what you were told is that A.N.C. members should join ~~xxx~~ and build trade unions, that is roughly the position, and these unions should in turn affiliate to SACTU?---Yes, because the policies of A.N.C. and SACTU were the same. It was said that members of the A.N.C. must be members of SACTU and members of SACTU must be members of A.N.C.

That is the way you put it.--Yes. I remember a certain incident. Chief Luthuli, before he was banned, addressed a meeting where ~~he~~ said, he expressed it this way: The ANC was the shield which..with which you have got to guard yourself, and the organisation of the workers is the assegai that does the stabbing. The A.N.C. is the shield.

And this was the policy in the days when the A.N.C. was a perfectly legal organisation.--That is so.

Now on a number of occasions you referred to "New Age" as being "our paper." ---Yes.

What I want to know from you is did "New Age" ever at any stage advocate violence? guerrilla warfare? sabotage? fighting the white man?--I would not say that it did that, but "New Age" was the paper that gave ~~xxx~~ everything that was happening and being done that other papers did not give. I would say it was the paper that really to a large extent supported the ANC.

only the A.N.C?--And SACTU and other organisations. More than other papers.

Now you have told us on a number of occasions that your instructions were not to take or endanger the lives of others when ~~xx~~ committing these acts of sabotage? that you were to destroy property and installations, but not to injure persons.--Yes.

And when you first made that statement, his lordship asked you what about this question of cutting signal wires. Now you know that the railway lines are divided up into sections.--Yes.

And unless a signal is given for a train to go through the train coming from behind cannot enter that section? ---Yes.

I see. So in fact the cutting of signal wires would not endanger anybody's life? (I understand that is the position, my lord, I am no expert on it.

BY THE COURT: I have an idea I mentioned rails).

WITNESS:

~~WITNESS:~~ I want to say in reply that it is quite correct that his lordship did put such a question and my reply was

I said that that was sabotage, but I said instructions were given that we must not injure people, but that was all in my reply, I replied to his lordship and I said when you are committing sabotage it is difficult not to endanger lives.

I know what your reply was. I was not questioning you in regard to your reply. I was merely trying to place on record the fact that there is no danger under those circumstances. Now you remember that there was an occasion in which a bomb was placed under the train line.---There were two occasions with bombs and trains. Now which one are you referring to?

You tell us about them.---One was at Karridene.

What happened there?---Ronnie and Ablon Duma put the bomb there.

Where did they put it?---On the lines.

I see. Yes?---The other one was done by Ebrahim on the railway line near Berea Road Station.

Yes; did you think that would endanger lives?
--It could injure people.

It could. Therefore this was done contrary to instructions?---Therefore before you can plant a bomb on a railway line you must first have knowledge of the running of the trains.

Yes?---If you want to overthrow a goods train, for instance, but then you would still have the driver of the train.

That is what I say - therefore it is contrary to instructions. The driver's life is as valuable as anybody's. You see there were instances, were there not, when members of the Regional Command went out on a frolic on their own, and placed bombs without instructions? --- That is true what you say. I agree with you that if you carry out sabotage

you give people instructions but you will find that they make mistakes.

They go contrary to instructions?--That would be contrary to the instructions.

Take for instance the bombing of the "Nataller."
--Yes.

That was contrary to instructions?--Yes.

Do you remember saying to his lordship that the Rivonia arrests were hard on Billy Nair? INTERPRETER: Pardon me I don't quite follow? that the Rivonia arrests were hard on Billy Nair?

Those were the exact words used. You went on to say but you did not care.--That is correct.

You remember saying that?--Yes I did.

Did you discuss these arrests with Billy Nair?---
Yes we did.

The Rivonia arrests? I see, well that is rather interesting, because at the time that the Rivonia arrests took place Billy Nair had already been arrested for some time.---
INTERPRETER: The witness was now deep in thought, my lord, still thinking very hard whilst counsel was putting that question.

I am sure!--INTERPRETER: He was softly whispering "Billy Nair" "Billy Nair" - he was evidently thinking hard.
WITNESS: I think I should say that in my evidence I said ..I think what I meant to convey was that the arrests at Rivonia were a sore point to people like Billy Nair.

Oh No! you said the Rivonia arrests were hard on Billy Nair, but you did not care. And you also said only a few moments ago you actually discussed the Rivonia arrests with Billy Nair.--No that I did not say.

Oh yes you did.---No, then it could be a mistake.

Oh no it is not, I am sorry. Now what do you mean when you say the Rivonia arrests were hard on Billy Nair, seeing that he was already arrested?---What I..I may have expressed it in those words, but what I meant to convey was that the arrests at Rivonia was something that was a sore point, it hurt people like Billy Nair.

Is that what you meant to convey, although they had been arrested before Rivonia?--Yes he was arrested before Rivonia.

Although you did say a few moments ago that you discussed them with Billy Nair.---No, not discussed.

Tell me who was on the Ad Hoc Committee?--In charge I would say was Solomon Mbanjwa, Makanja, Ernest Kalo, Fred Dube.

Yes?--Those are about those I can remember.

Were there a few more that you can't remember?---Yes.

There were some more. And people whom you did not know?---Yes, it is possible that some of them I did not know.

You were not on the committee yourself?--No. And those that I have mentioned, that I know of, I was told by Solomon.

So you can't really give us any information as to the size and who all the members were? --I am unable.

Because I want to come back to the point we started with yesterday before I sit down. You spoke about Communist control of the A.N.C. And I want to read to you the evidence that you gave in your evidence in chief, reading from page 193, at the top of the page. You said this: "Did any of those directives deal with the membership of the Communist Party vis-a-vis the A.N.C?" "Yes, one of them my lord instructed us that we must all become members of the A.N.C. branches." "When you say 'we must all' to whom are you referring?" Your

reply was "All the members of our Communist cell." "Had to become members of the A.N.C.?" "It was not limited to our cell only. All the Communist cells had to become members of the A.N.C." "Will you tell his lordship for what purpose all the members of the Communist cells had to become members of the A.N.C.?" Your reply was: "At that time there was a bit of trouble between Umkonto we Sizwe and the A.N.C. We were then..one of the directives was that it would perhaps solve the trouble if we, who were members of the Communist party, became members of the A.N.C." "How?" "So that we could control the A.N.C." "So that the members of the Communist Party could control the A.N.C.?" "yes". "And did in fact members of the Communist Party join the A.N.C.?" "Yes my lord." I am going to top for a moment. You made it quite clear that the reason for cells of the Communist Party was to ensure security.---Yes.

So that the members of your cell would not be known to members of another cell.---Yes.

I think you made it clear that it was basic that members of the Communist Party should not know one another other than those who were in their actual cell.---Correct.

Now I am going to go on with what I was reading. "And was the intended or desired result of control achieved." Your reply was as follows: "I could say yes...(continues quoting...got in charge of the whole A.N.C. my lord."---Yes.

That was the reason that you gave for saying that the Communist Party had taken control of the A.N.C.--That is so.

I see. ...Just one further question. What was the difference, or the trouble? You mentioned it on two or three occasions in your evidence in chief between Umkonto we Sizwe and the A.N.C.---One of the difficulties was that the leaders

of the A.N.C. wanted that they should control, they desired to control Umkonto we Sizwe.

Who told you that?---Solomon told me.

Do you want to go on---And Kernick Ndhlovu also told me. We discussed it amongst ourselves.

You were told this by Solomon and Kernick?--Yes¹
us at
That report was received by/the Regional Command.

Is that the trouble you are talking about?---Yes.

Would your lordship pardon me? I am reading this pamphlet I asked for - it has just been given me and I would like to read it for a moment. (Mr. Berrange reads document). Is this the pamphlet that you say was typed by Govan Mbeki.. written by Govan Mbeki and typed by Kathrada?---(Witness reads pamphlet). Yes this is the document.

Could we put it in as an Exhibit my lord?

DR. YUTAR: Exhibit R.10. Might I indicate that the evidence will be that this was found at Rivonia, 139 of them, and the wax sheets too.

CROSS-EXAMINATION BY MR. BERRANGE (CONTINUED):

There is not much more I want to ask you, but I do want to ask you about this chief at Bergville. You remember telling us of your conversations with him? Do you remember telling us about the fact that he said that they had guns?---Not directly face to face conversations with him. Information from Solomon that he had said so. Not direct talk between him and me.

You never had any direct talk with the chief at all.

---No, and I did not say that.

What did Solomon Mbanjwa say?--He said the chief from Bergville, when he spoke to him, he said to me that he, in talking to the chief, was satisfied that he was a supporter of the movement, the new movement that we had started.