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KOMMISSIE VAN ONDERSOEK OM ONDERSOEK IN TE STEL
NA DIE GEBEURE IN DIE DISTRIKTE VAN VEREENIGING
(TE WETE SHARPEVILLE LOKASIE EN EVATON) EN VANDER
BIJLPARK, TRANSVAAL PROVINSIE, op 21 MAART 1960.

WOENSDAG, 4 MEI 1960 - om
9.45 v.m.

VERTEENWOORDIGING:

SOOS VOORHEEN.

Asook:

ADV. G. COLMAN, Q.C., aangesê
deur mnr. A. Livingstone
& Kie., vir:

Die Biskop van Johannesburg
Marea Chaka
Kalamina Sempapura.

INHOUD

B.J. VON BELOW

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BEWYSSTUKKE

FOTO VAN SKARE OM SHARPEVILLE
POLISIESTASIE

Bewysstuk "B".

Foto (Lugfoto) VAN POLISIESTASIE
VANUIT NOORD-WESTELIKE RIGTING

" "J".

LUGFOTO VAN POLISIESTASIE VANUIT
'N NOORDELIKE RIGTINGSEKEM.

" "K".

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BARRY JOHN VAN BELOW, sworn, states:

EXAMINED BY MR. CLAASSEN: Mr. von Below,
you are employed by the newspaper, "The Star"? ---
I am.

As a photographer? ---Yes.

Would you have a look at this photograph,
Exh. "B"? ---Yes.

That is a photo taken by you? ---Yes.

And it is a photo of the Police Station at
Sharpeville? ---Yes.

Surrounded by a crowd of Bantus? ---Yes.

At what time did you take that photograph?
--- I would not be able to say exactly, but I know
it was some time after 11 o'clock in the morning.

THE CHAIRMAN: Would that be shortly
after 11 o'clock? --- Shortly after 11 o'clock.

EXAMINATION CONTINUED: Can you be sure

--- of ---

of the time? ---I can't be sure of the time, no. We cruised round for, I imagine, less than an hour - that we flew over those areas; then we flew over Sharpeville and then returned to Johannesburg again. I can't really be certain of the exact time.

I wonder whether I could show you the statement you made, and you can refresh your memory from it. This statement was made on the 8th April, 1960 (statement handed to Witness). Having refreshed your memory, what do you think, more or less, was the time? -- I imagine 11 o'clock. It is rather difficult to say precisely. I should say 11 o'clock - that is the nearest ...

Did you take this photograph out of a private plane? --- Out of a private Star plane.

Did you, while you were flying over Sharpeville, see other planes? --- I saw seven jets.

Did you see them flying over the crowd near the Police Station? --- Yes.

Did you take this photo before they were flying over there, or after? ---Before.

Did you stay on in the air, after taking the photo? --- We flew around for about - here again it is just an estimate - ten or fifteen minutes. Then we satisfied ourselves that there was nothing further to do in the way of obtaining photographs different from those we already had, and then we returned to Baragwanath, and from there to the office.

You were never in the location, on the ground? --- Never.

And were you there during the shooting? ---

---No---

No.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. KENTRIDGE: Mr. von Below, do you remember how many photographs you took? ---Of the Sharpeville Police Station?

Yes? --- Four.

From different angles? ---Yes.

Where are the other photographs? ---I do not have them.

Were they handed to the Police? --- We handed them to the Police.

Who did you hand them to? --- To the C.I.D.

Well, I can show you two in my possession and ask if they were taken by you. Would you look at these? Just look at the back? --- I assume that it must have been taken by me.

Well, was there any other photographer taking photographs for the "Star" from an aeroplane? ---No.

You did not have a Vereeniging news photographer with you? --- No; I did not have a photographer with me at all.

Well, can you identify those two photographs as having been taken by you on the morning of the 21st March? ---Yes.

At about the same time as the other photographs? --- Yes.

(Air-photograph taken from the North-West, Exh. "J" and Air-photograph taken from the North, Exh. "K", handed in).

Mr. von Below, the photograph which you were first shown was the one published on the front page of the "Star" of the 21st March? ---Yes.

I take it when you took your photograph to the "Star" you told your editor where you had taken it, and when you had taken it? ---Yes, on the 21st.

I take it on the 21st March, after you had landed, you had a much clearer idea of the time than you have now? ---Yes.

THE CHAIRMAN: Did you make any report in regard to the matter of time, on that day? --- No report as such, but when I returned to the office, I handed the photograph in to the editor. He could then tell, from the time that I returned to the office, at what time the photograph had been taken and whether I actually said, when I took the photograph, I don't know.

The point is, did you convey any information to him to the effect that "Here are two photographs I took at 10.30 or 11.00 or 11.30 this morning"? --- Not precisely.

CROSS-EXAMINATION CONTINUED: You would have given him some indication, probably; you would not have said five to eleven or five past, but you would have said "About eleven"? --- I don't know.

You can't remember, now? --- I don't recall.

But if he did have a time, presumably he would have got it from you? --- That is when the photographs were taken?

Yes; you see, in the "Star" of the 21st March, Mr. von Below, the caption under this photograph

states that it was taken shortly before noon. You won't deny that, Mr. von Below; you won't deny that that appeared in the Star?— It did appear in the Star.

And presumably, if the news editor put that caption on the photograph, he must have got it from you? —Presumably.

And presumably your memory of the time then was better than your memory now, and also better than your memory on the 8th April, when you made your statement? — Presumably.

We are talking about Exh. "B"? —Yes.

Did you watch the jets fly over the Police Station? —Yes.

Did you see what effect they had? —I saw that they flew low over the crowd, diving down above them and then flying out again. Well, I could see that it had very little effect.

Did you see some people leave the crowd? — No; I can't say that I did.

Judging by your photograph, people were joining and leaving the crowd all the time. Was that what you saw from the air? — When I now look at this photograph, that is what happened. I did not

Did you see any large crowds of people elsewhere in the location? — In Sharpeville?

Yes? — No.

They were not crowded in the streets? — That was the only crowd I saw.

—I take —

I take it that there were people in the streets walking about, elsewhere, or can't you recall? --- I can't really say.

At any rate, you did not notice that it was conspicuously empty elsewhere? --- This crowd of people was around the Police Station and the rest of the location seemed to be perfectly quiet and peaceful.

And as far as the Police Station was concerned, you don't mean to say that that was not peaceful? --- No; the scene here, of course, also looked quite peaceful, from what I could see of it.

THE CHAIRMAN: At what height did you take these photographs? ---I really could not say.

A few hundred feet? ---I think slightly more than that; 800 ft.

CROSS-EXAMINATION CONTINUED: Now, Mr. von Below, you made this statement from which you refreshed your memory? ---Yes.

May I see it, please? (Handed to Counsel). Where did you make this statement? ---In the office of the "Star".

Your statement says that you ^{had} taken a photograph which you "now hand in"? ---Yes.

Where did you hand it in? ---In the office of the "Star" newspaper.

No, but your statement says "I took a photograph which I now hand in"? ---It was handed in at the "Star" newspaper office, to Sergt. Coetzee.

NO FURTHER QUESTIONS.

MNR. LOUW: GEEN KRULSVERHOOR NIE.

RE-EXAMINED BY MR. GLASSEN: In this statement you seem to refer to one photo only? --- Only ^{one} photograph handed in?

You say "I photograph ^{ed} the scene which I now hand in". That seems to refer to? --- It is a question of grammar, more than anything else. I handed them several ...

Do you mean by saying this, it might refer to three photo's? --- Yes; three.

I don't know - this information can be checked; I understand that more than one photo was received from photographer attached to the "Star". There were photo's taken of the crowd, and these were ^{never} then/handed in to the Police - these two. (Exhs. "J" and "K"). These never reached the Police. Other photo's taken of the crowd? --- I did not hand these photographs in exactly; I handed these photographs to them on the day that I made that statement, to Sergt. Coetzee - is that the right name?

You say you handed these ^{to} him, too? --- We made the statement and then the photographs were printed in the "Star" office and they must have reached Sergt. Coetzee at some later date. I can't recall whether he called for them at the office, or ...

Now, is this the position that Exh. "B", the other photo, appeared in the "Star"; that one appeared in the "Star"? --- Yes.

And the Police must have seen it and must have gone to your office to obtain a copy? --- Yes.

At that time they had seen that one only, and knew nothing about the others? --- Correct.

--- And ---

And as far as they could know, there was only that one photo? — Sergt. Coetzee then came to me at the office and asked me what photographs I had taken of Sharpeville. He asked me also if I had taken the photograph which had appeared in the "Star".

Did he ask you personally? ---Yes.

Now, I understand - and this can be confirmed - before you yourself gave the time that the photo was taken, the news editor or somebody else in the "Star" had given it, as 11 o'clock, being the time the photo was taken? --- Somebody else had given that time?

Yes? ---I don't know.

Well, if that is so, he must have got it from you, I take it? You are the only one who could have given the time?

NO FURTHER QUESTIONS.

THE CHAIRMAN: Was the reporter with you in the plane, or were you the only representative? --- There was a reporter.

Of the "Star"? ---Of the "Star".

Would he have written the report that appeared in the Press in relation to this photograph? --- He would certainly have written a report. I don't know he wrote the report which appeared in the "Star".

Which plane did you charter - a company ...? --- A private air charter company.

Would they keep a record of the time of departure and arrival of the plane? --- Yes.

May I just ask you this: The three photographs that we have here, namely Exhs. "B", "J" and "K", would they all have been taken within the space of a few

--- minutes ---

minutes, or would there have been some interval between the taking of the three photographs? --- Within the space of ten or fifteen minutes.

You did not come to Sharpeville, take a photograph, then go to some area and return again to take a further photograph? ---No.

It was merely a question of flying over, taking a photograph, making the necessary turn and flying over again to get it from some other angle? ---Yes; that is correct. We must have made half-a-dozen circuits just above the police station, to take these photographs; I take it it probably took about ten minutes.

Did you see the arrival of any saracens? ---Not from the air.

When you made this statement and you said that this photo was taken just before 11, can one take it that you must have been under the impression, all the time, that that was the time that you took the photo? --- I was under the impression when I made this statement that ...

But up to that time, you must have been under the impression all the time that that was about the time that you took the photo? ---Yes.

The information which is contained in that statement to which you have referred, was that information which you yourself volunteered, or was it stated and you then confirmed it; or at least did not react to it. What was the position? --- I volunteered the information, when asked by Sergt. Coetzee.

--- We ---

B.J. VON BELOW
By the Chairman.
A.F. SPENGLER
Hoofgetuigenis.

We have had various people estimating the size of the crowd. You had another view, namely from the top. What impression did you get at the time you took this photograph? I know you can only give a rough estimate, but are you prepared to make an estimate?— It can only be a rough one. I take it there must have been a crowd of about 4,000 or 5,000 people, at that point.

MR. KENTRIDGE: Mr. Chairman, I don't recall whether it was your question or my learned friend's - the Witness saying that he saw no saracens from the air. I just did not quite understand it. I take it, it does not mean that he saw saracens in some other place or on the ground. I understood that the Witness had not been on the ground, in or near the location.

THE CHAIRMAN: That was his evidence.

MR. KENTRIDGE: I wonder, arising out of the question about the plane, if one could have the name of the company which chartered the plane? — You would have to check with the office.

ABRAHAM THEODORE SPENGLER, beëdig, verklaar:

VERHOOR DEUR MNR. CLAASSEN: U is 'n luitenant-kolonel, Suid-Afrikaanse Polisie, en u is in bevel van die Veiligheidstak, gestasioneer te Johannesburg? — Korrek.

Hee ver strek u gebied? — Feitlik die hele Witwatersrand, behalwe Springs.

— DIE VOORSITTER —

DIE VOORSITTER: Het dit ook betrekking op die Vereeniging-distrik? --- Ja.

VERHOOR HERVAT: En het u net die een sentrale kanteer waarvandaan alle werk gedaan word, of het u verskillende kantore waar ander personeel werksaam is? --- Ek het ook sub-kantore.

Word verslae aan u gerig vanuit daardie kantore? --- Dit is so, ja.

Ek neem dus aan, u dra kennis, taanklik wye kennis van die gebeure in die hele Witwatersrand, van organisasies, politieke organisasies? --- Korrek.

En u dra ook kennis van, onder andere, die A.N.C. en die P.A.C. -organisasies? --- Dit is reg.

Die gebied van Vereeniging en Vanderbijlpark, val dit onder u? --- Ja; dit ressorteer onder my.

En het u verslae ontvang vanuit hierdie gebied, ook? --- Ja.

Wat hier gaande was? --- Dit is reg.

Was u dus bewus van enige organisasies wat hier op voet was? --- Ja.

Wat die P.A.C. betref? --- Dit is reg.

Die optog wat gehou was op die 21e Maart hierdie jaar, het u kennis gedra daarvan, dat dit sou gebeur, voor die tyd? --- Ek het inligting gehad dat daar wel iets sou gebeur.

Het u sekere pamflette wat uitgedeel was in die lokasie, in die hande gekry? --- Ja.

Kan u sê wanneer die eerste stap gedoen was wat aanleiding gegee het tot hierdie optog? --- Dit is aan my gerapporteer dat gedurende Saterdag

--- sekere ---

sekere voorvalle gebeur het in die Sharpeville-lokasie.

Maar is u bekend met enige besluite wat deur die organisasie geneem was vroeër, wat miskien indirek aanleiding gegee het ...? — Ja, volgens die pamflet, "Calling the Nation", sou daar op die 21e 'n algemene betoging gewees het van Bantoes, om van die werk weg te bly.

Johannesburg na
Op daardie dag, het u oorgeken van/Sharpeville
? — Ja; as gevolg van inligting ontvang, het ek oer
geken na Sharpeville.

Kel. Pienaar was ook daar aangesig, by die
Polisiestasie? — Dit is reg.

Het u met hom saam gekom? — Nee; ek was ^{voor} /hom
by Sharpeville gewees.

Omtrent watter tyd het u daar aangekom? —
Ongeveer 1 n.m.

Was u alleen, of het u met ander manskappe
saam gekom? — Kel. Prinsloo en myself, speurder-sersant
Wessels, was in een kar; kapt. Millen en sers. Muller
het gevolg.

Dit is almal lede van die Veiligheidstak? —
Dit is reg.

Het julle met 'n moterkar gery? — Ja.
Ons het met twee moters gery.

En het u met daardie twee moters gery tot
op die perseel van die Polisiestasie, of was u begelei
deur saracens? — Ons het met die karre gery, maar ons
was begelei deur ^{'n} /saracens.

Het die saracens voor gery, of agter julle?
— Hulle het voor gery.

En het u sonder moeite deur die hekke kon gaan? — Daar was 'n groot samekromming van Naturelle-kinders en Naturellevrouens en mans voor die Polisie-stasie, en dit was moeilik om deur te kom.

Hoe het julle daarin geslaag? — Ons het maar in gedruk, die toeter geblaas en stadig en geleidelik in gekom.

Was jy in die voorste kar, of in die tweede kar? — In die voorste kar.

Wie het die hek oopgemaak? — Daar was 'n Bantokenstabel by die hek.

En weet u wat gebeur het nadat u deur die hek is? — Die hek ...

Onmiddellik nadat u deur is, weet u of die hek weer toegemaak is? — Ek kan nie sê nie, maar nadat ek uit die kar geklim het en na vore gegaan het, was die hek weer toe.

U sê u het omtrent 1-uur daar aangekom? — Dit is reg.

Wat sou die posisie wees in so'n geval, waar u van die Veiligheidstak, aankom en daar ander offisiere is van die Polisie. Sou u oorneem, of kol. Prinsloo sou oorgeneem het; of bemoei u u nie met die univorm-polisie nie? — Ons sou uitsluitlik daarheen gegaan het vir ondersoek. Die meeste van die univorm-lede wat daar was, was onbekend aan my. Gevolglik het ons die toesig van manne daar gelaat onder univorm-bevel.

Het u met hulle 'n gesprek gevoer voordat u enige stappe gedoen het? — Ja. Toe kol. Pienaar kom, het ek met hom 'n onderhoud gehad.

Hee, ek bedoel nou voordat kol. Pienaar daar

aangekomen het? —Kol. Prinsloo het met kapt. Theron onderhandel, wie in bevel was van die Polisie.

Was u teenwoordig? —Nee. Ek het gesien dat hulle saam gesels het.

Hoe het die posisie vir jou voorgeken, daar, toe u daar kom? — Die Naturelle was baie oproerig en het gekree; ons was uitgejou toe ons uit die kar uitklim.

Maar was daar enige gevaar dat hulle sou oorgaan tot geweld, sover u kon sien? — Die gedrag van 'nBantoe is baie onpeilbaar. In my opinie, kon enigiets gebeur het.

Die manskappe wat reeds daar was, waar was hulle toe u daar aangekom het? —Hulle was voor op die perseel, tussen die hoofgebou en die draad.

Hulle was nog nie in gelid opgestel nie? — Nee, hulle was nog nie in gelid opgestel nie.

En u is u het daar gegaan hoofsaaklik vir ondersoek? — Dit is reg.

Wat het u in daardie rigting gedoen? — Toe ons in die perseel, voor, kom, waar die Polisie was en waar daar Polisie-voertuie was, het ek 'n sekere Naturel, tussen die manne sien rondbeweeg. Ek het gemerk dat hy 'n P.A.C. -kaartjie, "Away with Passes!" aan sy boudjie-lapel gedra het. Ek het op gegaan na die Bantoe ...

Is hy net eens; was hy aan die Polisiekant van die draad?—Ja; binne die Polisiecamp.

Was hy die enigste Bantoe wat dāgr was, afgesien van die Bantoe-Polisie? — Dit is reg. Ek

het toe op gegaan na hom en vir hom gevra wie hy was. Terselfdertyd het speurder-sersant Wessels ook op gekom. Hy het hom geken as Tsole, sekretaris van die P.A.C. te Sharpeville-lekasië. Ek het vir hom gevra wat hy soek.

DIE VOORSITTER: Watter taal is gebruik? — Afrikaans. Hy het omgedraai na die skare, en gesê, "I represent these people". Ek het hom gevra hoekom gaan hulle nie huis-toe nie, en hy het geantwoord, "We will not call this off unless Sebukwe has spoken". Ek, ^{en} speurder-sersant Wessels het hom na agter geneem in die Polisie-personeel, waar ek hoofkonstabel Heyl aangetref het. Ek het vir mr. Heyl gevra om die Bantoe se bewysboek te vra. Hy kon egter nie een toon nie. Ek het die Naturel gevat en oorhandig aan kol. Prinsloo, wat toe ook agter was, en kapt. Willems was ook daar.

VERHOOR HERVAT: Wanneer u praat van "agter", bedoel u binne die Polisiegebou? — Binne die Polisiegebou.

Wat was die doel, eerstens, om hom daar in te neem? — Om hom uit die gesig van die skare te kry en om in 'n privaatkantoor met hom te praat.

Hoekom wou jy hom uit die gesig van die skare kry? — Ek het gereken dit is wenslik om alleen met hom te praat, maar nie in die gesig van die skare nie.

En waarom het u hom gevra vir sy bewysboek? — Om vas te stel of hy wel een het, want hulle veldtog was gemik teen die dra van die bewysboek, en volgens inligting sou hulle daardie dag nie bewysboeke dra nie.

Hoekom het u iemand anders gevra om hom te vra vir sy bewysboek? — Ek wou dat 'n uniformman dit doen,

sodat hy kon besef dit is 'n Polisieman met wie hy te doen het.

Toe het u sy antwoord gekry, dat hy nie 'n bewysboek het nie? --- Dit is reg.

En toe het u hom aan kol. Pienaar oorhandig? --- Prinsloo.

Wat was die doel daarvan? --- Vir verdere onderhandeling - vir ondervraging.

Hoekom het u dit nie self gedoen nie? --- Kol. Prinsloo was die senior-man sover dit my aangegaan het.

En weet jy wat verder daar gebeur het? --- Ek het hom later indie kantoor gesien waar kapt. Willers hom ondervra het.

En weet jy wat sy antwoorde daar was? --- Nee.

Jy weet niks van wat hy verder gesê het nie? --- Nee. Kapt. Willers het hom uitsluitlik ondervra.

En watter tyd was dit omtrent? --- Dit was net kort na 1-uur.

Is u toe weer uit? --- Ek is weer uit saam met sers. Wessels en ek het voor in die perseel gaan staan. Toe het 'n sekere Naturel langs die draad op beweeg.

DIE VOORSITTER: Binnekant, of buitekant die Polisieterrein? --- Buitekant van die draad. Hy het kort-kort duim opgesteek en die "Afrika!" -kreet gegee. Spuurder-sersant Wessels het hom aan my geïdentifiseer as More. Sers. Wessels het my verlaat en 'n rukkie daarna het ek hom met dieselfde Bantoe binne-in die perseel gesien.

VERHOOR HERVAT: Jy weet nie waar hy hom

gekry het nie; of hy hom buitekant die draad gaan haal het, en of hy self oor gekom het nie? — Nee; ek dra nie kennis daarvan nie.

Ja, en toe? — Sers. Wessels het hom toe aan my geïdentifiseer as die vice-voorsitter van die P.A.C. -tak te Sharpeville. Ek het die Naturel gevra wat hy soek, waarop hy geantwoord het, "I am the leader of these people. We want our freedom".

Is ek reg, dat sy eerste/aan u was dieselfde antwoord as Tsolo s'n? — Tsolo het gesê, "I represent these people". Hy het gesê, "I am the leader of these people".

Toe het hy bygevoeg, "We want our freedom"? — "We want our freedom".

Nog iets anders? — Ek het hom ook gevra na die agterdeel, na die kantore.

DIE VOORSITTER: Was hy gewillig om te gaan? — Heeltemal gewillig.

Het hy - het u hom onder die indruk gebring dat hy gearresteer word? — Nie die minste nie. Ek het toe vir mnr. Heyl gevra om hom ook vir sy bewysboek te vra. Hy het nie een gehad nie.

Het hy bleet net gesê "Ek het nie 'n bewysboek nie", of het hy enigiets bygevoeg? — Hy het gesê, "I haven't got one". Ek het hom ook aan kol. Prinsloo oerhandig en kol. Prinsloo het hom beveel om buitekant te sit en 'n wag by hom geplaas sodat hy nie kon weghardloop nie.

VERHOOR HERVAT: Is dit gedoen voordat kol. Prinsloo hom enige vrae gestel het? — Ja.

So, wat verder daar binnekant gebeur het, weet u niks van af nie? — Nee.

Hy is uit gebring, sê u, en gevra om buitekant te sit? —Ja. Hy was nooit binne in die kantoor gewees nie. Hy was nog altyd buite die kantoor.

Daar is 'n ringmuur om die kantore self? —Self. Die kantoor is - voor is 'n muur.

Wanneer u sê hy was nooit in die kantoor nie, bedoel u dat hy nooit binne daardie muur was nie? —Nee; hy was binne, en dan ook tussen die kantore.

In die binneplaas? — Dit is reg, ja.

So, daar waar hy gewees het, sou die skare hom kon sien? — Ek twyfel of hulle hom kon sien.

Nou, wat was die volgende stap wat u gedoen het? — Ek is daarna terug na die voorhek, dit is die dubbelhek waar ons ingekom het.

Dit is nou die dubbele hek aan die Westekant van die Polisiestasie? —Ja; daar was nog steeds Bantoes saangedrom. 'n Sekere Bantoe het voor die hek gestaan, en kort-kort in Naturelletaal na die Bantoes geskree, vinger epgesteek en "Afrika!" geskree.

Sê u hy was voor die hek, buitekant die perseel? —Ja. Maar hy het ook buitekant die draad gestaan.

Het u ook daar gestaan? —Nee; die Bantoe was buitekant die draad en ek was binnekant die draad.

Ek volg, ja? —Ongeveer op daardie stadium het kol. Pienaar gearriveer. Nadat hy arriveer het, het hy sy manne opgestel in rye van drie. Ek het toe na hom gegaan en hom meegedeel dat ek voornemens is om die leiers en die grootste agitators van die skare te probeer verwyder om te kyk of dit hulle nie tot bekroring sal bring en meentlik laat huis-toe gaan nie,

waarep hy geantwoord het ek moet maar aangaan met my
onderzoek. Ek is toe terug na die voorhek, en het
dieselfde Bantoe nog by die hek gekry, waar hy besig
was om die skare aante hits. Ek het hom toe versoek
om in te kom, wat hy toe ook gedoen het. Toe hy
tussen die Polisie is, was daar krete van "Cato Manor!"
"Cato Manor!" Hy het probeer om terug te gaan, maar
ek het hom vasgevat, aan speurder-sersant Muller gegee,
en hy is ook in die agterplaas in.

Waar het dit gebeur; hoe ver van die hek
af? —Ongeveer vyf tot tien passe.

Was daar ander Polisie wat daar gestaan het?
— Net vyftreë vanaf die draad, langsaan, het die
Polisie opgevorm gestaan.

U sê hulle was toe al in gelid opgestel? —
Hulle was in gelid opgestel.

Toe dit gebeur het? —Ja.

En is hy toe ook na die binneplaas geneem? —
Hy is na die binneplaas geneem, waar ek hom laterhand
gevind het, 'n endjie van More af.

U het nie met hom gepraat nie? —Nee; ek
het gladnie met hom gepraat nie.

Is dit net die drie Bantoes wat u geneem het?
— Dit is reg.

Was daar geen ander Bantoes wat u ook geneem
het, of gepeog het om in te neem nie? —Ja; ek is weer
terug na die voorhek-toe, waar 'n sekere Bantoe met 'n
rooi hemp aan die buitekant baie te kere gegaan het.
Ek het hom gevra wat hy soek en hy het gesê, "We don't
want passes. Afrika!" waarep die geheer spontaan
tot uitbarsting aangespoor is. Ek het hom gevra en

in te kom. Hy het na die hek-toe aangestap gekom. Toe ek die Bantoekeustabel beveel om die hek oop te maak, het hy teruggedeins. Ek het toe weer beveel dat die hek toegemaak word, en daar bly staan. Terwyl ek nog daar gestaan het, het 'n Bantoe doodluiters aangestap na die hek gekom, en voor die hek kom stilstaan. Ek het weer vir hom gevra, "Wat wil julle hê?"

Dit was toe 'n ander Bantoe? — 'n Ander Bantoe, ja. Hy het gesê, "I wish to surrender myself. I and my people don't want to carry passes". Ek het die Bantoekeustabel beveel om die hek oop te maak, en toe die Naturel probeer om in te kom, het van agter die Naturelle vorentoe gebeur; soveel so, dat ek omgestamp was. Terwyl ek in 'n bukkende posisie was, het klippe begin reën, en nog voor ek orent kon kom, het ek skote gehoor val.

Die Bantoes wat vorentoe gebeur het, wat was die gevolg? — Die gevolg was dat Bantoes by die hek ingestroom het.

Hoe ver het hulle werklik deur die hek gekom? — 'n Treë of twee.

Hoeveel, sou u sê, het so deurgekom? — Seker 100 of 200; wat in was, was seker onttrent 50; maar wat die stroom toe ingebring het by die hek, was seker 100 of 200, binne 'n paar sekondes.

Wat was u indruk; wat was die bedoeling van daardie beuring? — Ek het gevoel dat hulle 'n aanval leeds.

Het dit vir jou so voorgekom, op daardie tydstip? — Ja.

En toe, sê jy, het die klippe begin reën en die Polisie het begin skiet? ---Ja; die klippe het eers gereën, en toe het die Polisie geskiet.

En waar was jy tydens die skietery? ---
Tussen die Polisie en die Bantoes.

Tussen die lyn wat nou skiet, en die Bantoes?

---Ja.

Maar het jy nie daar in gevaar verkeer van koeëls nie? --- Meentlik.

Was jy die heel tyd daar? --- Die heel tyd.

Nog voor die hek? --- Voor die hek.

En wat het geword van die klomp wat daar deurgedruk het? --- Met die skietery het hulle teruggehardloop.

Hulle was teruggedruk? ---Nee; hulle het teruggegaan.

Sê u dat dit die skietery gewees het wat hulle laat terugval het? ---Ja.

DIE VOORSITTER: Was die dubbelehek toe geheel-en-al oop gewees? ---Dit was heeltemal oop gemaak.

Het dit die hele tyd so gebly terwyl daar geskiet was, of was dit toegemaak? --- Dit is moeilik om te sê. Ek glo nie dit kon toegemaak gewees het nie; dit het baie vinnig gegaan.

Het u daar gestaan, of het u gebuk of gelê?
--- Nee, ek het gestaan.

VERHOOR HERVAT: Wat was u indruk van die nodigheid om te skiet? ---Op daardie oomblik was die lewens in gevaar, en ek het gevoel dit was nodig om te skiet.

Kan u vir ons sê vanwaar het die gevaar gekom?

--- Reg van voor.

Maar wat was werklik die aard van hulle optrede of handeling wat jy beskou het as gevaarlik? ---

Die gooi van klippe. Baie van die Bantoes het kieries gehad.

Voor die Polisie geskiet het, het u enige ander skote gehoor? --- Nee.

En hoe het die skietery begin? --- Daar was eers twee enkelskote, en toe 'n sarsie skote, en daarna weer een skoot, 'n paar enkele skote.

Hoe lank sou u sê het die skietery aangehou? --- Ongeveer vyftien sekondes.

Was daar enige noodigheid om so lank te skiet? --- Vyftien sekondes is baie vinnig. Toe ek opspring het ek die man wat agter my was, se geweer in die lug gedruk en gesê, "Stop die skietery". Skygbaar onmiddellik daarna het dit gestop.

Hoekom wou jy hê hy moes stop? --- Want die Bantoes het toe weggehardloop.

Wat ek nou bedoel is, dit sou nie verwag word dat die Polisie sou skiet nadat die gevaar afgeweer was nie, nê? --- Nee.

Die reaksie van die skare onmiddellik nadat die eerste skote geval het, was dit nie sulks dat dit by jou die indruk geskep het dat die gevaar verby is nie? --- Dit is moeilik om te sê. Die voorstes wou agter-toe, en die agterstes staan toe skygbaar stil. 'n Mens weet nie wat kan gebeur nie. Maar die Polisie het gestop skiet na tien of vyftien sekondes. Toe was die gevaar oor.

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Kolonel, ek dink u het vir ons gesê dat die gevaar het bestaan in die feit dat daar met klippe gegooi was, en daar 'n aanduiding was dat hulle deur die hek wou stroom. Was daar enigiets anders waarin u gevaar gesien het? —Ja. As die Bantoes tussen die Polisie ingedring het, kon die Polisie hulle skynbaar nie verdedig nie. Dan sou die gebruik van vuurwapens nutteloos gewees het, want hulle sou hulle eie manne doodgeskiet het.

Maar hoe sou hulle daar kom? — Deur die hek en oor die drade. Hulle het gestaan, sterk teen die drade, teen die omheining.

Meen u daardeur dat hulle oor die drade sou gespring het? —Hulle kon maklik oor die draad spring.

Was daar enige tekens daarvan, dat hulle gepoog het om dit te doen? — Die draad was oor gebuig, na die kant van die polisiestasie.

Meen u dat die skare opsetlik die Polisie in die gesig van soveel vuurwapens sou aanval? —Ja. Moontlik.

Opsetlik sou hardloop, selfs in die gevaar wat daar voor is? — Die Polisie was egestel seker 'n vyftien of twintig minute voorheen. Selfs dit het hulle nie verhoed om die hek te storm nie.

Was dit die enigste bevel wat gegee was, dat hulle in 'n linie moet staan? —Ja.

Was daar geen ander bevel gegee ontrent laaiery nie? — Ek kan dit nie onthou nie, want ek was voor by die hek gewees. Kol. Pienaar was tussen sy nante gewees.

Het u enige bevel gehoor om te skiet? —Nee.

Het u 'n bevel gehoor om te stop? ---Ja.
'n Fluitjie het geblaas, en daar is geskree, "Stop!
Stop!"

DIE VOORSITTER: Met die blaas van die
fluitjie en die verskeie bevale wat u gehoor het,-
het dit begin onmiddellik na die skietery begin het,
of ...? ---Onmiddellik na die skietery begin het.

Oombliklik, of na verloop van 'n sekonde?
--- Een of twee skote het geval, en toe die sarsie,
en gedurende 'n onderbreking het ek gehoor die
fluitjie blaas en persone het van agter geskree,
"Stop!"

VERHOOR HERVAT: U het gesê dat so'n skare
Bantoes onrekenbaar is. Wat het u daarby bedoel? ---
Volgens ondervinding, as so'n massa saangedron is,
kan maklik oorgegaan word - en dit het al oorgegaan -
tot geweld en vernietiging van eiendom.

DIE VOORSITTER: Dit is sekerlik nie net
'n eienskap van 'n Bantoe-massa nie, is dit? ---

Enige massa wat bymekaar kom ...? --- Ek het
nog net met Bantoe-massas gehandel.

VERHOOR HERVAT: Bedoel u waar die samekoms
nie juis - u sê dat 'n Bantoeskare maklik kan oorgaan
tot geweld, besering van persone en beskadiging van
eiendom. Bedoel u daardeur dat selfs indien die
samekoms van die Bantoes nie net daardie opset geskied
het nie? --- Ja. Heeltemal.

Bedoel u dat dit toevallig kan ...? --- Op
'n uitbarsting kan uitloop.

Watter gevalle het u in gedagte? --- Wel, in
Kimberley, in 1952; onlangs, gevalle in Durban,

Port Elizabeth, New Brighton, Kaapstad.

DIE VOORSITTER: As u na Kaapstad verwys - u verwys vermoedelik nie na die voorvalle wat nou ondersoek word deur 'n Kommissie nie? ---Ja; na die onlangse voorvalle.

Dit is juis wat nou ondersoek word. Dit is moeilik om enige oordeel daaroor te fel.

VERHOOR HERVAT: Indien so-iets hier sou gebeur, in Vereeniging en Vanderbijlpark, het u enige idee wat die uitwerking sou wees? --- Die uitwerking mag verreikende gevolge hê, sover dit die ekonomie van die land aangaan. U kry by voorbeeld Vanderbijlpark, waar een van die grootste staalfabriek in die land is. U kry 'n opgaardam, wat aan 'n groot gedeelte van die land water voorsien; u kry die steenkoolmyne, en u kry vier of vyf kragstasies, wat 'n groot gedeelte van die land met krag voorsien. As sulke plekke beskadig moet word, gaan dit die ekonomie van die land oneindig beskadig, en bandeel.

Wat sou die gevolg wees as die arbeidskrag onthou word? --- Die fabriek sal nie kan funksioneer nie, en dit sal 'n chaos wees.

Dra u enige kennis van die gebeure op daardie dag in ander sentra? ---Nie persoonlik nie. In my persoonlike hoedanigheid weet ek daarvan, maar ek het dit nie persoonlik ...

Nee, ek verstaan; sover u kennis strek, wat u van gehoor het, en so aan, was die sameenkomste in ander dele van die land net so erg soos dit hier was? --- Dit is moeilik om te sê.

Wel, ons weet dat in Kaapstad ...

DIE VOORSITTER: Ek weet nie hoe ver u wil gaan met hierdie vraag nie. Ek wil u nie graag stop nie, maar dit open 'n veld wat miskien lateraan geen grens meer het nie. As u dit net in gedagte sal hou.

MNR. CLAASSEN: Ek dink dit is maar net 'n feit wat seker bekend is, dat daar wel 'n skare was; en ek wil daar geensins meer van sê of meer van gesê hê deur die getuie nie. Ek wil net weet - ons weet dat 'n skare bymekaar gekom het, hier; maar wat van ander dele van die land? Weet u tot hoe 'n mate die Bantoes daar vergader het met dieselfde doel as hier? ---Ja; in Durban ook ...

Op dieselfde dag? --- Dieselfde dag, of 'n dag daarna. Ek reken dit was dieselfde dag.

Sover as wat u kennis gaan, het u voorheen oëlikhede gehad in 'n besondere gebied van Bantoes wat bymekaar kom en betogings hou? ---In Sharpeville?

Ek praat van die gebied van Vereeniging en Vanderbijlpark? ---Hier- dieselfde dag was daar 'n groot byeenkoms gewees wat ek self gesien het by Vanderbijlpark; ook by Evaton. Toe ek by Vanderbijlpark kom, was daar inligting aan my gegee dat daar ook optogte was maar dat dit toe alreeds verby was.

Nee, ek weet nie of u my vraag volg nie. Ek bedoel of u enige kennis dra van die geskiedenis van hierdie gebied - dit sluit in Vereeniging en Vanderbijlpark; verstorings wat hier plaasgevind het, voor hierdie gebeure; of dit nou 'n rustige byeenkoms was, of ...? --- Die jaar vantevore - vanaf die jaar vantevore was daar byeenkomste. Ek moet

daarby voeg, daar was 'n ban gelê op die hou van openbare vergaderings in hierdie afdeling.

DIE VOORSITTER: Verstaan ek u reg as u sê dat gedurende die tydperk van 'n jaar wat die 21e voorafgegaan het, was dit stil? — Was dit stil.

In teenstelling daarmee, was die tyd voor dit nie stil gewees nie? — Sharpeville was nog redelik stil gewees. Daar was wel op ander plekke - in Evaton het hulle baie openbare vergaderings gehou, waar boikotte teen busse en dies meer gepropageer was.

MNR. CLAASSEN: GEEN VERDERE VRAE NIE.

CROSS-EXAMINED BY MR. COLMAN: What are the functions of the Security Branch? — We are Policemen in the ordinary sense of the word, and we conduct investigations. Ons is gewone lede van die Polisie. Ons ondersoek aangeleenthede rakende die veiligheid van die Staat.

I understood you the first time, Colonel; you need not bother to translate into Afrikaans for my benefit? — I prefer speaking Afrikaans.

All right. You conduct investigations; but you don't conduct, exactly, the same investigations as the ordinary Police do? — Ons voer alle ondersoek uit rakende die veiligheid van die Staat.

In all the aspects of the safety of the State? — In alle aangeleenthede rakende die veiligheid van die Staat.

For example, is it part of your duties to ensure that there are no strikes, then, which might cripple industry? — Herhaal die vraag, asseblief.

Is it part of your duty to ensure that there

are no strikes which might cripple industry? --- As ons inligting het van voorgenome stakings, dan word dit ondersoek.

DIE VOORSITTER: Die vraag is eintlik of dit julle pligte is om stakings te verhoed? ---Nee.

GROSS-EXAMINATION CONTINUED: You are not concerned with that? --- As daar inligting kom dat 'n staking dreig, dan ondersoek ons dit.

You investigate it? --- Yes.

Is that all you do about it? --- Ja; dan ondersoek ons dit.

You don't try to prevent strikes? --- As daar 'n samevloering van stakers is, dan gryp die univorm-afdeling in.

Your branch does not try to prevent strikes? --- Hoe neen u kan ek 'n staking verhoed?

Do you do anything to try to prevent strikes? --- Ons ondersoek alle aangeleenthede rakende stakings.

Would you be kind enough to answer my question. Do you do anything to try to prevent strikes - you and your branch? --- Ek kan nie verstaan hoe kan ek en my afdeling 'n staking voorkom nie.

DIE VOORSITTER: Nee, die vraag is dit: Is daar enige optrede wat u in u afdeling onderneem, wat as gevolg het dat 'n staking, by voorbeeld, nie plaasvind nie? Gestel u sou 'n berig dat daar 'n staking mag wees ontvang; dat u daareer ondersoek sou doen, en u vind dat 'n persoon is besig met onwettige optrede, by voorbeeld in verband met die aanhitsing tot staking. Sou dit binne die bestek van u pligte val, by voorbeeld, om so'n persoon dan te nader, ondersoek in te stel en

indien dit blyk dat daar 'n misdryf gepleeg is, hom te arresteer? --- Dit is heeltemal reg.

CROSS-EXAMINATION CONTINUED: And if there is a strike, do you assist in trying to bring it to an end? ---Ja.

How do you do that? --- Deur die aanhitters of leiers te probeer skadeloos stel, dat hulle nie kan verder sangaan daarmee nie.

Then, do I take it that your branch is not merely an investigating branch; it is a branch which ^{actually} has to/act as well? --- As die geleentheid hom voordoem, ja.

Are you the branch which first of all investigates all activities which you consider might be a danger to the State? --- Ja.

Is that one of your functions? ---Ja.

And do you also act in relation to danger to the State, and try to prevent it? ---Ja.

Is your branch in control of that part of Police activities? --- Ons doen die Veiligheidsafdeling-werk waarvan ek seer sekerlik nie aan u kan openbaar nie; behalwe dat u gevra het.

Normally, do you act through the uniformed branch? --- As hulle op die toneel is, ja. As hulle nie daar is nie, kry ons hulle se gou moontlik op die toneel en werk gesamentlik met hulle.

I am not asking you now about the particular scene, or particular occasion. In general, do you gather information and pass it on to the uniformed branch? --- My werksaamhede wat die univern-afdeling

wel raak, werd oorgedra aan my onmiddellike hoof, die Adjunk-Kommissaris, Witwatersrand.

And you, I take it, advise the uniformed branch on the best methods of dealing with political leaders and political activities, and so forth? — Dit is reg.

You are the experts on subversive individuals and subversive organisations? — Ek kan nie sê ek is 'n deskundige nie, maar ek probeer my bekwaam in die werksaamhede daarvan.

Well, let me put it this way, Col. Spengler: You are more expert in these matters than anybody else in the Police Force, in your area? — Dit mag so wees.

You keep yourself as fully informed as possible about all anti-Government organisations? — Ja.

And about all subversive individuals? — Dit is reg.

And you receive information about what their plans are? — Reg.

Particularly among these organisations are the African National Congress - you watch them ^{closely,} very/quan't you? — Ja.

And you receive a lot of information of who their leaders are and what their plans are, and how they work? — Dit is reg.

That applies, also, to the Pan-Africanist Movement, doesn't it? — Dit is reg.

Do you know who their leaders are? — Ja.

You know who their organisers are? — Dit is reg.

You know who many of their members are? ---

Dit is reg.

And you make a close study of what they are doing and what they are about to do? --- Dit is reg.

And you, Col. Spengler, advise the uniformed Police on how to deal with the things that such organisations are going to do? --- Ek dra my inligting oor aan hulle en hulle besluit na omstandighede.

Do you not assist them with your advise as to how to deal with these activities? --- As ek daarvoor gevra word, ja.

But surely, you are always asked, Col. Spengler, aren't you? --- Dit is nie nodig nie.

Why isn't it necessary? You know more about these people than the uniformed Police? --- Ja; ek weet van hulle.

And your advice should be constantly sought, is that not so? --- Ek lig my Adjunk-Kommissaris in omtrent die bedrywighede, van die organisasies.

I am asking you about your advice, about how to deal with them. Don't you give that? --- In welke gevalle?

In any circumstances. Do you give advise as to how the planned activities of, shall we say, the Pan-Africanist Congress, should be dealt with; what should be done about something that they are planning. Do you advise on that, or not? --- Ja.

Regularly, don't you? --- As ek inligting het om te gee, ja.

DIE VOORSITTER: U val onder die Adjunk-

Kommissaris? --- Dit is reg.

En sou die univorm-afdeling in daardie afdeling ook onder hom val? --- Ja.

CROSS-EXAMINATION CONTINUED: And as part of your duties, Col. Spengler, you have to concern yourself with mass gatherings? ---Ja.

Because mass gatherings are quite a common feature of the activities of these organisations? --- Dit is reg.

And have you made a study of the problem of a mass gathering and how to deal with it? --- We don't deal with mass gatherings. Sover dit massavergaderings aangaan, deel die univormafdeling daarmee.

I asked you, Col. Spengler, whether you make a study of such gatherings? --- Ons handel gewoonlik nie met massa-optrede nie. Dit word oorgelaat aan die univormafdeling.

Do you not think and plan about the best ways of dealing with mass gatherings? --- In my persoonlike hoedanigheid, ja.

But not in your official capacity? ---Ook.

Then why did you say in your personal capacity? Why did you tell his Lordship you do it in your personal capacity when you do it in both capacities? --- My persoonlike hoedanigheid is nog deel van my werk. Ek het dit miskien verkeerd uitgespreek.

Yes, I think so. Studying the problems of mass gatherings is an important part of your work, is it not? ---Ja.

Because mass gatherings are one of the problems of South Africa in these times, aren't they?

--- Heeltemal reg.

I take it there have been many discussions and conferences within the Police Force about the best methods of dealing of dealing with it? ---Ja.

And you have played a prominent part in it? ---
Ek kan nie sien - ek kan nie sê ek het 'n vooraanstaande rol daarin gespeel nie; ek is deel van die Polisie.

But a prominent official; you are an important official on the political side, aren't you? --- Dit is deel van my werk.

And riots are also a matter which fall within your province? ---Ja.

And you have studied the best methods of dealing with riots, haven't you? --- Yes.

And there have been many discussions and conferences about the best method of dealing with riots? ---Ja.

To which you were a party? ---Ja.

Now, do you claim to be experienced in dealing with crowds? --- Ek het al opgetree, maar ek sal nie sê dat my ondervinding van die beste is nie.

Do you claim substantial experience, or slight experience? --- Substantial.

Are you more experienced than any other/Police officer in dealing with crowds? --- Nee, ek sal sê die gewone Polisie-offisier het meentlik meer kennis daarvan. |
Hulle handel meer daarmee.

Does that apply to all kinds of crowds, or only to hostile crowds? --- Ek sou sê beide.

So you would claim less experience than the

average, uniformed man, about the best way of dealing with crowds? ---

THE CHAIRMAN: Of comparable rank, I take it.

CROSS-EXAMINATION CONTINUED: Of comparable rank? ---Ja.

What about an average Police Captain. Would he know better than you how to deal with a crowd; or are you more experienced? --- Ek kan die vraag nie beantwoord nie; ek weet nie wat is sy kennis nie.

Have you no impression about that? ---Nee.

Have you not made a study of all the incidents involving hostile crowds in this country in recent years? --- Ek het verskeie nagegaan in verband met onluste.

Have you formed no impression about the competence of the uniformed men who deal with these things? --- Ek het geen kommentaar te lewer nie.

Have you formed no impression about the competence of the officers who deal with these things? --- Hulle tree op soos hulle goeddink.

Will you repeat that, please? ---'n Polisie-offisier tree op soos hy goed dink, onder omstandighede.

Yes; we know that. I was asking you whether you had an impression that, shall we say, a uniformed Captain is more competent than you with regard to the handling of crowds; have you no impression on that? ---Nee.

What is your experience with crowds; have you had experience with European crowds which were difficult or hostile? ---Nee, nog nie.

---Not ---

Not at all? — Gladnie.

Not during the war? — O, ek het baie vergaderings bygewoon maar daar was nooit, sal ek maar sê, persone wat aggressief gewees het nie.

Have you not had occasions during the war where it was necessary to disperse the crowd, that was troublesome? — Nee.

Did you receive reports during the war about incidents of that kind?

DIE VOORSITTER: Was u nie in Johannesburg net die uitbreek van oorlog nie? — Nee; ek was in Pretoria.

Maar u was bewus van onluste in Johannesburg, nie waar nie, waarby blankes betrokke was? — Ek het gehoor daarvan, ja.

CROSS-EXAMINATION CONTINUED: But you claim no knowledge or experience with that sort of problem? — Nee.

You have no idea whether a Bantu crowd is any different from a European crowd? — Nee.

You have experience with Bantu crowds? — Tot 'n mindere mate, ja.

Enough experience to enable his Lordship to attach any weight to your opinions about how such crowds behave? — Ek was op verskeie Naturelle-vergaderings gedurende die afgelope vyf jaar, waar 'n menigte Bantoes saangedrom het.

Are you speaking about occasions when there was difficulty with the crowds? — Party was vreedzaam gewees, ander het oproerig geword. Maar nooit is tot

geweld oorgegaan nie.

Just tell me on how many occasions were you present where a crowd of Bantu was troublesome? --- Ek dink by voorbeeld aan die groot vergadering van die Congress of the People, wat in Kiptown gehou is.

Were they troublesome? --- Ons het hulle omsingel en hulle het probeer uitbars; hulle is teruggedruk.

Were the Bantu gathered at the Congress of the People in Kiptown, troublesome? --- Hulle was; nadat hulle omsingel was, het hulle probeer uitbars. Hulle is teruggedruk.

This is a matter which has been very fully investigated, as you know, by the Supreme Court. There has been detailed evidence on that. I put it to you that the gathering on that occasion was not in the slightest degree troublesome. Is that right? --- Hulle was; nadat die Polisie hulle omsingel het, het hulle probeer uitbars, en hulle is teruggedruk.

What was the size of the crowd? --- Daar was seker ontrent 3,000 of 4,000 persone gewees.

Were they - how many Police were there? --- Dit is moeilik om te sê. Ek dink daar was berede Polisie en manne te voet gewees. Daar was seker 'n honderd man gewees - miskien 200.

And you say that crowd was surrounded? --- Hulle was.

Why? --- Ons het die name en adresse geneem van die mense wat binnekant was.

And you refused to let the crowd go; they were confined? --- Hulle was, totdat ons hulle name klaar afgeneem het, ja.

The whole 3,000 or 4,000? --- Almal.

And during the period when you had them surrounded and you were doing that, was there violence?

---Nee.

Was anybody hurt? --- Sover my kennis strek, nie.

Was any force used? --- Behalwe die geleentheid toe hulle vorentoe gedrom het en toe agteruit gestoot is.

You mean just as Policemen might control a crowd when there is a procession in the streets; is that what you mean? --- Alhoewel, mense wat 'n prosesie volg breek uit en nader te kom, en die Naturelle het daar uitgebreek om weg te kom.

But the same amount of trouble and force was used as in the example I have given?---Ja.

Is that what you call trouble? ---Ja.

What other occasions have you witnessed trouble with Bantu crowds? --- Ons was op 'n vergadering gewees in Newclare, waar van die Polisie gedreig was.

Anybody hurt? ---Nee.

What other experience? --- In Kimberley, in 1952, net die opstote daar.

Were you there? ---Nie by almal nie; party.

What further experience have you had? --- Dit is al.

That is the extent of your experience with crowds? --- Ja.

So you are hardly an expert, Col. Spengler, are you, on the best way of dealing with a large crowd of Bantu who might become troublesome? --- Ek het redelike kennis daarvan.

Gathered from what; from the experience you have mentioned? --- Ja.

- ADJOURNED: 11.15 a.m. -

- RESUMED: 11.30 a.m. -

ABRAHAM THEODORE SPENGLER, still under oath:

CROSS-EXAMINATION CONTINUED: You have told us that Sharpeville is within your area of jurisdiction. I suppose you have been receiving information about that place for a long time? --- Dit is reg.

Did you know the population of Sharpeville?

--- Nee.

Have you any idea today of the population?

--- Nee.

Have you heard whether the population was in general decent, law-abiding? --- Van verslae wat ek in die keurant gelees het, ja.

Only from what you read in the newspaper? --- Sover as hierdie aangeleentheid betref, ja.

I am asking you in general about Sharpeville, during, shall we say, the few months before the disturbances? --- Behalwe vergaderings wat gehou was in privaat woonhuise, was dit stil gewees.

Is it your particular business to know what the temper of the Bantu population in various places is? --- Ja.

And your information was that Sharpeville was a place where the vast majority of the people were decent, law-abiding Bantus. Is that right? --- Ja.

Was there a small element of politically active people? --- Ja.

Was that the Pan-Africanists? --- Ja.

Did you know - you had a man there, didn't you?
--- Ek het 'n man in Vereeniging gehad.

Is that Sergt. Wessels? --- Dit is reg.

And part of his duty was to keep an eye on
Sharpeville and report to you on it? --- Dit is reg.

And is that what he reported, that the vast
majority were decent, law-abiding Bantus? --- Hy het
gerapporteer dat dit stil is, en rustig.

Did you not get any specific information from
him about Sharpeville? --- Ja, ek het; dat dit stil in
Sharpeville is.

And that most of the people were decent,
law-abiding people? --- Ek kan nie sê dat ek so'n verslag
ontvang het nie, maar dit mag wees.

That was your knowledge that you had, was it
not? --- My kennis was dat Sharpeville, seker dit ons
aangeleentheid raak, stil was.

I suppose it is part of your business to know
who the location superintendent and Non-European Affairs
Manager are in various places? --- Dit is die diens van
die man ter plaatse.

It is part of your function, though, to have
information about that? --- Die lokale man skakel met
die opsigter van die lokasie en die ...

So Sergt. Wessels would have known the Location
Superintendent, and the Non-European Affairs Manager as
well? --- Ja.

And he no doubt told you that the Location
Superintendent was Mr. Labuschagne? --- Ja.

--- And ---

And that Mr. Labuschagne was an able man who enjoyed the confidence of the Natives? — Ek kan nie herinner dat ons hom so spesifiek bespreek het nie, alhoewel ek ken mnr. Labuschagne self.

Well, then, you knew that he was a good ...? — Ek het nie met hom onderhandel gedurende sy tydperk as superintendent van Sharpeville nie.

Did you have the impression that he was an able man? — Ja.

And that he enjoyed the confidence of the Natives of Sharpeville? — Wel, ek kan dit nie sê nie.

DIE VOORSITTER: Wel, seker u inligting gestrek het, het dit geblyk dat hy op goeie voet verkeer, altans, met die inwoners van Sharpeville? — Ja.

Seker u ken oordeel? — Ja.

CROSS-EXAMINATION CONTINUED: Such men are very useful to you, aren't they? — Ja.

Can he be very useful to you? — Vir die Polisie.

In this country, it is most important for the Police to know who there is in any area who enjoys the confidence of the Bantu? — Ja.

And Mr. Ferreira, the Manager of the Vereeniging Non-European Affairs Department, was a similar man, was he not? — Ek het nie vir mnr. Ferreira geken nie.

Had you not heard of him? — Ek nag van hom gehoor het, maar ek het hom nie persoonlik geken nie.

And what you heard about him was that he was an able man and enjoyed the confidence of the Bantu? —

Ek glo nie ek het ooit vir mr. Ferreira met iemand bespreek nie, alhoewel ek nie enige klagtes gekry het teen hom nie.

At any rate, he would be a man in daily touch with the people, wouldn't he? — Ek vermoed so.

And Mr. Wessels would have known him well? — Ja, dit word verwag.

I suppose you knew, also, who the leaders of the Pan-Africanists were in Sharpeville? — Ek het hulle by naam geken, maar nie by gesig nie.

Sergt. Wessels would have known them by sight? — Ja.

And you would have known that More and Tsole were the two leading men of the Pan-Africanists? — Dit is reg.

And I suppose those two men were under careful watch by your branch? — Ja. Hulle bedrywighede word dopgehou.

It is your business, after all, to know as much as you can about the two leaders of the Pan-Africanists, in any event. Is that right? — Dit is reg.

And did they have great influence with the Sharpeville Natives, according to your information, or not? — As die leiers sou ek verwag dat hulle invloed op die persone kon uitvoer.

That is on their own followers? — Ja.

But the whole of Sharpeville weren't their followers, were they? — Nee.

Their followers were a handful out of the population of Sharpeville? — Ek vermoed so.

You had reason to expect that there would be trouble on the 21st March, didn't you? --- Ek het vermoed dat daar optogte en demonstrasies sou wees, ja.

All over the Union? ---Ja.

And, I think, particularly in the Vereeniging area? ---Not particularly.

Were the Pan-Africanists not better organised there than elsewhere? ---Nee; in Johannesburg is hulle ook georganiseer.

Were they not more active there than elsewhere? ---Hulle was baie aktief, ja.

More active than elsewhere? ---Ja.

DIE VOORSITTER: Is dit in Johannesburg, of Vereeniging? ---In Johannesburg.

CROSS-EXAMINATION CONTINUED: Oh; in Johannesburg. Not in Sharpeville? ---No.

But they were fairly active there, weren't they? ---Underground, yes.

And above ground, too? --- Hulle kon nie wees nie, want vergaderings was verbied. Hulle kon nie open bare vergaderings hou nie.

But that is not the only way these people work, is it? --- Hulle verkies om propaganda te maak op vergaderings.

They manage to make propaganda even without public meetings? --- Op 'n gewone - ondergrond, ja.

And those leaflets you spoke of; were they widely distributed in Sharpeville? --- Ek kan nie sê hoe wyd hulle versprei was nie. Ek vermoed so, want ek het verslae gekry dat daar wel versprei is.

And the Pan-Africanists had made their intentions for the 21st March perfectly clear? ---Ja.

What were their intentions? --- Hulle wou wegdoen met passe.

What were they going to do on that particular day? --- Ja, daar is verskillende metodes. Baie het gesê hulle wil die passe verband. Andere het gesê hulle moet die passe op een hoop by die Polisiestasie aan die Polisie oerhandig.

Didn't they have a campaign which provided that first of all the people were not going to work? --- Dit is reg.

That was the first thing, which you were expecting? ---Ja.

And did you think they would succeed in that? --- Dit is moeilik om te sê. 'nBantoe is onpeilbaar. Of hulle daarin sou slaag of nie, het ons nie geweet nie. Ons het gewag op verwikkelinge.

You thought it a possibility that they would persuade the Bantu to stay away from work that day? --- Ja. Ek het gevoel dat hulle meentlik 'n groot hoeveelheid van Bantoes sou kan weghou van die werk af.

They would do that, not only by persuasion by intimidation, wouldn't they? ---Ja; dit kan gebeur.

It has happened, hasn't it? --- Ja; dit het gebeur, al, voorheen.

Very frequently? --- Ek sal nie sê dikwels nie; daar was nie dikwels sulke gevalle gewees nie.

At any rate, you had reason to expect that there would be a lot of activity to intimidate the

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At any rate, you had reason to expect that there would be a lot of activity to intimidate the

overwhelming, law-abiding majority of Sharpeville to stay away from work? --- Ek sal sê, ons het vermoed dat daar matige intimidasie gaan wees; hoe groot, kan ek nie sê nie.

The other intention which they had made perfectly plain, was this: That they would try to get the Bantu to come to the Police Station without reference books and demand to be arrested? ---Dit is reg.

That is what you expected?---Ja.

Now, that is a very embarrassing situation for the Police, isn't it? --- Ja, dit was 'n situasie om mee te deal.

It is a most awkward thing if large crowds of Bantu are going to come to a Police Station without reference books and demand to be arrested? ---Ja; dit is reg.

It is very worrying? --- Dit is.

These announcements of what was to happen on the 21st March, had been circulating for quite a time before, hadn't they? --- Ek weet nie of dit so lank voor die tyd was nie. Ek mag verkeerd wees, maar ek dink die pamflette het op die 18e verskyn; op die 18e Maart.

But you had known about it long before that? ---Ja; Ek het. Hulle het dit propageer op vergaderings.

You had known weeks before that that was what they planned for the 21st March? ---Ja.

And I presume that the Police, and in particular your branch, considered what could be done about that? ---Ja. Die voorgenome optrede is gerapporteer aan die Univerm-Afdeling.

You reported to the Uniformed Branch that these things were going to happen, or might happen? --- Ja.

And I take it you had discussions with them about how it could be prevented or how you could deal with it if it arose? --- Ja. Daar was besprekings gewees.

Did you want to prevent it, if possible? ---Ja. Dit was moontlik. Ons het probeer om dit te verhoed, sover moontlik.

It is a thing that should be prevented, if possible, isn't it? ---Ja.

Why? --- ^{nie} Om/die samevloeiing van mense by die Polisie-stasie te hê nie.

Well, you don't want the Bantu to stay away from work, do you? ---No.

Strikes are dangerous to the economy of the country, you have said? ---Ja.

Now, what did you do to try and stop it?

DIE VOORSITTER: Dit is nou voor die 21e? --- Die aangeleentheid was opgedra aan die Adjunk-Kommissaris. Hulle het patrollies ingestuur om die Bantoes te verseker dat die wat wil kom werk, sal beskerm word.

CROSS-EXAMINATION CONTINUED: Was that assurance given, in Sharpeville? ---Ja.

That assurance the Police were unfortunately not able to live up to, were they? ---Ons het ons beste probeer.

But you did not succeed? ---Nee, ons het nie.

You were unable to protect the law-abiding Bantu who wanted to go to work? --- Ons het soveel moontlik in ons vermoë gedoen om hulle die nodige beskerming te verleen.

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Cross-examination

I am not asking you whether you did your best. I am asking you whether you succeeded? ---Of ons wel geslaag het daarin of nie, is nie vir my om te sê nie.

It is for you to say, Col. Spengler. You are the man who is the expert on these things. Don't avoid the question. You didn't succeed in protecting the law-abiding, peaceful Bantu from these intimidators, did you? --- Ons het die nodige beskerming aangebied. Die wat daarvan gebruik wou maak, was vry om daarvan gebruik te maak. As hulle nie wil nie, kan ons hulle nie verplig nie.

Do you suggest that the people who were in Sharpeville during that day, did not want to go to work? --- Ek kan dit nie sê nie.

Are you suggesting that no-one was intimidated and prevented from going to work? --- Ek het dit nog nooit gesê nie.

Do you suggest that? --- Ek het nog nooit so'n voorstel gemaak nie.

I am asking you now? ---Herhaal die vraag, asseblief?

Do you suggest that none of the Bantu of Sharpeville were intimidated and prevented from going to work, although they wanted to? --- Nee, ek sal nie sê hulle was nie ge-intimideer nie.

Of course they were intimidated; and you know it, don't you? --- Van verslae wat ek gekry het, ja.

Yes; ^{you can tell us} from reports -/hearsay information, in this enquiry. You know perfectly well that they were, don't you? ---Ja.

And you knew perfectly well that they were

intimidated to leave their passes behind? ---Ja; ek het sulke verslae ontvang.

And you know perfectly well that they were intimidated into gathering at the Police Station? ---Ja. |

/ Do you know that some of them were told to go to the Police Station because they could expect an announcement during the day? --- Ek het gehoor daar het sulke gerugte rondgegaan; maar deur wie dit versprei is, weet ek nie.

DIE VOORSITTER: Van wie het u dit gehoor? --- Na die skietery het iemand daar in die Polisiestatie gesê hulle verstaan dat die Naturelle was gesê om Polisiestatie-toe te kom, hulle sou toegesprek word, daar.

Het u dit dieselfde dag gehoor? --- Dieselfde dag.

Van wie; van 'n Polisieamptenaar, of van 'n burgerlike? --- Dit was van 'n Polisieman gewees.

CROSS-EXAMINATION CONTINUED: That sort of activity can be very embarrassing to the Police? --- Dit kan wees.

And I take it you have now made investigations to try and see who was doing it? --- Ons is besig met ondersoek, ja.

And have you found that it was done to a large extent in Sharpeville? ---Ja.

And have you found out who was doing it? --- Nee. Ons kon dit nog nie vaspen op sekere persone nie, op sekere individu of individue nie.

Now, let me come back to what you were expecting before the 21st March. You have told me you were expecting people to stay away from work. You told me that you

were expecting people to gather without passes at the Police station and demand to be arrested. You have told me that it could be expected that many would be intimidated into doing that; and you did not expect that they would be misled by a false message to go there, or did you expect that, too? --- No, I did not.

Has that technique never been used before, in your experience? --- Nee, nog nie.

At any rate, you were expecting these crowds and you say they were discussing about how to deal with it. Now, what plans were made for dealing with these embarrassing situations? --- Daar was ^{sterk} polisiepatrollies uitgestuur om die Bantoes uitmekaar uit te hou en hulle te versoek om werk-toe te gaan.

They did not respond to that request, did not go to work? --- Ek was nie terplaatsse gewees nie.

I am not asking you what happened at the time. I am asking you what plans were made? --- Ek het nou net gesê watter planne ons gemaak het.

Is that all? --- Ja.

DIE VOORSITTER: Ja, maar die vraag was gewees of daar enige besluit geneem is oor watter optrede daar van die kant van die Polisie sou wees indien die mense nie uitmekaar gaan nie en indien hulle van die werk wegbly? ---Nee; dit was dat die Polisie alles in hulle vermoë sou doen om die wetgehoorsame Naturel beskerming te gee, en te probeer verhoed dat daar samestroming sou wees.

CROSS-EXAMINATION CONTINUED: Col. Spengler, I think you have not quite understood my question yet. Let me put it to you again. It is a very serious thing from the point of view of the

thing from the point of view of the Police and from the point of view of the country, if Bantu are going to gather in large crowds at the Police Stations, breaking the law and demanding to be arrested? ---Ja.

It is quite impossible to arrest them in their thousands for that offence? --- Ja, dit sal moeilik wees, alhoewel dit kan gedoen word.

Could you arrest a crowd of 3,000 who came and said they have no reference books? --- Wel, dit kan gedoen word.

Was it a practicable thing to do? ---Nee; dit was nie prakties gewees nie.

So, you could not just let them "get away" with it, if I may use that expression, could you? --- Ek verstaan nie u vraag nie.

What was the plan; what were the Police going to do if some thousands of Bantu turned up at the Police Station without their reference books and demanded to be arrested? --- Die plan was om hulle uitmekaar uit te kry om na hulle huise terug te gaan.

How were you going to do that? --- Wel, die eerste was om hulle te verhoed om te probeer om by die polisiestatie te kom.

We've got them there already. If they got here, what was the plan, how were they going to be dispersed? ---Nee; dit weet ek nie.

You were consulted about it, surely? ---Nee; ek was nie.

But you are the expert on these people and their activities? --- Ek was nie gerandpleeg nie.

Nobody asked you for your advice, as to how to deal with the situation, with a situation like that? ---Nee.

Nobody told you how they were proposing to deal with it? ---Nee. Ek het dit met niemand diskusseer nie.

Well, if you had been asked for your advice, what advice would you have been given? How does one deal with a situation like that? --- O, dit hang af van omstandighede.

Well, let me give you a hypothetical case; an imaginary case, which you could have visualised before the 21st March. Suppose 5,000 Natives come to a Police Station and surround it, and say "We have no reference books; arrest us". What would your advice be; what would you do with those people? --- Ek sal probeer dat hulle teruggaan na hulle huise-toe.

How? --- Deur aan te dring by hulle om te loop.

How? --- Met luidsprekers.

You would address them with loudspeakers and force them, would you say, to go home? --- Nee; hulle versoek om weg te gaan.

Just say, "Please go home", or what is the proper method of dealing with these people; that is what I am trying to learn from you? --- Wel, elke omstandigheid is anders. Dit is moeilik om te sê wat jy alles sal doen. Dit hang af of die Bantoes gehoor gee aan jou versoek of nie.

And if he does not, what do you do next? --- Ek vermoed ek sou hom maar weer versoek.

And if he still does not? --- Dit is iets van

die toekens waarop ek nie kan kommentaar lewer nie.

Have you been sitting in that office all these years, helping to protect the South African State and you have never thought about a problem like this? --- Waar daar 'n groot samedromming van Naturelle is, is daar gewoonlik 'n senior uniform-offisier wat die leisels oorneem.

Well, don't you know what a senior uniformed officer should do in those circumstances? --- Ek kan nie namens hom praat nie.

Have you no idea what he should do? --- Ek het u herhaalde kere gesê, ek sal die persone versoek om vreedsaam uitmekaar te gaan.

And if they disobey, have you any idea what more can be done? --- Daar is baie maniere. Daar kan 'n knuppelloop uitgevoer word.

THE CHAIRMAN: Mr. Colman, does your hypothetical case presuppose that it is an orderly crowd and that their mood is a friendly one, or does it presuppose the contrary? --- Perhaps I should have clarified the position.

CROSS-EXAMINATION CONTINUED: Col. Spengler, you can deal with the case where they are a peaceful, quiet crowd, simply firmly demanding to be arrested. Is there anything you could do with such a crowd apart from the request that they must go? --- As/ 'n vreedsame optog is, sien ek geen rede waarom hulle nie sal gaan as ek die versoek herhaalde kere aan hulle stel nie.

And if they don't? --- Dit hang af van hulle geweld.

DIE VOORSITTER: Jy meen hulle sal miskien

moeg en vaak en honger word? ---Ja.

CROSS-EXAMINATION CONTINUED: That's a very good way of getting rid of them? ---Ja.

It is the safest way? ---Ja.

Safest for the Police? ---U handel nou met 'n vreedsame skare.

Yes; safest for themselves and safest for the country? ---Ja.

Now, supposing there is an excited mob, how would you deal with them? --- Ek het u gesê, ek sal hulle versoek om te gaan.

Have you any other ideas, now? --- As hulle nie wil gaan nie, kan 'n knuppelstormloop uitgevoer word.

Now, when are you justified in making a baton charge; merely because they are noisy? --- Omdat hulle aggressief is.

What do you mean by "aggressive"; do you mean if they attack? --- Attack; endanger - wanneer daar gevaar bestaan dat lewens in gevaar is of dat eiendomme beskadig mag word.

But the fact that they are many and the fact that they are noisy, would that justify you in using any force on them? --- Verwys u nou na 'n spesifieke geval, of praat u in die algemeen?

In general? --- Dit hang af van omstandighede. Die vraag is van so'n aard - jy moet jonself inlewe in die posisie waarin jy op die oomblik is. Ek kan nie nou hier vir die Hof verduidelik wat sal gebeur in so'n geval nie.

DIE VOORSITTER: Nee, maar ek dink die vraag is - hoever ek hulle verstaan, altans - hoofsaaklik bedoel om

was te stel of daar enige algemene strategiese plan bestaan het oor hoe 'n mens in bepaalde omstandighede optree? ---Ja; maar dit hang van omstandighede af.

CROSS-EXAMINATION CONTINUED: Well, Colonel, depending on circumstances, what methods are there available for the Police apart from the ones you have mentioned? --- Om die persons eerstens te verhoed om saam te drom; tweedens, om hulle te versoek om uitme-kaar uit te gaan; derdens, as lewens in gevaar is, ^{hulle gedrag} of/beskadiging van eiendom meebring, kan 'n knuppelleop uitgevoer word.

Anything else? --- As hulle tot geweld oor- gaan, kan daar op hulle gevuur word.

Anything else?

DIE VOORSITTER: Traangas? --- Traangas kan ook gebruik word.

As die wind reg is? --- Ek het nog nooit gebeur-tenisse gehad waar traangas gebruik was nie, maar dit kan gebruik word; dit hang af van die waai van die wind, Ek selfs van omstandighede, want die traangas kan moontlik tussen jou manne beland.

If the wind is in the right quarter so that tear gas won't affect your own men, it is a very useful thing to use with a crowd, is it not? ---Ja.

And is tear gas standard equipment of the South African Police? ---Ja; ek sal nie sê dit word uitgereik aan iedereen en elkeen nie, maar dit word in gereedheid gehou.

Now, ample supplies should be held in readiness for use? --- Hoeveel daar is, weet ek nie. Ek handel nie daarmee nie.

And is it part of Police policy that tear gas should be used if the circumstances are appropriate?

— Ja.

And I take it every Police Station would have a supply of tear gas? — Ek weet regtig nie.

DIE VOORSITTER: Kolonel, ek wil net 'n ander omstandigheid byvoeg, en dit is, wat is die algemene manier van optrede, waar jy so'n skare het en dit duidelik blyk dat daar bepaalde persone is wat die leiding neem? — Die eerste optrede is om ferm te wees en die leier of leiers te probeer verwyder, sodat daar nie verdere aanhitsing van hulle kant van die massa is nie.

Is dit nou algemene optrede? — Dit is moeilik om te sê. Ek glo nie die is neergeskrywe nie, geskrewe nie, maar ek vermoed dit sal die eerste optrede wees, om die massa se leiers te verwyder.

CROSS-EXAMINATION CONTINUED: Colonel Spengler, I have been privileged to receive a lot of information about the activities of your branch and of the uniformed Police? — Ek is bly u het dit gekry.

And one of the things I have heard - I don't know if you are glad that I heard this - is that your normal procedure is not to arrest leaders in the presence of a large gathering? — Ek weet nie van wie u die inligting gekry het nie.

Never mind where I got it; is it false? — Dit is nie reg nie.

It is your practice, then, to arrest the leaders in the presence of large crowds of their followers? — Ek het dit gedoen maar dit is nie my praktyk nie. Dit

was die eerste geleentheid dat ek dit gedoen het.

You have never done it before? ---Nee.

Sharpeville was the first time that you arrested the leaders in the presence of a mob? --- Dit is reg. Asseblief, meneer, moet my nie miskwoteer nie. Ek het nog nooit diw woord "arrestasie" gebruik nie. Jy het dit gebruik; nie ek nie.

You did not arrest anybody there? --- Ek het niemand gearresteer nie.

So you have never, then, arrested a leader in the presence of a mob of his followers? ---Nee.

That seems as if my information was not so wrong at all. Is it Police policy, when there is a large mob and it is desirable to disperse that mob, to make any appeal to its leaders for assistance? --- Ja.

Have you done that? ---Nee.

Never? --- Ek het dit wel gedoen die dag met Tsolo.

Oh, you did it that day with Tsolo? --- Ek het hom gevra, "Wat maak julle hier?" en hy het my geantwoord. Toe vra ek hom, "Hoekom gaan julle nie huis-toe nie?" toe sê hy, "We will not call this off unless Sebukwe has spoken". Dit was toe vir my duidelik gewees dat hierdie persoon nie met ons sal saamwerk nie.

Had you on any other occasion negotiated with the leader of a mob? ---Nee; nog nie.

Have you ever asked for the assistance of such a person? ---Nee; nog nie.

You wouldn't negotiate with such a person,

would you? --- Dit is u stelling; nie myne nie.

I am asking you? --- Ek sal; as hy wil saamspeel sal ons seker van sy dienste gebruik kan maak.

You would; you have no policy or prejudice which prevents you from negotiating with a leader of say a Pan-African mob of Natives? --- Onder sulke omstandighede, seer sekerlik nie.

If you thought that would help, you would do it?

---Ja.

It would be a sensible thing to do? ---Ja.

Tell me, Col. Spengler, what actual conferences or discussions were held about how to deal with the trouble on the 21st March? Did you attend conferences? --- Ek glo nie daar was 'n spesifieke konferensie geroep daarvoor nie. Ek het dit met die Adjunk-Kommissaris bespreek en gesê ek voel dat die leiers wat kom moet ons neem en ondervra, om die agtergrond van die aangeleentheid te kry. //

That was your advice to the Commissioner? --- Aan die Adjunk-Kommissaris.

Is that Col. Pienaar? ---Kolonel Lemmer.

That was your advice to him? ---Ja.

That you must arrest the leaders? --- Asseblief - nie arresteer nie; ondervra. Neem en ondervra.

You must take them, and question them? ---Ja.

I don't know, Col. Spengler, what you mean by "taking" people? --- As ek met 'n persoon praat en ek sê, "Stap saam met my" en hy willig in, dan neem jy hom saam met jou.

Only if he is willing? --- As hy gewillig is, ja.

Would you have considered arresting him? ---
Dit is moeilik om te sê - onder watter omstandighede,
praat u nou van?

When you were making the plans for the 21st?
--- Dit het van omstandighede afgehang.

So you did not make a firm plan as to whether
you would arrest or not? --- Daar was nie 'n vas neer-
gelegde plan gewees nie.

And you were going to take them, as you put it,
and question them to get the background of the thing;
is that what you said? --- Dit is reg.

Anything else? --- En om hulle planne te
probeer verydel; wat hulle beoog.

What was this background you were looking for?
You knew the background, didn't you? --- Om die agter-
grond te kry van hulle griewe.

Didn't you know what their grievances were?
--- Alleenlik van openbare vergaderings wat gehou is;
maar daar mag dieper griewe wees.

And were you very anxious to know what the
grievances of the Bantu or a section of the Bantu were?
--- Ja; ek was baie angstig om te weet.

Then why didn't you make these enquiries before
the 21st March; why wait until the large crowds have
gathered before you "take" the leaders to make these
enquiries? --- Wie sê ons het dit nie gedoen nie?

Did you? --- Ek het.

And did you get this information you were
looking for? --- Ons het inligting gekry.

Did you find that there was anything deeper

behind it? --- Ek kan nie my bron van inligting hier openbaar nie.

I didn't ask your sources of information? ---
Ek is nie bereid om te antwoord nie.

Why? ---Omdat die Polisie-geheime is.

What is it that you are not willing to tell us?
What the grievances were? ---Nee; wat die inligting is
wat ek van die persone bekom het wat ek ondervra het.

DIE VOORSITTER: Is dit nou voor die 21e? ---
Voor die 21e, ja. Ek sal nie sê ek het dit spesifiek
gedoen net voor die 21e nie; maar dit is in die loop
van die ondersoek gedoen, sedert die Pan-Africanist
Congress gestig is.

CROSS-EXAMINATION CONTINUED: Now, I want to
be clear about something, Col. Spengler; was your
advice to Col. Lemmer that the leaders should be taken
and this information sought on the 21st, or before the
21st? --- Dit mag 'n paar voor die tyd gewees het;
maar die oggend van die 21e ...

I think you misunderstood my question. I did
not ask you when you gave the advice. I mean, did you
advise him to do this on the 21st, when the crowd had
gathered or did you advise him to do it beforehand? ---
Die inligting was dat van die leiers hulle by die
Polisiestasie sou kom aanmeld, en my bedoeling was om
die persone wat hulleself kom aanmeld, te ondervra.

At the time, on the 21st? --- Ja. Wanneer hulle
hulleself kom aanmeld.

Why couldn't it be done before the 21st? ---
Ons het nie geweet wie sou hulleself kom aanmeld nie.

Didn't you know who the leaders were? --- Ja.
Ek het geweet wie hulle is.

Well, then you could have approached them before, if you were going to approach them in a friendly way to get information? --- Het u al met lede van die P.A.C. gehandel?

No, Colonel; that is why I am asking you. Did you think that in friendly conversations they would give you the information you were looking for? --- Nee.

On any date? --- Ek het bedoel dat as die persone hulle kom aanmeld sal hulle ondervra word op 'n vriendelike en hofflike wyse.

Did you think that friendly and courteous questioning was going to give you the secret information? --- Hulle sou dit meentlik daardie dag gegee het - dit was toe nie meer 'n geheim dat hulle wou wegdoen met hulle passe nie.

That wasn't a secret. Everybody in South Africa knew about that, Colonel? --- En ons het dit geweet volgens die pamflette; of hulle dit sou doen of nie, het ons nie geweet nie.

What was the secret; what sort of secret information did you think they would tell you in a friendly, courteous conversation? --- Om die agtergrond te kry.

What do you mean by that? --- Om hulle juiste griewe te kry. Hulle het beweer hulle wil wegdoen met die bewysboek, maar 'n mens weet nie deur wie word hulle aangehits om dit te doen nie. Is dit 'n lokale ding, is dit uniaal of is dit internasionaal.

Now, you have mentioned three things. Let's

take them one by one. You say first of all you wanted to know what their real grievances were? —Ja.

But didn't you know? — Onskynlik was dit die dra van 'n bewysboek, die lae salaris.

— Didn't you think those were genuine grievances?
— Dit mag wees.

Did you think they were genuine grievances?

MNR. CLAASSEN: Ek dink, Edelagbare, my geleerde vriend gaan 'n bietjie buitekant die bestek van die opdrag wanneer hy begin praat ^{of dit} van/werklike gegronde griewe was of nie.

THE CHAIRMAN: Mr. Colman, I suppose you have seen the terms of reference of the Commission.

MR. COLMAN: I have been told what they are, Sir. This has become relevant because of the Witness' explanation of what his plans were.

THE CHAIRMAN: Yes; it seems to me that it would be relevant to enquire into the existence of otherwise of grievances; but I can't, as at present advised, see how it would be relevant to enquire into the validity, or whether they were justified.

MR. COLMAN: That is not the purpose of my question, Sir. Perhaps I put it badly. I am trying to find out what this Witness was looking for; whether he ...

THE CHAIRMAN: Whether, if they had a grievance, it was justified or not; if it existed, in fact, then I feel at present, at least, it would seem to have a bearing on the happenings on that day. I mean, things don't happen out of the air. But if you will in conducting your cross-examination bear that in mind -

I think I am limited to that extent.

MR. COLMAN: Very well, Sir. I will try to confine myself to that.

CROSS-EXAMINATION CONTINUED: Col. Spengler, my question is not, then, to ask you whether you think reference books are a good thing or whether the wages are high enough; but did they genuinely have those grievances? --- Dit was wat hulle voorgee om te hê.

Did you doubt it? --- Ek het geglo hulle is gegrief, deur die pas en deur die lae salaris.

Now, then, what more did you want to find out about the nature of their grievances? --- Sal ek u nou eerlik sê; weet wie sit agter daardie griewe ...

So it was not the nature of the grievances? --- Dit was die aard van die griewe, en wie daaragter sit.

You wanted to know who was behind it all; is that it? ---Ja.

You had been trying to find that out for a long time, I should imagine? ---Ja.

And you had certain information - I won't ask you what it was - but you wanted as much information as you could get on that point? ---Heeltamal reg.

And did you think that in friendly, courteous conversation with the leaders of the Pan-Africanists you could get that information? --- Ek het gevoel, nadat hulle hulleself kom aanmeld het; want nou, vandag het hy openbaar dat hy nie die boek wil dra nie.

But they had made that public long before the 21st? --- Soos ek u gesê het, hulle het dit bekend gemaak maar niemand het geweet of hulle dit sal doen of nie.

But as soon as they announced that they were going to do it - why not talk to them then, and ask them for their secret? --- Ek het gewag vir die dag wanneer die persoon in sy persoon sal kom.

Why is that the best day for persuading them to give up their secrets? --- Ek het gedink dit is die beste.

Did you get instructions to do it on that day? ---Nee. Ek het dit uit my eie gedoen.

It was your own idea? ---Ja.

DIE VOORSITTER: Kolonel, kan u my net sê, van u algemene ondervinding, gebeur dit elke keer dat waar daar bepaalde optrede in die vooruitsig gestel word, daardie optrede wel plaasvind? ---Nee; nie altyd nie.

Ek wil net graag van u weet: Het u ooit 'n gevoel dat op die 21e sal daar hierdie bepaalde optrede wees aan die kant van die persone, of het u ook gemeen dit is net so meentlik dat dit nie mag plaasvind nie; wat was - volgens die inligting wat u gehad het?--- Ons inligting was baie skraal gewees. Ons het vermoed daar sal klompies-klompies van tien of twintig by 'n Polisiestasie aandoen en dan bewysboeke of inhandig of sê, "Arresteer ons; ons wil nie bewysboeke dra nie". Ons het nie van 'n massa-optog kennis gedra nie.

Het u rede gehad, voor die 21e, om te dink daar sal sê 3,000 by Sharpeville Polisiestasie aanwesig wees? --- Nee; dit was, volgens my kennis, nooit verwag nie.

CROSS-EXAMINATION CONTINUED: So your plan about speaking to the leaders, questioning the leaders, was formed on a picture of little gatherings of fifteen to twenty people, and it was the leaders of those that

you were going to interrogate? --- Ja.

I see. Now, did you, before you went to Sharpeville on the 21st March, receive any information about what had been going on in the area? ---Ja. Hulle het my herhaalde kere gebel en gesê dat daar 'n same-dromming van Naturelle is en dat daar

Why was this information sent to you; were you supposed to act on it, in any way? ---Nee. Ek het dit gekry van my (onhoorbaar).

Had you any orders as to what you were to do on that day? ---Nee.

Was it entirely in your discretion, what you did that day? ---Ja.

So you sat in your office that morning, did you? ---Ja.

Waiting for an opportunity to go somewhere, and have negotiations with leaders; is that it? ---Ja.

Did you hear that there had been intimidation in Sharpeville during the night, or the early hours of the mornings? --- Ek het gehoor daar was prosesies aan die gang, maar ek het nog niks van intimidasie gehoor nie.

Not at that stage? ---Nee.

Did you hear, at that stage, about the false information, telling them to gather at the Police Station, to hear an announcement? --- Nee.

Did you hear that there had been disturbances in various parts of the location? --- Ek het gehoor dat hulle het opgeruk na Vanderbijlpark Polisiestasie, en ek het gehoor dat hulle 'n optog vorm na Evaton

Polisiestasie.

Did you ^{know} that in Sharpeville itself there had been groups of 400 or 500 Natives, that had been dispersed by the Police? --- Ek het gehoor, ja.

Did you hear how many were dispersed? ---Nee.

Were you not interested to know how many were dispersed? ---Nee; ek het net gehoor hulle is uitmekaar uit.

You did not enquire how many? You weren't told? ---Nee.

Did you know that Maj. van Zyl at about 8 o'clock in the morning had dispersed a very large crowd of some thousands near the gate? ---Nee. Ek het gehoor van Vanderbijlpark.

You didn't hear about this incident? ---Nee.

Are you hearing about it for the first time now? ---Nee; ek het ook verslae gelees daaroor.

Oh, you later got reports? --- Ja.

Who reported to you about it? --- Kapt. Willers, en sers. Wessels.

So they told you about it? ---Ja.

Did they say it was a crowd of over 5,000? --- Ek kan nie sê hulle het syfers genoem nie; maar hulle het gesê daar was 'n groot optog gewees.

And it was dispersed by a baton charge? ---Ja.

So, that was the sort of mob which could be handled by ordinary methods? --- Ek was nie daar gewees nie.

According to your report? --- Dit was gesê hulle is uitmekaar uit.

And you heard how crowds had been dispersed at Vanderbijlpark? --- Ja.

Did you see anything of this happening; you were there at some stage, that day? ---Nee, ek was nie daar gewees nie.

Did you have a report of about 8,000 people in the centre of Vanderbijlpark surrounding the Police Station and the Magistrates Court? --- Ek het gehoor, maar ek was nie by gewees nie. Ek het gehoor nadat dit/^{verby was.}

Did you know about it when you went to Sharpeville? --- Ja.

Did you know that that had been an excited, noisy crowd? ---Ja; sover ek gehoor het, was hulle.

And did they throw stones? ---Ja.

And you heard that Capt. Cawood had dispersed them with thirty Policemen? --- Ek het nie gewest hoeveel Polisie hy onder sy bevel gehad het nie.

You knew he had a small force of Policemen? --- Ek weet gladnie hoeveel hy gehad het nie.

Did you hear about how Mr. Knoetze had dispersed the crowd? ---Nee, ek het nie gehoor nie.

Do you know who he is? ---Nee, ek weet nie wie hy is nie.

He is a Municipal official - either the Location Superintendent or ...? ---Nee, ek weet nie wie hy is nie.

You heard nothing about him? ---Nee.

At any rate, you went from Vanderbijlpark to Sharpeville? ---Ja.

With Col. Prinsloo and Capt. Brummer? ---Ja.

Hy was op'n saracen geweest.

And Sergt. Wessels? ---Ja.

And didn't you have another man with you, who was assisting you that day? --- Kapt. Willers en sers. Muller was in 'n ander kar wat gevolg het.

Did you have with you that day a man who wore a white shirt and had a white handkerchief on his head?

---No.

Did you see such a man? ---No.

You never saw such a man? --- Ek kan nie vir myself voorstaan dat ek so'n man gesien het nie. Hy was definitief nie by my geweest nie.

Not at the Sharpeville Police Station? ---Nee.

No such man assisted you when you were taking the people you wanted to talk to? ---Nee.

DIE VOORSITTER: Was daar enige ander lede van die Polisiemag in privaatklere by die hek aanwesig toe u van hierdie persone gevra het om u te vergesel? ---Kol. Prinsloo was by een geleentheid ook by die hek geweest; sers. Muller was op een geleentheid, toe ek die derde Naturel inbring en hy terugruk - toe sien ek vir sers. Muller daar staan. Toe sê ek vir hom "Vat hierdie Naturel na agter".

Was enige van daardie persone te enige tyd tot die mate ontklee in die sin dat hulle nie 'n baadjie aan gehad het nie, of miskien 'n sakdoek gebruik het om hulself te beskerm teen die warm son? ---Hulle was ordentlik aangetrek, en nie een het 'n sakdoek op sy kop gehad nie.

Jy het niemand daar gesien wat rondgeleop het onder 'n baadjie nie? Sover u kan onthou? --- Dit is

swaar om te sê. Daar was taanlik speurders daar gewees. Maar die manne wat saam met my gewerk het, het - was definitief nie so aangetrek nie.

En u kan nie onthou dat u te enige tyd enigiemand gesien het wat so geklee was soos deur die advokaat gestel is nie? ---Nee.

Now, tell me, why did you go to Sharpeville - you and Col. Prinsloo and Sergt. - and Brummer in the saracen? --- Terwyl ons by Vanderbijlpark was, het kol. Prinsloo met die radiokar in verbinding getree met maj. van Zyl, en toe het hy gesê daar is 'n groot same-dromming van Naturelle by Sharpeville Polisiestasie.

And for that reason you went there? ---Ja.

What were you proposing to do there? --- Op daardie oomblik het ek nog nie besluit wat ek sou doen nie. Ek het besluit wat ek sou doen toe ek ter plaatse was.

Why did you decide to go there? ---Omdat daar 'n same-dromming van Bantoes was.

Was it part of your function to help to disperse such gatherings? --- Ek sal nie sê dit was deel van my diens nie, maar ek is tog 'n Polisieman en ek wou ter plaatse wees.

In order to help? --- As hulp nodig was, ja.

You weren't ordered to go there; it was at your own discretion? --- Ek en kol. Prinsloo was in dieselfde kar en ons het saam soheentoe gery.

Did you discuss what you would do when you got there? ---Hy het besig gewees en ek het toe die eerste Bantoe daar gekry en hom ...

You misunderstood me, Colonel. Did you discuss, before you got there, what you would do when you got

there? ---Nee.

So you had no purpose in mind when you set off to go to Sharpeville? --- Ek kan nie sê daar was 'n spesifieke doel gewees nie; maar die doel was om ondersoek in te stel wat aangaan.

Just to find out what was happening? ---Ja.

Is that what you mean by "investigate"; you just wanted to see what was happening? --- Ek het gegaan met die doel om ondersoek in te stel.

I don't quite understand what you mean by that; what were you going to investigate? --- Wat ek daar ter plaatse sou vind.

In other words, does that mean the same as you went there to see what was happening, or does it mean something different? --- Ek het nie gegaan uit nuuskierigheid nie.

What did you want to go for; please tell us more. Don't just say you went to investigate. Try and make it a bit clearer? --- Ons het gegaan om te ondersoek instel.

Give me a little idea of what kind of investigation you were going to make? --- Wat die oorsaak was van die optog.

You knew that? ---Ja, ek het, maar soos ek u al voorheen gesê het - u het daardie vraag al baie gestel, hier, vandag.

You wanted to know, you have told me, who was behind all this; is that what you mean? --- Ons wou gewet het aangaande griewe.

I thought we agreed that you knew the nature of their grievances? ---Oppervlakkig, ja.

What was there below the surface that you wanted to know about the nature of their grievances? --- Wie is die persone daaragter.

Is that all you wanted to know? ---Ja.

So you went to Sharpeville to find out who was behind all this; is that right? ---Ja.

Now we are understanding each other. Now I just want to know how you went. You say the three saracens were in front? ---Ja.

And then two cars behind? ---Ja.

You were in the front car? ---Ja.

Who was with you? --- Ek het u gesê, kol. Prinsloo en speurder-sersant Wessels, en 'n bestuurder.

Was everybody in that car in uniform? --- Die bestuurder was.

And the rest of you were in plain clothes? ---Ja.

And in the second car? --- Sersant Muller en kapt. Willers.

And a driver? ---Nee; die kar is self bestuur deur hulle.

Were either of them in uniform? ---Nee.

Can you tell me, describe your car, what make car it was? --- Dit was 'n groot - dit mag 'n Ford of 'n Chevrolet of 'n - van die Radio-afdeling gewees het.

With one of those radio aeriels visible? --- Agter, ja.

Do you know the number? ---Nee. Dit was 'n radiokar. Ons het die radio gebruik.

You don't know the number of that car? ---Nee.

And the other car - was that the same type of car? ---Nee; ek dink sers. Muller het in 'n Zephyr-kar gery.

Not a radio car? ---Nee.

Who sat next to the driver in your car? ---
Kol. Prinsloo.

Was the driver on the right? --- Ja.

You sat at the back? --- Dit is reg.

You drove through the streets of Sharpeville to the Police Station? ---Ja.

There were people in the streets? ---Ja.

Quite a number of people? ---Ja; ons het klonpe-klonpe persone daar gevind, wat in die pad gestaan he

Standing about? ---Ja.

Some walking about? ---Ja.

There were a few cars moving about in the location? ---Nee; ek het nie ean gesien nie.

You saw no cars moving about in the location that day? --- Nee.

And what about the people in the streets before you got to the neighbourhood of the Police Station; were they normal? --- Dit was abnormal, sou ek verwag, om daardie tyd van die dag so baie persone op straat te sien.

But their behaviour, was there anything unusual about that? --- Nee; sommige groepe wat ons verby gery het, het die "Afrika!" kreet gagee; sommige weer nie.

Most not, or most gave that sign? --- Die meeste het.

Anything else unusual on your journey through

the location? --- Nee; nie wat my kan byval nie.

Just ordinary crowds, dressed in their ordinary clothes? ---Ja.

And most of them, you say, gave the "Afrika!" sign and that is the unusual thing you know of? --- Ja; party van hulle ^{het} lang kieries gedra.

Oh, whenever you see a large number of Africans you find a few armed with sticks? ---Ja; jy kry dit dikwels by hulle.

Sometimes walking sticks, sometimes they are traditional types of sticks? ---Ja.

So that was quite normal, wasn't it? ---Ja.

And nothing else happened? ---Nee.

And that was the situation until you got right to the Police Station? --- Toe ons naby die Polisiestasie kom, in die straat wat langs die Polisiestasie loop, was die pad blokkeer gewees, en 'n klomp voertuie het agtermekaar gestaan.

DIE VOORSITTER: In watter straat het u gery - in die hoofstraat af? --- Ek ken nie die strate nie; dit was die straat wat aan die linkerkant van die Polisiestasie verby loop.

Die "linkerkant" kan ook nog verwarrend wees. As u net na Bewysstuk "A" kyk; kyk na Bewysstuk "B". Daar sal u sien, die boonste kant van die foto is Noord? --- Ons het net 'n straat gery wat van Suid na Noord gegaan het - ek dink ons het toe die straatjie af gedraai wat na die Polisiestasie loop.

Laat ek nou net mooi verstaan. Hierdie straat wat u onmiddellik ten Suide van die Polisiestasie sien, waar die persone in die straat saangedrom is? --- Ons

het met daardie straat af gekom, na die Polisiestasie.

Het u toe regs gedraai? Het u toe regs gedraai en toe weer regs gedraai by die hek? —Ja. Dit is seers ons gekom het.

Met ander woorde, dit sou dan langs Zwane-straat wees wat u op die laaste gedeelte van die rit in elk geval gery het? — Ek kan gaan seker maak en dan kan ek kom sê waar dit is. Ek weet ons het met 'n straat gery, toe moes ons regs afdraai na die Polisiestasie. Maar net voor ons daar kom, was die pad geblokkeer gewees met voertuie. Die saracen het oor die sypaadjie gery en was voor ons in die Polisiestasie in.

Wie se voertuie was dit wat die pad geblokkeer het? — Dit was 'n paar voertuie, daar was Polisie-lorries gewees en ...

Was daar Polisie-amptenare oor die pad gewees? —Nee.

Dit mag miskien nodig wees dat u u geheue gaan verfris daarentrent? —Ja. Dit was die eerste keer dat ek by die Polisiestasie gewees het.

CROSS-EXAMINATION CONTINUED: How far from the Police Station was there this blockage; was it right outside the Police Station? — Dit was aan die kant van die Polisiestasie gewees.

On the South side of the Police Station? You know the side of the Police Station where there is that big gate; the double gate? — Dit was nie in daardie straat gewees nie. Dit was in die straat wat na hom-toe lei.

That is the side where there is one small gate? —Ja.

Now, where was the blockage; opposite the Police Station buildings, or ...? ---Nee, dit was 'n ent van die Polisiestatie af geweest. Dit is moeilik om te sê.

Colonel, if you look at Exh. "B", this is the double gate - that is on the West? ---Ons het Noord gekom, met 'n straat.

Well, there is no street? --- Daar is Zwane-straat.

And where was the blockage? --- Hier.

You are pointing to Zwane-Street, immediately South of the Western end of the buildings? ---Ja.

DIE VOORSITTER: Is dit waar daardie openthoud was? --- Daar was openthoud geweest; die saracene het oor die sypaadjie gery. Ons moet toe 'n entjie terugdraai om in die anderkant van die straat op te kom. Ons het van die Munisipale kantore af gekom.

CROSS-EXAMINATION CONTINUED: That is from this side, from the righthand side of Exh. "B", until you reached this blockage here. Then you had to get past this blockage, turn right and then you came to the gate; is that right? --- Ek sou graag net die plek wil besigtig, onder toesig.

DIE VOORSITTER: Nee, toesig sal nie nodig wees nie. Die strate en alles bly dieselfde ...

CROSS-EXAMINATION CONTINUED: I think it is clear enough? --- Ek onthou daar was 'n ongelukkige openthoud geweest. Daar was voertuie geweest - soveel so dat die saracene nie kon verbygaan, en ook nie ons nie. Toe het die saracene oor gery. Ons het teruggedraai en met 'n ander pad op gekom.

Now, the saracens went onto the pavements? ---Ja.

On their right? ---On their left.

And was there a large crowd round the Police station at that time? --- Ja; daar was 'n groot menigte gewees.

This was about 1 o'clock, was it? ---Ja.

Was the crowd as shown on this photograph, Exh. "B"? --- Daar was meer Bantoes aan die regterkant, toe ons daar gekom het. //

There were more of them where you are pointing, that is the street to the North of the Police Station? --- Ja.

You run your finger along the fence on the Northern side of the Police Station grounds; there were more there, you say? ---Hier voor die hek was ook meer saangedrom.

That is to the West. Otherwise it looked much like this? ---Ja.

How many more would you say there were where I am pointing, that is on the North side? ---Hulle het bankvas gestaan, 'n ent langs daardie draad af.

Right past where you are pointing? ---Ja; tot daar by die ...

You point to a point almost opposite the last, the back pole, where there is a bicycle standing. How could you see that they went as far as that? --- Dit is 'n oop stuk grond, hier.

Did you see through the Police Station? --- Toe ek later ...

Oh, you saw that later, when you were inside? ---

Ja.

And we see a line of them, now, between the street on the West side and the Police Station. Was it the same sort of line, only extending right up to opposite the ... ? ---Hulle het langs mekaar af gestaan - u sien hoe diep - maar voor die hek was daar baie meer.

On the West side there ^{were} many more. What would you say, 10% more, 20% more? I know it can only be a guess, but give a ...? --- Ek dink daar was 40% meer; die hele straat het vol gestaan. Daar kon nie 'n voertuig deurgaan nie.

DIE VOORSITTER: Die hele straat - verwys u nou na die straat aan die Westekant? --- Aan die Westekant. Hulle het van die draad af tot - aan die een kant van die straat het hulle blokvas gestaan.

Mr. Colman, is it a matter of importance that this Witness should be able to identify with accuracy where this blockage was?

MR. COLMAN: No, Sir. We have it approximately. I don't think 9 not for my purposes.

- ADJOURNED: 12.45 p.m. -

- RESUMED: 2.15 p.m. -

ABRAHAM THEODORE SPENGLER, still under oath:

CROSS-EXAMINATION BY MR. COLMAN CONTINUED:

Colonel, did you make a report that day on what had happened at Sharpeville? --- A general report, yes.

To whom? --- To Brig. Els.

When did you make that report? --- Kort na die

ident.

And did you make a written report later that day? --- Nie dieselfde dag nie.

When did you make a written report? --- Dit was die dag daarna of twee dae daarna dat ek 'n verklaring opgestel het.

And to whom did that go? --- Aan die - aan mnr. Claassen.

So the only written statement you made, was the statement you made to Mr. Claassen? --- Dit is reg.

In your verbal report to Brig. Els that day, what did you report? --- Ek het aan hom vertel wat gebeur het.

Exactly as you have told the Court now? --- Dit is reg.

Sharpeville and the other places you visited? --- Ja.

Now, do I understand, Colonel, that you did not arrest anybody in Sharpeville that day? --- Ek het niemand arresteer nie.

Did your Branch arrest anybody that day? --- Ek is nie seker nie. Two Bantoes, Tsolo en More, is aan kapt. Willers oerhandig en ek verstaan hulle is wel in hegtenis geneem.

You know perfectly well that they were taken into custody? --- Ja.

Yes, well, you needn't say "ek verstaan". You know it? --- Ek het hulle nie self in hegtenis geneem nie.

But it was done on your instructions? --- Dit was nie op my instruksies gedoen nie.

When did you learn of it? --- Die volgende dag.

Did you approve, or disapprove? --- Dit het my goedkeuring weggedra.

What were they arrested for? --- Ek is nie seker nie, maar ek vermoed onder W_ot 8 van 1953, Art.203.

You must help me with my law, Coloneh; what does that say? What is the offence, there? --- Public disturbance.

So what offence have they committed under that? --- Dit is vir die Hof om te besluit of hulle skuldig is.

DIE VOORSITTER: Op watter aanklag?--- Dit is by wyse van ...

Laat ek dit so stel: Weet u of ...? --- Ek verstaan hulle word aangekla - op watter spesifieke klagte, nou, weet ek nie.

Maar hulle is aangehou in verband met 'n moontlike vervolging; nie op enige ander gronde nie? --- Dit is reg.

CROSS-EXAMINATION CONTINUED: But that was not your arrest, or on your instructions? ---Nee.

Did you attempt to arrest anybody that day? --- /
Nee.

What about the man with the red - was it a red jersey you spoke of? ---Ja.

Did you attempt to arrest him? ---Nee; gladnie.

So you did not attempt to arrest anybody? ---
Gladnie.

And nobody who was there could have come under the impression that you were attempting to arrest him? ---
As hulle my gedrag gade geslaan het, sou hulle gesien het

ek het niemand gearresteer nie.

Now, I want to get this quite clear. You see, you tell his Lordship that you "took" some people; that's your word, isn't it? --- Ek het hulle gevra om my te vergesel.

It must have been quite clear to anybody who was watching that you were not arresting him? --- Hulle kon sien dat ek die persone nie aangerak het nie, wat die metode is as jy 'n arrestasie uitvoer, om 'n persoon aan sy skouer of aan sy arm te neem, en te sê "Ek arresteer jou".

Did you not touch any one of the four people you mentioned? --- Ek het nommer 3 - toe hy tussen die Polisie kom en wou terugbeur, het ek hom aan sy heup geneem en aan hom gesê "Nee, jy kan nie gaan nie, en sers. Muller het hom toe geneem.

But nobody could have thought that you were arresting him? --- Dit is moeilik om te sê wat ander gedink het. Die persone om my ken sien dat hy nie onder arres geplaas is nie.

All the Police would have known that you were not arresting him? --- Ja.

And the last man you had dealings with, the man with the red shirt, did you touch him? --- Nee.

You merely spoke to him? --- Ek het net hom gepraat.

Nobody could have thought you were arresting him, or trying to arrest him? --- Nee.

And it was immediately after that, that the shooting began? --- Nee, u het dit verkeerd. Die persoon

met die rooi hemp het by die hek gestaan. Ek het hom gevra wat wil hulle hê, en hy het "Afrika!" en "Freedom!" geskree. Ek het vir hom gesê, "Kom in". Toe 'n Bantoe-konstabel die hek oopmaak, het hy teruggespring. Daar was toe so 'n klein semi-sirkel soos die persone teruggebeur het; dit was oop voor die hek. Toe kom 'n ander Bantoe uit die skare uit gestap, toe kom hy direk na my-toe.

So that was the last incident before the rush?

--- Dit is reg.

So if anybody says that you tried to make an arrest that day, they are completely wrong? --- Dit is moeilik om te sê wat ander persone gedink het. Ek kan net sê wat ek gedoen het. Ek gaan my nie kompromi- teer op wat mense dink nie. Ek sê wat ek gesien het, en gedoen het.

If anybody says you tried to make an arrest that day, he is completely wrong? --- Ek kan nie sê wat hulle dink nie.

I am not asking you what he thought. I am asking you whether he was right, or wrong? --- Dan was hy verkeerd.

And your report to Col. Els did not suggest that you had arrested anybody or tried to arrest anybody? --- Heeltemal reg.

Now, I wonder whether you can explain to me how this comes about: The Prime Minister made a state- ment in Parliament that afternoon, or that night; do you know that? ---Nee.

You never heard of it? ---Nee.

This is what the Prime Minister said: "Kol.

Spengler het toe probeer om 'n arrestasie te maak by die hek van die kamp". Was that correct, or not? ---Nee; ek het nie daar 'n arrestasie gemaak nie.

Hy het gesê "Probeer"? --- Ek gaan nie enige kommentaar lewer op wat sy Edele die Eerste Minister gesê het nie. Ek is nie bereid nie.

I am afraid you will have to answer my question, whether you find it pleasant or not. Was the Prime Minister's statement correct, or was it incorrect? --- Is dit 'n vraag wat ek moe t beantwoord, Edelagbare?

DIE VOORSITTER: Ja, wel, u word gevra of u 'n arrestasie gedoen het, en of u dit nie gedoen het nie. Daar is 'n stelling wat gemaak word deur 'n ander persoon, wat sou voorgee dat u 'n arrestasie wou doen. Nou ...? --- Ek het nie 'n arrestasie gedoen nie.

CROSS-EXAMINATION CONTINUED: So the Prime Minister's statement was untrue? --- Ek weet nie wat hy oor beskik het nie, maar ek het nie 'n arrestasie daar uitgevoer nie.

You did not try to make an arrest; and when the Prime Minister said you tried to make an arrest, that was not true? ---Ja.

MNR. CLAASSEN: Edelagbare ...

THE CHAIRMAN: I did not quite catch you. On your instructions, when was that statement made?

MR. COLMAN: I am reading from a copy, Sir, but - it is annexed to my instructions: "Official report read by his Honourable the Prime Minister in the House of Assembly on the 21st March, 1960".

THE CHAIRMAN: Was that in the afternoon?

MR. COLMAN: It must have been - 10.15 in the evening, I am told. It is Hansard No. X, column 3960.

DIE VOORSITTER: U sê u het aan brig. Els 'n verslag gedoen? ---'nMondelinge verslag gedoen.

Wanneer het u die verslag aan hom gedoen? --- Ek reken ongeveer vyftien minute na die skietery opgehou het, het brig. Els daar aangekom.

Toe het u aan hom 'n verklag gedoen? ---Ja.

En is dit die enigste persoon aan wie u ampehalwe 'n verslag gedoen het?--- Reg.

U het nie aan enige ander offisier of enige ander persoon 'n verslag gedoen, seertgelyk as die wat u aan brig. Els gedoen het nie? --- Dit is reg.

MR. COLMAN: Just for your information, Sir, I have the Hansard ...

THE CHAIRMAN: No; I only wanted to get the date which you put.

MR. COLMAN: There is some indication here as to the time. I see that the adjournment was at 10.27 in the evening and this appeared to have been shortly before that. There was a reference in the same statement to the presence of Brig. Els on the scene.

MNR. CLAASSEN: Ek reken, Edelagbare, dat my geleerde vriend dit onnodiglik sterk stel. Wanneer 'n mens sê dat 'n persoon 'n onwaarheid praat, dan dra dit die implikasie van kennis dat wat hy sê verkeerd is; wat hy behoort te gebruik, is "Wat die Eerste Minister gesê het, was dit nie korrek nie?" Dit meen dat hy iets gesê het wat verkeerd was, maar/dat hy gewoet het wat hy sê is verkeerd nie.
desnoeds nie

THE CHAIRMAN: Oh, I didn't understand Mr. Colman to impute falsification.

MR. COLMAN: No; I certainly did not impute falsification to the Prime Minister. Somebody had obviously misinformed him. He had to act on reports.

THE CHAIRMAN: You see, the suggestion that he spoke an untruth ...

MR. COLMAN: I did not put it that way. "If he said that, it was untrue". But let me make myself quite clear, Mr. Chairman. I am perfectly well aware that the Prime Minister could only have spoken on information given to him, and someone had misled him.

THE CHAIRMAN: As I understand the tendency of the cross-examination, we are now hearing a report and obviously from some source or another a report of a different nature was made. I mean I understand that.

MR. COLMAN: That is my point, Sir.

CROSS-EXAMINATION CONTINUED: Now, I could not and did not suggest that the Prime Minister had deliberately misstated something. He could not have known. It is quite obvious, from his statement, the Prime Minister was giving the House information which had been given to him.

Now, Colonel, you were telling me about how you went into the Police Station grounds. Did your car go in immediately behind the saracens, or did they get ahead of you because you took different routes? --- Ons was die eerste kar wat daar ingegaan het na die saracens, maar daar was seker 'n vertraging van minstens vyftien minute.

What caused that? --- Ek het u gesê; daar was 'n blokkasie in die pad gewees.

Oh, that blockation that you have already

mentioned? --- En, tweedens, die massa was voor die hek só saangedrom dat ons net moite deur hulle kon kom.

What you mean is that you had to go slowly and hoot, and be careful not to hurt anyone? --- Om niemand te stamp nie.

And you managed that, although it took a little time? ---Ja.

And did you say a Native constable opened the gate for you? --- Ek kan nie sê op die oomblik toe ons ingegaan het, of 'n Bantoe-konstabel die hek oopgemaak het nie; maar die hek het oopgegaan toe ons by die hek kom. Op 'n latere stadium was daar wel 'n Bantoe-konstabel by die hek gewees.

The gate was not open as you approached it; it had to be opened for you? ---Ja.

Both sides of the gate were opened, and you drove slowly in? --- Dit is reg.

The crowd was standing and watching you - or some of them? --- Die skare was om die kar saangedrom.

And did some of them give the "Afrika!" salute? --- Ja.

None of them tried to rush through the gate when it was opened? ---Nie op daardie stadium nie.

So you drove in with your car; the car went in and then somebody shut the gate? --- Ja.

Now, was it a noisy crowd? ---Ja; dit was oproerig gewees.

Were the women talking, laughing, shouting? --- Ek het niemand gesien wat gelag het nie. Hulle het geskree, slagspreuke geskree.

A lot of the crowd, of course, was just standing and watching? —Ja. Baie het gestaan en kyk.

You told me this morning about 90% of them were quiet, peaceful people? —U vertolk my verkeerd. Ek het gesê, toe ons in gekom het na die Polisiestasie, het ons klompe verbygery, en van hulle het die "Afrika!" -kreet gegee, waar ander weer stilgebly het.

In other words, some were shouting, others were just standing and looking; and you could not possibly tell his Lordship what percentage was shouting or what percentage was just standing quietly? — Dit is onmoontlik.

Quite impossible. And that is all they were doing? —Ja.

Now, how long were you there before Col. Pienaar arrived? — Seker ongeveer tien of vyftien minute.

What did he do when he arrived? — Toe hy inkom by die hek, het ek terug ...

When you got there, what was the first thing you did; before Col. Pienaar came? — Ek het uit die kar uitgeklim.

And then? — Ek het tussen die mense rond beweeg.

Just walked about? —Ja.

Is that in the open space on the West side of the Police Station buildings? — Dit is tussen die Polisiestasie en die draad.

You just walked about. There were a lot of people walking about there at that time, weren't there? —Ja; daar was Polisie en speurders wat daar rondgestaan het.

The Police were not drawn up in any way; they were just standing about, walking about? ---Ja.

Smoking; chatting? ---Ja.

And did you just walk about, chatting casually to them? --- Ek het 'n paar gegroet en dit was net kort daarna dat ek vir Tsolo tussen die Bantoes sien rondloop het.

Now, how long had you been there before you dealt with Tsolo? --- Ongeveer drie, vier, vyf minute.

During that time, did you report to anybody?

--- Nee.

Was anybody in charge; did you know who was in charge? --- Ek het 'n kapt. Theron daar ontmoet, en ek het die indruk gevorm dat hy daar in bevel was.

Did you have a discussion with Capt. Theron?

---Nee.

Did you not have any speech with him at all? --- Ek mag een of twee woorde met hom gewissel het, maar ek het nie met die man gesels nie.

Was there any discussion about the situation, what had happened and what was going to happen? Or what should be done? --- Nee.

And Col. Prinsloo, did he speak to him? --- Ek het gesien kol. Prinsloo praat met hom, maar wat die aard van hulle bespreking was, weet ek nie.

How far away were you when that happened? --- Dit is 'n groot perseel, daar; seker omtrent vier of vyf treë weg.

Was it really a discussion, or were they just

greeting one another and then separated again? --- Ek dink hulle het iets bespreek want as 'n man groet, groet jy net en jy loop.

Are you sure of this? ---Ja.

And if Capt. Theron says that Col. Prinsloo didn't speak to him, is he correct or not? --- Ek het gesien kol. Prinsloo praat met hom.

So Capt. Theron cannot truthfully say that he did not speak to Col. Prinsloo? --- Ek weet nie wat kapt. Theron gesê het nie.

That is what he said? --- Wel, ek het hom met kol. Prinsloo sien praat.

So that was wrong. All right. So Capt. Theron was not telling the truth about that. And did you get any reports from anybody or any information from anybody about what had happened that morning while you were there? --- Nee.

Not at any time while you were in charge? ---Nee.

Did you discuss with anybody what should be done? ---Nee; ek het ^{met}niemand daar dit diskusseer nie. Na kol. Pienaar daar gekom het, het ek met hom 'n diskussie gehad.

So you did have a discussion with Col. Pienaar? --- Ek het vanoggend so gesê.

But with nobody before that, and with nobody after that? --- Ek het verslag gedoen aan brig. Els.

That was after the shooting? ---Ja.

But that was all? --- Dit is so.

You were conscious that a large crowd of Bantu - it was always possible that a large crowd of Bantu

could become dangerous? ---Ja.

That was what you intended to convey in your evidence-in-chief? --- Ja.

Did you think that there was a real danger of that happening on this occasion? --- Die skare het opstandig gelyk, en ek het by myself gedink dit is meontlik dat hulle tot geweld kan oorgaan.

What do you mean when you say they looked violent? --- Die mense het saangedrom voor by die hek, en by die draad. In die middel het ek hulle kieries in die lug sien beweeg ^{volgens} -/die algemene houding het dit vir my gelyk asof hulle tot geweld kan oorgaan.

Did
/You think there were a lot of excited people in that crowd? --- Daar was gewees.

And did you think that others might become excited? --- Meontlik.

But of course, with four saracens there, there was no real danger? ---Ja; daar was.

Do you know what a saracen can do? --- Ek het nog nie gesien nie, maar ek het gehoer.

Whether there were hundreds or thousands of violent Bantu there, they could never have attacked the Police Station with the force you had there; or do you think they could? --- Hulle kon. As hulle saam, almal gelyk gekom het, kon hulle dit gedoen het.

You don't think four saracens would have restrained them? --- Die Naturelle was saangedrom om die Polisiestatie. Die Polisie is gekonsentreer in 'n klein area. As die Naturelle deur die hek en oor die draad gebars het en 100 of 200 van hulle was tussen

die Polisie gewees, kon jy nie 'n saracen op hulle gebruik nie en jy kon ook nie 'n vuurwapen gebruik nie, want dan het jy jou eie persone, jou eie manne doodgeskiet.

What percentage of the crowd would you say showed signs of excitement and violence? --- Dit is moeilik om te sê. 'n Groot klomp het geskree, dan bly hulle stil en dan skree 'n ander klomp weer, en dit is moeilik om te sê watter persentasie.

It was little groups, then, that started shouting? ---Hulle is saangedrom. Dan skree 'n klomp hier, dan is dit stil, dan skree 'n klomp daar; dan is hulle weer stil, dan skree 'n klomp daár. Sogaan dit aan.

It was not a crowd acting as one mob, with one purpose, was it? --- Dit het my voorgekom dat dit wel so is.

But you have just told me about the groups who were shouting; how do you get one crowd acting with one purpose? --- Die hele klomp is bymekaar, saangedrom. As hulle nou almal gelyk skree, is nie juis 'n bedoeling dat hulle almal dieselfde voel nie. Hulle skree, en hulle bly stil; dan skree daardie, en dan bly hierdie weer stil. Dit is 'n lawaai voor die mat.

And was the crowd behaving in the same way from the moment when you arrived until the time the shooting began? --- Dit gebeur dat hulle vir 'n moment stil is. Ek kan onthou, toe kol.Pienaar ingekom het, het hy net moeite ingekom en die Naturelle het om die kar saangedrom en dit was 'n verskriklike rumoer. Dan bedaar hulle weer. As iemand miskien uitskree "Afrika!" of "We want Freedom!" dan is dit 'n spontane lawaai daarop.

So there were periods of quiet, and periods of ...? --- Wat ek bedoel deur "stilte", dit is nie te sê stilte soos hier in die Hof nie; maar dit was nie so'n lawaai, so 'n geskree nie.

Less noise; but when Col. Pienaar's car arrived, did they crowd around it? --- Hulle het. Die kar het met noei te deurgekom.

What was the difficulty. What do you mean? --- Die Bantoes wou nie padgee voor die kar nie, en dan het ander nog weer om die kar saangedrom.

How was that dealt with? --- Hy het net aangery.

It must have been a rather tense and dangerous moment when his car came in? --- Dit was so gewees.

Did any of the Police present their rifles at the crowd in order to protect that car? --- Ek kan nie sê nie. Ek het voor by die hek gestaan en op die massa gekyk, so ek het nie gesien wat agter my aangegaan het nie.

You had a very good view of the car coming in?

---Ja.

Were there only a few round the car who were behaving violently, or ...? --- Die massa om die kar.

What were they doing; just pressing against it and shouting, or were they doing anything more? --- Die kar was met klippe gegooi en daar was kieres in die lug geswaai.

DIE VOORSITTER: Waar was die kar met klippe gegooi; by die hek, of voor dit daar aangekom het? --- Ek verstaan toe dit aankom na die hek-toe, het hulle die kar met klippe gegooi.

CROSS-EXAMINATION CONTINUED: You understand.

Did you not see that? ---Nee; ek het dit nie gesien nie.

Well, I have invited you to give us hearsay stories and I am still inviting you; but please try and let us know when it is hearsay and when you saw it. So you can't say where the car was hit with stones? --- Daar was die merke aan die kant van die kar.

No, I mean you can't say where ...? --- Nee, ek kan nie sê nie; maar volgens ek verstaan was dit terwyl hulle van die grootpad afgedraai het, na die Polisiestasie-toe.

You saw the car coming in? ---Ja.

You did not see it being hit with any stones, then? In fact, no stones were thrown then? ---Nie daar nie.

And in fact nothing was done when the car came in, except that they crowded round it and shouted and you saw a few sticks being waved in the air? --- Yes.

And, of course, the gates had to be opened for that car, too? ---Ja.

And the Bantu did not rush in through those open gates, then? ---Hulle het tot 'n mate - maar die hek was net oopgemaak en onmiddellik weer toegemaak.

So neither when your car went in, nor when Col. Pienaar's car went in, were the Bantu trying to storm the Police Station. And the attitude of the crowd as you shouting, have described it, /sometimes louder and sometimes softer, that continued exactly the same, all the time, from the time of your arrival until the shooting started? --- Reg.

Did the crowd not change their attitude in any way when they saw the saracens being deployed? ---Nee; toe ek daar kom, was die saracens al in posisie gewees.

BIE VOORSITTER: Het u opgelet of daar enige reaksie hoegenaamd was toe u doenig was met die Bantoes by die hek? --- Die massa was altyd dieselfde gewees.

En die mense by die hek self, wat nou naby was en kon sien wat aangaan tussen u en die Bantoe? --- Hulle het dieselfde houding ingeneem as vantevore.

U sien, ek mag verkeerd wees - die advokate kan my korregeer; maar ek het 'n herinnering van getuienis van iemand dat daar 'n poging was van die kant van die skare om een van hierdie Bantoes terug te hou of terug te trek, en 'n poging van die kant - ek is nie seker of u naam genoem is nie, maar 'n poging van die kant van 'n Polisie-amptenaar om hom hinne-in te trek - as't ware toutrek; was u betrokke by so'n insident? --- Nee; ek was nie.

CROSS-EXAMINATION CONTINUED: Nothing of that sort happened? ---Nee.

Well, now, just let's try and get this clear: I want to know, before you dealt with Tsolo, whether you had any information at all about what had been happening there that morning? --- Soos ek reeds gesê het, speurder-sersant Wessels was agter in die kar saam met my toe ons inkom, en ons het gepraat oor die gebeure.

Did you know, for example, before you got there, that Tsolo and More were there? --- Nee.

No-one had reported that to you? ---Nee.

Until you actually saw them, you had no idea they were there.

Of course, you knew that the crowd probably had leaders? --- Ek het vermoed hulle sou leiers gehad het, ja.

het, ja.

Were you not interested to start looking for the leaders? --- Soos ek reeds gesê het, binne 'n paar minute nadat ek daar aangekom het, het ek vir Tsole gekry, daar.

You were looking for leaders? --- Ek het op daardie oomblik nog nie kans gehad nie, want ek het pas daar aangekom, toe ek Tsole raakloop, daar.

Did you know that Tsole had been addressing the crowd earlier that day? ---Nee.

And I suppose you did not know this either: Nobody told you that earlier that day someone had asked Tsole to get the crowd back a little bit from the wire, and he had done so? ---Nee.

Have you heard it since? ---Nee.

Are you surprised to hear it? ---Ek is, ja.

It is not surprising, is it; these leaders very often have their crowds under good control? --- Ek sal dit nie betwis nie.

No, I am just querying your surprise. It often happens, does it not, with the Bantu that their leaders have them under pretty good control? --- Ek het u vanmôre al gesê dat ons met die/probeer ^{leiers} onderhandel het om ...

That is not quite answering my question. In your experience, and on the information which you have gathered, it very frequently happens that these political leaders have very good control over a crowd of Natives?---Hulle kan hê, ja.

You have heard of that, many times? ---Ja.

So, when you saw Tsole, what was he actually

doing? --- Hy het net daar rondgeeloop tussen die Polisie.

Among the Police? --- Die Polisie het orals daar gestaan en gesit, en hy het daar rondgeeloop.

Just walking backwards and forwards? --- Toe ek hom sien, het hy net daar beweeg in 'n klein sirkel, en ek het op gegaan na hom-toe. Wat hy vantevore gedoen het, weet ek nie.

When you saw him, he was just walking in a small circle? --- Ja.

Not talking to anybody, but walking alone, in a small circle? --- Ja.

And were the Police taking no notice of him? --- Ek het niemand gesien wat met hom gepraat het nie.

Was he the only Native inside the fence? --- Daar was Bantoe-konstabels gewees, speurder-konstabels.

I mean apart from the Police? --- Ja.

He was the only civilian inside the fence? --- Daar in die omgewing.

Well, that you saw? --- Wat ek gesien het, ja.

You saw no other Bantu inside the fence, apart from the Police? --- Reg.

So you went up to him? --- Dit is reg.

The crowd could see you do that? --- Hulle kon, ja.

And you went up to him because you thought this was a nice occasion to ask him in a friendly and courteous manner to tell you who was behind this movement?

--- Ek het hom ondervra, ja.

That was what you wanted to question him about?

--- Ja.

And how did you address him? --- Ek het hom gevra wie is hy.

DIE VOORSITTER: Het u Afrikaans, of Engels, gepraat, toe? --- Ek het Engels met hom gepraat.

CROSS-EXAMINATION CONTINUED: So you said, "Who are you?"? ---Ja. Op daardie stadium het speurdersersant Wessels by gekom.

Just when you said to "Tsolo" "Who are you?"? --- Dit mag 'n bietjie voor dit gewees het, maar ek het hom toe by my gesien, daar. Sers. Wessels het vir my gesê "Dit is Tsolo".

You did not know him? --- Ek het hom nie geken nie.

But, of course you had heard of him? --- Ek het van hom gehoor, ja.

You knew him as one of the leaders of the Pan Africanist Movement? ---Ja.

So you said "Who are you?" and Wessels said, "This is Tsolo". Now, tell me the conversation, please, in detail? --- I asked him what he wanted and he said "I represent these people". I then asked him, "Why don't you people go home?" so he replied, "We won't call this off, unless Sebukwe has spoken".

Well, none of that came as a surprise to you, did it? ---Nee. Ek het toe gesien dat die persoon se houding nie is dat 'n mens enige hulp sal kry nie.

You did not think he would tell you the secret, whether he was getting money from Moscow or anything like that, or anything - whatever you wanted to know? --- Ek het nog nooit se-lets in my getuienis gesê nie.

Well, you did not think he was going to give you the secret information that you had come there to get? --- Nee.

So it was useless going on? --- Ek het hom na agter geneem, en ek het hom gevra - ek het hom laat ondervra deur kapt. Willers.

No, but you are not answering my question. Once you had made up your mind that he was not the sort of person who was going to give you the information, it was useless to go on with him? --- Dit is reg.

Why didn't you just leave him? --- Om hom te ondervra. Soos ek u voorheen gesê het, ons wou die leiers ondervra om die agtergrond van die griewe te kry.

But you have just told his Lordship that you came to the conclusion that he was not the type of man who was going to help.

THE CHAIRMAN: Mr. Colman, I don't like intervening at all, but I am not sure there isn't a bit of talk at cross purposes, now. Watter seort - u sê u het nie gedink hy is die seort van persoon wat vir u gaan help nie? --- Ja.

Op watter hulp het u daar gedui; wat het u bedoel? --- Wat ek bedoel daarby is, om by die agtergrond te kom van die hele beweging, aangesien hy die opmerking gemaak het dat hy hierdie persone verteenwoordig, wou ek hom ondervra om te weet wat agter die hele ding steek en wie die aanhitters van die moeilikheid is.

U het gladnie in gedagte gehad die kwessie dat u met hom wou praat en sê "Kyk, kan jy nie jou mense aansê om liever huis-toe te gaan nie"? --- Na hy sy stelling aan my gemaak het, het ek gevoel dat hy -

nadat hy gesê het hierdie ding nie teruggeroep sou word totdat Sebukwe gepraat het nie, het ek gevoel dit sou nutteless wees om op daardie stadium, in daardie plek, dit verder te dra.

CROSS-EXAMINATION CONTINUED: And what did you think you could usefully do with Tsolo after he had made that remark? — Ek het gevoel dat as hy na agter geneem word en agter alleen is, en hy kan die saak daar heroorweeg, hy dan moontlik vir ons sou help.

What on earth made you think that, Colonel!?
— Ek het dit gedink.

But why? — Die ondervinding het my geleer dat as 'n persoon veer ander is, hy vol bravado is; maar sodra hy alleen is en jy mooi met hom praat, hy 'n ander man is, verander hy baie.

Well, if that is really your belief, it amazes me that you hadn't had Tsolo in private during the previous few days. Why hadn't you? — Ek het nie geweet watter rol hy sou speel op daardie dag nie.

You knew that he was the leader of the Pan-Africanists Movement? —Ja.

Why did you not try to? — Soos ek alreeds aan die Hof vanoggend gesê het, niemand het gereken op die afmetings van die optog, dat die demonstrasies so groot sou wees as wat dit was nie.

So at any rate, you still thought that with this exciteable crowd outside, if only you could take Tsolo inside the Police Station and put a few questions to him, you might get the most valuable information. Is that your evidence? —Ja.

Now, how did you persuade him to come inside?

--- As ek reg onthou, nadat hy dit gesê het, het ek hom aan sy arm gevat en gesê "Come on; let's go".

So you put your hand on his arm, and you said "Come on; let's go"? --- Die manier waarop u nou demonstreer, sou ek hom gegryp het. Ek het hom aan sy arm geneem en gesê, "Come with me".

A caress, almost, Colonel, was it? --- Ek is nie gewoond om Naturelle te streel nie.

Of course not. Well, you at any rate put your hand on his arm; on his upper arm, near the shoulder? --- Ek het hom hier by sy elmboog geneem.

And you said "Come along with me"? --- Ja.

And he came? --- Hy het; vrywilliglik.

Well, whether it was voluntary or not, is a matter of opinion. You mean he did not resist? --- Ja.

That is all you can say. Whether he wanted to come, you don't know? --- Wel, hy het gekom toe ek hom vat aan sy arm, en ek het daardeur vermoed dat hy geen beswaar het nie.

What did you propose to do? --- Ek wou hom uit die gesig van die skare hê.

And if he had resisted strongly, you would have got assistance. You would have got him in somehow, wouldn't you? --- Ek sou hom geneem het, ja.

Now, Colonel, look at it from the point of view of the crowd. They did not know what was in your heart, or mind. What they saw was that you went up to this man, placed your hand on his upper arm and he walked away with you. So I think you will agree that to them it may well have looked as if you were arresting him? --- Dit

mag neontlik wees wat hulle gedink het. Hulle mag dit gedink het - ek weet nie.

Didn't you think that was a very dangerous thing to do? ---Nee.

If the crowd was a peaceful crowd, it was quite safe, wasn't it? ---Ja.

If the crowd was an exciteable crowd, on the verge to riot, it was a very dangerous thing to do? --- Ek kan nie sê dit was gevaarlik gewees nie. Ek het hom nie beledig nie, mishandel of geen indruk geskep dat ek hom wou mishandel nie. Ek het hom bloot versoek om saam met my te kom.

You are a sort of an expert on Bantu crowds. Do you tell his Lordship that the apparent arrest of their leader might not excite a large crowd of Bantu?

--- Wil u nou hê ek moet antwoord op iets wat nie gebeur het nie?

Did it enter your head that it might have that result? --- Nee, ek het nie ...

Did you think about it and decided "No", or did you not even think about it? --- Ek het nie daaraan gedink nie. Dit was 'n gebaar van goedertrou.

Yes, Colonel, but how would the crowd know that this was a gesture of good faith. They saw you arrive in a Police car and take away their leader? --- Ek het nie hulle leier weggeneem nie. Hy was self gewillig gewees.

You took them out of their sight, didn't you, into a Police Station building; but it did not occur to you, it did not enter your mind that that might excite the crowd? --- Die persone het opsetlik gekom om hulle pas in te gee en te versoek dat hulle moes arresteer

word.

Did it, or did it not enter your mind that that action of yours might excite the crowd? --- Nee, dit het gladnie by my op gekom nie. Ek het nie gedink dit sal gebeur nie.

If you had thought of that at the time, would you still have done the same or would you have left him alone? --- Ek sou hom nog versoek het om in te kom.

Even if you had thought about it, you would not have considered that there was any risk of exciting the crowd? --- Soos ek u al herhaalde kere gesê het, ek het nie daaraan gedink nie en as ek daaraan gedink het, sou ek hom nog gevra het.

Was Col. Pienaar there when you did that? --- Ek het u al herhaalde kere gesê, kol. Pienaar het in gekom nadat die eerste twee Bantoes na agter geneem is.

You must tell me, Colonel, even if I ask you to say something again; it is part of my privilege. So Col. Pienaar was not there. You had no authority from anybody to do that, no orders to do that? --- Ek het op my eie inisiatief gehandel.

En how did the crowd react? --- Ek kan nie sê nie. Ek het hulle in geneem en agter laat staan. Dit was seker 'n paar minute voordat ek ingegaan het, nadat ek hulle aan kol. Prinsloo oerhandig het.

You took him into a room? --- Ja.

Col. Prinsloo was there, and others? --- Ja.

What was the first thing you said when you got there? --- Ek het hom na kol. Prinsloo gevat en gesê, "Dit is Tsole" vir wie ek binne die perseel gekry

het en wat sy houding was. Daarna is ek weer uit.

Did you instruct anybody to ask him for his reference book? ---Ja.

Now, ^{why} did you do that? You had brought him there for a friendly little chat/^{during} which you thought that away from his people he might give you some secret information? --- Reg; heeltemal reg. Ek het dit gedoen om myself tevrede te stel dat hy wel sonder sy bewysboek is.

But I can't understand that; that seems to me most unimportant, having regard to your main purpose? --- Vir my was dit baie belangrik gewees.

Why? --- Omdat ek wou sien of hulle hul doel uitlewe wat met die pamflette versprei is.

Did you think that would help to make him friendly and co-operate with you? --- Dit kon hom geensinds kwaadaardig maak nie; maar hy is in 'n mooi manier gevra of hy sy bewysboek by hom het en hy het dit nie gehad nie.

Don't you think an African is accustomed to feel, when he is asked for his reference book by a member of the Police Force, that that is a preliminary to an arrest? --- Nie noodwendig nie.

Usually? ---Nie noodwendig nie; gladnie.

Then perhaps I don't understand our Police behaviour in this country. Don't they usually arrest a man when he hasn't got his reference book? --- Natuurlik, ja. Maar dit sê nie dat as jy 'n man om sy bewysboek vra, jy hom gaan arresteer nie. Dit is wat u vraag was.

Well, having him there, why didn't you get on

with the job and ask him to tell you the secrets that you were hoping to get? --- Kapt. Willers en kol. Prinsloo was daar agter, en ek het gevoel daar moet meer van die leiers wees wat die skare aanhits, en om hulle so gou moontlik uit die skare te kry.

You use the word "aanhits"; that means provoke?

---Ja.

incite

You had not seen Tselo provoking anyone? ---Nee.

Then why did you use that expression about him?

--- Ek het dit nooit in verband met hom gebruik nie.

You said you were going to look for "others" who were provoking the crowd? ---Ja.

So you went out, then, to repeat this experiment?

---Ja.

For what purpose? --- Om enige aanhitters uit die skare te bring.

In order to have friendly little talks with them in the hope of getting secret information? ---Om hulle te ondervra, ja.

So you went back there out of the building, and where did you go? --- Ek het gegaan en by 'n saracen gestaan voor die gebou, by sers. Wessels.

Looking to see if you could find someone addressing the crowd? ---Ja.

And did you see someone? --- Ek het 'n Bantoe sien oploep teen die draad, aan die buitekant, na die kant van die hek. Speurder-sersant Wessels het vir my gesê "Dit is More". "Dit is die vise-voorsitter van die P.A.C."

Now, whereabouts was he; was he on the other side of the fence? --- Hy was buite die draad. Soos die

voorhek is, by die deur, het ons s6 gestaan (beduie)
en hy het so op geloop na die hek-toe.

He was walking along the fence, towards the
gate? ---Ja.

DIE VOORSITTER: Dit is van die Noordelike
rigting af? --- Die Noordelike rigting.

Dit wil s6 die regterkant van die hek, soos
u na die hek gekyk het? --- Reg.

En vandaar het hy geloop in die rigting van
die hek? ---Ja.

CROSS-EXAMINATION CONTINUED: How was he
walking; in an orderly manner? --- Ja; hy het stadig
geloop en kort-kort die "Afrika!" -kreet gegee.

Every now and then he did that? ---Ja.

Between the crowd and the fence? ---Ja. //

And he walked from the North; did he get as
far as the gate? --- Ek het hom nie gesien nie. Hy
het verdwyn op 'n sekere stadium. Sers. Wessels is
toe weg van my af en 'n rukkie daarna het hy met
dieselfde Bantu by my aangekom en ges6 "Dit is More".

Did you tell Sergt. Wessels to go and get him?
---Nee.

Had you disclosed to Sergt. Wessels your hopes
that you might have cosy little talks and get secrets
that day? --- Hy was by gewees toe ek met Tsole gepraat
het. Hy is 'n intelligente persoon; hy kon aflei
waaragter ek is. Ek het dit nie persoonlik met hom
bespreek nie.

Now, just a minute. He could not gather from
your conversation with Tsole that you were going to ask

these men for secrets, because you did not ask them, you did not ask Tsolo for secrets? --- Nee.

So how did Sergt. Wessels know what your plan was? ---Nee; ek weet nie. Ek het hom nie gesê nie. Hy het net vir Mere ingebring.

But not on your instructions? --- Nee.

So, how did he get him; did he go out of the gate? ---Nee, ek weet nie.

Have you not heard since? --- Ek verstaan dat hy hom by die hek ingebring het, of hy het by die hek ingekom.

Do I understand that Sergt. Wessels went out and fetched him? --- Nee; ek sê nie sers. Wessels het uitgegaan nie. Sers. Wessels het van my af weggegaan en toe ek hom weer sien, het hy die Naturel na my gebring. Waar hy hom gekry het, weet ek nie; maar ek het verstaan dat hy deur die hek gekom het.

You were still standing by the saracen? --- Ek het nog by die saracen gestaan, ja.

Is that the saracen on the North, or on the South side? --- Aan die Noordekant.

And how did Wessels bring him to you; in the same way as you took Tsolo inside? ---Hy het alleen geloop.

He brought him to you at the saracen, and what happened then? --- Ek het hom nangespreek. Eers het sers. Wessels hom aan my voorgestel as Mere, die vise-President. Ek het hom gevra, "Wat soek julle hier?" en hy het gesê "I am the leader of these people. We want our freedom".

Yes? --- Ek het met hom gepraat, en gesê,
"Is dit nie beter om terug te gaan nie?" maar hy het
nie daarop geantwoord nie.

What language did you use in speaking to him?
--- Ek het Engels gepraat.

What were the exact words? ---I asked him what
he wanted and he replied, "I am the leader of these
people; we want our freedom!"

And then you said? ---"Why don't you better
go home?" // 1

Did you say that purposely; was that a
deliberate statement? --- Dit was 'n verklaring wat ek
aan hom gestel het.

Did you think it important to say that? ---Ja. |

You always regarded it as important? ---Ja. |

Then why didn't you tell his Lordship in
your evidence-in-chief that you said that important
thing? --- Ek het dit gesê.

No, you didn't? --- Meneer, ek het daardie
getuienis in my hoofgetuienis gegee.

I did not hear it; the three of us here did
not hear it? --- Watter verklaring meen u?

"Why don't you go home?"? --- Ek is nie seker
of ek dit gesê het nie.

Do you mean you are not certain whether you
said it here, or you are not certain whether you said
it there? --- Ek het dit daar vir hom gesê.

But you are not certain whether you said it
here? --- Ek is nie seker nie.

But there is no doubt that you said it to him? ---

Ek het dit aan hom gestel, ja.

And he did not answer. What was the purpose of saying that? — Ek het gevoel dat as hy redelik was, het hy vir my gesê "Goed, laat ek met die skare praat om hulle uitmekaar te kry" en ek sou dit toegelaat het; maar hy het nie. Hy het geen indikasie gegee dat hy wou behulpsaam wees nie.

So that was in your mind, that it would be a very good thing if one of the leaders would address the crowd and ask them to go home? — Ja.

Did you think that was the best way of avoiding possible unpleasantness? — Ja.

Well, then, why didn't you put it clearly to More? Why didn't you say to him, "You know, the best thing you can do for your people is go and tell them to go home?" Why didn't you do that? — Volgens sy houding was dit vir my duidelik gewees dat die man sal nie saamwerk nie.

That he didn't want to go home? — Hy sou nie behulpsaam wees nie.

He was not well disposed towards you. In other words, he did not want to take his people away? — Ek glo dat ek nie saamwerking van hom sou gekry het nie.

You were very unlucky with both of them, weren't you? — Ek was.

So it was quite clear to you, from his silence, that he was not going to co-operate with you. When you said "Why don't you go home?" he kept quiet, and that was enough for you? — 'n Mens kan ^{volgens} die houding van 'n mens wat jy aankla, sien of jy sy medewerking gaan kry of nie.

I wish I had that magic, Colonel; when you ask a man a question and he keeps silent, that gives you the key to his whole character and attitude; is that it? --- Ek het baie ondervinding van daardie dinge.

So have I; but I am not as good at it as you. Now, Colonel, when he kept silent, then you knew it was no good. You would not get any co-operation from him. You also knew that he was not the type who was going to tell you his secrets; so you didn't need him any more, did you? --- Ek het hom na agter-gesien.

Yes, but why? --- Ek het gevoel dat as ons met die Bantoe handel en ek laat hom loop, dat hy van onskatbare waarde (onhoorbaar).

Oh! So your real purpose was to remove him from the crowd so that he could not incite them? --- Ja.

That is quite a different purpose from your purpose in removing Tsolo? --- Ja.

That was. Now, how did you get him to go in with you? --- Hy het vrywilliglik saam met my gestap.

Did you take him in the same way as you took Tsolo? --- Nee.

Why not? --- Ek weet nie; ek het dit net nie gedoen nie.

But you remember quite clearly that you did not ^{your hand on} put/his arm? --- Ek het aan Tsolo se arm gevat; ek onthou dit ook.

But are you quite certain that you didn't touch this man? --- Nee.

When you say "nee", do you mean you are not quite certain or you are quite certain? --- Ek is seker ek het

I wish I had that magic, Colonel; when you ask a man a question and he keeps silent, that gives you the key to his whole character and attitude; is that it? --- Ek het baie ondervinding van daardie dinge.

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But are you quite certain that you didn't touch this man? --- Nee.

When you say "nee", do you mean you are not quite certain or you are quite certain? --- Ek is seker ek het

nie aan hom geraak nie.

Did Wessels touch him at any time? ---Nie in my teenwoordigheid nie.

Did Wessels come along with you when you took him inside? --- Hy het saam met my gegaan.

He walked between the two of you, didn't he? --- Ek kan nie onthou of Wessels 'n entjie agter-toe geloop het of aan my kant of aan sy kant nie. Ons drie het saam geloop.

That you can't remember, but you do remember that nobody touched him? ---Ja.

Now, tell me, was there any reaction from the crowd to your dealings or Wessels' dealings with this man? --- Die massa ^{was} aldeur oproerig. Hulle neem af en dan word dit erger. Wat hulle reaksie op daardie stadium was, kan ek nie sê nie want ek was met my rug na hulle-toe, om in te stap by die kantoer.

If it had angered them, that might easily have escaped your attention? ---Ja.

But here again, it never entered your head that this might provoke them? ---Nee.

Right; you took him in, and what did you do with him there? --- Ek het hom aan kol. Prinsloo oerhandig en kol. Prinsloo het ^{dat} beveel/hy teen die muur moes sit, en 'n Bantoe-konstabel gevra om te kyk dat hy daar bly sit.

So he remained inside? --- Nie in die kantoer nie; binne, op die stoep - daar is 'n stoepie voor, en net so langsaan die stoep het hy gesit.

Out of sight of the crowd? --- Ek vermoed hulle kon hom nie sien nie.

And under control? --- Ja; daar was 'n Bantoe-konstabel by hom gewees; hy was gesê hy moet na hom kyk. //

But not under arrest? --- Nee. Hy was nie arresteer nie.

Now, why did you have to post a Police boy to watch a man who is not being held against his will? --- Ek wou nie gehad het hy moet teruggaan nie.

You were going to hold him against his will if he tried to get away; is that the point? --- Dit is weer 'n vraag wat die toekoms sou besluit.

So you don't know what you were going to do? --- Nee.

Was he free to go? --- Hy was nie in hegtenis geneem nie.

Let's not talk about technicalities; was he free to go? --- As hy wou geloop het, sou ek hom verhoed het om te gaan. //

So he was not free to go; all right. Then, having caught two fish, what did you do next? --- Ek het nooit van visse gepraat nie. Ek het van twee Bantoes gepraat.

Yes; I stand corrected, Colonel. Having ...? Laat ek net dit sê:
---/Die Bantoes maak baie beswaar - hierdie Hof sit vol Bantoes - om hulle visse te noem!

That's, I think, a proper rebuke, Colonel. I'll accept it from you. Having dealt with the two men in that way, what did you do next? --- Ek het teruggegaan na die voorhek-toe. Daar was 'n sekere Bantoe daar by die hek, aan die buitekant. Ek het hom daar kort-kort "Afrika!" en "Freedom!" hoor skree.

You went right up to the gate, did you? --- Ek het tot by die hek gegaan.

Now, I just want to get my sequence right. Col. Pienaar? --- Hy het toe nog nie arriveer nie.

Were any loudspeakers used while you were there? --- Ek het verstaan dat kapt. Brummer deur die luidspreker gepraat het, maar dit was nie in my teenwoordigheid gewees nie. Dit kon gebeur het terwyl ek agter in die kantoor was.

You neither saw nor heard that? --- Ek het dit nie gesien nie; ek het dit ook nie gehoor nie.

Did you see the equipment? --- Ja.

Where was it? --- 'n Polisieman het met dit daar rondgehoop, agter, tussen die karre deur.

A Portable loudspeaker? --- Ja.

Electric, or just one of those megaphones? --- Dit het gewerk met batterye.

So you can't tell us - if it was used, you can't fix the exact time? --- Nee.

So you came out, and you went back, towards the gate, and what did you see? --- Ek het een Bantoe voor die hek gesien op-en-af stap; kort-kort het hy die slagkrete gegee.

Just a minute; where was he - outside the fence? --- Hy was buitekant die hek gewees. Ek was aan die binnekant gewees.

He was walking up and down between the fence and the crowd? --- Ja. Dit is reg; aan die buitekant, teen die hek.

Was he the only person you saw moving about? --- Dit was vir my opmerklik gewees, want hy het op-en-af gestap

en sy kreet gegee, terwyl die meeste van die ander Bantoes stilgebly het.

Now, I want to know about this walking to and fro. How far to the North of the gate, and how far to the South of the gate? — Ek het net vertel, die wydte van die hek.

gate was
The/closed, of course; just the width of the gate, backwards and forwards; and was there a space in front of him? — Dit was teenaan die hek gewees, en hy moes skuur tussen die hek en die Bantoes wat agter hom gestaan het.

Was he facing the gate, or did he have his back to the gate - facing North? — As hy geloop het, dan staan hy terug en hy kyk vir ons; dan loop hy weer met sy gesig na hierdie kant, en na daardie kant.

Did you know who he was? — Ek dink sy naam was Dhlamini.

Did you know him? — Ek het hom nie geken nie.

You heard his name later? — Ja.

Is he a known member of the Pan-Africanists? —
Nee.

Had you not heard of him before? — Nee.

But because he was walking up and down and addressing them, you thought you should deal with him in some way? — Ek het gepoog om hom uit die massa uit te kry - hoe gouer, hoe beter.

What was he saying? — Hy het "Afrika!" geskree, in Naturelletaal geskree, kort-kort duim opgesteek, "Freedom" geskree ...

Yes, but they were all doing that - not all of

them were doing it; hundreds were doing that, weren't they? --- Ja. Maar hierdie persoon - dit het vir my gelyk of hy 'n leidende rol speel.

So you were going to remove him? --- Ja.

For the same purposes as you have mentioned before, or for a different purpose? --- Ek het gevoel, om die Bantoe so gou moontlik uit die skare te kry, sal gesond wees.

So how did you go about it? --- Ek het by die hek gestaan en met hom gepraat; en op daardie oomblik het ek kol. Pienaar se kar gesien kom.

So you addressed him. What did you say to him? --- Ek het gevra, "What do you want?" maar hy het net "Freedom!" geskree.

You managed to catch his attention, then? --- Maar hy het pas by my gestaan.

And you said "What do you want?" and what did he say? --- "Freedom".

And then, do I understand you were interrupted by the arrival of Col. Pienaar? --- Dit is reg.

So what did you do in the meantime. Did you stand back to allow the gates to be opened? --- Ja. Ek het teruggestaan, die hek het oopgegaan, die kar het ingekom.

And Col. Pienaar's car, did it stop while the gates were being opened? --- Nee; die hekke was oopgemaak voordat die kar by die hekke was.

So that he could go straight through? --- Ja.

At a normal speed, or very slowly? --- Hulle het gesukkel om in te kom. Die kar het stadig gekom

want die gevaar was dat dit die Bantoes voor die kar sal omstamp.

Once it got to the gate, there was nothing in front? --- Dit is korrek.

Is the procedure this: He came slowly forward to the gate, and then, once he got to the line of the fence, he went straight forward? --- Ja.

That is all that happened with the progress of that car? --- Die kar het herhaalde kere gestop, soos dit aangekom het, om die Bantoes uit die pad te kry; en toe die kar naby is - daar was 'n paar Bantoes voor, maar die hek is toe oopgemaak en die kar het aangekom en die Bantoes het padgegee.

The car did not have to reverse or anything of that sort? ---Nee. Dit sou gevaarlik gewees het; dit sou die mense doodgetrap het, agter.

Well, you saw the car as it approached the gate? ---Ja.

And what did Dhlamini do during this time? --- Hy het verdwyn tussen die skare, op daardie stadium.

So, when Col. Pienaar's car came in, what happened then? --- Ek het na agter gestop. Kol. Pienaar het afgeklim. Net toe ek by hom kom, was hy al buite die kar gewees. Hy het toe bevel gegee dat die manne moet aantree ...

Now, just a minute. Where did he get out of the car? ---Hy het 'n bietjie ingery.

How far, would you say? --- Dit was miskien vyftien treë.

When he got out of his car? ---Ja.

Did anybody get out with him? --- Ek het nie

so ag geslaan nie.

But it was very close to you, because you were still in the neighbourhood? --- Maar ek was by die hek gewees. Hy het deurgekom, toe ek by sy kar kom was hy alreeds uit sy kar uit gewees.

So you reached him just as he got out of his car? ---Ja; hy was al uit sy kar gewees.

Had he spoken to anybody yet, before you reached him? --- Ek weet nie.

Well, you saw him all the time. Did he have a chance to speak to anybody? --- Ek kan nie sê of hy met iemand gepraat het nie, want daar was verskeie persone.

You mean, if he spoke to anybody it could only have been for a moment? ---Ja. Vir 'n kort rukkie.

Then you went up to him? --- Ek het aan hom gesê dat ek wil poeg dat ons al die leiers uit die massa moet kry om die skare moontlik tot bedwinging te bring.

That's what you said to him? ---Ja.

After greeting him, I suppose? ---Ja.

You knew each other? ---Ja.

Was that your first - after the greeting, was that your first observation, that you think you should get the leaders away from the crowd? ---Ja.

Why did you say that to him; did you want his views? --- Met sy aankoms daar as 'n senior kolonel, het ek gevoel hy sal nou bevel uitvoer oor die univorm mense daar.

So what did he say to that suggestion? ---Hy

het gesê, "Gaan aan met jou ondersoek".

Were those his words? --- Ek kan nie sê dit is dieselfde nie, maar dit was woorde tot die effek dat ek moet aangaan met my werk.

DIE VOORSITTER: Het jy dit verstaan as 'n aanduiding dat jy moet aangaan met ondersoek-werk, of dat hy instem met wat jy aan hom gestel het? --- Ek het aangeneem die stelling dat ons die leiers moet inbring - dat dit sy goedkeuring wegdra.

CROSS-EXAMINATION CONTINUED: It is a strange way for him to give his approval to that, because that is not an investigation, is it? --- Dit is die aard van my pligte.

Was your proposal to him that you wanted to take the leaders away to get information out of them, or that you wanted to take the leaders away in order to calm the crowd? --- Ek het ~~het~~ aan hom gesê dat ons moet probeer om die leiers uit die skare te kry, om hulle moontlik tot bedaring te bring.

And he said "Get on with your investigation"? --- Ek kan nie sê wat sy regte woorde was nie, of hy gesê het "Gaan aan met jou werk" of "met jou ondersoek" nie; maar ek het afgelei, van wat hy gesê het, dat ek moet aangaan, toe ek die stelling aan hom gemaak het.

At any rate, you understood him to raise no objection? --- Ja.

Did you consider that you needed his permission to do so? --- Dit was erkentlikheid teenoor hom gewees.

Well, in a situation of that kind, it was wise for you to get the approval of the man in command, was it not? --- Ja.

Because if it had gone wrong, you could be in trouble if you did it without consulting him? ---
Ek het gevoel dit is my plig om hom daarvan te vertel.

Now, tell me this: Why didn't you think it was your duty to ask the man in command before you took Tsolo and More? --- Omdat ek Tsolo daar gekry het, binnekant die perseel.

You did not think it necessary to ask him? ---
Ek het nie gedink dit is nodig om aan hom te vra, "Wat moet ek nou doen?" nie.

So, Col. Pienaar said to you "Get on with your investigation" or whatever have you? --- Ja.

And then, what did you do? --- Ek het terug gegaan na die voorhek-toe.

Did he immediately line up the men? --- Voordat ek nog met hom gepraat het, het hy die manne ...

Oh, even before you spoke to him? --- Hy het sy manne opgestel, en toe het ek met hom gepraat.

Now, just let me get this quite clear: He got out of his car and immediately deployed the men? --- Ja. Ek sou nie sê onmiddellik nie, maar so gou as moontlik daarna. Toe ek by hom kom, was daar al persone by hom gewees, en hy het toe omgedraai en die bevel gegee dat die manne moet aantree.

I just want to get the picture clear; as I right, now, do I understand it correctly that the very first thing he did after getting out of his car, was to deploy the men? --- Ek het aan u gesê, toe ek by hom kom, het hy met persone om hom gepraat, en daarna het hy omgedraai en hy het bevel gegee dat die manne moet aantree.

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So that was within a minute or so of his getting out of his car? ---Ja; dit was.

In what form did he give the order? --- Ek onthou dat hy gesê het "Tree aan in vorm van drie!" //

And then they got busy doing it, did they? ---Ja. Terwyl hulle besig was, het ek met hom gepraat.

Now, did the men line up in three's? --- Ja; terwyl ek daar was, het hulle begin aantree.

And did they remain in a column of three's? ---Ja.

All the time? --- Nee, ek kan nie sê nie. Ek het partykeer met my rug na hulle gestaan. Ek weet nie wat agter aangegaan het nie.

Well, Colonel, I am a little puzzled about this, you see; perhaps it is my lack of imagination. I don't see how this column of three's fits into the picture we have of the shooting. Did you actually see/ ^{them} line up in three's? ---Hulle het 'n beweging gemaak om in te val, en of hulle in drieë gestaan het, kan ek nie sê nie, want ek het nie so ag geslaan daarop nie.

But you see them in a column of three's at one stage? ---Ja.

Where was this column of three's - close to the fence? ---Hulle het 'n paar tree van die Westelike heining gestaan.

But the column of three's - does that mean they were facing to the North, or to the South? --- Hulle het na die Westekant gekyk. Hulle het net drie rye agtermekaar gestaan.

A row facing West? --- Nee, hulle het almal

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na die Westekant gekyk.

A row facing West and another row facing West behind them and a third row facing West behind them? ---
Korrek.

And how many men in each row? ---Nee, ek weet nie; ek het nie getal nie. Ek kan nie sê nie; ek het nie ag geslaan daarop nie.

Was this the whole length of the fence, or ... ? --- Ek kan ook nie sê of hulle gestrek het van die een draad na die ander nie.

I must try to get the picture that you saw, you see. When you saw them, were they all close to the gate, or were they stretched all along the fence? --- Hulle het voor die hek gestaan, en ek kon sien hulle het aan beide kante gestrek; hoe ver, kan ek nie sê nie.

But that was three or four paces from the fence? ---Ja.

With their rifles, of course? ---Hulle was gewapen, ja.

Some with sten guns? ---Ja.

How many sten guns? --- Ek het nie getel nie.

And did you hear them being told to load? --- Ek het die bevel nie gehoor nie.

What did you do while they were lining up? --- Ek het teruggestap na die voorste hek.

Looking for Dhlamini? ---Nie noodwendig nie.
Ek het teruggestap na die hek om te sien wat daar aangaan.
Toe het ek Dhlamini weer daar aangetref.

What was he doing then? ---Hy het voor die hek

gestaan. Ek het hom weer aangespreek en gesê, "What do you want?" Toe skree hy "Freedom!" Ek het toe die Bantoe-konstabel gelas om die hek oop te maak.

For what purpose? --- Want ek het vir hom geskree, "Kom in" - "Come in" en hy het weer teruggestap gekom.

How was the crowd behaving then? --- Hulle was nog rumoerig; hulle was baie rumoerig toe kol. Pienaar ingekom het en hulle was nog rumoerig gewees.

More or less the same as they had been ever since you arrived? --- Nee, hulle was op daardie stadium ^{meer} ietwat/rumoerig gewees.

Not a dangerous crowd? --- Ek sal nie kan sê nie. 'nMens weet nie wat kan gebeur nie.

Yes, I know one does not know what can happen. But it was not a crowd which looked as if it was about to storm the Police Station? --- Ek kan nie daarop kommentaar lewer nie.

That was not your impression, was it? ---Nee.

If it had been, you would not have ordered the gate to be opened? --- Ek kan dit nie sê nie. Hulle was die heel mōre rumoerig gewees.

Are you telling me that you would have caused the gate to be opened if you thought the crowd was about to storm the Police Station? ---Nee, ek sou nie.

Of course not; but you did cause the gate to be opened? --- Ek het, ja!

That means that you felt there was no danger that they would storm in? ---Nie op daardie oomblik nie.

And the gate was opened? ---Ja.

And what happened then? --- Hy het ingekom en die Bantoe-konstabel het weer die hek toegemaak.

The Bantu Policeman went out and spoke to him?
--- Nee; niemand het uitgegaan nie. Hy het self by die hek ingekom.

He was just asked to come in? ---Ja.

And he came in. And was the gate shut again?
---Ja; die hek was weer toegemaak.

There was no difficulty in doing that? --- Soos die skare teen die hek gedrom het, het die hek só gegaan (beduie) en toe stoot die skare die hek só; toe die hek toegestoot is, toe stoot dit die skare weer terug.

You mean that the crowd were trying to force their way in? --- Ek kan nie sê hulle het probeer om hulself in te forseer nie, maar hulle was teen die hek geleun, soos die skare hulle van agter af druk.

As crowds do, sometimes, when there are a lot of people? ---Ja.

The people behind push, and the people in front are pushed forward? ---Ja.

Is that the picture that you got? ---Ja.

At any rate, this man managed to get in quite safely and the gate was then shut? ---Ja.

Now, what did you do to him when he got in? --- Toe ons tussen die Polisie kom, to probeer hy terug, agteruit ruk; maar net voor dit het die skare "Cato Manor!" "Cato Manor!" geskree. Hy het toe weer teruggedruk en ek het gedink hy wil nou terug na die skare-toe. Ek het hom toe aan sy hemp vasgevat.

You arrested him? --- Ek het hom net gevat om

hom te verhoed om nie tussen die skare terug te kom nie, en ook, toe ek agter die Polisie wat daar opgestel was, gekom het, het ek aan speaker-sersant Muller gesê, "Neem die Naturel en laat hom agter gaan sit".

Colonel Spengler, I don't quite understand your concept of an arrest. He wanted to go out. You seized him to prevent him from going out, and prevented - you did prevent him and you took him inside? ---Ja.

Well, if that is not an arrest, will you please tell me what it is? --- As jy so'n mens arresteer, dan sê jy "Ek arresteer jou",...

Oh, I see? ---"Op klagte van dit, of dat".

Oh, I see. Apart from the fact that you did not tell him what you were arresting him for, it was in all respects an arrest; with that one difference? --- Nee, kyk ...

What other difference? --- Ek het hom ingebring om hom van die skare te skei. Ek het hom nie arresteer nie.

Leaving aside the reasons, Colonel, it was an arrest? --- Hy was nie gearresteer nie.

He was under restraint, was he not? --- Ek het hom net verhoed om terug te gaan na die skare-toe.

He was under restraint? ---U kan dit so stel.

And you told the Policeman to take him in? --- Dit is reg. Nee, ek het vir sers. Muller, wat in privaat klere was, gevra, "Vat hom na agter".

He was no more free than any man who is placed under arrest? --- Ek sou hom nie laat teruggaan na die skare nie.

And did you have any grounds for arresting him?

--- Ek het gevoel as ons kan bewys dat hy deel vorm van die opgogte, dat ons

You thought you might have a charge you could lay against him. You thought you might be able to work up a case against him. Is that it? --- Ek het so gedink.

That is enough to justify you in seizing a man and restrain him? --- Ja.

Why? How did the crowd react to that? --- Hulle was oproerig soos vantevore, maar ek sal nie as uitsonderlik nie.

The same crowd as there had been all the time you had been there? --- Ja; hulle het geskree, ek erken,

No different behaviour by the crowd at that stage than at any time since your arrival? --- Nee.

But what did you do next? --- Ek het teruggegaan na die hek-toe, en by die hek gestaan.

Looking for another leader? --- Ja.

How many were you going to take that day? Were you going to go on taking them? --- (Onhoorbaar).

So you went back? --- Ek het teruggegaan na die hek-toe en ek het daar gestaan, en 'n rukkie - ek onthou ^{op} die een stadium het ek teruggegaan na agter, na die kantore-toe, en ek het die twee Bantoes daar gevind. Ek het weer teruggekem vorentoe.

So you had quite a lot of time at that stage, going ...? --- Dit mag 'n minuut of twee of drie gewees het.

And what were the riflemen doing? --- Hulle het daar gestaan en daar rond gesels.

Still in three lines? --- Wel, ek kan nie sê almal was in drieë gewees nie. Ek het nie spesifiek ag geslaan op hulle nie.

But you passed through them, backwards and forwards, didn't you? --- Ek het deur geloop, maar ek het nie so ag geslaan nie. Volgens my opinie het hulle nog in drieë daar gestaan, maar hulle mag miskien in twee gestaan het.

Did you never see a single line of Policemen deployed along the West side, close to the fence? ---
Na die skietery, het hulle in 'n reguit lyn gestaan.

You did not see it before that? ---Nee.

And were they standing with their rifles presented at the crowd? --- Nee. Party het met hulle gewere op die grond gestaan, ander het dit so gehou ...

DIE VOORSITTER: U wys dat hulle dit met die twee hande gehou het? --- Ja; party het gestaan met die geweer in die twee hande.

Met die loop in die rigting van die skare? ---Ja. U sien, as hulle dit sê gehou het, kon dit miskien in die lug op gekyk het. Party het met die gewere sê gestaan, teen die grond. Ek sal dit nie betwis dat party van die bokke van die gewere, die lope, wel na die massa gewys het nie.

CROSS-EXAMINATION CONTINUED: So they were standing at ease, really, were they? ---Ja.

And did you never see them standing otherwise? You never saw them at attention? --- Toe hulle geskiet het, natuurlik, ja.

Before the shooting you never saw them at attention?
--- Nee.

So after your goings backwards and forwards, you went back to the fence or the gate; what did you do then? --- Toe het daar 'n sekere Bantoe met 'n rooi hemp voor die hek geleop.

You are sure it was not a red waist-coat? --- 'n Rooi hemp.

You are sure it was a shirt? ---Ja.

Did you know him? ---Nee.

What was he doing? --- Hy het ook 'n houding ingeneem wat my laat besef het dat hy die skare aanhits.

What was he doing? ---Hy het die duime in die lug gesteek, "Afrika!" en "Freedom!" geskree, so teruggekyk na die massa, sy hand in die lug; dan was daar 'n spontane uitbarsting en lawaai.

He was just standing; he was not walking up and down? --- Hy het voordie hek gestaan.

So you decided to remove him, too? ---Ja.
I told him, "I think you had better come inside".

Was the temper of the crowd any different, now, or was it the same? --- Dit was nog dieselfde vandat kol. Pienaar daar aangekom het. Ek het aan die Bantoe-konstabel gesê, "Maak oop die hek" en hom gewys, "Kom in"; maar hy het teruggedeins.

Just a minute; slowly, please. You did not think there was any danger in opening the gate at that stage? --- Nee.

Was the crowd not close to the gate? --- Hulle het teen die hek gestaan.

Right up against it? ---Ja.

And was it a dense crowd, or were they ...? ---

--- Hulle het redelik vas teenmekaar gestaan; nie
blovvas nie, maar redelik vas.

They were not jammed, one against the other?

---Nee. Nie steenvas nie. Hulle het gestaan - daar
een
het/gestaan, dan staan een agter hom en een langs hom.

And were there women, there? ---Ja.

Children? ---Kinders ook.

And they were all shouting "Afrika!?" --- Ek
sal nie sê almal het geskree nie; hulle het geskree.

But you did not think it was dangerous to
open the gate? ---Nee.

They were a noisy crowd, not a violent crowd?

--- They were a noisy crowd.

Not a violent crowd? --- Hulle was rumoerig
gewees.

A noisy crowd - not a violent crowd; is that
right? --- Reg.

So it was safe, you thought, to open the
gate and you opened the gate, and did what? --- Toe die
hek oopgaan en ^{ek} vir die Bantoe sê, "Come in!", het hy
teruggedeins. Hy wou nie kom nie.

Did he take two steps backwards, or ...? ---
Hy het so half teruggeval.

That was to try and avoid you? --- That is so.

So, what did you do? --- Ek het toe vir die
Bantoe-konstabel gesê, "Maak toe die hek".

You did not go out to get him? ---Nee.

Nor did anybody else? ---Nee.

You did not stretch an arm through to try and

grab him? ---Nee.

Are you quite sure of that? --- Ek is heeltemal seker.

Because - you see, I don't know whether you have been told anything about the evidence that has been led here before? --- Nee.

Nobody has told you about anything that has been said here? ---Nee.

There has been evidence that you had a scuffle with a man at the gate - a tussle. You were trying to drag him in, and he resisted? --- Nee, al moeilikheid wat daar was, was die een, Dhlamini, wat wou terugruk.

That was when he was already inside? --- Reg.

But if anybody says that you grabbed anybody at the gate, or just outside the gate, or tried to grab anybody or had any struggle or scuffle there, that is not true; you did not try to pull anybody in? ---Nee.

Nor did anybody else try to pull anybody in when you were there? ---No.

In fact, there was no struggle at any time? --- Net die een wat ek genoem het.

Yes; I mean after that? ---Nee.

So you just gave up when this fellow refused to come? ---Ja.

And you ordered the gate to be shut again? ---Ja.

DIE VOORSITTER: Wat het u laat besluit om hierdie persoon buite te laat bly? --- Ek het gevoel dit sou onoordeelkundig wees om tussen die massa in te gaan en die persoon daar te vat.

CROSS-EXAMINATION CONTINUED: Did you think it might anger the crowd if one of their leaders were removed? --- Ek sal nie dit sê nie. Ek het gevoel dat om tussen die massa in te gaan, sal gevaarlik word.

Did you think it would anger them if one of their leaders were arrested or removed or taken away? ---Nee.

Not even at that stage? ---Nee. Hulle het dan gekom om arresteer te word.

DIE VOORSITTER: Hoekom het u gedink dit is onveilig om tussen hulle in te gaan om die man te gaan haal? Wat het u gevrees, wat gaan gebeur? --- Ek het gevrees hulle omsingel my.

CROSS-EXAMINATION CONTINUED: But there were over 100 Policemen there with rifles, within a few yards? --- Ja, maar onthou dan is ek tussen die Naturelle.

Anyhow, you did not want to risk it? --- Ek wou hom nie arresteer het tussen die massa nie.

So, I take it - how much of the gate had been opened; you did not open both sides of the gate? ---Nee; net die een kant.

The left, or the right, as you faced the crowd? --- Die linkerhandse een.

And you did not have to open it wide; you just had to open it enough to make a gap for the man to walk in? ---Ja.

And that is how it was? --- Dit is reg.

And when he took a step back, and you decided to leave him, did you shut the gate? ---Ja; die hek is weer toegemaak.

That gate had a little latch, didn't it? ---
Ek verbeel my hy het so'n oorslag.

That's right. The usual catch that you find
on these dogwire gates? ---Jy kry verskillendes. Jy
kry een wat regop staan, wat toeslaan; maar daardie,
die gewone, is of hy 'n gebuigde - hy is aan twee;
as jy die boonste deel verwyder, kan jy dit so oorslaan.

It is a catch, anyhow? ---Ja.

So the gate was shut and the catch was down,
and what were you going to do now? --- Ek het daar bly
staan.

You just stood there; facing the crowd? ---Ja.

Looking for another leader to invite inside?

---Ja.

How long did you stand there? --- Hier vyf
minute, seker; miskien 'n bietjie korter.

And things went on just as before? ---Ja.

Then, what happened next? ---'n Bantoe het
ek gesien beweeg uit die massa uit, na vore.

Just let me get this picture clear; you saw
a man moving where? --- Reg voor my, vanuit die massa uit,
tussen die Bantoes, kom hy na die hek-toe. Hy het voor
die hek kom staan.

Did you know him? ---Nee.

Can you describe him? --- Dit is moeilik om te
sê.

You did not try to find out who he was? ---Nee.
Ek het 'n vraag aan hom gestel. Ek het gesê, "What do
you want?" Toe sê hy, "I wish to surrender myself".
I asked him, "Why?" "I and my people shouldn't carry

passes". Dit was vir my duidelik gewees dat hy een van die is wat hom wil opgee omdat hy nie sy bewysboek by hom het nie.

That was the first one of that kind you had met that day? --- Ek het toe die Bantoe-konstabel gelas om die hek oop te maak. Terwyl die persoon ...

Just one minute, Colonel. I want to understand your intentions. Did you feel that if any man asked to be arrested, he should be arrested? --- Ek het gevoel, siende dat die persoon self kom aanbied om gearresteer te word, dat dit wenslik is, vat hom weg uit die massa uit.

Didn't you think that hundreds of others would do the same, then; because you have told me so many times, that's what they came there for? --- Ek was toe al daar vanaf 1-uur gewees, en dit was die eerste een wat gekom het.

So you thought it would be a good thing to arrest him? --- Ek het gedink, nie om hom te arresteer nie; om hom weg te neem, daar.

Well, now, were you not going to arrest him either? --- Wat ek later wel gedoen het ...

Was it your intention not to arrest him either? --- Ek het aan hom gesê, "Kom in" en hy het ingekom.

So the gate was opened in the same way as you have described before? --- Ja.

Just a few inches, the lefthand side of the gate? --- The righthand side.

And did he come in? --- Ja; hy was in die proses om in te kom en ek het half skuins voor hom gestaan.

Facing him? ---Ja. Op daardie oomblik het die massa vorentoe gebeur. Dit het vir my gelyk asof hulle van agter af vorentoe kom. Ek het 'n bietjie teruggeval. Terwyl ek gebukkend was, het die klippe begin val. //

How did you fall; what made you fall? ---
Ek was omgestamp.

By the gate? ---Ja; dit was die hek wat my teruggestoot het. Die Bantoes het teen die hek gestoot. Ek vermoed dit was die klomp Bantoes wat teen die hek gedruk het.

You were, I take it, just behind the edge of the righthand side of the gate? ---Ja.

And where did that strike you - did it hit you in the chest, or ...? --- Reg van voor.

So did you fall on your back? --- Ek het nie plat gelê nie. Ek het met my hande op die grond gedruk.

So you were sitting on your back, facing the crowd? --- Dit is reg.

Then, what happened? --- Toe het daar klippe begin reën.

Where? --- Van die massa af gegooi, na die kant van die Polisie.

Did you see people throwing stones? --- Ek het nie iemand gesien nie. Ek het net die klippe deur die lug gesien trek.

How many? --- Dit was taamlik baie gewees.

How long did you remain sitting on the ground?
--- Dit was baie kort gewees.

You got up as soon as you could? ---Ja.

You weren't hurt? --- Nee. Behalwe 'n klip wat my skrams teen die oog getref het, was ek nie beseer nie.

Have you told anybody before that you were hit by a stone? --- Dit was van so minder belang dat ek nie daaroor gedink het nie.

I am the first person who is privileged to hear that, then? ---Ja.

At any rate, you were thrown back into a sitting position and you got up immediately? --- Ek kon nie dadelik op kom nie want die hek was teen my voete of tussen my bene gewees. Ek het so gou as ek meontlik kon,

I want to get a picture of how this gate was. Half the gate was still closed, I take it? --- Ek kan nie sê - op die oomblik dat ek gestamp is, ja, was die linkerhandse helfte nog toe gewees. Terwyl ek agteroor was en probeer het om op te kom, was altwee kante van die hek oop en die Bantoes het daar ingekom.

When you got up, what did you do? --- Ek het op gekom en was verbaas om die skietery te hoor.

So the shooting broke out before you got to your feet again; ^{means,} that/immediately the stones started coming over the shooting began? --- Ek sal nie sê onmiddellik nie. Ek het u gesê, dit was seker 'n sekonde of wat.

Within a second or so? ---Ja. Die klippe het gereën, en toe val die skote.

Now, let me get the picture, Colonel; everything was as it had been ever since you had been there, more or less, until the stage when you were opening the gate to let the man in, when there was this surge

forward of people who you say were pressed from the back. That threw you back into a sitting position - the force of the gate; you were up again within a second or so?
---Ja.

But during that second, the stones started coming and shooting began? ---Ja.

And during that same period, the other half of the gate must have been swung open and some of those people who had surged forward under pressure from the back, had surged across the line of the gate? --- Dit is reg, ja.

And how far had they got by the time the shooting began? ---Omtrent sê die breedte van die hek; want ek het teruggeval en die hekke was oop, en toe ek oplet, toe staan van hulle sê twee of drie voet van my af.

So they were within a yard or two of the riflemen? ---Ja.

How many of them do you think actually ^{un-}crossed the gateline, or are you/able to make an estimate? --- Dit is moeilik om te sê; ek wil nie graag ...

It could have been five or ten or twenty? ---
Ek sou sê tussen 50 en 70. Die breedte van die hek het hulle vol die hek ingekom.

They did not fan out inside; they were just the width of the gate? --- Ek glo nie hulle het tyd gehad nie.

So there was this mass of Natives occupying the width of the gate and a yard or two inside? ---Ja.

Just the sort of thing that you and I have

experienced in crowds of football matches where there is a surge from behind and people are pushed against the rope? ---Ja; dit het vir my gelyk of die persone aangedruk is na die hek, van die middelste ...

Now, there is one thing that troubles me here. You had paid no more attention to the riflemen for some time, but immediately after the shooting, you saw them; or did you see them during the shooting?

--- Ek het niks gesien nie; ek was omgestamp. Toe ek op kom, toe skiet hulle; toe is die Naturelle voor my, en ek probeer op kom. Ek was op my voete en ek het 'n sâag gekyk en gesien die Naturelle slaan op die vlug, en ek het 'n masjiengeweer agter my kep hoor skiet en ek het omgespring en die masjiengeweer geruk en vir die man gesê "Stop nou met die skietery; ek glo nie dit is meer nodig nie".

Dit het alles so vinnig gegaan, dit is baie moeilik om presies te beskrywe wat gebeur het. Maar daarna het dit vir my voorgekom of die manne in 'n reguit lyn staan.

Strung out all along the fence, and, of course, across the gateway? ---Hulle het voor die hek gestaan en afgesprei na die kante-toe.

Now, tell me, how does it come that you are still alive to tell us about this; why didn't you get shot? --- Ek was miskien net gelukkig gewees.

But it sounds almost like a miracle. Can you explain that? --- Wat moet ek verduidelik - wat ek al juis gesê het; dit is al wat ek u kan sê.

But can you help me at all; you must have thought about it. I suppose when you went home to your wife that night you discussed how, what a lucky

escape you had had. What do you think saved your life? --- Ek is 'n "fatalist". As ek moet doodgaan, moet ek doodgaan.

Did the bullets whistle past your ears? ---
Ek was doof vir twee dae gewees.

Did you hear the bullets whistling past your ears? --- Ja; soos ek u sê, ek was vir twee dae doof gewees.

Was that as a result of the explosion ...? ---
Ja; the explosion must be very close, then, too.

Well, it was a yard or so behind you, was it not? --- Ja, moontlik.

DIE VOORSITTER: Het die persoon agter u wie se vuurwapen u op gedruk het, enigiets gevuur? ---
Ja; ek dink dit is die man wat agter my, langs my kop verby gevuur het, want toe ek omspring, het hy nog die masjiengeweer, die sten gun, opsy skouer. Ek het dit net op gedruk en gesê, "Man, stop skiet". "Die mense hardloop nou weg".

CROSS-EXAMINATION CONTINUED: Was he firing rapidly from his sten gun? --- You do fire rapidly - he did not fire single shots. It was a burst.

So many bullets must have whistled past your head? --- Moontlik. Ek weet nie.

And what about those 50 Bantu or however many there were who had crossed the threshold of the gate? --- Hulle het terug - met die skietery het hulle teruggegaan.

Why didn't they get hit? --- Ek weet nie of van hulle raak geskiet is of nie.

*Adm out
would not
be in
front of S.
have
panic.*

None of them did get hit, did they? ---I don't know.

You did not see any of them drop, did you? --- Nee; nie daar by die hek nie, maar om die hek.

You did not see anybody drop inside the fence? ---No.

You did not see anybody drop on the pavement outside the fence? --- Ja; daar het mense op die sy-paadjie gelê. Ek dink daar het 'n Naturellevrou net so skuins af in die paadjie gelê.

Are you sure; because a careful observation was made of the position of the ...? --- Ek kan nie sê - daar het 'n Naturellevrou net so skuins van die hek gelê, wat dood was.

You can't say there were any on the pavement, can you?

THE CHAIRMAN: Are you putting the position generally, Mr. Colman, or immediately in front of the gate?

CROSS-EXAMINATION CONTINUED: Immediately in front of the gate? ---Nee.

Having regard to the nature of the fire, will you agree that probably those people started running back before the firing started? --- Ek kan nie sê nie want ek was nog op my rug.

But it looks probable, does it not? --- Ek kan nie sê wat gebeur het nie.

After your fall, the next impression you got was of the people surging in and immediately you saw them surging back? ---Ja.

And all you can say is that that was about the same time as the stones and the shooting? --- Die klippe het eers geval, toe het die skietery begin.

It was all within a second or two? ---Ja; dit was baie gou.

And the movement back, can you say whether it was before, or after the shooting began, or are you uncertain? --- Ek kan nie sê nie want ek het op my rug gelê.

- ADJOURNED: 4.00 p.m. -

- RESUMED: 9.45 a.m.
on 5th May, 1960.