

Mr. Parkinson S. Storie 326: 323.2 (68232) Com

Pages 1659-1792

VOLUME XVII

KOMMISSIE VAN OORSPROEK OF OORSPRONG IN 'N SKEI-
DE DIE GEBORRE IN DIE DISTRIKTE VAN VERBODING
(IN WEELE DIE OORSPRONGE LOKALE IN KWATON) EN
VANDERBIJLANK, TRANSVAAL PROVINSE, OP 21 MAART
1960.

WITTEBOEK:

1961-1962

WITTEBOEK:

1963-1964

1673

VERTEENWOORDIGING:

SOON VOLGEND

INDEI

(SIEN BINNE)

Sta. 4.7.63

INDEX

ADAM SAKVANE

Evidence-in-Chief	Pages 1659 - 1667
Cross-examination	" 1667 - 1676
Re-examination	" 1676
By the Chairman	" 1676 - 1678
Mr. Flewman - through the Chairman	" 1678
Mr. Classen - through the Chairman	" 1678 - 1679

A. KHAOLE

Evidence-in-Chief	1679 - 1682
Cross-examination	" 1682 - 1693
Re-examination	1693 - 1695

B. MARCO

Evidence-in-Chief	" 1696 - 1699
Cross-examination	" 1699 - 1711
Re-examination	1711 - 1712
By the Chairman	" 1712 - 1714
Mr. Flewman - through the Chairman	" 1714

MOSES ISHABANGU

Evidence-in-Chief	" 1715 - 1719
Cross-examination	" 1719 - 1726
Re-examination	" 1727

Further Index at p. 17.28

Matthews Mashuya.
His wife
Brown Thabe.

THE CHAIRMAN:

It would be convenient if all these witnesses and the
present today were to be brought in at this stage
otherwise I would have to refer to each one
individually the names of the witnesses.

KOMMISSIE VAN ONDERSOEK OM ONDERSOEK IN TE STEL
NA DIE GEBOURE IN DIE DISTRIKTE VAN VERENIGING
(TE WETE SHARPEVILLE LOKASIE EN EVATON) EN
VANDERBIJLPARK, PROVINSIE TRANSVAAL, op 21 MAART
1 9 6 0.

I understand that you are all present here today to
give evidence before me in regard to the events which
took place on DINSDAG, 10 MEI 1960 om 10 v.m.

VERTEENWOORDIGING: SOOS VOORHEEM

My function
is to gather all the evidence which is available in

regard to what happened and to see that the
DIE VOORSITTER: Mr. Classen, dit mag
miskien wenslik wees dat enige Polisie-suptenaar
wat betrokke is by enige saak wat noontlik deur
hom ondersoek word, nie aanwesig is nie, omdat hy
enige onbehoorlike gebruik sou maak van sy aan-
wesigheid nie, maar ek wou graag dat die getuies
voel dat hulle heeltemal openhartig kan praat, en
dit is moeilik om aan hulle oor te dra dat hulle
dit wel kan doen, selfs al is daar 'n suptenaar
aanwesig wat ten volle besef dat hy nie behoort
gebruik te maak van wat hier gesê word nie.

Kaptein v.d. Bergh is wel bewus van die
omstandighede, en ek sal bly wees as hy sal toesien
dat wat hier gesê het in die goos uitgevoer word.

(Kapt. v.d. Bergh verlaat die Hof).

Witness book and a question is asked of you, the
answer to which may disclose what you have committed

THE CHAIRMAN: Mr. Plewman, I think it
would be convenient if all these Witnesses who are
present today were to be brought in at this stage,
otherwise I would have to repeat to each one
individually the assurances given earlier on

during the hearing. This enquiry started. You may not have heard of it. (Thirteen Witnesses brought into Court).

THE CHAIRMAN: (THROUGH INTERPRETER):

I understand that you are all present here today to give evidence before me in regard to the events which took place on the 21st March. I want to explain to you that this is not a trial. I am not here to decide whether you or any other individual is guilty of any crime which may be punished. My function is to gather all the evidence which is available in regard to what happened and to try, on the basis of that evidence, to establish what actually occurred on that day. You will be asked to go into the witness box and to give evidence on oath as to what you know about the occurrences on that day. You are in exactly the same position as every other witness who has appeared before me.

At the beginning of this enquiry certain assurances were given to witnesses so as to make them feel that they can give their evidence freely, without fear of any harmful consequences in so far as they are concerned, because if you feel that you cannot speak freely and you don't speak freely, then your evidence will naturally not be of any great assistance to me.

Now, first of all, if you are in the witness box and a question is asked of you, the answer to which may disclose that you have committed some criminal offence, you will be entitled to say to me that you do not want to answer that question and I will not expect you to. But in addition to that, I also want to refer to certain assurances

Mr. Flewman, do you think the matter has been which were given when this enquiry started. You may not have heard of them, and I think it is only right that I should repeat it now.

The first assurance is in the following terms: I repeat the exact words which I stated on that occasion.

I have been authorised by the Honourable, the Minister of Justice, to indicate that no statement made by any Witness in the course of these proceedings will be used as a ground for his detention under the Emergency Regulations. In addition to that, Mr. Claassen, who was appointed to assist me in regard to the conduct of these proceedings, gave the following assurance:

"I was also asked by the Secretary" - that is the Secretary for Justice - "to make a further statement, namely that no statement made by any Witness will be used against him at any criminal trial. The Attorney-General will not prosecute".

I think I should explain - will not prosecute on the basis of any statement made by any Witness during the course of his evidence.

Now, do you understand the position? You have come here as Witnesses to assist me as the Commissioner. Because it is convenient, I will ask Mr. Flewman to lead your evidence, that is to ask you questions so as to make it easier for you to give evidence. Your evidence will also be tested, as was the case with every other Witness, by cross-examination, and I will naturally also ask such questions as I think are necessary.

Mr. Plewman, do you think the matter has been sufficiently explained?

MR. PLEWMAN: I am very grateful to you, Sir, and I am sure it is clear to all the Witnesses now what their rights are. If I may suggest ...

THE CHAIRMAN: The Witnesses may now all retire, and if you would just indicate to me, Mr. Plewman, the order in which they should be called.

ADAM SAKVANE, sworn, states (through Interpreter):

THE CHAIRMAN: Mr. Claassen, and the other Counsel: In the normal course of events, now, of course, the evidence given by this Witness, unless I make an order to the contrary, will be published. It is being given in open Court.

MR. PLEWMAN: As far as I am concerned, Sir, there is no objection to that. I know of no objection to it by anybody else.

THE CHAIRMAN: No; save, I think I must just point this out to you, because the question may arise at a later stage. I have asked at your suggestion, to which I agreed, that Mr. v.d. Bergh should not be in Court; in other words, that he should not become aware - now, of course, once the evidence is published, then obviously through those means he and other members of the Police will become aware; and, of course, the members of the public, also.

I merely mention this. I don't know what you feel, Mr. Claassen. Have you any views on the subject?

there is a large, tarred road with an island in the middle, opposite the Police Station called Zwane Street, and opposite the Police Station there is a clinic? — I know, yes.

The clinic is on the Western side? — That is correct.

From which side did you approach the Police Station? — From the Eastern side.

You came up Zwane Street? — That is correct.

Before you came to the Police Station, did you pass any Police in Zwane Street? — I passed the South African Police, Municipal Police, which were standing in the Road - Zwane Street.

Was that quite a body of Police about whom we have heard; they were - before you got to the Police Station - in Zwane Street and they were all armed? — That is correct.

From that point on, where did you go and what position did you take up near to the Police Station from which you can tell us what you saw in the Police Station? — I went and stood on the corners of Zwane Street and the street that passes in front of the clinic.

The street that passes between the clinic and the Police Station? — Yes.

About how far from the fence of the Police Station on that side - that is on the Western side - did you stand? — About as far as from where I am standing to that clock against the wall, there.

About ten paces.

THE CHAIRMAN: Not more than seven.

EXAMINATION CONTINUED: Well, between seven

ADAM SAKVAHE
Witness - Chief

and ten paces.

Now, from that position did you notice various vehicles coming into the Police grounds from various directions? ---Yes.

Including saracens - do you know what a saracen is? --- It was the first time I saw it that day.

You know the vehicle which I am referring to? --- I heard that the saracen had killed a lot of people.

Perhaps if you were to see the exhibits, you could identify a saracen in that way. Look at Exh. "22". Is that a saracen? ---Yes; it was something like that one on the photo, here.

You saw, also, saracens coming into the Police yard? ---Yes.

Did you also at some stage see that the armed Police formed a line along the Western fence of the Police Station? --- Yes, I did.

And when, they formed up, were the saracens also positioned in various parts of the Police yard? ---Yes.

After the Police had formed up and were standing in their line along the Western side, did you notice anything happening near the gate? --- I saw a big European who had a sporting jacket on, of fawn colour, who caught hold of Nyakane Twolo.

And was that before, or after the Police had formed in line? --- That was before they had formed in line.

And were any other arrests before the line was formed up, or was that the only one? ---I saw another one, too, before the line was formed.

Were both these people taken into the Police Station? --- Yes, I want to go back to the time before the

building? --- Yes; they were.

After the line had been formed up, did you see anything else? --- After this line was formed up, I saw them (as indicated by Witness) breaking the rifles and putting something inside.

You saw them loading their firearms? --- Yes.

Now, between the time of loading their firearms and the time of the shooting, was there anything else which you yourself noticed which was something of significance, or don't you remember? --- After three vehicles came in, the fourth was a flying squad. Thereafter the shooting took place. After these vehicles had gone in, were there for a while, then the shooting took place.

So you saw nothing more before the shooting took place, happening - nothing more that you feel you should talk about? --- Except what I have already said.

How did the shooting start; what did you do when the shooting started? --- I did not see how the shooting started. When the shooting took place, I ran away.

What did the rest of the crowd do when the shooting started? -- They all ran away.

Which way did you go? --- I crossed Zwane Street and I went into the location.

Where were you when you received your injury? --- After I had crossed Zwane Street, there is a house just on the other side, and when I got there I felt that I was struck by something in the leg.

You were shot in the buttock? --- Yes; in the buttock.

Now, I want to go back to the time before the

ADAM BAKYARE
WITNESS-IN-CHIEF

shooting and I want to ask you something about the crowd. Was the crowd, as far as you could see, before the shooting started - were they anxious to fight with the Police? ---Not at all.

Did you yourself go there with any intention of attacking, or fighting with the Police? ---Not at all.

After these events, you were taken to Baragwanath, where you were treated for your injury? ---I was removed from there by a private car, to this hospital; from here, I was removed back to Baragwanath.

Can you give his Lordship any idea of how far you drove - can you point out the distance, how far you had run before you were actually struck by the bullet? ---

MR. CLAASSEN: My learned friend is putting leading questions, my Lord. I don't know that the Witness has said that he had run before he was shot. He said when he got to this house he ...

THE CHAIRMAN: My recollection is that he says that when the shooting started, he ran away. I may be wrong, but that is my impression.

MR. CLAASSEN: It is not clear from the evidence that he has given so far that he might not have been shot before he started running.

THE CHAIRMAN: Can you perhaps tell us, where were you standing in relation to the gates through which these vehicles entered the Police yard? --- Here is a gate just outside the building, here, where we enter when we come into the building. That is the gate, and this is where I was standing, here, where I am standing in the Witness box.

In other words, you were facing the Police station?

--- At an angle; not directly facing it.

Now, the gate to which we have referred, as you were facing in the direction of the Police Station; was that on your lefthand or on your righthand? --- On my lefthand side.

The gate, as far as I remember, is about in the middle of that fence? --- I don't know. I have not taken so much notice. I don't know.

In any case, you were aware of where this gate was. Now, can you perhaps describe to me, if you take the gate on your lefthand side and you take the end of the fence at the corner on your righthand side, whereabouts in relation to those two points were you standing? --- If this is the corner here, where the fence ends, I was standing here.

Which is the fence? --- This is the fence, here - South-Western.

Were you actually standing on the tar, in other words in Zwane Street? --- Standing on the kerb; there is cement just at the end of the tar; I was standing on that.

Is that very near to the tarred road? --- Very near to the tarred road.

And from there you were looking at an angle to the Police Station? --- As I indicate now, standing at an angle.

You told us that you heard shots? --- Yes; I did.

Now, tell me in your own words again, what did you do when you heard the shots? --- I ran away and I saw people running away, too.

Did you run away at once or did you first wait for

ADAM SAKWAHE
By the Chairman.

a moment to see what was really happening? ---I just turned and ran. fell at that spot? --- Right.

Where did you stop running for the first time?
--- When I was struck by the bullet, I fell; that was the first time I stopped.

Did you fall down? ---Yes. I sort of went on my stomach and hands until I got into a yard; I crawled on my hands until I got into a yard.

EXAMINATION CONTINUED: Now, can you tell me how far the point where you fell is from the point where you were standing when the shooting started. Can you point out the distance, how far you had run between those two points? --- It would be about as far from here to this street crossing the building, just outside the building.

THE CHAIRMAN: Are you familiar with photographs?
---I have seen photographs. I won't say that I am familiar with them.

I wonder, perhaps, if you were to look at Exh. "H"; you might be able to identify (explained to witness by Mr. Flewman)?

---I went into that house on the corner, there.

EXAMINATION CONTINUED: Would you just indicate on Exh. "H" -- you were standing on the South-West corner? ---Yes.

You then ran across Zwane Street in a South-Westerly direction and you went into the corner house, on the corner of Zwane Street on the Southern and Western side? ---Yes.

And where was it that you fell when you were hit?

--- Right on the corner, there.

You indicate that you fell right on the corner

ADAM SAKYANE
Evidence-in-Chief
CROSS-EXAMINATION

of the road. There is a kerbstone on the South-Western corner, and you fell at that spot? --- Right.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. SMULLEN: I just want to enquire whether you are a Basuto? --- I am.

How long have you been in the Union? --- Do you mean the Union, of the Transvaal?

The Union of South Africa? --- I was born at Coalbrook in 1924.

Do you pay tax to the Basutoland Government? --- no; here in the Union.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. CLAASSEN: You say that you went to the Sharpeville Police Station at 11 o'clock? --- Yes.

When did you hear that people were going there? --- In the morning.

What time? --- It was about the time that I had to go to work from my house when I saw people passing, and I then heard people say amongst themselves, "We are going to the Police Station."

About what time do you go to work? --- I start work at 8.30.

Where do you work? --- Gersao's Engineering.

Do you say that when you were on your way to your work, that was the first time that you heard that people were not going to work that day and that they were going to the Police Station? --- No; that is not what I said.

Well, I am asking you whether that is what you are saying; what did you intend to say? --- We had already

heard a lot of people were not going to work. I was going to see whether that was true, whether they were not going to go to work.

When did you hear people were not going to work?
---In the middle of the week I heard people speaking amongst themselves about it.

What did you hear; what were they going to do on that day? ---I heard it was said that they don't want the passes.

What were they going to do? --- It was not explained to me as to what they were going to do.

Did you hear in the middle of the week that they were going to come together some time? ---No.

When you heard that people were not going to work, did you also intend not working on that day? ---No. I was going to go to work and when I got outside I found out that the buses were not travelling and I had no means to go to work.

Did you reach the place where you had to get the buses? --- That is where I went in the morning, yes.

When did you hear that somebody was going to address the people at the Police Station? --- When I was at my house, sitting there, I heard people talking about it as they were passing.

Did they not speak to you? --- No; they spoke amongst themselves.

And you can't say from whom you heard it? --- I heard it from some people; I can't say from whom I actually heard it.

When did you reach the place where you had to catch a bus? --- If it was not 8 o'clock, it must have been a quarter to eight.

And then, what did you do from that time until 11 o'clock? --- I went home and I went and sat down.

When did you leave home again? --- I don't know, but it was nearly 11 o'clock; I had no time on me to see. Did you find out from anybody amongst that crowd

what they were doing and about? --- Yes, because I know they were not going to go to work and I went back to my home.

And when you left this place in Secise Street where you had to catch the bus, were there lots of other people in the street? --- It was full, in the streets.

Police? --- No; I did not see the Police. I just saw other people.

Did you not see any Police at all? --- Not at the bus stop.

Did you see any Police in Secise Street? --- I saw the Police after I had gone up to the Police Station, at the Police Station. Before I did not see any Police.

You did not see any Police until you saw the Police in Innes Street, at the Police Station? --- Yes.

What were the people doing in Secise Street? --- They were just standing. They were full in the street, just standing.

Which way were they facing? --- There were people on either side of the street and they were looking, I don't know what direction they were facing.

What were they doing? --- Just standing.

Were they speaking? --- There were people talking to one another like the ordinary conversation; the one was speaking to the one there and the other one was again speaking to another one there.

Was that all? --- That was all I saw and heard, and from there I went back home. They weren't doing anything at all, except that they were speaking, that's all.

Did you find out from anybody amongst that crowd what all the gathering was about? --- No; because I knew that they were not going to go to work and I went back to my home.

Then why did you leave your home again, to go to the Police Station? --- To hear what this gentleman who was going to address the people had to say.

What did you expect him to speak about? --- I heard it being said that he was going to speak about the passes.

If anybody were to say that from about 7 o'clock a whole lot of people gathered in Seeiso Street and that the number increased there, do you say that would be wrong? --- I cannot say it is wrong. I can only say I was not there at that time; that is all.

THE CHAIRMAN: I understood from your evidence that you live in Sharpeville. Is that correct? --- I do live in Sharpeville.

Could you give me an idea more or less where your house is? Let's take it first of all, as you enter at the gate where the Administrative offices are and you go down Seeiso Street into the location, do you turn left or do you turn right out of Seeiso Street? --- To the right.

Did you go up to the end of the crowd? --- No; I turned back at the gate.
And how far down have you to go before you turn right? --- I have to enter the location first; then I walk a distance into the location before I turn to the right in order to go to where I live.
I am suggesting to you that these people were in the act of walking out of the location at the time, in the direction of the town? --- I did not take notice of it.

If you would look at Exh. "C", you might perhaps see your house. (Interpreter explains Exh. "C" to Witness). If you can show him the bus terminus, Mr. Interpreter, and the two schools. Would you just pinpoint it, if possible, and mark it with the letter "A".

MR. PLEWMAN: May I suggest that we perhaps ask his number. There is a plan available; unfortunately we haven't got it today.

THE CHAIRMAN: Do you know the number of your house? --- 5618. (Marked with "A").

CROSS-EXAMINATION CONTINUED: Adam, let me get this clear: You had to go to the bus terminus that is nearest to the entrance to the location? --- I had to go to the bus stop which is near to the Post Office.

And you say at a quarter to eight or about 8 o'clock you were at the bus stop? --- I say so.

Did you see a large crowd of people in Seciso Street? --- Yes; there was.

Was the street filled with people? --- Yes; it was filled with people.

For a long distance along the street? --- From the hostel upwards - as you go up Seciso Street into Sharpeville location.

And you say these people were just standing there? --- Yes.

Did you go up to the end of the crowd? --- No; I turned back at the bus stop.

I am suggesting to you that these people were in the act of walking out of the location at the time, in the direction of the town? --- I did not take notice of it.

Even if it was a slow movement, they were moving in that direction? — The people that I got to, were not people walking; they were standing.

Did you hear from those people about the address that was to be delivered at 2 o'clock at the Police station? — No.

When you got to the Police Station, you say you were standing on the South-Western corner? — At the place where I said I stood.

On the pavement nearest to the Police Station? — Yes.

And were there a lot of people standing behind you? — There were people behind me, but I won't say very many.

Just - was the street full of people at the corner, at this intersection?

THE CHAIRMAN: When you got there at 11 o'clock or some time after 11 o'clock? — At the time when I got there, there were many people, but not a large crowd. As I said, when I stood there, I was looking at the Police station. I did not look behind to see whether the crowd was increasing or not.

CROSS-EXAMINATION CONTINUED: At the time when the Police started shooting, did you notice whether there was a big crowd behind you? — No; I did not take notice of that. I was looking where I was looking.

At no time could you see whether there was a big crowd behind you? — I was caused to leave from there by these arms. I did not look from then on as to whether there was a big crowd or not.

Well, when the first shots were fired, you turned

around, didn't you, and you crossed diagonally? ---
That is so. There were also hymns being sung.

So did you not then see a lot of people there, behind you? --- I got a fright and I was running away from these firearms. I was not taking notice as to whether there were many people or not.

THE CHAIRMAN: Was there anybody in your way, as you were running. Did you have to get out of other people's way, or was it a clear run across the intersection? --- People were running in all directions. In the direction in which I was running, there were people passing me and I was passing them and we were passing one another, as we were running away.

CROSS-EXAMINATION CONTINUED: Whether you were running or standing, was there a big crowd behind you when you started to run? --- No; I did not see the stone throwing. When we started to run away I just saw that there were people. I cannot say whether it was a big crowd or not.

How did you first become aware of the fact that you were hit? What did you, in fact, see? --- I felt as if one was just touching me like this, and I fell, and I went down. Were there people thrown, would you have seen it?

Did you not still run a distance after you felt that someone was touching you? --- I just went down like that, as I indicate. I did not see any being thrown.

THE CHAIRMAN: In other words, you indicate that you dropped on the spot? --- Dropped on the spot.

CROSS-EXAMINATION CONTINUED: Did you not feel a severe pain just at the time? --- After that, I felt pain and I also noticed blood.

The people that were standing around the Police

Station, there, were they noisy? ---It was people speaking and there were also hymns being sung.

Shouting? ---No. They were singing, not shouting.

You never heard anybody amongst the crowd shouting something at the Police? ---No; not one.

I take it you did not see a single stick amongst the whole crowd? ---As far as my eyes reached those people that I could see, I saw no-one with a stick.

And from where you stood, you could see what was going on at the gate? ---Yes. If a motor car gets in at the gate, you would see people giving way to enable the car to go in.

Could you see what the people were doing inside the Police fence? ---Yes, I saw.

Could you see stones being thrown? ---No; I did not see the stone throwing.

Would you say that if stones were thrown, you would have seen? ---I would have seen.

And you say that no stones were thrown? ---I said I did not see stones being thrown.

If stones were thrown, would you have seen it? ---I would have.

Can you be certain that no stones were thrown? ---I am sure; I say I did not see any being thrown.

From where you were standing, towards the fence, were the people standing very, very close together? --- They were.

Were they pressing against the fence? --- They were standing against the fence as I am standing here, against the Witness box, as indicated by me.

Pressing, or leaning against it? --- Not pressing against it; just standing against it.

You say not so much so that the fence would have been pushed over ever so little? --- Where the people were standing against the fence, if one came from behind to get to the fence he might push a bit and you would lean up against the fence - not to actually push the fence; just leaning up against it.

And people were pressing against each other so that people standing immediately against the fence, were more or less leaning against the fence? --- Not all the time. If one would come from behind and like to get to where the fence is and you would push against - if he would push against you, then one would lean against the fence. It is not that they were actually leaning up against the fence.

I understand you to say that there was no pressure from the crowd as such ...

MR. PLEWMAN: I do not want to interfere with the cross-examination, but that is not what the Witness said, my Lord.

MR. CLAASSEN: It is not a question that I am repeating what the Witness has said; I am asking. I want to get clarity on this, whether in fact the people were pressing.

CROSS-EXAMINATION CONTINUED: I put the question to you again. The crowd at the back, were they in fact pressing against each other from behind? --- No; they were not.

Nobody was pressing you from behind? --- I have already said, if one wants to get ^{from} behind to where the

ADAM SAKWANE
Cross-examination
re-examination
by the Chairman.

fence is, then he might push against you in order to get to where the fence is.

I want to know whether somebody was pressing you from behind? --- No.

Do you say that nothing happened while you were there, before the shooting started, that could have given rise to the shooting? ---No; nothing.

NO FURTHER QUESTIONS.

RE-EXAMINED BY MR. PLEWMAN: Adam, why do you think the Police shot at you? ---I am still questioning myself as to why; I don't know.

NO FURTHER QUESTIONS.

BY THE CHAIRMAN: Adam, during the time that immediately preceded the shooting, were you mostly looking in the direction of the gate - I don't say in the sense that you kept a fixed gaze at the gate, but were you usually looking in the direction of the gate? --- I would on occasion look at the gate and then I would look around a bit, and then look at the gate again. I did not have my eyes fixed at the gate.

In the last period, most of the things that were happening, were happening round about the gate - the cars and vehicles, the other vehicles were getting in? ---Yes.

I think in your evidence you referred to the fact that you saw a few people being, as you put it, "arrested" or "taken in", at any rate, from the gate? ---Yes; I did.

At that time, did you get any impression that the Bantus who were in the vicinity were annoyed? ---Not annoyed at all.

That was not the impression you got? ---Not the way I saw it, that they were getting annoyed.

ADAM SARKWANE
By the Chairman.

Did you at any stage hear the slogan of "Afrika!" being shouted? --- That I did hear them shouting.

Did you at any stage see anybody waving a stick in the air? ---No; I did not.

You told me that when you heard the first shot, you turned and ran across the intersection? --- That is so.

What was your impression; where did you hear that shot coming from? Did you hear any single shots, or did you only become aware of a burst of fire? ---I just heard one burst of fire.

Then you turned round and you ran? --- That is so.

While you were running and before you fell down, did the firing continue without stopping/and then fire would continue again? ---It was one continuous sound of shots being fired, until I got into the yard. After I had fallen, I went into a yard, there. Then they stopped.

Did you at any stage become aware of Bantus other than Policemen inside the Police yard - some of the people who you say were arrested? --- No. Except the two that I have mentioned, that were arrested by the Police, or taken in.

Did you at any stage see any member of the Police walking on the inside with a loudspeaker in his hand? ---No; I did not.

You say you saw the Police being formed up in a line? ---Yes.

Did you think about that at all, as to why that was being done? --- When the Police formed a line, there was no thought in me at all as to why they were

ADAM SAKWANE
By the Chairman.

doing it. I just stood there and saw them doing it,
that's all.

Did you hear, perhaps, any discussion amongst
the people around you about that? ---I heard one saying
"They want to shoot" and one saying again, "No, they
won't shoot".

And you say that you actually saw the Police
loading? ---Yes; I did.

Did you turn that over in your mind and ask
yourself, "Now, I wonder why this is being done?" ---
I was thinking of nothing at all.

You did not feel in any sort of position of danger
at the time? ---No.

MR. FLEWMAN (THROUGH THE CHAIRMAN): Do I
understand that from the place where you fell, you
crawled into this yard, or did you get up and run again?
--- I crawled on my hands until I got into the yard.

THE CHAIRMAN: And I think you said it was then
that the shooting stopped? --- It was a short while
after I had got into the yard. I was lying down in
the yard when the shooting ceased.

When you were crawling, the shooting was still
continuing? ---Yes.

MR. CLASSEN (THROUGH THE CHAIRMAN): From the
formation of the line of Policemen that you saw there,
didn't you get the impression that the Police wanted
you to go away? ---I did not think of it at all,
because we were waiting there to hear this address
that was going to be given at 2 o'clock.

But would it have been clear to you that if the
Police wanted to get you away, there was not going to

ADAM SAKWANE
By the Chairman.
A. Knaole
Hoofgetuigde.

be anybody to address you? ---No.

- ADJOURNED: 11.30 a.m. -

- RESUMED: 11.45 a.m. -

ABRAHAM KNAOLE, beëdig, verklaar (deur tolk):

VERHOOR DEUR MNR. PLEWMAN: Abraham, die dag van die skietery by Sharpeville, was jy daar by die Polisie-stasie? ---Ja.

Jy is ook in die skouer geskiet? ---Ja; hier in die skouer (toon aan linkerskouer).

Ons sal nou later daarby/hoer jy geskiet is. Voor die dag van die skietery, het jy gewerk? --- Ek was in diens gewes, ja.

Vaste werk? ---Ja.

Vir wie het jy gewerk? --- SAPIM.

Die dag van die skietery, kon jy werk-toe gaan? --- Ek het probeer om na die werk-toe te gaan, maar dit was verhoed.

Het jy toe teruggegaan na jou huis-toe? --- Ek is toe terug huis toe, ja.

Toe jy daar by jou huis sit, het jy opgelet dat die mense in een of ander rigting loop? --- Ek het 'n aantal mense gesien in die straat, na die Polisie-kantore se kant-toe gaan.

DIE VOORSITTER: Weet jy watter straat dit is? --- Die groot straat, wat af gaan.

Seciso? --- Die een wat van die kantore, by die hek se kant kom.

VERHOOR HERVAT: Het jy toe ook Polisie-stasie-toe gegaan? --- Ek het, ja.

Ek wil hê jy moet aan sy Edelagbare sê min of meer waar jy gestaan het. By die Polisiestasie is daar 'n draad hier aan die een kant, en oorkant is die kliniek. Tussen die twee is daar 'n teerstraat? — Ja.

Nou, waar het jy gestaan? — As dit die straat hierdie is, hier voor, dan het ek hier op die syweg gestaan. Op die "pavement".

Is dit aan die kliniek se kant, of aan die Polisiestasie se kant? — Aan die kliniek se kant.

Was daar mense voor jou, tussen jou en die draad van die Polisiestasie? — Ja.

Kon jy sien wat aangaan binnekant die Polisiegronde, binnekant daardie draad? — Ek was 'n bietjie agter gewes. Daar was baie mense voor my. Ek kon nie van agter af kyk wat aangaan daar voor my, in die Polisiegronde nie.

Sê net kortliks vir sy Edelagbare wat jy gesien het, hoe die skietery begin het en wat jy toe gedoen het? — Voordat dieskietery begin het, het ek agter die mense gestaan, daar waar ek gestaan het. Die tyd dat ek daar gestaan het waar ek was, het ek gehoor 'n "krrrrr" so 'n geluid. Ek het gesien die mense gaan uiteen, in verskillende rigtings. Ek het toe ook omgedraai. Ek het toe na agter gehardloop.

In die rigting van die kafee se kant of in die rigting van daardie teerstraat? — Ek het in die rigting van die kliniek gegaan. Toe ek daar kom, het ek in die rigting gegaan van die stat - van die wonings.

DIE VOORSITTE: Ken jy Ewige-straat? — Ek ken nie die name goed nie.

Jy weet aan die een kant van die Polisiestasie is

daar winkels; aan die ander kant is daar so'n groot
teerstraat, met 'n eiland in die middel? --- Soos ek hier
staan in die getuiebanc, is die kafee hierdie kant (aan
die linkerkant). Toe ek nou omdraai en weghardloop,
het ek in die rigting van die kliniek gehardloop.

VERHOOR HERVAT: Na verder weg van die kafee af,
in die rigting van die straat? --- Toe ek by die kliniek
kom, het ek 'n ander rigting gevat, na Vergenceg se kant-
toe. of hulle gaan vir die paase sokkentes.

Dit is die teenoorgestelde rigting van die kafee? ---
Ja; die regterkant. Die kafee/in die teenoorgestelde
kant.

Voer jy hierdie skietery gehoor het, hierdie
geluid, het jy gesien of die skare vorentoe gebeur het
om te probeer inkom by die Polisiestasie? --- Die skare
het daar gestaan, en die skare was gekeer en dit was
gesê dat hulle nie teen die draad daar moet kom nie.

DIE VOORSITTE: Wie het dit vir hulle gesê? ---
Dit is die mense wat aan die binnekant van die draad was.
Tsule was toe daar.

VERHOOR HERVAT: Ja, maar ek kom nou by die tyd van
die skietery. Omiddeellik voor die skietery, het jy
gesien of die mense probeer inkom by die Polisiestasie,
niskien met die Polisie wil baklei, of wat het daar
gebaar? --- Nee.

Hulle het nie probeer inkom nie? --- Nee.

Het jy gesien of die mense daar wapens by hulle
gehad het, of kleries, of kappyle, of so-iets? --- Wat
ek gesien het, het niks gehad nie.

Het jy soeken-toe gegaan om te baklei met die
Polisie? --- Nee.

Hoekom het jy soheentoe gegaan? --- Ek is agter die baie mense aan en ek wou gaan hoor waarom gaan die baie mense daarheen.

DIE VOORSITTER: Was jy nuuskierig? --- Dit is so. Ek was nuuskierig om te weet.

VERHOOR HERVAT: Het jy miskien, soos jy soheentoe geloop het of terwyl jy daar gestaan het, gehoor hoekom die mense nou daar is by die Polisiestasie? --- Ek het gehoor hulle gaan vir die passe soheentoe.

GEEN VERDERE VRAE NIE.

KRUISVERHOOR DEUR MNR. SMULLEN: Sê vir ons, is jy 'n Basoetoe? --- Ek is 'n Kokgatla; ek is 'n Transvaalse Basoetoe.

Betaal jy belasting aan die Basoetoland Regering? --- Nee; hier.

GEEN VERDERE VRAE NIE.

KRUISVERHOOR DEUR MNR. CLAASSEN: Wanneer het jy besluit om na die Polisiestasie te gaan? --- Nadat ek nie na die werk-toe kon gaan nie, is ek toe agter die menigte aan.

Is die peesie dit, dat jy het jou huis verlaat om na jou werk-toe te gaan, toe vind jy jy kan nie werk-toe gaan nie en toe sluit jy maar by die skare aan? --- Ja.

En het jy toe by die skare gebly totdat die skietery plaasgevind het? --- Daarvandaan is ek eers terug na die huis-toe, en dit is toe die tweede keer dat ek nou kom om agter die menigte aan te gaan.

Hoe laat het jy die tweede keer jou huis verlaat? --- Alhoewel ek nie na die tyd gekyk het nie, dink ek dit was ongeveer 10 of 10.30.

Van daardie tyd het jy op die straat gebly saam met die skare totdat jy daar weg is, naamlik na die skietery? — Ek was net in die nabyte daar gewees, ja.

In die "nabyte" waar? — Ek het eers daar gekom waardie menigte gestaan het. Ek is toe terug en ek is weer daarheen, en daar het ek toe gaan staan.

Was jy in Seeiso-straat? — Ek was in hierdie straat wat van die kafees af kom.

DIE VOORSITTER: Kan jy vir my verduidelik min of meer waar jou huis is; wat is die nommer van jou huis? — No. 4049. — Ek draai nie uit nie. Ek hou

Ken jy die laaste getuie, Adam? — Ek ken hom net van sien. Ek weet nie waar hy bly nie.

Ken jy 'n foto verstaan? — Nee; ek sal dit nie verstaan nie.

As jy nou by die hek inkom waar die Munisipale kantore is,? — Bedoel u nou daardie groot kantore van die Munisipaliteit?

Die groot kantore, ja. As jy nou van jou werk af kom en jy kom in Sharpeville in, dan is jy in Seeiso-straat, die groot teerstraat? — Ja.

Nou, waar draai jy af van Seeiso-straat om na jou huis te kom? — As ek van die Munisipale kantore af gaan, kom ek in daardie straat. Ek draai nie na geen kant toe nie, totdat ek kom waar ek wil. — Toe ek van my

Gaan jy verby die poskantoor? — Ja.

Gaan jy verby die plek waar die skool is? — Ja.

En weet jy waar die bus-terminus is? — Ja.

Jy loop nou nog al die tyd verby, in Seeiso-straat? — Ja.

En weet jy waar die groot gemeenskapsaal is, naby die Polisiestasie? --- Ek is nie ver daarvandaan nie. Ek is daar op die hoek, nie ver daarvandaan nie.

Nie ver van die gemeenskapsaal nie? --- Nee.

Kyk, jy loop nou in Seeiso-straat na jou huis-toe? --- Ja.

Jy sê jou huis is nie ver van die gemeenskapsaal nie? --- Ja.

3 As jy dan by jou huis kom, draai jy na jou regterkant, uit Seeiso-straat, of loop jy na jou linkerkant-toe? --- Ek draai nie uit nie. Ek hou met die straat aan, en met die straat; my huis kyk op die straat. Ek draai in die straat in, na my huis-toe.

Ken jy daardie verkeerssirkel? --- As ek na die dorp se kant-toe kom, van die hoek af is my huis die vierde.

Van die sirkel af? --- Van die hoek af.

Ek dink dit is na genoeg beskrywe. Ek dink sy huis is nie op die foto, sover ek van sy beskrywing verstaan nie? --- Dit is die vierde huis van die hoek af.

Ja; dit is na genoeg.

KRUISVERHOOR HERVAT: Vandat jy jou huis toe die tweede keer verlaat het, het jy reguit na die Polisiestasie gestap, of het jy nie? --- Toe ek van my huis af is, is ek reguit eers na die Polisiestasie. Ek het nie eers rondgeloop of so nie.

Hoe laat het jy omtrent daar gekom? --- Ek het reeds gesê, ek het nie na die tyd gekyk nie.

Ja, maar jy het nou vir ons 'n tyd gegee dat jy by

---Nee.

Het niemand vir jou niks gesê nie? ---Nee.

Het jy jou pas by jou gehad? ---Ja; ek het hom aan my gehad.

Toe hoor jy die skietery, nê? ---Ja.

En was jy ook getref? ---Net toe ek draai, toe kry ek die skoot hier (toon aan). (Linkerskouer).

Jy het nou, verstaan ek, op die sypaadjie van die kliniek gestaan? --- Dit was net voor die Polisie-stasie waar ek gestaan het. Ek het probeer verduldig - op die syweg, daar, voor die Poliestasie.

Ja, maar kyk, daar is nou twee sypaadjies; die een sypaadjie is aan die Polisie se kant en die een is aan die kliniek se kant? --- Ek het gesê ek het op die een gestaan aan die Polisie se kant, agter die mense.

DIE VOORSITTER: Het jy nog op die sypaadjie gestaan, of het jy in die straat gestaan? --- Ek het op die sypaadjie gestaan, na-aan die straat.

Ek mag jou eers verkeerd verstaan het. Laat ek dit net duidelik kry. Jy het die draadheining van die Poliestasie? ---Ja.

Dan het jy 'n sypaadjie wat lange daardie draad loop, voordat 'n mens op die pad loop? ---Ja.

Dan het jy die pad? ---Ja.

En dan het jy weer 'n sypaadjie wat aan die kant van die kliniek se draad lê? --- Ek sien dit, ja. Ek het op die sypaadjie gestaan, aan die Poliestasie se kant.

So, agter jou was nog die pad gewees, en dan die sypaadjie van die kliniek en dan die kliniek? ---

Dit is so.

KRUISVERHOOR HERVAT: Nou, het ek jou reg verstaan: Toe die skietery plaasvind, toe draai jy om en jy hardloop na die kliniek-toe? --- Ja.

Met ander woorde, jy het nou oor die teerpad gehardloop? --- Ek het oor die teerstraat gegaan na die kliniek se kant-toe, en toe het ek weer van die kliniek af 'n ander rigting ingeswaai.

Toe het jy links gedraai? --- Ja.

Jy het gehardloop totdat jy sien jy kon nie verder nie, dat jy teen die kliniek se draad hardloop? --- Ja.

Toe draai jy links? --- Ja. Ja, ek mag jou verkeerd verstaan het maar ek was onder die indruk dat jy eers gesê het jy het op die aypaadjie naaste aan die kliniek gestaan? --- Nee. Ek het op die aypaadjie gestaan hier na die Polisie-stasie se kant.

DIE VOORSITTER: Kan jy net vir my ook verduidelik: Soos jy nou gestaan het en jy kyk na die Poliestasie - hier reg voor jou is die Poliestasie? --- Ja.

Het jy gesien, terwyl jy daar gestaan het, daar is 'n hek waar motorkarre en 'n saraca en 'n vragmotor ingegaan het? --- Ek het hulle gesien ingaan, ja.

Kan jy nou vir my sê, soos jy nou gestaan en kyk het, was daardie hek reg voor jou gewees, of was die hek op jou linkerkant gewees, of was die hek op jou regterkant gewees? --- Soos ek hier staan, is die hek aan my linkerkant.

Hoe ver weg - kan jy vir ons hier wys? --- Soos van hierdie blanke getuiebank af, langs my, tot by die

eerste ry mense wat hier voor sit. Voor die skietery?

Omtrent ses treë? --- Ek is nie seker nie, maar ek dink ongeveer so 'n ses treë.

Dit is nou soos jy skat? --- Dit is soos ek skat, ja. Julle het nie gehoor? --- Vanwaar ek gestaan het.

KRUISVERHOOR HERVAT: Dan, soos jy nou gestaan het, dat ek nou sou kon hoor nie want ek het agter die het, as jy nou regs kyk, sien jy daar die systraat? --- Ja; dit is so.

Ek vermoed daar het die mense ook dig gestaan? --- Die mense het nie eintlik in die straat gestaan nie.

Hulle het meer op die syweg gestaan, as in die straat.

Sou dit nie vir jou makliker gewees het, soos jy nou gestaan het, om na jou linkerkant-toe te hardloop nie? --- Soos ek nou hier in die getuiebanc staan en so kyk in hierdie rigting, toe ek nou die geraas hoor van die vuurwapens, het ek gedraai, links, soos ek wys, en toe voel ek hier in die skouer, iets raak my hier.

Wat ek nou eintlik wil op neerkom, as so-lits nou gebeur dan skrik jy seker so groot dat jy nie weet watter koers jy hardloop nie? --- Dit is so.

Hoe ver het jy - hoeveel mense, omtrent, het voor jou gestaan, van jou af na die draad-toe? --- Alhoewel ek die mense wat voor my gestaan het, nie getel het nie, sou ek sê dit was 'n groep mense wat voor my gestaan het.

Hoe ver omtrent van die draad het jy gestaan? --- Ek het agter mense gestaan. Vanaf ek gestaan het na die draad-toe, sou ongeveer so ver wees as waar ek nou hier staan, na hierdie luidspreker-toe - hierdie een - hier voor my (omtrent 2 1/2 - 3 treë).

Het die mense baie geskree? Voor die skietery?

--- Daar was wel 'n geraas gewees, maar nie as gevolg van 'n geskree nie maar van 'n gepraat.

As een van die Polisie die skare sou toespreek, sou julle hom kon hoor? --- Vanwaar ek gestaan het, glo ek nie, as een van die Polisiebeamptes sou gepraat het, dat ek hom sou kon hoor nie want ek het agter die groep mense gestaan en ek het half af gelig om te kyk.

Het jy gesien of iemand die skare toespreek deur middel van 'n luidspreker? --- Nee; ek het hom nie gesien nie.

Het jy gesien toe die Polisie daar in gelid opgestel is? --- Vanwaar ek gestaan het - ek het agter die mense gestaan. Ek het wel Polisie daar gesien staan maar ek kon nie goed sien hoe hulle daar gestaan het nie. Ek het hulle wel daar gesien staan.

Maar terwyl jy daar gewees het, het jy gesien meer en meer Polisie kom daar by die hek in? --- Ek het voertuie gesien ingaan, daar, wat Polisiebeamptes op gehad het. Die mense het padgegee om die voertuie toe te laat om in te gaan, daar.

Het jy gesien die Polisie het wapens op hulle? --- Ja. Hulle was vol van wapens.

Dit was duidelik vir jou gewees, die Polisie wou julle nie daar hê nie; die Polisie wou hê dat julle Ek het gesê, ek het wou dat die skare gegaan om te moet loop? --- Ek weet nie; ek het nie gehoor nie.

Het jy nooit daardie indruk gekry nie? --- Nee.

Van die gewerakaf wat daar aangegaan het binne- kant die Polisie-persaal, was dit vir jou duidelik dat die Polisie bang was vir die skare rondom die Polisie- stasie? --- Ek weet nie; ek kan nie sê nie.

Niks gehoor nie.

Jy het nooit daardie indruk gekry nie? —Nee.

Het Tsolo met julle gepraat? —Hy het gepraat toe hy binnekant was, en hy het vir die mense gesê hy moet nie teen die draad staan nie.

DIE VOORSITTER: Het jy dit self gehoor, of het van die mense vir jou so gesê, gesê hy as so? —Wat ek gesien het, is dit: Hy het binnekant geloop en waar die mense teenaan die draad gestaan het, het hy hulle laat terugstaan.

Maar jy het hom nie hoor praat nie, alhoewel jy dit gesien het? — Ek het net gesien dat hy die mense laat terugstaan.

KRUISVERHOOR HERVAT: Is dit al wat jy gesien het, wat Tsolo gedoen het, daar? —Ja.

Hy het nooit enige ander tekens gegee vir die skare, of hande opgehou, een hand opgehou, iets gesê nie? — Ek het nie notisie geneem nie.

Wat het jy gedink maak hy daar binnekant? — Ek weet nie wat hy daar binnekant gemaak het nie; ek het hom daar binnekant gesien.

Het dit vir jou gelyk asof hy die leier van die skare is? — Ek weet nie of hy die leier van die skare was, of wat nie; ek het hom net daar gesien.

Wat was jou indruk; wat maak julle daar? — Ek het gesê, ek het saam met die skare gegaan om te hoor wat daar gaan gesê word.

Wat het jy gehoor wat daar gesê was? — Terwyl ek nog gewag het om te hoor wat daar gesê sou word, het ek die vuurwapens gehoor; toe is daar geskiet.

En tot daardie tyd het jy niks gehoor nie? — Niks gehoor nie.

voor jy die skoot gekry het? --- Ek het die gedreun of die gedruis gehoor, en net toe ek wou omdraai, toe kry ek die skoot, en toe ek die skoot kry, toe draai ek om. Ek was aan die omdraai.

Die mense voor jou, wat het hulle gemaak? ---

Party is na die kant-toe uit en party na die linkerkant-toe uit, en party het uitmekaar gegaai.

En toe die skietery begin, wat het jy gedink; het jy gedink die Polisie skiet na jou? --- Ek het nie gedink die Polisie gaan ons skiet nie, maar toe ons aan - toe ek aan die draai was dat ek die skoot kry, toe het ek gedink ja, hulle skiet ons, dat die mense moet uitmekaar gaan.

Het jy die skoot van voor gekry, of van agter? --- Hier is nog sy merk; op die knop van die skouer.

DIE VOORSITTER: Het jy daardie baadjie aan gehad? --- Ja; ek het dieselfde baadjie aan gehad.

Is daar nou nog 'n gat in daardie baadjie? --- Hier is 'n gat, ja.

Draai bietjie om, dat ek kan kyk; ja, dit is van agter, die agterste kant, heel aan die bo-punt van die nou. Was dit net 'n vleiswond geweest, of het dit been ook geraak? --- Ek dink dit het die been ook geraak, want dit het hier opgehou, hier waar ek wys.

Dit is dan met ander woorde, van die punt van jou skouer in die rigting van jou nek. Is die koeël uit, of is dit nog daar? --- Ja; dit is al uit. Die koeël is te Baragwanath verwyder.

KRUISVERHOOR HERVAT: Daardie tyd het jy na die Polisie gekyk, toe die koeël - toe die skietery begin?

--- Vanwaar ek gestaan het, het ek na die Polisie gestaan

A. KAHOLE
Kraalverhoor.
Herverhoor.
Deur die Voorsitter

se kant-toe gekyk en toe hoer ek die gewoerrrrr, die gedreun. Toe wou ek draai en toe kry ek die skoot.

Met ander woorde, jy het toe alreeds halfpad gedraai, is dit, toe jy die skoot gekry het? — Ja. Dit was net aan die begin, toe ek begin draai, toe kry ek die skoot.

GEEN VERDERE VRAE NIE.

HERVERHOOR DEUR MNR. PLEWMAN: Adam, jy is 'n heel paar vroe gevra omtrent die skare. Hierdie skare wat hier gestaan het, was dit net mans of was daar vrouens en kinders ook daar? — Dit was 'n gemengde skare van mans, vrouens en kinders.

En die klomp by jou, van wat jy kon sien, het hulle al die tyd daar bly staan of het daar mense gekom en mense gegaan? Gedurende die tydperk dat jy daar was? — Die groep mense wat ek by gestaan het, het dig teenmekaar gestaan. Ek het nie kon sien of daar mense gekom het, of mense weggegaan het nie.

Is jy 'n lid van 'n politieke organisasie? — Ek is geen lid daarvan nie; ek weet daar niks van nie.

GEEN VERDERE VRAE NIE.

DEUR DIE VOORSITTER: Hoe lank woon jy al in Sharpeville? — Sedert 1948.

Is jy 'n getroude man? — Ek is.

Kinders? — Ja.

Woon julle almal in Sharpeville? — Ja.

Jy het vir my vertel dat jy die skote gehoor het, en toe het jy omgedraai en terwyl jy nog draai, het jy 'n skoot in jou linkerkouer gekry? — Ek was nog nie heeltemal gedraai nie; ek het net begin draai.

Het die skoot jou van balans af gegooi? —

Hee, dit het my nie van my balans af gegee nie.

En Entjie daarvandaan het ek eers gevoel dat ek wel geskiet was.

Soos ek verstaan, toe jy ongedraai het, het jy eers gehardloop in die rigting van die kliniek, dit wil sê dwarsoor die straat? — Toe ek gedraai het, het ek in die rigting van die kliniek gehardloop.

Toe draai jy weer, en jy hardloop in die rigting van daardie teerstraat wat ons nou ken as Zwane-straat?

—Ja.

Wat ek graag van jou wil hoor, is dit: Min of meer waar was jy gewes toe die skietery nou ophou en jy hoor daar is nou nie meer skote wat klap nie? —

Ek was al in die lokasie in. Ek het nie gehoor wanneer het hulle opgehou om te skiet nie.

Terwyl jy nou daar gehardloop het om by die teerstraat te kom, Zwane-straat, het jy gesien of daar mense in jou omgewing is wat val? — Toe ek nou draai, dat ek weghardloop, het ek baie mense gesien wat op die grond was, maar ek weet nou nie of hulle teenmekaar gebots het en toe geval het nie, of wat veroorzaak het dat hulle geval het nie.

Waarheen het jy toe gehardloop? — Ek is na Vergenoeg se kant-toe, na daardie lokasie-toe.

Het jy weer teruggekom na die Polisie-stasie? —

Hee.

So jy weet nie hoe die posisie daar was na die skietery nie? — Hee; ek weet niks daarvan af, wat die toestand toe was nie.

Het jy te enige tyd opgelet of die Bantoes wat daar aanwesig was, meer opgewonde geraak het? —

Nee, ek het nie so opgemerk nie.

Jy het nooit opgelet dat iemand daar by die hek -
dat die Polisie hom daar van die hek af wegvat en binne-
toe neem nie? ---Nee; ek het nie gesien nie.

Het jy te enige tyd gesien dat die Polisie in 'n
lyn kom staan en dat hulle vuurwapens laai? --- Vanwaar
ek gestaan het, het ek wel gesien dat hulle die wapens
het, maar ek het nie gesien toe hulle die wapens gelai
het nie.

Hier was heelwat ander getuies van die Polisie
wat getuie is gegee het dat daar op 'n sekere tydstip
klippe gegooi is van die kant van die Bantoes, in die
Polisiegronde in? --- Dit het ek nie gesien nie.

Soos jy nou daar gesels het met die mense om jou,
het jy enige indruk gekry dat hulle miskien opgewonde
raak? ---Nee; ek weet nie. Daar was van hulle wat
gelag het, soos hulle nog daar gestaan het.

En het jy enige tyd gesien van die kant van die
Polisie, wat hulle nou daar doen, wat die indruk geskep
het hulle is nou besig om die Bantoes aan die ander kant
van die draad kwaad te maak? ---Nee.

Hier is al dikwels die woord "tsotsi" gebruik.
Kan jy miskien vir my help; onder julle mense, wat
beskou julle as 'n tsotsi? --- Ek weet nie wat die
woord "tsotsi" beteken nie. Al wat ek weet is, hier
by die nuwe wonings, daar het ek wel gehoor dat mense
mekaar tsotsi's noem maar wat hulle juis daarmee bedoel,
weet ek nie.

Is dit nou 'n woord wat jy wil gebruik as jy
iemand wil prys, of is dit 'n woord wat jy gebruik as
jy iemand slegs? ---Nee, ek weet nie.

centre of the photograph? --- That is the house. *Court*

Did you then go to the Police Station to see if anything was happening? ---Yes; I did.

Will you indicate again on Exh. "B" more or less where you went and stood? --- (Witness indicates).

The point you have indicated on Exh. "B", is near to the North-Eastern corner of the clinic grounds. Would that be correct? ---Yes.

While you were standing there, were you looking at what was happening at the Police Station, and in the Police Station grounds? ---Yes.

I wonder if you could tell the Court what you then saw taking place there? --- While I was standing there, I saw that the Police had formed a line. There was a European who had a white handkerchief tied round his forehead; I don't know whether it was a Policeman, or not. In front of the gate, he caught hold of a Non-European and pulled him into the gate. He took this Non-European along until they got behind the Police as they were standing in a line. He came back and caught hold of a second person. It appeared that the second person was not willing to go along with this European. He pulled him until he got him inside. While he was pulling him inside, I then heard shots being fired.

Did this European who was pulling the Non-European in at the gate - did you see anything as to the manner in which he dealt with him? ---He had him by the shoulders as I indicate on the Interpreter's shoulder, and he fiercely pulled him inside.

As he took him in, was that all that happened?

--- Just after he had put him in there, then the shooting took place.

What did you do when you heard the shots? --- I ran away.

Did you run towards your house? ---Yes; I did.

So you ran up, across the open field North of the Police station, between the Police Station and the shops and cafe, in the direction of your house? ---

Yes. EXAMINATION CONTINUED: At the intersection of

the first street running parallel with Seelie Street? ---

As you were running and got near to the corner of the houses, did you notice anything there? ---

I saw a male Non-European. It appeared as if he was dead. He was lying on the ground.

Were you yourself injured? ---Yes; I was.

Where were you when you were injured, and what injuries did you receive? --- As I was running in the street, towards my home, I felt a bullet that struck me here on the left, just above the elbow. As I was running along, I felt another bullet strike me, just here, where I indicate, at the back.

How old are you? --- Twenty.

At the back of the left upper leg, above the knee?

---Yes.

How do you come from Beaufort? ---Do.

This is difficult, I know, but how far - perhaps it would be best if you pointed out the place on Exh. "B" where you think you were when these bullets hit you? --- (Witness indicates).

THE CHAIRMAN: Were these two injuries sustained, the one very shortly after the other or did you run some distance before the second bullet hit you? --- When the first bullet struck me in the left elbow, as I made a sort of jump, when I fell, I received a second

one on the upper left leg. --- about ten to seven in the

You were, in other words, immediately to the North of the Police Station and about to cross the street in the first block of houses to the North of the Police Station? --- That is so.

You had virtually crossed this open piece of ground between the Police Station and the first block of houses to the North of it? --- That is correct.

EXAMINATION CONTINUED: At the intersection of the first street running parallel with Seeiso Street? --- That is correct.

You spoke about the man who you thought was dead; where was he? --- On the corner, in front of the house.

Where was he in relation to the spot you have now pointed out? --- On the left.

Near to that spot? --- Yes.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. SMULLEN: Are you a Basuto? --- I speak Sesuto, and I am a Basuto.

How old are you? --- Twenty.

Do you live with your father? --- Yes.

Does he come from Basutoland? --- No.

Do you know if he pays tax there? --- He pays tax in the Transvaal, not in Basutoland.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. CLAASSEN: Why did you say you did not go to work on that day? --- As I was going to work that day, on the road I met a group of people who stopped me and said I must not go to work.

English, or Afrikaans? --- English.

Orant

What time was that? --- About ten to seven in the morning.

Were you going to take a bus? --- No; I was on a cycle.

How far did you get? --- I think from the time I left my home, I had travelled about as far from here to this Municipal Building, the double storeyed building here on the corner, (200 yards approximately).

Were you going to leave the location along Seeiso Street? --- Yes.

Had you reached Seeiso Street yet? --- I was in Seeiso Street when I was stopped by this group of people.

Were there many people there? --- Yes; it was a group of people.

What were the people doing there? --- When I got there, they were standing at the bus rank.

And then, what did you do after that? --- I took the bicycle home. From there I proceeded on foot to my uncle intending to ask him to 'phone my employer.

Did you at any time mix with the crowds in the street? --- No; except this group that stopped me.

From your uncle's, did you come back home? --- Yes; I did.

What news service did you listen to? --- The news at 1 o'clock.

Have you got your own radio? --- Not my own, but we have one at home.

Did you switch it on and off? --- I do.

What news service did you listen to? --- S.A.B.C.

English, or Afrikaans? --- English.

Was it Springbok, or? ---It was Springbok.

When you were listening in to the news, did you know what the crowds of people in the street were about?
---I knew what they were doing.

Tell us what you knew about what the people wanted and what they were going to do? ---It was said that they were going to the Police Station and after they had got to the Police Station, they were going to tell whatever they had to say about the passes.

Which Police Station were they going to? ---
Sharpeville.

Where did you hear that? --- In the morning when I was stopped, I was then told that they were going to go there, and the purpose was to speak about passes.

Was the position that everybody had to go to the Police Station at Sharpeville? To hear about the passes? --- Everyone who wanted to go to the Police Station, could go there to listen about the passes.

Are you quite sure they did not mention Vereeniging Police Station; they mentioned Sharpeville Police Station? ---No; they said Sharpeville Police Station.

So, did you go to the Police Station? ---I did.
I am not speaking about this occasion that you were speaking about, after hearing the news - before that, did you go to the Police Station? ---I went at about half-past-eleven.

Where did you stand, then? ---I was standing in front of a house opposite the Police Station.

At the clinic? --- No. 8690 - the one opposite the Police Station, the main street, the tarred road.

I think you had better point out on Exh. "B" where you stood? --- (Witness indicates).

You point to a house in Zwane Street, the one directly opposite the middle of the Police Station? --- Yes.

For how long did you stand there? --- I stood there from 11.30 until 12.45 - then I left; from half past eleven to a quarter to one.

Why did you go home? --- I wanted to listen to the 1 o'clock news.

Was there any particular news you wanted to listen to? --- Yes; the news about Sharpeville. That is what I wanted to listen to.

And the news said that everything was calm? --- Twenty past, or twentyfive past one - the regional news.

When did you hear this news about Sharpeville? ---

THE CHAIRMAN: That is the regional news, which I take it frequently follows the main news service? --- At about twenty, or twentyfive past one.

The regional news is a news service which is normally broadcast, as far as I know, after the main news service at 1 o'clock. Did you listen in to the ordinary news service? --- World news, local news and then the regional news.

CROSS-EXAMINATION CONTINUED: Now, you were standing there at Sharpeville; you knew everything that was going on at Sharpeville, didn't you? --- Yes.

Why did you have to listen to the wireless, then? --- I wanted to know whether the news about these passes is also known in other countries. --- Yes.

When you came back, you did not go round again to Zwane Street where you stood before; you now went to the other side? — I came backⁱⁿ the same direction as I had gone, but I did not stand at the place where I had been standing originally. I stood at another place.

I understood you to say that you stood at the North corner of the clinic? — Yes.

That is, of course, the North-Eastern corner of the fence? — Yes.

You apparently were very anxious to know what was going on, and you seem to be an intelligent man? — I wanted to know.

What was it that you really wanted to find out? — Over the wireless, or at the Police Station?

No, let us forget the Wireless; you came back to the Police Station? — I went and stood there because it was said that the Big Sergeant will come there and will tell us about the passes at 2 o'clock.

Was that all you knew about why the people were gathering there at the Police Station? — Yes.

Are you telling us that you thought that the people were all coming together there just to listen to the Big Sergeant? — Yes.

Is that all? — Yes.

Are you quite sure of that? — According to myself, yes; that's what I know.

Did you know that pamphlets had been distributed in the location before? — Yes; I got one.

Do you know what it says? — Yes.

Did that pamphlet say of reading it, I placed

THE CHAIRMAN: There are some pamphlets here. Have a look at them and tell us which one you got? ---

There was a small pamphlet, on which was written "Save money! Save food!" at the President should call

Yes; there is one there that refers to "Save money! Save food!" - more than one? --- That is the one (Exh. "B2").

CROSS-EXAMINATION CONTINUED: So, you read this pamphlet which said that you must save money and you must save food? --- Yes.

What did you have to save money and save food for? --- I did not consider it very much.

You read the newspapers? --- I do.

And you read this carefully? (Exh. "B2")? --- I did and I saw what was written in it.

At the time, did you know what was written in it? --- No; it was not mentioned in the paper. We did not know about it.

What do you mean, it was not mentioned? --- The time was not mentioned; which time it was going to be.

But you understood this pamphlet when you read it? --- I did.

And this pamphlet says that anyone who gets this circular, should keep it. "He will have got hold of history. These are the elected leaders of the nation, dedicated to the cause of African freedom and independence by 1963". You read that, and you understood it? --- Yes. I did.

And this circular says "This pamphlet is going to make history and you must keep it"? --- I read that

pamphlet and after I had finished reading it, I placed it in the sideboard.

Then it says, "At the conference of the Pan-Africanist Congress held on the 19th and 20th December, 1959, it was resolved that the President should call the nation to take positive, decisive action against the Pass Laws any time this year". Do you remember that, now? ---I do know; I remember that.

You knew, then, that the leader of the Pan-Africanist Congress was going to call the nation to take positive action against the passes, this year?

--- I knew that.

You knew, then, that this action was contemplated?

---Yes; I knew it was coming.

"It was resolved, also, that each person should make a donation of £1. 2. 6d. which will be used to care for the widows and dependents of the nation"?

And you being in sympathy with this cause, were you?

Did you make your contribution of £1. 2. 6d.?

Were you in sympathy with the sentiments expressed here, in this pamphlet? ---I was.

Are you a member of the P.A.C.? ---No; I am not.

Of the A.N.C.? ---No.

"The President will call upon the nation very soon to honour its resolution". Do you understand this? --- I did not quite follow the last sentence which was being read out.

"The President will call upon the nation very soon to honour its resolution"? --- I did not understand what "resolution" was

about this, all these plans, beforehand, and these instructions to take action against the Pass Laws?
---I read the English.
--- Having read it, yes.

You understand English very well? ---On occasions, when I read English, I don't understand fully what I am reading; then I refer to a dictionary to see what it is.

Yes, so do I; now listen to these further things that you were ordered to do: "Save food, save money immediately!"? ---Yes.

Then they again say, in the circular: "Remember these leaders; they will lead you into action"? ---Yes.

You under ...? ---I do.

You understood this at the time? --- That I understood.

Then they went on, further, to say: "Your orders will come from them only" - that is from the leaders? --- Yes.

And you being in sympathy with this cause, were waiting for this call? --- My sympathy was merely with what they said there about the widows. That is what I was sympathising with.

Not with this as a whole? ---Not as a whole.

Did you show your sympathies by making a contribution? ---No.

Still, you say you put this away? ---I did.

I want to read to you one last paragraph. "We will do away with Pass Laws once and for all.

There is no doubt about that. There is no need for any of our people to die from Police bullets to achieve this. Discipline and an iron will are what we need"? ---Yes.

Now, I am going to put it to you that you knew

about this, all these plans, beforehand, and these instructions to take action against the Pass Laws?
--- Having read it, yes.

And then, at a later date, you received or saw another pamphlet which said that this was coming on the 21st March? ---I have already stated that I only received one.

If you did not receive it or did not read it, you must have heard it from other people in the location? ---No; I did not hear that.

You were very anxious about the Pass Laws position; so anxious that you left the Police Station to go and listen to the wireless, to find out whether the news had spread overseas? --- What I actually wanted to know, going to listen to the wireless, was whether in fact it was also going to come over the news that this Commandant that set the time that he was going to come, was going to be there.

That this Commandant was coming to Sharpeville to address the Natives?---Yes.

Did you expect to listen in to the world news and to hear over the wireless that a Commandant of Police, Pretoria, is coming over to address the Natives at Sharpeville; is that it?

MR. PLEWMAN: That is an unfair question, Sir. He said he listened to the local news and the regional news and it seems to me that this is really not the proper way to put the question.

THE CHAIRMAN: Well, I don't think he particularized at first; he said he went to go and listen to the news, to hear all these things; and then I think he followed it up by saying that he heard something over

omit

the regional news only. I think that is correct.

MR. PLEWMAN: He said he listened to the world news. In answer to my learned friend, he said he listened to the world news, then the ordinary news and the regional news. That takes the matter no further, but it does not seem to be a proper question. I have nothing further to say, Sir.

MR. CLAASSEN: My Lord, I must have misunderstood the Witness but I ^{seem to} remember him saying that he expected some news from overseas, or ...

THE CHAIRMAN: Well, the actual evidence was that he wanted, as far as I remember he wanted to hear whether the news had got to other countries. I remember something to that effect.

CROSS-EXAMINATION CONTINUED: Well, let me put it to you this way: You were interested to learn whether the news that this Commandant was coming to address the Natives here, had spread overseas? Doubt

THE CHAIRMAN: He did not actually use the word "overseas"; he mentioned "other countries". I don't know what he meant by that.

Listen, here, if I understood you correctly, you said one of the reasons why you wanted to hear the news was to hear whether the news had got to or spread to other countries. Did you say something along those lines? — No; I said "other places"; not "other countries".

I rather gathered there may be some mistake about "countries". Well, Mr. Interpreter, you know what word he used?

MR. INTERPRETER: He said "countries"; "nafutse

a range" - "other countries".

THE WITNESS: "Litale toeling" -(he says) in
Secute it means "other places". Omit

CROSS-EXAMINATION CONTINUED: The position, then,
is this that you still maintain that all you know that
day was that somebody was coming from Pretoria, do you
say? — They said some Big Sergeant was going to come
here.

That was all you know about it? — Yes.

Does that mean that you know nothing about this
campaign for relaxation of passes? — That is so.

You did not know why these people had come
together, except for some Big Sergeant? — That
is all.

When you were standing on the North-Eastern
corner of the elliptic fence, were you still standing
there when the firing started? — Yes.

Were there a lot of people round about you? —
Not very many.

How were a very long distance from the Police
Station, weren't you? — Not very far.

There was a lot of noise, that day, amongst the
crowd? — There was.

And if one of the Policemen that you had seen
inside the Police grounds had spoken to address the
crowd, do you think you would have heard him? —

Although the loudspeaker was not yet used, "the things
that make one's voice louder so that it can be heard",
I thought they were going to use that in the event of
addressing the crowd.

Did you see anything like that being used? —

...; not there.

You did not hear anybody addressing the crowd at all? ---No.

Weren't you interested in coming nearer and seeing what was going around the Police Station - inside the police yard? --- I wanted to know.

What was going on inside the yard? --- What was going on inside the Police yard, yes.

Why didn't you come nearer? ---I do not know what prevented me from going nearer.

Was the crowd so thick that you couldn't get nearer? --- If I wanted to get nearer so that I could get in front of the gate, I could not have got there; the crowd was too thick; they were standing in one block.

You could not have got through? ---I could not get through.

In any case, do you think you could have got closer to the Police Station than you were? --- I could not. If I wanted to get nearer to the gate, then I must push people out of the way in order to get past, in order to get there.

Even from where you stood? ---No, there were not so many people behind me there, actually, where I was standing. It was a little further on that they were standing.

My question was whether you could get closer to the Police Station? ---No; I could not.

I will leave it at that. When the first firing started, did you start running straight away? --- I did.

And you were at this place that you pointed out

when you were struck by the first bullet? ---Yes.

After being struck by the first bullet, how far did you run before the second one struck you? --- If the first bullet struck me where I was, where I am standing now, the second one struck me when I was at the loudspeaker there (2 1/2 paces).

Did you have any difficulty in running, after that? --- I found difficulty in lifting my leg.

Did you still continue running? ---I did.

And where were you - how far from this place were you when the firing stopped? ---I think I must have been at home, then, when they stopped firing.

You still heard the firing going on before you entered your house? --- I would say yes.

Who did you find at home? ---I found Ouisie Maria at home.

Did you make a report about this man lying there who you thought was dead? --- I did not make that report to Maria.

Why not? ---I had no time to talk about that happening. The only thing was, I was waiting for something that could convey me to the hospital - that is all.

Did you find this man lying there, or did you see him running away? ---I saw him lying there.

NO FURTHER QUESTIONS.

RE-EXAMINED BY MRS PLEWMAN: Maroo, just to get some clarity about it: You listened, you have told us, to the 1 o'clock news. Now, what news service is that? Is that the World News which is a feature put over what is known as the "C" - programme?

Omit

B. MARCO
Re-examination
By the Chairman.

Springbok Radio? --- I am not sure, now.

Did you have to change the station you were turned into before you got the other news? --- Yes; I had to.

Ormet

It is something which his Lordship can have measured, but I wonder if you can give me an estimate of the distance that you had run from the point where you were standing when you started running to the point where the bullet, or the first bullet hit you? Perhaps you can give me an estimate without pointing out.

THE CHAIRMAN: Do you play rugby or soccer?

---No. Sixty to seventy yards.

RE-EXAMINATION CONTINUED: Sixty to seventy just yards? ---Yes.

THE CHAIRMAN: During that morning, before 11 o'clock, was there anything happening in Sharpeville which gave you any idea that something was not normal?

---Yes.

What was it? ---I saw saracens coming in there.

Did you hear shooting earlier that morning? ---

No.

This occasion when you were near the Police Station and shots were fired, was that the only occasion on which you heard shots being fired? ---Yes.

You say you listened to this news at about 25 past 1? ---Yes.

How long did this news service last? --- Until half-past.

And then, how long after that did you leave your home to go back to Sharpeville Police Station? ---

Just after the news ended, I left.

When the news service, finished, you left? ---
I listened to the news, and as soon as that was finished,
when they started explaining about the weather, I left.

And did you then immediately go to this position
at the North-East corner of the clinic grounds? ---
I went to where I went and stopped, and stood there.

When you got there, did any vehicles enter the
Police yard at all after you had now reached this spot
at the North-East end of the clinic grounds? ---I saw
one vehicle enter the Police yard, from the time I got
there and stood there.

That is after 25 past 1? ---Yes.

You saw one vehicle going in there? ---Yes; just
one vehicle.

What was that; do you remember? Was it a motor
car or was it a saracen or a troop carrier? ---Just one
by itself. An ordinary motor car.

Did that motor car/come from the direction of Seelie
Street? ---Yes.

In other words, it passed in front of you and
then went to the Police Station gate? ---Yes; that is
correct.

Can you tell me, did that motor car get through
quite easily? ---Yes. It went in quite easily because
the people gave way, allowing it to go in.

During the time that you were there, that is
now after you had listened to the news service, did you
you notice that the crowd - whether the crowd was
excited at all, or did they appear to you to be calm?
--- They were calm,

B. MARCO
By the Chairman.

Now, I have people here giving evidence about stones being thrown very shortly, a matter of moments before the shooting started? --- I did not see the stone throwing.

Say the last few moments, or a minute before the shooting started, was your attention directed to the area where the gate is, or were you looking elsewhere; what was the position? --- My attention was directed at the gate.

You say at no time before the shooting started did you become aware of any stone throwing at all at the Police; I am not asking whether you threw stones at the Police. I am asking you whether you perhaps saw any stones whatsoever being thrown? --- No; I did not see any stones being thrown.

Did you mention something about somebody being pulled in at the gate? --- I did.

As far as you could now see, did that affect the people at all? --- I cannot say whether that affected the people or not, because when that was being done, there were some of them singing and so on; others were speaking.

Did I understand correctly from your evidence, too, that you would have gone to work that day, but for the fact that people stopped you? --- That is correct. Had I not been stopped, I would have gone to work; but I did not go on account of being stopped.

MR. PLEWMAN (THROUGH THE CHAIRMAN) The car which you mentioned to his Lordship, did that car arrive before you went back to listen to the news, or after you came from this news? --- After I had listened to the news.

M. ISHABANGU
Evidence-in-Chief

MOSES ISHABANGU, sworn, states (through Interpreter,

EXAMINED BY MR. PLEWMAN: Moses, on the 21st March this year, you were at or near the Police Station at Sharpeville at the time of the shooting? ---I was at the Police Station.

And you, in fact, were injured; you were wounded in the arm? --- That is correct.

You did not work that morning? ---No; I did not.

Why was that? --- At about 5 a.m. in the morning, when I got up, I heard the people say that we will not go to work today in connection with the complaint about the passes.

You heard that no-one was going to work that day? ---Yes.

Can you tell me what time you went to the Police Station itself? ---I had had my lunch. I think it was about a quarter past one.

Did you look at your watch, or was that just your estimate? ---It is just an estimation. Usually have my lunch at 1 o'clock, and after I had had my meal, it was about a quarter past one when I went to the Police Station.

THE CHAIRMAN: Do you live near to the Police Station? ---Not very far from the Police Station.

EXAMINATION CONTINUED: Can you tell his Lordship more or less where you went and stood in this crowd that was round the Police Station at that time? ---I was on the safe side.

You were on the side where the safe is, that is the North side. About how far were you from that corner of the Police Station fence, on the North? The corner

of the fence nearest to the cafe; how far were you from that corner post? — About ten yards, I would say.

And were you on the fence itself, or were you a little bit off the fence? — Right next to the fence.

Can you tell me something about the crowd of people on that part of the fence where you were; were there women, were there children or what? —

There were mostly women. I don't think there were children. There were some men, too.

Was the crowd very tightly packed there, or how was it on that Northern fence where you were standing? — No; there they weren't very thick because I went easily through them until I got to the fence where I went and stood.

Did you notice at some stage that the Police formed a line along the Western fence, or near to the Western fence? — I was not looking very much at the Police. Then I saw that this line had already been formed. I did not see when it was formed.

You did not see it being formed; you noticed at some stage that it was formed already?—Yes.

Were there any vehicles immediately in front of you, where you were standing? — There was a '57 Ford at first, a grey one.

Are you talking, now, about vehicles coming in at the gate, or are you talking about passing vehicles? — I am talking about vehicles standing inside the Police yard.

Do you know what a saracen is? —I do.

Were there any saracens standing near where you were? — The saracens came in there, and the one stopped

on the side where I was.

Did you actually see the saracens coming in from outside the Police Station, into the Police yard?

Yes; I saw them. That was before this one came that stopped in front of us.

So you were there for some time before the shooting?

Yes. Did any Non-European come anywhere near you?

Could you see, from where you stood, to the gate or was there anything between you and the gate of the Police Station? --- My vision was obscured by this saracen.

That saracen blocked your vision of the gate. Now, have you been told that there were arrests, or attempted arrests at the gate. You did not see anything like that?

No; I did not see that.

As far as you could see, what was the crowd like? Was it a noisy crowd? --- They were not noisy. They were singing ordinarily.

I want to come back to the saracen. Did you see any people standing on top of the saracen which was nearest to you? --- I will say that I saw one European with an overall.

Standing on the saracen? --- Yes.

THE CHAIRMAN: What time was this? --- I did not watch the time very much, but I think it was near to 2 o'clock.

Was it shortly before the shooting started, or some time before it? --- Shortly before the firing started.

EXAMINATION CONTINUED: It may be taking you out of the sequence of things a bit but I wonder if you could tell me this: At any time before the shooting,

anybody come to where you were, either a European or a Non-European Policeman, and speak to the people in the vicinity of where you were standing? — Two European Policemen came there, a tall one and a short one. The short one had a loudspeaker, but none of them said anything. They did not speak.

Did any Non-European come anywhere near you? — One of the Municipal Non-European Policemen, yes.

What did he say? — He was about to say something. He had just said that something had happened, and then he was called away. Before he could say anything further, he was called away.

Do you know what his name was? — Ben Pitso.

Is he a Municipal Policeman in the employ of the Vereeniging Municipality? — Yes.

And these words that he said to you, did he talk to everybody or only to the crowd where you were standing? — He spoke in general, to all of us who were standing there, not to one individually.

Did he speak to the people at all points round the fence of the Police Station, or only those people standing at the point where you were standing? — No, at this place where I was standing - people nearby to where I was standing.

Can you tell me how the shooting started? — The shooting started from the Western side. I think at first there were three single shots fired. Thereafter, they ...

Everybody started shooting? — There was some "thundering".

THE CHAIRMAN: Somebody said that the shooting

M. ISHABANOU
Evidence-in-Chief
Cross-examination

the Western side; I am not quite clear what you mean by that? --- What I mean by that is, I was on the Northern and I heard shots being fired at the Western side.

EXAMINATION CONTINUED: The shots were not fired immediately in front of you. They came from? --- not immediately in front of me. I was standing on Northern side. They came from the Western side.

Now, if you take the line along the Western side of Police Station, did they come from the far side, or side near to you? --- I am not sure; I cannot say. view was obscured by this saracen and I just heard noise of shooting from the Western side. I cannot where exactly it was.

What did you do when the shooting started? --- I went back to my house early that morning, at 5 o'clock. After I had heard that I was not to go to work, I then ran away.

In which direction did you run? --- Towards the cafe.

THE CHAIRMAN: What time were you supposed to be Did you appreciate at that stage, when you started running, that people were actually being shot? --- No.

Where were you when you received the injury which you got? --- I had just passed the cafe when I received the injury. And then you say you heard people mentioning that you should not go to work? --- That is so.

On which side of the cafe did you run; did you run in the street, in front or behind? --- Behind. you then stay away from work because you felt that you sympathized with the purpose of that protest, or because you felt that you were being shot at?

That is, East? --- That is correct. And did you then realize that you were being shot at? --- Yes; that is so. --- There were many people and I was afraid to go to work. I was afraid that I might be injured.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. CLAASSEN: Do I understand that you heard at 5 o'clock in the morning that people were not going to work? --- That is correct.

M. ISHARANGU
Evidence-in-Chief
Cross-examination

on the Western side; I am not quite clear what you mean by that? --- What I mean by that is, I was on the Northern side and I heard shots being fired at the Western side.

EXAMINATION CONTINUED: The shots were not fired immediately in front of you. They came from? --- No; not immediately in front of me. I was standing on the Northern side. They came from the Western side.

Now, if you take the line along the Western side of the Police Station, did they come from the far side, or the side near to you? --- I am not sure; I cannot say. My view was obscured by this saracen and I just heard the noise of shooting from the Western side. I cannot say where exactly it was.

What did you do when the shooting started? --- After I had heard that I was not to go to work, I then ran away.

In which direction did you run? --- Towards the cafe.

Did you appreciate at that stage, when you started running, that people were actually being shot? --- No.

Where were you when you received the injury which you got? --- I had just passed the cafe when I received the injury.

On which side of the cafe did you run; did you run in the street, in front or behind? --- Behind.

That is, East? --- That is correct.

And did you then realize that you were being shot at?

Yes; that is so.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. CLAASSEN: Do I understand

that you heard at 5 o'clock in the morning that people were not going to work? --- That is correct.

H. ISHABANGU
Cross-examination

Who told you that? — I cannot say who actually said that; there were many.

Did anybody come to your house? — No.

Did anybody ask you to join any crowd at all? —

No. When I was at home, I heard that.

Only asked you to come to the Police Station? —

I just heard this voice; I did not know who spoke.

There were many people — then I went.

Where did you go to? — To the Police Station.

When; what time? — I had finished my lunch by that time.

I am talking about the early morning, at 5 o'clock?

— I went back to my house early that morning, at 5 o'clock.

After I had heard that I was not to go to work, I then went back home.

THE CHAIRMAN: What time were you supposed to be at work? — At 7 o'clock.

You left your house at 5 o'clock? — Yes; because I travel by bus.

And then you say you heard people mentioning that you should not go to work? — That is so.

What I want to know from you now, is this: Did you then stay away from work because you felt that you sympathised with the purpose of that protest, or because you felt that you might receive an injury or be hurt if you were to go to work? — There were many people and

I was afraid to go to work. I was afraid that I might be injured.

So you went back home? — That is correct.

CROSS-EXAMINATION CONTINUED: Did you know, at the time, that other people were being assaulted because they were going to work? --- No; I did not know at that time.

THE CHAIRMAN: Did you hear about it later on? --- Yes. When I was at home, I heard that.

CROSS-EXAMINATION CONTINUED: So you went back home, and did you stay at home until 1.15? --- Yes.

Somebody asked you to join them? --- No-one asked me.

Did you, instead of going to work, go to some other place? --- Being at home, people were passing my home and I heard that they were on their way to the Police Station.

What time was that? --- That was after I had had my midday meal.

It was then that you decided also to go? --- That is so; but I went there on my own. I felt like going, and I went.

Nobody forced you to? --- No.

Nobody assaulted you? --- No.

Nobody told you before that day that there was going to be a protest meeting? --- I heard, through these papers that were delivered; they were delivered during the night - I don't know by whom.

What did the papers say? --- These papers said that if we go to work we must leave our reference books at home, our passes.

Why? --- I really don't know why. This paper was put there, and this is what it said.

Did you know before the 21st that the people were going to come together somewhere to protest about the pass laws? --- I heard that before.

Then why tell us that you heard that later? So you knew that morning, even at 5 o'clock, that people were up and about and they were going to the Police Station in protest? — All I meant was, that if we had to go to work we had to leave our reference books behind,

So what was the first thing - now, let me get this clear, first; you were at the Police Station once only? — Just once.

What was the first thing that you noticed when you got there? — Inside the Police Station, in the grounds I saw this grey motor car that I have spoken about. This grey motor car, after it had been standing there for a while, some saracens came in; then it moved a little down.

When you say the saracens came in, were they the first saracens you saw on the Police premises? — That is correct.

They came in, and what did they do when they got onto the Police grounds; where were they moved to? — The one stopped, facing North. The one faced West. The one faced South. Those were the only saracens I saw.

Up to the time of the shooting you never saw any more saracens? — There was another one in the street, which was facing West.

That one was not in the police grounds? — No.

But did it arrive at the same time as the other three? — That I cannot say, because when leaving home and when I got to where I wanted to stop, it was there already.

M. ISHIBANSHU
Cross-examination

THE CHAIRMAN: You did not see the people walking
The one in the street? — Yes.

into position, into the line? — No; I did not.

Now, I am talking about these vehicles and

At a certain stage you looked, and you saw that

saracens that came through the gate of the Police

grounds. Did you see any vehicles after that,

entering the gate? — I cannot say, because my vision

was obscured by the saracens. I could not see clearly

at the gate as to what was entering, and what not.

walking on the Police side of the gate? — I cannot say

You could not see the line of Policemen — I think

because as I said before, I was standing on the

you said you did not know when they were brought into

line? — That is correct. I saw them when the line

saracens; I could not see clearly.

was already formed.

Do you know Esolo? — I know him.

When you got there, was the line already formed?

—No; it was formed after I got there.

A long time after you got there? — Not long

after I got there.

arrive

Did the saracens/after the line was formed, or

not? — I cannot say whether this line was formed

before the saracens arrived, or whether the saracens

arrived after this line was formed; all I can say

is that when I saw the saracens there, I saw, then,

that the line was already formed.

CROSS-EXAMINATION CONTINUED: Did you see somebody

speaking: I don't quite follow that? — What I mean is

this, that when the saracens arrived there, I then saw

that the line was formed, and a loudspeaker, but they

did not say you mean that the line was formed before the

saracens arrived? — These vehicles, the saracens were

facing in different directions. I do not know whether

this line was formed before the saracens came there or

at the time that the saracens came there; it was only

at that time that I saw that the line was formed.

Did you gather from what was happening there,

that the police were trying to get people away from

THE CHAIRMAN: You did not see the people walking into position, into the line? --- No; I did not.

At a certain stage you looked, and you saw that there were no policemen standing in a line? --- That is correct.

CROSS-EXAMINATION CONTINUED: Did you see some Natives - I am not speaking about the Native Policemen - walking on the Police side of the fence? --- I cannot say, because as I said before from where I was standing, on the side that I was on, my vision was obscured by this baracoon; I could not see clearly.

Do you know Tsole? --- I know him.

More? --- Yes; I know him.

Did you see them being taken away by the Police?

No.

Did you see those two up and down inside the

Police grounds? --- I did not see them walking up and down inside the Police grounds.

THE CHAIRMAN: Did you see More and Tsole that

day? --- I don't think I saw them that day.

CROSS-EXAMINATION CONTINUED: Did you see somebody

speaking to the People through a loudspeaker? --- I have

said earlier; there were two Europeans, a tall one and a

short one. The short one had a loudspeaker, but they

did not speak.

What was he doing with the loudspeaker? --- They

were just standing there, and I was waiting to hear what

they had to say; that is why I did not see what was

happening at the gate.

Did you gather from what was happening there,

that the police were trying to get people away from

the fence? -- No.

Did you gain the impression that the Police were quite satisfied with all you people there round the Police Station? -- The impression I got, was, having heard that the Commandant was coming to speak to us, the crowd was awaiting his arrival to hear what he had to say.

You know what a saracen is for; you know it has a very dangerous gun? -- It was the first time I saw them that day.

When you saw them, did you realize that it has a very dangerous gun? -- I only became aware that these things are dangerous when they started firing. That is when I became aware that they were dangerous.

What did you think, what were they standing there for? -- I did not know what they were there for.

You saw them coming in, you said one was facing North, one facing South, one facing East? -- I did not know why they were put in that position.

Did you see Policemen having fire-arms with them? -- I only saw the Policemen for a short while. Then,

when they were standing in this line, they had rifles with them.

What did you think they had rifles for? -- Usually when one of the big Authorities of the Police comes to speak to people, he is guarded by armed Policemen.

Was that honestly your opinion of the gathering there, that was a sort of guard of honour for this man who was coming to speak there? -- Yes.

From everything that you saw there that day, did you gather for one moment that either the Bantu were cross

M. ISHABANGU
Cross-examination

with the Police, or the Police were cross or afraid of the Bantu? --- As far as the Police were concerned, I don't know; but if I should say that the Bantus were annoyed, I would be telling lies.

Did you see them throwing stones? --- No.

Would you say that there were no stones thrown at all? --- Yes.

You can definitely say that there was no such thing at all? --- I am sure of that.

There was no noise either? --- There was a noise, but it was singing - ordinary; that's all.

THE CHAIRMAN: What were they singing? --- They were singing a hymn about "Africa!" I don't know the name of it. --- That is all; my answer was that I sang myself.

CROSS-EXAMINATION CONTINUED: How long have you been living in Sharpeville? --- I think I left the top location in 1945 and then shifted over to Sharpeville.

You don't even know the African hymns? --- It was the first time it sung. I don't remember what the song was, itself. I just remember the word "Afrika!"

THE CHAIRMAN: Did you at any time during that day hear that there had been some trouble between the Police and the residents of Sharpeville? --- No.

I have heard from some people giving evidence here, that during the night and the early morning there had been some when gatherings of Bantu had been broken up and chased away by the Police? --- I heard that when I was in hospital but I don't know about it myself. I heard it when I was in hospital.

During the course of that morning, before you went

to the Police Station, you did not hear anything? --- That is so.

Are you married? ---No. I am still a young man, unmarried.

I also heard some evidence from Witnesses about Bantus swearing at the Police at the Police Station? --- I don't know about that.

Certainly, where you were standing, there was nothing to indicate to you, at least, that the people were annoyed with the Police inside the Police Station? --- No; they were singing calmly.

RE-EXAMINED BY MR. FLEWMAN: You were asked what you thought when you saw the saracens there and the Police with guns? --- That is so; my answer was that I thought that the Police were going to guard this big man that was going to come there to speak.

Did it not occur to you that they might have brought these guns to shoot the people? ---No.

Did you not think that they might shoot the people, even if the people were doing nothing? ---No. I had no such thought.

You were asked whether you had any reason to think that the Police were cross with the Bantus? --- I do not know about the Police.

And after the Police shot, did you then think that they might perhaps be cross with the Bantus? --- Yes; then I thought.

Did you see anything that would have caused the Police to have shot? ---No. I did not see what the cause was.

INDEX

MATTHEWS MASHIYA

Evidence-in-Chief	Pages 1728 - 1732
Cross-examination	" 1733 - 1743
By the Chairman	" 1744

PETER MOLLFI

Evidence-in-Chief	" 1745 - 1754
Cross-examination	" 1754 - 1774
Re-examination	" 1774 - 1775
By the Chairman	" 1775 - 1786

BROWN THABE

Evidence-in-Chief	" 1786 - 1791
Cross-examination	" 1791 - 1792

M. MASHIYA
EVIDENCE IN CASE

your view of WEDNESDAY, 11th MAY, 1960

at 9.50 a.m.

How did you have to look over the heads of these people? -- I could see, because the people in front of me were not standing still; they were

constant MATTHEWS MASHIYA, sworn, states (through Interpreter):

what was happening inside the Police fence, when

you look EXAMINED BY MR. PLEWMAN: Matthews, you were at Sharpeville on the 21st March when the shooting took place? -- Yes; I was.

Could you tell me whether the Police -- we know they for How did you come to go to the Police Station?

--- On Monday I was at home. My little brother came. He told me that he had come back from work and he had been told that we had to go to the Police Station. He remained for a while. My elder brother came along. It was about midday when we proceeded to the Sharpeville Police Station.

You say there were -- there was a Non-European I take it there were already a large number of people there when you got there; will you tell me where you personally went and stood in relation to the fence round the Police Station? -- I was standing on the left side of the big gate.

THE CHAIRMAN: Was this European dressed in uniform, or in private clothes? Is that when you are facing the Police Station fence? -- Facing the Police Station.

So you were on the same side as the cafe, on the lefthand side of the gate which goes into the Police Station? -- That is correct.

How far from the wire itself were you? -- There were some people in front of me but I was about as far from here to where that lady is sitting in front of your Lordship, from the fence (three paces).

EXAMINATION CONTINUED: Carry on from there; what happened? -- He took this Non-European and went into the Police Station with him, there was

your view obscured? ---I could see.

How did you see; did you have to look over the heads of those people? ---I could see, because the people in front of me were not standing still; they were constantly moving about.

What was happening inside the Police fence, when you looked into the Police grounds? ---I saw a Non-European inside the Police fence.

Could you tell me whether the Police - we know they formed a line along the Western fence, at some stage that morning. --- Were the Police already in the line, or did they form up after you started looking? --- When I got there, the Police were standing as indicated, in a line.

Along the fence on the clinic side? ---Yes.

You say there were - there was a Non-European inside the Police grounds. Will you carry on from that point; what happened thereafter? ---I saw a European coming to this Non-European who was in side the fence of the Police Station, catching hold of him.

THE CHAIRMAN: Was this European dressed in uniform, or in private clothes? --- No; he was dressed in private clothes.

How was he dressed? --- He had a light coloured jacket on. I did not take notice as to what the trousers looked like.

Did he have any headress on? --- I did not see what he had on his head.

EXAMINATION CONTINUED: Carry on from there; what happened? --- He took this Non-European and went into the Police Station with him, where there were

some other Policemen standing. The same European came back and caught hold of another Non-European. "Afrika!"

THE CHAIRMAN: This Non-European, was he inside the fence, or was he outside the fence? — This Non-European was a little way in at the gate, and he tried to get out, but he was caught hold before he could get outside, by this European.

EXAMINATION CONTINUED: Yes; and then, what happened? — When he took him and went in to where the Police were, the people were then speaking and they were saying "Afrika!"

What happened to this man who had been taken in? — He was taken in by this European amongst the other Police, and into the Police Station.

Were any further people arrested before the shooting? — Not that I saw.

When did the shooting start? — I had no time on me - I don't know.

THE CHAIRMAN: In relation to the events that you have been telling me about, when did the shooting start? — After the second Non-European was taken, then the shooting took place.

Was there anything about the manner in which this Non-European was taken in that you know of, that you think you should tell his Lordship about? — This second Non-European was taken and jerked, and it appeared from the way this European took him in, that it was with bad feelings - "bad breath".

Did you get the impression that he was being handled too roughly? — He was being handled roughly, yes.

EXAMINATION CONTINUED: And did the crowd react in

any way to that treatment? --- They had their arms raised, and I heard them saying "Afrika!" "Afrika!"

When the shooting started - what happened before the shooting started, from that point onwards? ---

The people were speaking amongst one another and said "Afrika!" "Afrika!"

Yes; I did.

And then? --- Nothing else was done, that I saw.

Did you jump up immediately, or did you lie there

Did the shooting then start? --- Just after the

European had taken this Non-European in there at the Police Station, then the shooting started.

Was there still shooting going on? --- When I got

up and ran, the shooting was still going on. I heard the bullets passing.

Did they try in any way to get into the Police Station grounds? --- I did not see any of them try to get into the Police grounds.

As far as you know, your one brother, Peter, is

How did the shooting sound to you? --- I just heard a lot of fire arms being fired off; that's all.

All in one burst? --- Yes; as the shots followed one another -- a shot was fired and a second one ^{and} soon; one after the other.

You don't know where they were standing? --- I do

The shots were alternated? --- Yes.

You say you ran away; which way - in which direction did you run? --- I was crossing the street, and when I got to the other side, I fell down.

You yourself were injured; you received a bullet wound? --- Yes; I did.

Where were you when the bullet hit you? In relation to the place where you were standing when you watched these people? --- Just after having crossed the street, as I was running away, I was struck and I fell down.

No.

Where did the bullet hit you? --- On the buttock.

The right buttock? --- The right buttock, yes.

THE CHAIRMAN: And did the bullet enter from the rear, or from the side? --- From therear.

EXAMINATION CONTINUED: You say you then fell? --- Yes; I did.

Did you jump up immediately, or did you lie there for a while? --- I jumped up- I fell down, I got up and I ran away again.

Was there still shooting going on? --- When I got up and ran, the shooting was still going on because; I heard the bullets passing me.

Your two brothers, were they standing next to you when the shooting started? --- No; they were not.

As far as you know, your one brother, Peter, is in Baragwanath Hospital and the other one, Isaac, was shot dead? --- Yes.

THE CHAIRMAN: Were the three of you standing together? --- No; we were not.

You don't know where they were standing? --- I do not know where they were at the time.

EXAMINATION CONTINUED: Before the shooting, was this crowd armed with any weapons that you saw? --- Of the crowd that I saw, none of them were armed.

THE CHAIRMAN: Would you include sticks - not knob-karries; would you include sticks under arms? --- I did not see any sticks at all.

EXAMINATION CONTINUED: Did you hear any order for the crowd to go away and leave the Police Station, before the shooting? --- No.

NO FURTHER QUESTIONS

CROSS-EXAMINATION BY MR. CLAASSEN:

Matthews, you spoke of three persons who had been taken away by the Police, into the Police yard? — No; two.

Were the people not thickly packed at the place? Was it the second one that was roughly handled? — No. — Yes.

The first one was not? — No; he was not handled roughly.

And it was the same European who took both these men? — Yes.

He had no assistance from anybody else? — No; he was alone.

When this first person was taken in, how long had you been standing there? — I was not standing long where I was standing, when the first one was taken in.

How long would you say? — I cannot say.

Could you give some sort of estimate? — I am not so sure; maybe five minutes.

As long as you have been standing in the Witness box? — No; this time that I have been standing in the Witness box here is longer than the time that I stood there, before the first one was taken. (25 minutes).

What was the first thing that you saw, that was happening inside the Police grounds? — The first thing I saw was this European catching hold of the first Non-European.

Did that happen immediately you got there? — No; I was standing there for a little time before it happened.

How did you get to this position? Did you have to

M. MASHIKA
ORIGIN-EXAMINATION

press past other people or did you walk comfortably to the position where you were standing? --- No; I passed comfortably through the people until I got to where I stood.

Were the people not thickly packed at the place where you got through? --- No.

I take it you wanted to get to the fence to see as much as you could? --- No. I just wanted to get so that from where I stood I could see what was happening.

Why didn't you get closer to the fence? --- I could see from where I stood; that's why.

Would you have been able to get to the fence, if you had wanted to? --- Yes; if I had asked the people to excuse me and give way so that I can pass them, I would have been able to get to the fence.

I understood you to say that it was with the second person that was taken away, that the crowd immediately afterwards seemed to display their displeasure at what was taking place? --- No; I did not see that. The people were laughing and they were shouting "Afrika! Afrika!" That is all I saw.

Do you say, then, that as far as the mood of the crowd was concerned, you could see no change between and after this taking away of the two men? --- To me they seemed the same.

Nothing happened after that? --- Not that I saw.

This man, you say, the second one, resisted; he wanted to get out? --- No; I don't say that he resisted. I say he wanted to get out and he was caught hold of, before he could.

Did he go quite willingly with this European? ---

Yes; I did not hear him say anything.

Why did you get the impression that he wanted to get out? --- Because at first this man was facing the Police Station, and when he was caught hold of by this European, he had his back towards this European. That is why I say he wanted to get out.

Did you see him entering the gate? --- I did not see him enter.

Did you see what he was doing inside? --- People were speaking, and I did not see what this man was doing inside.

Were there other members of the crowd just inside the gate, together with him, or was he standing alone? --- The majority of the people were standing outside the fence; he was the only one inside.

THE CHAIRMAN: Could you see whether the gate was open at that time? --- The gate was open.

CROSS-EXAMINATION CONTINUED: And you say of the crowd he was the only one standing inside the gate? --- No; there were two of them. The first one was caught hold of and removed, and then the second one.

At the time that he was caught hold of, he was the only one inside? --- That is correct.

Are you a resident of Sharpeville Location? --- I am.

How long have you been in the location? --- We were first at the top location. I think I have been at Sharpeville less than a year.

Did you know a man who was also taken hold of there and taken into the Police Station, by the name of Tsolo? --- No; I do not know him.

M. HAKIYA
Cross-examination

And more? --- No.

You don't know these two people? --- No; I do not know them.

You have never seen them in the location? --- I do not know these people's names. If I see these people, I may know them; but I don't know their names.

Are you a member of the P.A.C.? --- No.

The A.N.C.? --- No.

Do you know of such an organization as the P.A.C. in the location? --- No; I don't.

You have never heard of it? --- Not that I heard of.

You say you have never heard of this organization called the P.A.C.? --- I don't know these people.

And you did not know that this gathering there was organized by any political party or group of people at all? --- No; I don't know.

You don't know for what purpose the people had gathered there on that day? --- No; I don't.

And until your brother told you that you had to go to the Police Station, you did not know about any intentions of other people going there at all? --- I don't know. I came out of hospital on the 19th March.

How long had you been in hospital? --- I was admitted to hospital on the 15th.

Did you know that others intended going to the Police Station, until your brother spoke to you? --- No. I did not know.

Where do you work? --- Union Liquid Air,

What type of work do you do? --- Delivering.

Did you ask your brother what this was about?

M. HANIKIA
CROSS-EXAMINATION

What standard of education have you? --- Three.

Do you read and write? --- Yes.

THE CHAIRMAN: What languages? Serate and English.

CROSS-EXAMINATION CONTINUED: Did you and your two brothers live in the same house? --- Myself and my eldest brother live in the same house, but the other one lived in the hostel.

And what work do they do? --- The eldest one was working at the butchery, Iscor Club.

Can they both read and write? --- Yes.

Never before this day, had there never been any talk between you about an intended gathering at some Police Station? --- No.

No talk at all about people having to stay away from work on that day? --- Sunday I heard nothing.

Nor Monday, until your brother told you? --- We did not know anything at all, until I was told by my brother.

THE CHAIRMAN: When did your brother tell you?

--- That was on Monday, on the 21st.

What time? --- I do not know what the time was.

When do you usually leave for your work? --- At 7 o'clock.

Were you going to go to work that day? --- I got out of hospital on the 19th and I was informed by the doctor to come and see him again on the 22nd, so I was not going to go to work on the 21st.

Were you still on sick leave, on that Monday? --- That is correct.

Did you ask your brother what this was about?

---I did and he replied that he did not know; he had heard that it was said that people had to go to the Police Station.

CROSS-EXAMINATION CONTINUED:

/This second arrest, if I may call it, that you saw, did you see that leading to any further incident at all? --- No.

There was thereafter no attempt made by the European Police to arrest any further people after this one had been taken away? ---I did not see that.

At no time was the crowd, or portion of the crowd, trying to get through the gate? --- Those that were near me, did not try to get in at the gate.

Well, how far were you standing from the gate? ---If the place where I was standing is here, where I am standing now, the gate would be as far as this lady sitting here (3 paces).

You told us that you were standing three paces from the fence. Do you mean that you were also standing three paces North of the gate? --- I am not so sure as to whether the distance I stood from the gate, was the same as the distance I was from the fence. ---I was looking at the gate, yes.

Are you giving those distances more or less? ---Just an estimate.

What I want to know is not whether the people round about where you stood were making for the gate; I want to know whether those people standing directly opposite the gate, whether some of them were trying to get in at the gate? ---I have said, of the people that I saw, I did not see a single one trying to get in at the gate.

H. NASHIYA
Witness-Statement

Was there any pushing from the rear? --- No.

Even where you were standing, no people were pushing from the rear? --- We were not pushing one another.

The people standing alongside the fence, were they not pushed against the fence? --- There was no-one pushing another.

Were those people standing next to the fence, leaning over the fence? --- I did not see that they were leaning up against the fence.

Now, let us come back to the gate. You say that immediately after this second person had been taken away, the firing started? --- I said shortly thereafter the shooting took place.

How long after that? --- It is not long after he was taken in.

Before the shooting started, did you see any stone throwing? --- No; I did not see anyone throwing stones.

You looked at the gate; you saw what was happening there? --- I was looking at the gate, yes.

And you stood looking at the gate until the firing started? --- Yes.

And I take it, if there had been any stone throwing at the Police, you would have seen it? --- I would have seen it.

And can you therefore say positively that no stones were thrown at the Police? --- I say I did not see anyone throwing stones.

I want to make this clear: Your attention

M. WASHIYA
Cross-examination

- if your attention had been directed towards the gate all the time and there had been stone throwing, then you would have seen it? --- If there was stone throwing, I could not have seen as to who threw the stones, but I could see the stones being thrown - if there was stone throwing.

Well, I don't expect you to have been able to see who was throwing the stones; but let me put this to you again: If a stone had been thrown at the Police, especially near the gate, you would positively have seen it? --- I would have seen it, yes. Do you say that stones were not thrown? --- I did not see stones being thrown.

Could you see any reason why the Police, when they started firing - why they started firing? --- I am still putting that question to myself, as to why. I don't know to this day.

Do you think that the Police had any reason to be afraid of the crowd of Banta round the Police Station? --- No; that I don't know.

You could see no reason for that? --- Till this day I cannot see.

Did you think, did it look to you according to what the Police were doing inside, as if they were afraid? --- I don't know. I saw the Police standing there.

Why do you think the Police were standing there with rifles? --- I don't know.

It made no impression on you at all? --- I don't know.

These other vehicles that you saw, there, saracens,

Did you know that they had guns on them? --- That was the first time I saw these vehicles.

Did anybody tell you that these things could shoot? --- No-one told me that they could shoot.

Did you ask anybody? --- No; I did not.

You know the Police Station before, I take it? --- I knew the Police Station before; it was not the first time I saw it.

These things had not been there before? --- No.

Were you not inquisitive to find out what these things were doing there? --- I did not know those things and I was not inquisitive to find out what they were doing there.

What did you think you were going to the Police Station for? --- All I know is that I went to the Police Station because it was said that we had to go there.

THE CHAIRMAN: Did you think it was in connection with passes? --- No. I did not know why we were going there and what was going to be said there - I did not know.

Did you hear any story that some high ranking official was going to address the Bantus on this question of passes? --- No; I did not hear.

CROSS-EXAMINATION CONTINUED: May I put it to you this way, that you did not even know what the gathering there of the crowd was in connection with? --- I did not know what it was about.

How soon after the firing started were you struck by a bullet? --- I cannot say how long. All I know is that when the firing started I left from where I stood and when I got across the street, I was struck and I fell

...were a lot of us, who fell down.

When the firing started, did you realize that the crowd of Nantus were being shot at by the Police?

Well, these shots were fired at us.

Yes, but when did you appreciate that? --- I appreciated that when I received a shot.

Yes, but before you were shot, did you know that the Police were firing at the people, that they were not just firing warning shots? --- When the firing started, we ran away. There were many of us and I felt that I was being shot at, and I dropped.

Did you run straight back or did you run North, or South? --- Towards the clinic.

Well, you knew the clinic fence was there and you could not get over there; you did not intend to get over the clinic fence? --- No; it was on the corner - there is a fence there, and I don't go over the fence into the clinic. I pass there.

In passing, did you have to turn North towards the ...? --- When I turned, I went straight up towards the clinic.

You did go towards the clinic, but didn't you have the fence in front of you? --- No; that is the corner of the clinic.

Did you continue running over the road? --- Yes; I did.

And you saw other people running that way? --- There were many of us running away.

In all directions? --- Yes; in all directions.

Did you see people falling over each other? ---

M. MASHIYA
EXAMINATION
BY THE CHAIRMAN.

... were a lot of us, who fell down. Did you hear any

Would you say there was great confusion amongst the crowd, while they were running away? ---Yes; there were many people colliding, falling down.

You say you heard no order from anybody on the police side of the fence, for the crowd to disperse? ---

I take it you did not get the impression, even, that the Police wanted you to get away? ---No.

NO FURTHER QUESTIONS.

MR. FLEWMAN: NO RE-EXAMINATION.

BY THE CHAIRMAN: You saw this European in civilian dress taking away a Bantu shortly before the shooting? ---Yes; I did.

Did you perhaps see that same European or some other European in civilian dress fall down or stumble at the gate very shortly before the shooting started? --- No.

As far as you remember, when the shooting started, was the gate open or was it closed? ---It was open.

Do you know who opened it? ---No.

When you say it was open, were both the gates open? --- Just one gate, the big gate, was open; not two parts of a gate - just one big gate.

And that was open? --- That was open, yes.

At that time, that is after this second Bantu had been taken away, were there any members of the Police Force, either European or Bantu, who were standing near to this gate? ---No; there were no Police, either Non-European or European, at the gate.

M. MASHIYA
BY THE CHAIRMAN

While you were standing there, did you hear any discussion going on between the people who were around you? --- I heard people speaking and I heard them making this remark, "Afrika!" "Mabeye!" "Come Back".

And anything else? --- No.

I take it you were not there when the motor car came from outside and entered the Police yard through this gate? --- That is correct. I think I had not yet arrived there, when that car came in.

Whereabouts in Sharpeville do you live? --- I live higher up, in the new location.

Would that be the portion of Sharpeville which is furthest away from the gate through which you pass on your way to Vereeniging? --- Do you mean when I leave home, if I come to Vereeniging to work?

Yes? --- I am far from that gate, yes.

Do you know Seciso Street? --- I do.

As I understand the position, Seciso Street runs through the location and near to this wall - it runs through to a traffic circle? --- That is so.

Do you live in a house which is still beyond that traffic circle? --- Further.

Did you at any time during that morning, before you went to the Police Station, hear of trouble between groups of Bantus and the Police? --- No.

Did you remain inside your house until you went to the Sharpeville Police Station? --- In the yard of my house, until I left and went to the Police Station.

You did not get the impression at any time that there was anything untoward happening in Sharpeville?

M. HANIKYA
BY THE CHAIRMAN.
PETER MOLEFI
WITNESS-IN-CHIEF

PETER MOLEFI, sworn, states (through interpreter):

EXAMINED BY MR. FLEWMAN: Molefi, you live in
Harpeville? ---Yes, I do.

On the 21st March, you wanted to take part in what
you knew to be a campaign against the passes? ---Yes.

What was the idea of the campaign? ---It was not
that they did not want the passes at all. The objection
was that the passes - the way the pass had to be carried,
and so forth; not that they did not want any passes at

They want a different sort of pass, with different
conditions; is that your opinion? --- That is so.

I understand that you know something about the
events of the day. As far as I am concerned, I would
like you to tell me about what happened at the Police
Station? --- Do you want me to tell you now?

I want you to tell me now about the Police Station.
What time you have referred to; but the time I have
referred to, that I was there, I did not see any Police
Station, what side of the Police Station you came
from, and who you saw there - if anybody? ---I got to the

Police Station at half past nine. There were many
people. There were people that I knew, there were
people that I did not know.

Did you go away from the Police Station again,
to other things and come back later to the Police
Station? --- No. I was just walking about, at the
Police Station.

Do you know somebody by the name of Tselo? ---

knew the man. I had met him before.

Did you see Tsolo - Tsolo at some stage that morning
go to a Police Officer at the Police Station, at the
front of the Police Station, and the Policeman he spoke to
was dressed in civilian clothes. Did you see Tsolo
speaking to that Policeman? --- I did.

After Tsolo had spoken to this Policeman, did he
come to the crowd at all, near where you were? --- Yes.
Did you convey to them what had been said by this Policeman.

What did he say; what did you hear? --- What
I heard him say was this, that at 2 o'clock we will
be the answer to the complaint, that we were complaining
about.

I want to try and shorten your evidence by
getting to you some things, and you can then tell me
whether they are correct. At that time, you were
standing in Zwane Street, near to the little gate of the
Police Station? --- That is correct.

And after that time, you saw various contingents
of Police come to the Police Station? --- I did not know
at that time you have referred to; but the time I have
referred to, that I was there, I did not see any Police
cars come in. There were Police there.

I am trying to summarise the events that took
place there, because we know - you see, we have heard
the evidence that at various times different contingents
of Police came? --- There were some Police that were
standing on the North side, outside the Police Station;
that is the Eastern side.

At about 12 o'clock, you were still there, you were
still waiting, you were hungry so you went home? ---

... In fact, we then became happy. We were waiting

And did you come back? --- I did.

What time was that, about? --- I was not going to
take a full meal. I just went home to get something to

I just took about 15 minutes going there and
coming back; from the time I left and came back, it
was about fifteen minutes.

So you arrived back some time after twelve. Now,
what point did you then go and stand in the crowd?
Describe it to me in relation to the Police Station,
the road that runs between the Police station and
the clinic, and the fence of the clinic? --- I was standing
at the big gate, on the Western side.

Did any vehicles come in? --- I was standing
about two feet from the fence.

Can you tell me what happened from then on. Just
describe in general terms to his Lordship what happened
hereafter? --- After that, quite a number of vehicles
came along at different times, different kinds of vehicles.
I stood there, thinking that the answer which we were
waiting, was going to come. While these vehicles were
going in, on the side that I was standing on, we were
singing hymns. The hymns we were singing were referring
to being pleased to get what we were waiting for. While
I was looking, I saw some vehicles coming in with
armed Police. While standing there, I thought if the
Big Man we were waiting on, to give this answer, come
the Police would salute him on his arrival. They came
in and they formed a long line. We were pleased at that
time, and we were singing these hymns. At that stage,
I saw Teale walking about and he even said to us "You must
be happy! maybe you will get what we are waiting for,

ere. In fact, we then became happy. We were waiting here. We were, as I have said, pleased to await the answer that is going to come, and I then saw the Police and their rifles.

THE CHAIRMAN: Were you still standing, then, at this double gate? — Yes.

You must have been very near the front row, if you were 2 ft. away from it? — That is so.

EXAMINATION CONTINUED: Yes, carry on? — I saw that the Police were standing only, and these rifles were facing in another direction. I and others were awaiting this person who was coming back to speak, and also he was going to speak through a loudspeaker.

Did you see any arrests take place near the gate? — After the Police were fully armed and stood in order, there was a man but he was not in uniform. He was dressed in civilian clothes. I saw him arresting Tsolo. I thought that he was taken to act as an interpreter when this speech was to be delivered.

THE CHAIRMAN: Where was Tsolo at the time? — Towards the corner.

Was he inside the police grounds, or outside? — Inside.

Did you see him go in? — I saw him entering, yes.

Where did he enter - through the gate? — At that time he was inside.

Where did he get into the Police yard? — Inside the Police Station fence?

I understood you to say that when this person in plain clothes arrested Tsolo or took Tsolo with him, Tsolo was then inside the Police yard? — Yes.

What I am asking you is, did you see how he got there? --- I did.

How did he get there? --- This European came to where Tsolo was standing, and spoke to him for a while. When Tsolo was finished speaking, because I could still see by the movement of his mouth that he was still speaking, he was taken away by this European.

I know, but you still don't understand. When this European was speaking to Tsolo, was Tsolo on the inside of the fence, that is inside the Police yard, or outside the fence where the Dantu crowd was? --- Inside the Police yard.

Had he been there all the time or did he come outside at some stage, to go in? --- After I had to have something to eat, I found him inside.

- ADJOURNED: 11.15 a.m. -

- RESUMED: 11.35 a.m. -

PERE MOSEBY, still under oath:

EXAMINATION BY MR. FLEWMAN CONTINUED: You told the Lordship about the arrest of Tsolo. Were there any other arrests that took place? --- That was the only one I saw. The next one was me, myself.

You were also arrested? --- I was.

Will you tell us how it was that you came to be arrested, and what happened? --- While we were standing there, listening and looking, I saw two saracens that had come in there; they were inside? As I was looking at the Police Station, I saw a European entering one of the saracens, on my left. He came out if he wanted to come out.

That was on the North side? --- North. After he had entered this saracen, all the Police had rifles or

P. MOLFPI
Evidence-in-chief

guns facing in our direction. I then listened to what was going to be said. The Policeman who had caught hold of Tsolo, I saw him coming towards the gate. While the other people were singing the hymns, Tsolo was not that time close to the fence to say what was going to be said. I then found that we were not going to hear what was going to be said. I then saw that the European who was coming in the direction of the gate, did not have a loudspeaker. I then thought we would not be able, all of us, to hear what he was going to say. I also found that people that were singing these hymns might disturb us, not to hear what was going to be said. I then found that I should move towards the gate, to ask these people to be quiet so that we could hear what was to be said. I then went closer, between the two gates but to the left. I stood and I then saw this European coming in my direction, towards me. I looked back and I asked the people to keep quiet. People that were near me, listened to what I had to say and kept quiet to hear what was going to be said. Those that were a distance away, did not hear when I asked that they had to be quiet. This European came until he got to the gate. As this European was coming towards the gate, I could see on his face that his face was happy - something that he was going to say. I then asked the people to keep quiet so that we could hear what he was going to say. When he got to the gate, I noticed that he was not going to speak but he was going to get out at the gate. On the side where I was, I opened the gate and those on the other side also opened the gate to enable him to come out if he wanted to come out. He came out and he came towards where I was standing.

The gate was completely open, and I was standing on the side of this open gate. He was outside, then. He came nearer to me. I had a waist-coat on. I did not have a jacket on. He caught hold of me by the waist-coat, here, as I indicate.

Is that the waist-coat you have on at the moment?

—Yes; this is the one I have on at the moment, now.

He caught hold of the waist-coat and the shirt, too, and as a result of catching me hold in that manner, he also pinched me on my stomach. Then he started speaking. He spoke to me Afrikaans and he said "Waar is jou bewysboek?" This is not a language that I am accustomed to speak, but I answered in English and I said "I beg your pardon?" He then said "Pass". I said to him, "I am here grieving for that same book, because I have so many difficulties with this book". Then he — I had just mentioned my words, "I've got difficulties with the same book", and he was pulling me inside. He was not interested in my story. Then I came inside; I followed him. Then he gave me a good smack on my left cheek.

Did you say anything to him when he did that? —

I said "I surrender to arrest me. You can arrest me. You can take me now". He did not take notice of my words.

Did he do anything more? — He gave me the second smack. I looked back. When I looked back, I discovered that the gate at the back of me was closed. As I was looking backwards, I met with the third smack in my face. I still had on a Sasato hat with a string round; that dropped from my head. I then found it necessary that I should pick up the hat and that I should have it on me. I was then hit on various occasions with the open hand.

I then thought to myself, should I bend to pick up the hat, I might meet with some more hitting, which might be severe, which might injure me. I was then being pulled forward and I followed him as I was being pulled forward by him, and the second European came along. Then a voice came from people at the back of the fence, "Submit!" I had already submitted. When we got close to the door which is the entrance to the Police Station itself, I was then left with the second European. The second European to his satisfaction used his hands on me until he was satisfied. I retreated backwards. The first European had gone to the gate. The second one was with me, and he came rather fast towards me. I went to him. I knew that I was arrested. I put my hands on his, not taking hold of him - like this as indicated. I told him that I had already said to the other one it is not necessary to hit me, he can arrest me instead of hitting me. Then he looked outside. Then I was standing slightly to the outside, too, and he was listening to my words. When I looked towards the gate, I heard a voice saying, "Shoot!"

THE CHAIRMAN: In English? --- I heard it in English, yes. I heard a thundering of all these things.

EXAMINATION CONTINUED: In other words, you heard shooting? --- That is correct. It gave me a fright. When the shooting started, did you see what happened to the crowd? --- When the shooting started, I saw that the people were looking to the back because they could not run away at that time as a result that they were standing in one block; they could not move.

The crowd - looking to the back, were they trying to run away from the Police? --- Yes.

E. MOHRE
Advocate-in-Chief

And did the shooting continue? — The shooting continued, but the man had handed me over to a Non-European to be detained. I was told to sit down. I was inside the Police Station. The two doors were open, and I could see the people on the ground, that had fallen onto the ground.

You could see the people that were lying on the ground? — Yes.

Did you also hear somebody shouting "Stop!" and was the shooting then gradually brought to an end? — I was sitting down at the time. I did not hear that word being said, namely the word "Stop". There was a great noise made by these firearms.

You have told us that the clothing you had on that day was the red waistcoat you are wearing now. Was that waistcoat damaged in any way because of the arrest? — The buttonhole, and one of the buttons on. The shirt I had on, is the one I have in my hand, here. That is how it was torn.

You were at Court last week when certain senior officers of the South African Police gave evidence? — I was at Court, but not actually inside, when those people spoke.

Have you any idea who the person is who arrested you at the gate? — I heard the name being mentioned. I do not know when mentioning the name that I may be mistaken in expressing the name. The name was mentioned at the Police Station where I was arrested. Spen something.

Something like "Spengler"? — Yes.

Again, I just want to round off your evidence and you can tell me if this is correct: You were

detained. The Police spoke to you. They took you home, you showed them the pamphlet you had received and after this, some time in the evening, they eventually released you; correct? — That is correct, yes.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. CLASSEM: Peter, when did you first come to the Court here? — This Court here?

Either this Court here, or at the Commissioner's Court where we were sitting? — I came here when Justice Galgut was here, trying the case of a person who was being (inaudible).

Can't you tell us on what day you came here; did you come here last week for the first time, or before?

THE CHAIRMAN: The circuit Court started here — was it on a Monday? 2nd May — Monday, the 25th April, I am told? — That was on the 25th April, when it started here.

On that day the case that you are referring to, was heard? — That is so.

CROSS-EXAMINATION CONTINUED: And since that day, every have you been here/day? — I just listened to that; I had no time to attend Court every day or to come here.

THE CHAIRMAN: What is your employment? — I am a wine steward at the Riviera Hotel.

CROSS-EXAMINATION CONTINUED: You have been sitting in Court listening to the proceedings for some days — I am talking about these proceedings here, at this this enquiry? — I was here yesterday, and I was told by the learned gentleman there that I had not to be here, so I left.

THE CHAIRMAN: But you were here before, weren't

you? ---I have been before, but not inside; outside.

Are you sure you haven't been inside Court? ---

Yes.

Before yesterday? --- I think I was in once - I mean in this Court, here.

Yes; anywhere. This Court or the other Court

where the enquiry was being held while the Circuit Court was in session? --- I was only once in Court.

Are you sure? There is nothing wrong in having been in ...? ---I came once to listen to the man who spoke about some papers and documents. I found that those matters did not interest me.

CROSS-EXAMINATION CONTINUED: If you have been listening to the proceedings at this enquiry on more than one day, you would know it? --- That is true.

Now, let us forget about the hearing at the criminal trial and deal with this enquiry? ---I have already explained. I have been here once and I was told by the same gentleman not to be here, and I went away.

THE CHAIRMAN: Was that the only day on which you sat in this Courtroom? --- No. The day that I was told by the gentleman there to leave, was a Saturday that I had come in.

CROSS-EXAMINATION CONTINUED: At first when you were asked this question by me, were you then under the impression that you had been here on this one day only? ---I have said that the occasion that I was told by this gentleman to leave, was the second occasion that I came.

Do you say now that you said that from the start? ---I have said that I have been here once and the second time I was told to leave, and I left.

CROSS-EXAMINATION

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Are you sure? There is nothing wrong in having been in ...? ---I came once to listen to the man who spoke about some papers and documents. I found that those matters did not interest me.

CROSS-EXAMINATION CONTINUED: When the Commission was in the other Court, were you also in that Court? --- listening to the proceedings at this enquiry on more than one day, you would know it? --- That is true.

Now, let us forget about the hearing at the criminal trial and deal with this enquiry? ---I have already explained. I have been here once and I was told by the same gentleman not to be here, and I went away.

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Do you say now that you said that from the start? ---I have said that I have been here once and the second time I was told to leave, and I left.

When the question was put to you first by me, did you remember, then, that you had been here twice - on two days? --- I was asked how many times I was here, and I mentioned only once. The second time I said I was told to leave. I was chased away, and I left.

That is your answer; I'll leave it at that.

THE CHAIRMAN: I just want to ask you: Are you quite satisfied that on two days only you were sitting here in Court - either here or in the Bantu Commissioner's Court? ---Yes. I am satisfied. There were other occasions, but not in this enquiry Court; in another Court that was conducted by Justice Galgut.

CROSS-EXAMINATION CONTINUED: When the Commission sat in the other Court, were you also in that Court? --- I have said that I was in Court when this man gave evidence that spoke about the papers; that was in this Court, here.

THE CHAIRMAN: When was that? ---I do not know whether it was yesterday, or the day before. I think it was yesterday. I think it was Monday.

You see, I must put it to you, you know that I happen to know you? ---I do; I know you very well.

Of all the Bantus who have come to Court I think you are the only one that I know because you are a waiter at the Riviera Hotel, the Wine Steward? ---I know that very well.

And I also form the impression that you are an intelligent person? ---Yes; that is true.

Well, now, I must put it to you because I have a very distinct impression, as I looked at the people attending Court from day to day, that I recognised you, as a matter of interest.

impression is that it was certainly more than two days. Am I wrong? I just want to explain to you; there is no crime being committed? — I remember one occasion before, when I was here and on the second occasion I was told to leave. When I say "day" I don't mean the whole day; portion of the day and the second day also portion thereof.

So, as far as you remember, you were here yesterday and then you were asked to leave because you were going to give evidence? — That is so.

And then you say the only other occasion when you were present at this enquiry as a member of the crowd, was the day before or was it some other day? — Do you mean when I was told to leave?

I understood you to say that you were told to leave yesterday? — Yes.

That was one day; now, that was Tuesday? — Yes.

Were you here on Monday, or was it some other day that you were in Court? — I was here on Monday. That is the same time which makes it one day, full day.

And were you in fact present at this enquiry on any other days, even if you stayed only portion of the day? — I was here on two occasions, which would make it one day. On the second occasion, which was going to be the second day, I was told to leave.

CROSS-EXAMINATION CONTINUED: Are you a member of the P.A.C.? — No, I am not.

Do you know Isolo? — I do.

You knew him before the 1st March? — I got to know the man well on the 21st March, but before that,

I had seen him as one of the inhabitants of Sharpeville.

Did you know that this protest against passes was going to come off before the 21st March? --- I knew that. I am going to question this witness on a matter

How long before the 21st did you know that? --- I think a week beforehand, because I got the paper which explained that this was going to be on the 21st March.

THE CHAIRMAN: Well, I think you can proceed.
You say this paper you speak of, is this a pamphlet which was distributed to everybody? --- Yes. I won't say every house. Some houses were skipped. There were not many pamphlets.

Have a look at this pamphlet, Exh. "D4" and tell me whether that is the pamphlet that you are speaking of? --- Yes; this is the one.

That is the one which mentions the date, the 21st March, 1960? --- Yes.

You read it, I take it? --- I did.

And did you understand what it said? --- I did.

Did you agree with what was stated in this pamphlet? --- What is being stated in that pamphlet ...

DIE VOORSITTER: Mr. Classen, ek is nie seker dat die antwoord op daardie vraag miskien vir homself in die moelikhed kan bring nie.

MR. FLEWMAN: Your Lordship, if I may make a submission. I can't remember having ^{overhearing in} seen the pamphlet, but he made a statement at the outset in which he said he wanted to associate himself with the protest campaign. I don't know that it can assist you, Sir - any further ^{to make} enquiry into his affiliations or political views. The facts with which you are concerned, Sir, are what took

place at Sharpeville.

MR. CLAASSEN: I am entirely in agreement with my learned friend. The position here is simply this, that I am going to question this Witness on a matter of credibility, and for that purpose I want to refer to this.

CROSS-EXAMINATION CONTINUED: Well ...

THE CHAIRMAN: Well, I think you can proceed. You understand - I don't know whether you were present when an assurance was given to Witnesses yesterday? - I was not here.

THE CHAIRMAN: Did you perhaps explain to this Witness what his position was?

MR. PLEWMAN: My Lord, no, I made no explanation to him. I assumed that it would be done.

THE CHAIRMAN: Well, the assurance was given, and that applies to you as a Witness as well, that statements which you make here in the course of your evidence, won't be used as a basis of a prosecution, or for action against you. It won't be used as a ground for detention under the Emergency Regulations. Do you understand the position? - I thank you, my Lord; I do.

CROSS-EXAMINATION CONTINUED: In these pamphlets, the writer says that they are making certain demands. The first demand is, "We demand that the Pass Law be totally abolished"? - I have read that.

I understood you to say that you were in agreement with everything?

THE CHAIRMAN: Well, I don't think he went quite as far as that. The Witness said, if I remember correctly, that he was not completely against passes or

identity books. As far as he was concerned, the people he knew, they wanted it to be modified so that there would not be so many difficulties; and I also think in his evidence he said he was in sympathy with the protest which was going to be made that day; that is as I understand it.

CROSS-EXAMINATION CONTINUED: I know that you made those replies to my learned friend. I put the question to you earlier whether you were in agreement with what was said here, but I don't know that you replied.

THE CHAIRMAN: No; I intervened.

CROSS-EXAMINATION CONTINUED: No; then it is my mistake? — The answer given by me, is as explained by his Lordship. That is my answer to the question.

Well, then, let me put this question to you again. Were you in agreement with everything that was stated here in this pamphlet? — Only as far as the passes are concerned; not the rest. My feelings were only in regard to the passes — most of it.

Were you in agreement with a demand made by the P.A.C. that the Pass Laws be totally abolished? — All I was concerned about was to listen to what was being said, whether some other pass, some other form was going to be invented because I personally myself find difficulty to carry that heavy thing in my pocket, the reference book, the difficulties of the reference book.

Then I understand from you, now, that in fact you were not in total agreement with anything stated in here? — If one reads and there is only one article in this that interests you, you are only concerned about that; you are not concerned about the rest.

But you did read the whole of the pamphlet? ---Yes; I did. But I was only concerned about what I was concerned about, which was written there.

You heard that somebody was going to address the Bantus at the Police Station? ---No; I did not hear that.

Did you not hear that at any time, from anybody? ---No; I did not.

At no time whatsoever did you hear that? ---I was only concerned about what I myself was complaining about, and I thought there was someone who was going to explain about this, or have something to say about it. I was

THE CHAIRMAN: What made you think that that explanation would be made at the Police Station, and at Sharpeville Police Station? --- The matter of the reference books or passes, was that of the Police and I knew that if we were at the Police Station there might be someone who would come forward and speak on our behalf, because we went there, actually, to be arrested.

Did you go there to be arrested? --- I have already said, I submitted to the arrest.

You don't understand the question. When, during that day, you decided that you were going to the Police Station, did you go there with the intention of saying "I have no reference book with me; please arrest me"? ---No. The day I went to the Police Station, I went to listen to what was going to be said with regard to the passes.

CROSS-EXAMINATION CONTINUED: Did you go there to be arrested at the Police Station? ---Yes; because I hadn't a pass on me, a reference book. I had left it. Was the purpose of your going to the Police Station

to be arrested or to hear what was being said? ---
I went there to be arrested, that it would be explained
in regard to the complaint that I had.

You had gone to the Police Station at 9.30, I
understood you to say? --- That is true.

And you were walking about at the Police Station?
--- That is true.

Where did you - what particular place at the
Police Station did you stand at first, if you stood at
all? --- When I came there for the first time, that
is before I had gone to have something to eat, I was
standing just below the small gate in Seeiso Street to
listen to what was going to be said.

And did you also walk about, to the Western side
of the Police Station? --- I stood near to where this
European came and spoke to Tsolo. I wanted to hear
- I wanted to listen to what was going to be said,
although there was nothing said before; I wanted to
listen to what was going to be said there.

You have not answered my question. You said you
walked about? --- Yes, in front of the gate, as I have
said.

Did you walk as far as the Western side of the
Police Station? --- No.

And do you think because they were happy, because
You walked about in front of the small gate? ---
Yes.

THE CHAIRMAN: That is in Swase Street? --- I think
it is Seeiso Street. The double street.

The tarred road on the Southern side of the Police
Station? --- That is where the two roads are divided by
something in the middle. --- No. It was the dirt road

Is that where the gate is, where the members of the public go in, if they want to go into the charge office? — That is so.

CROSS-EXAMINATION CONTINUED: I understood you to say that you left at about midday, and went home to have something to eat? — Yes.

Up to that time, up to midday, were you walking up and down there, in front of the small gate? — Yes. Not all the time. I was pleased that I would also join in in the singing of these hymns.

I think you said everybody was pleased? — That is true.

Singing hymns to the effect that they were hoping to get what they expected? — No. They were singing these hymns, being pleased to listen to what was going to be said, although nothing had been said then. They were awaiting something to be said.

At what stage? — At that stage they did not know what it was going to be.

What had they to be pleased about at that stage? — They were pleased because they saw that the Europeans were standing there. They seemed to look satisfied, and they were happy.

And do you think because they were happy, because they were going to expect this person to say something good to them, something that would please them? — If you ask someone for something, you see that this man has the happy expression on his face, you are bound to think that he might come with something which is nice.

You knew that the people went there mostly as a result of this pamphlet? — No. It was the date which

was on that pamphlet that they had to go to the Police Station, and they were going there for what they had been complaining about, to hear what was going to be said about it.

There is nothing in this pamphlet that somebody was going to address you on any grievances as regards passes at all? — Tsolo had spoken to one of the authorities, and he said that something was going to be said to these people.

Do you think that everybody there came to know what Tsolo told you there at this small gate? — I won't say all of them because some of them were singing and some of them were moving about. I won't say everybody heard, but I am referring to those who heard what was said.

But when you talk about singing, then I take it you speak about the whole crowd. They were singing? — I say the one who had heard when Tsolo spoke, he conveyed it to the others, again, that did not hear what was being said.

Look, here, Peter, let us understand each other clearly. There has been far too much misunderstanding. Did you mean, when you said that the people were singing because they were happy — did you refer to all the people round the Police Station? — I said those that I saw. That was the answer they had given.

What did you mean when you said the people were singing. Were you then referring to only the few people around you, or to everybody? — There were many people. The people who were near me, were singing, and when I raised my head and I looked at the other people, there, I saw that they were speaking — some of them were speaking.

When you said earlier that people were singing

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When you said earlier that people were singing

because they were happy, to about how many people were you referring? ---I do not know what to say, how many. Some people don't like singing; some people do.

I will tell you why I am asking you these questions: Because I am going to suggest to you that you knew very well that the people there, or most of the people, came to the Police Station because of this pamphlet. They were ordered to go there? --- There is nothing in that pamphlet to suggest that there was going to be an address; but that is the day that this complaint about passes was going to be discussed, or someone to speak about it - on the 21st. It was not said where actually.

- ADJOURNED: 12.45 p.m. -

- RESUMED: 2.15 p.m. -

PETER MOLEFI, still under oath:

CROSS-EXAMINATION BY MR. CLAASSEN CONTINUED:

Peter, before the adjournment, I made the suggestion to you that the Bantu who gathered round the Police Station were there because of this pamphlet, and not to hear anybody speak? --- The pamphlet did not say that the people had to gather at the Police Station in order to hear someone who was going to deliver a speech, or speak. That I heard from people, that there was going to be one who was going to speak.

I am suggesting to you that they were not in a pleasant mood at all? --- If one is not in a pleasant mood, one does not indicate that one is in a pleasant mood.

Can you give me the words of the song that they were singing?---Yes; I can. ^{As the witness} think (I don't/I will be able to translate the words of the hymn that the witness is

about to sing).

THE CHAIRMAN: Is it a hymn of a religious nature or is it a folk song? --- It is just a hymn that we sang, that is sung by people who are, shall I say, in a happy mood.

Is it merely a chant, or is it a hymn which is made up of words? --- (I will explain some of it in English, but the first word that he has now used - the hymn that was sung is sung in this manner, as if asking for something which they want; not in words, but by singing in a happy spirit, shall I say. "God be with us, and God will be with us again").

CROSS-EXAMINATION CONTINUED: I am going to make a further suggestion to you, Peter. You were one of those who were encouraging the crowd? --- I merely went there to listen to what was going to be said about the complaint they had.

When you came back from your house after having had something to eat, was the crowd on the Western side thickly packed in the streets? --- No, they were practically next to one another, but not so that it was one against the other, like.

Were they standing on the tarred portion of the street as well? --- Yes; they stood there.

Right up to the fence on the other side? --- Yes.

Next to the clinic? --- Inside the fence of the clinic?

Not inside? --- Yes.

How did you manage, then, to get through the crowd from there, to the gate? --- If one asks one to excuse you to pass, he will do so, and that is how I came through.

Were they ready to let you pass? — Yes. If you asked to be excused in order to pass, you were. They would have given way to allow you to pass.

I suppose as an intelligent man in the location you have a fair amount of influence amongst the Bantu of the location? — That I do not know.

I think you will know that; if it is true, you will know that? — How is one to know unless you are told that some people are

You see, in the first instance, you were in front of the small gate, walking up and down, there? — Are you now referring to the time before I went to have something to eat?

I am referring to the two occasions that you were at the gate - first at the small gate, and then at the big gate? — In the first instance, I was there, near the small gate. That is before I went to have something to eat. After I had come back from having something to eat, I was there near the big gate.

In both instances you managed to get to the gate near the fence? — Yes.

And on your own story, at one stage, at the big gate, you were addressing the people, there, in the immediate surroundings? — Just to ask them to keep quiet so that I could hear what was being said; that's all.

I am suggesting to you that you are a man of influence, there, amongst them, and you are the one who was busy encouraging the crowd? — No; I merely went there to listen to what was being said, like everybody else; we were there to hear what was going to be said.

At the time that the European constable or the European Policeman took you away at the gate, do I

understand that you were still on the other side of the gate, or were you inside the gate? — I was outside the gate, and I had given way for him, to allow him to go out.

Did you order the gates to be opened for him to come out? — No. I did not speak, but I opened the gate and that shows that I meant that he should be allowed to come out. I did not speak. I just opened the gate.

Do you think it must have been clear to this man that you were opening the gate for him? — Yes; the same as the gate was opened for him to come in, the same now the gate was opened for him to come out.

And this is the man that you thought was going to address the crowd? — That is true.

When you opened the gate to him, you thought he was going out of the Police grounds to address the crowd outside? — The reason why I opened the gate is because when this man got to the gate, I could see that he was not going to speak from there. I opened the gate so - anybody else; if he wishes to speak to the people and wants to go to the gate to get there, I open the gate.

I must repeat my question. At that time you expected that he was wanting to address the people from outside the gate, and you opened the gate for him? — No; I thought that he was going to speak from inside, and why I opened the gate - I thought that he wanted to go out, and the gate was opened for him, and I was surprised.

Where did you think he was going to? — I was surprised, as to where he was going to.

What reason did you have for thinking that this man was going to go outside the gate? — I did not know

what the man was going to do, but I saw him going out. I did not know what he was going to do.

And this was the same man who had taken Tsolo in?
---Yes; the same man.

Are you being quite frank with the Commissioner? Do you want the Commissioner to think that this man, this high ranking officer, was going to look for an interpreter himself? --- That I cannot explain. As I have said before, I was surprised as to where this man was going to.

And all the Policemen that were there with their firearms and the saracens, were simply meant as a guard of honour for him? ---No, well, that I don't know.

And then it must have been a very, very great surprise to you that this man caught hold of you outside?
--- I was surprised.

This man with the pleasant smile on his face and the very good news? --- That is what surprised me. I thought that was the man who was going to speak and he came and caught hold of me.

Now, what have you personally done, for him to take you out of the crowd and take you outside? --- I don't know. I was asked, "Waar is jou bewysboek?"

Did you at that time stand nearest to the gate, nearest to him, of all the other people? --- There were a lot of us standing close to the gate, although we were not holding on to the gate, to hear what was going to be said.

THE CHAIRMAN: Did he perhaps see you open the gate? ---I was right in front of the gate.

Did he perhaps see you open the gate, and for that reason go up to you? ---Yes. --- I did not pay much

Was it quite clear to him that you were opening the gate for him? ---Yes.

Did you say anything to him when you opened the gate? ---No. I was waiting. I thought that he might speak. I said nothing.

CROSS-EXAMINATION CONTINUED: By that time, Tsolo was not in sight, was he? --- He was already arrested.

You knew that? ---I saw him being arrested.

You knew that he had been arrested? ---I saw him arresting him and taking him in.

When he was taken in, did you know that he was being locked up inside? ---I could not say what was going to happen inside. I am only explaining what I saw with my eyes.

What I want to know, that time, did you feel that the man had been arrested? --- At the time when this man was taken, I did not take it that he was actually arrested. I thought he was merely taking him and that later on he might come out and be used as an interpreter when something is to be said.

At the time that this man came alone to the gate, back again, Tsolo was not with him? --- That is correct.

He was now coming to the gate, and you expected him now to address the crowd? ---Yes, because he was coming to the people who were there.

He was without an interpreter and you thought he was going to use you as an interpreter? ---No; he had no interpreter with him.

And when you noticed that, did you then appreciate that Tsole had been arrested? — I did not pay much attention to the arrest. The only thing I know is that I saw the man being taken inside, that's all, and he did not come back again.

I am not speaking about that time. I am speaking about the time that this man came to the gate himself? — When he came alone to the gate, whether the other man was locked up or not, I do not know.

Look, my suggestion to you is that whatever you thought earlier, at this time you knew that this same man had already arrested somebody and he was coming for another? — May I explain: The word "tshara" in my language, that is in British Sesuto, South Sesuto, does not convey the same meaning as the European word of arrest; it means catching hold of you. If I say he was arrested, it means that he was being caught hold of by the Police, arrested by the Police; then the word "arrest" applies.

You are being clever. For the purpose of the questions I am asking you, it does not make any difference whether he was taken or whether he was arrested. What I am trying to put to you is this, that when this man came back to the gate without Tsole, you knew that he had not taken Tsole away for the purpose of having an interpreter? — He came back alone.

When you received several blows, there, with the flat hand, I take it you were in sight of the other Bantus round the Police Station? — That is so.

They could have seen it? — That is so.

You say you then looked back? — Yes. I tried to catch hold of the arms of the person. I looked

back and I saw that this man was also looking back.

You noticed no annoyance on the part of the crowd because of what had been done to you? — I have explained; as I have said, it was said "Submit". That shows that the people were not annoyed.

Were they still singing their pleasant songs? — Yes. Those that were further away. But these people that were in the immediate vicinity of where this was happening, were no longer singing. They were looking as to what was happening there.

Did you notice any change in the mood of the crowd because of what was being done to you? — The only thing I can say, it was said "Submit". That is all I can say.

You were then taken into the Police Station? — Yes. A Non-European Policeman took me in.

And from where you were, could you see outside? — The doors were open.

Could you see the gate? — On the righthand side, if I looked outside I could see the gate.

Well, did you look outside? — I had my eyes there, yes.

All the time, while you were inside? — It was at the time when the people were nearly finished shooting. Then I went inside, and sat down, with some Policemen.

Do I understand you looked out through the door only after the shooting had started? — Yes.

What happened immediately before the shooting; could you see what happened immediately before the shooting? — I said to the man turned back from me and

want back?

Yes? --- When the Police went forward, I heard the word "Shoot!" At the time when this man was hitting me, some Police passed and then I heard the word "Shoot".

When you were inside, could you hear the crowd outside? --- I have said, just before the shooting ceased, it was then that I sat down and I saw people down on the ground, that had fallen to the ground, and then the shooting ceased.

You could hear the crowd before the shooting. After you had gone inside, could you still hear the crowd outside, either singing or? --- Some had run away, some were shot; there was no-one there making a noise, then, or anything like that.

Where were you when the shooting started? --- I was between the two doors of the Police Station, with a European Policeman - the one who caught me.

You could see everything outside? --- Where I was looking?

Yes? --- Yes.

Did you see any stones being thrown? --- No, I did not.

Did the crowd shout loudly at about that time, when the shooting started? --- There was no noise, because the crowd that was close to the gate where I was, was looking as to what was happening.

You say there was no noise? --- Where I was, there was no noise. People were seeing what was happening, there.

P. MOLEFI
Cross-examination
Re-examination

You could clearly hear the order "Shoot!"? ---
I did. It was said loudly.

THE CHAIRMAN: Did it sound like a command? ---
Yes.

Was it possibly that somebody said something,
"They are shooting" and you just heard portion of
what was said, or are you quite satisfied that you
heard this one distinct word, "Shoot!"? --- I only
heard the word "Shoot!" and thereafter the shooting
commenced.

Have you any idea where this person might have
been standing who shouted this word, "Shoot!"? ---
Hearing this being said, I took it that this voice
came from just between ^{where} the people were, and the
Police - in between where the Police and the crowd
were.

Do you mean somebody who was probably standing
in between this line of Police and the fence? --- Yes.
--- before you knew it, yes.

And where - as you face, now, the crowd; was it
at the extreme right or opposite the gate? Whereabouts
was this person? --- The way I was looking, I would say
it was on the left side of the gate - if I am looking
at the gate, the left of the gate. The big gate.

CROSS-EXAMINATION CONTINUED: Were you able to
recognise the uniformed officers amongst the other men?
---I was not looking at the officers. I was only looking
at what was going to be said, that's all.

NO FURTHER QUESTIONS.

RE-EXAMINED BY MR. ELEVAN: Molefi, two of
the suggestions put to you by my learned friend, I think

P. HOLEFI
Re-examination
By the Chairman.

impose on me a duty. He suggested to you, one, that you were the inciter of this crowd and were busy inciting the crowd; and he suggested that in certain respects you were not frank with the Commissioner. ^{Before} It was never brought to my notice or to my colleague's notice that you knew something of the events of this day; had you brought that to the notice of my learned friend? Did he know, from discussions he had had with you at the hotel, that you knew something about the events on this day? --- Oh, yes, he knew it because he stays where I work and we have spoken about it and he knew it perfectly well.

Was it my learned friend who suggested that you talk to me? --- No; I was not sent by him to speak to you.

Did he suggest to you that you talk to Counsel? --- No; what he said to me is if I should give evidence on what I know, nothing will be done to me.

At any rate, he knew it long before I spoke to you? --- Before you knew it, yes.

NO FURTHER QUESTIONS.

THE CHAIRMAN: Did you tell Mr. Claassen that you knew about the arrests/on that day, or did you tell him the whole story as you have now told it in the Witness box? Do you understand the gist of the question? --- I do.

Did you say to him: /"I know what happened on that day? --- I did not explain to him everything as I have explained it here, to your Lordship; but I did explain to Mr. Claassen that I know what happened there, because I was there and I was arrested at the gate, or ^{caught} close to the gate.

MR. CLAASSEN: That part of what you say, is correct. how far away from the house is the house?

P. MOLEFI
By the Chairman.

BY THE CHAIRMAN Whereabout in Sharpeville do you now live, or did you stay at that time? What is the number of your House? --- 8789.

Can you give me some idea whereabouts in Sharpeville that is? --- If you leave from the clinic, amongst the two streets that are divided, like, you go into the second street from the outside. You pass one street, what we call sianbarri; we call it the street that leads to the bar, to the beerhall. From there, three houses to your left.

You will be able to understand a photograph? --- Yes.

Have a look at this photograph and see if your house is on it (Exh. "C")? --- (Witness indicates).

In other words, if you were to walk along Zwane Street from the East to the West, then you would go past the Police Station; the Police Station would be on your right? --- From the lower part, or from the top?

From the righthand side; if you were walking along Zwane Street to the Police Station and you wanted to go to your home, then would you then come to the Police Station? --- I don't reach the Police Station. I don't reach the street going through the Police Station and the clinic, but manage just straight on.

In other words, then you cross over the street which runs past the West side of the Police station; you cross over that street and at the very next one you turn to your left? --- Yes.

And then, how far down that block is your house - about how far from the corner when you now turn out of Zwane Street and into your street that leads to your house; how far away from Zwane Street is the house?

--- It can be from here to the Post Office, the other side of the Post Office.

Would you say about 200/300 yards? ---Yes.

Approximately? ---Yes.

If I understood your evidence correctly, that day, when you got up in the morning, you had already decided that you weren't going to work? ---Yes.

As I understood your evidence, it was something you decided by yourself; it was not a question that you were forced by anybody else? ---I was not forced by anyone to go there.

There has been/given at this enquiry which suggests that during the night groups were going about and were asking and sometimes forcing people to come out of their homes to join the procession. Do you know anything about that at all? ---I have not heard that. Nobody has told me about it.

There was also evidence that early the morning of the 21st, from about 7 o'clock onwards, there was a large gathering of people in Seeciso Street? --- That was before I was there.

Did you at any time get to Seeciso Street; and if you got there, could you tell me what you saw? Seeciso Street is the main street? --- All I heard was that in Seeciso Street there was trouble and the trouble was that the Police were hitting the people.

When did you hear that? --- That I heard when we were there at the Police Station, when these people were singing the hymns.

You heard them talking about what had happened that morning? --- There were people coming from that

F. KOLEFI
By the Chairman.

place, and these were the people that were saying that there had been assaults by the ...

They came from the direction of Seciso Street and then told the people at the Police Station that there had been trouble? --- That is so.

Did yourself hear, or did you hear it mentioned by others that there had been some firing by people earlier that morning? That is, by the Police and possibly also by Bantus? --- It was said by someone, who I don't know; I did not pay much attention.

Did he mention the fact that firearms had been used earlier that morning? --- Yes; this person said he was on his way to work and he was then stopped by the Police and he went back home.

Did you notice, during the morning, that aircraft flew over? --- They made a terrible noise, too.

Where were you at that time? --- At that time, I was close to the gate at the Police Station, but standing in Zwane Street.

When you saw the aircraft coming over, did you get the impression that this was being used to frighten the people? --- I did not know exactly what they were doing. I thought that some of these aircraft were on a certain route to wherever they were going to; and I thought others, again, were taking photos.

Then, at some time or another you went home for a snack? --- That is so.

And then you came back again and you went and stood in the street which runs along the West side of the Police Station? --- That is so.

You may already have stated the time, but I can't ...
... that I did not hear. I just heard the

F. MOLEFI
By the Chairman.

recall it at the moment. About what time was it that you now returned and got to this point opposite the gate on the West side of the Police Station? --- By just merely imagining, somewhere about a quarter past twelve.

What I wanted to know is whether you were already there when the last motor car to go into the Police yard, arrived there? --- I was there, yes. I was about 2 ft. from the fence.

Were you one of those who had to stand out of the way so that this motor car could come in through the gate? --- Yes; I was.

Well, now, there has been evidence that while this car was moving to the gate, people hit at it? --- That I did not see.

I am not suggesting that the hitting took place at the gate itself. Did you notice any attitude on the part of the crowd or some of it, of unfriendliness or anger towards this motor car? --- No. Everyone was anxious to know what was going to be spoken there. That is the way we gave way, to allow them to go in.

I also want you to tell me what your impression was. There has been evidence that insults were hurled at the Police. Did you hear anything of that nature? --- That I did not hear. I did not hear any insults.

People who were standing around where you were? --- They were just singing, that's all. I did not hear any insults.

I am not sure whether it was suggested that that was shouted at the gate or near the gate, but there was some suggestion from at least one person - possibly more than one person - there was a reference to Cato Manor at one time? --- That I did not hear. I just heard the

hymns being sung, that's all.

I am not quite certain, yet, where you stood after you had been taken into the Police quadrangle, the open square inside the Police building? --- Before I was taken in, I was between two doors when I got into the Police Station.

Do you mean the big doors through which you had to go to get to the Courtyard inside the Police Station building? --- That is correct.

You were standing there, first? --- Yes.

Did anything happen while you were standing there? --- That is when I heard this word, "Shoot!", when I was standing there.

Perhaps if you would just look at one of these photographs; if you look at Exh. "J". Are you able to identify the gate to which you are referring? --- Yes.

While you were standing there, did you have a view of the whole extent of the Western fence; in other words, if you turned your head from side to side, you could look down the whole Western fence? --- Where the Police were, I could see because I was looking over them; but the other I could not see.

Perhaps I could put it in another form. Were you standing some distance beyond the line which was formed by the doorway, or were you standing on that line; did you stand right in the line of the doorway, where you can look to left and right and see far; if you stood deeper in, then of course you could only look virtually straight in front of yourself. Now, I want to know how much you saw? --- I was standing on the line. I could see outside.

In other words, not only what was in front of you but also from left to right? --- If I looked in the direction,

P. MOLEFI
By the Chairman.

I could see, if I had my face turned in that direction.

At that time, were you looking in the direction of the gate? ---Yes. Most of the time I was looking at the gate, from where I had come.

Did you have a clear view of the gate, or was there any vehicle obscuring your view? ---I could see clearly at the gate. There were no vehicles there at the time.

I wanted you to tell me, as far as you remember, when you now got to that position, and when you turned round and you looked and could see what was happening at the gate, what was the position at that time? --- What I could see from where I stood was that people were retreating backwards, and this man that one expected to speak, was not speaking and he was chasing the people to retreat backwards.

I want you to tell me in your own words - retreating backwards, from where? --- This man - the reason why these people were retreating backwards - he was not speaking to those people but he was there to catch people. He caught hold of them and was getting them inside. That was the reason for these people retreating backwards.

At that moment that you are talking about, now, was this gate still open or was it closed? ---No; it was closed.

Both halves of this gate? ---Yes.

This person in civilian clothes, do you say he was trying to get at somebody else at the gate? ---Yes; that is what I think because he returned from me and he returned to the gate.

You have seen this - on your evidence, you have seen this taking place? --- That is what I saw, yes.

And do I understand you correctly, that the people who were then on the outside of the gate were retreating still further away from the gate so that this man could not get hold of them? ---Not all of them.

Some of them? ---Yes.

Can you remember, was he the only one who was then in the immediate vicinity of the gate, or were there other members of the Police round about as well? --- At that time, I just saw him.

You were watching while this was taking place? --- That is what I saw.

When did you hear this word "Shoot!"? --- When this person alone passed the line of the Police towards the gate, it was then that I heard that word being used.

I don't quite follow that. I've got the picture of the man who arrested you, being at the gate, with some of the Bantus retreating away from the gate? --- Yes.

What happened, then, at the gate? --- I saw him nearing the gate. The one that remained there, when the other one had gone to the gate he told the Non-European Police to take me away. I saw him then also going in the direction of the gate.

Well, now, what you have described, now, you saw while you were standing in the line of the gateway? --- Yes.

Do I understand you correctly that after some time you were then taken further into the Courtyard? ---Yes.

How far were you taken? --- If you look again at one of these aerial photographs, you might be able to refresh your memory. Look at Exh. "J" or Exh. "K". In

other words, you went in and you then went to the steep, which was on your right-hand side? ---Yes.

While you were walking from the gateway to that point, I take it you weren't looking back and you weren't able to see anything? --- At that time, the Police were still firing.

I want to try and get from you your impression, then: When did this firing start - while you were still standing in that gateway, looking towards the Western fence? ---Yes.

I know it is not easy, but I want to try and fit in this word "Shoot!", into what was happening at the gate. You have now told me about this man going to the gate and of people retreating. What was this man doing at the gate when you heard the word "Shoot!" That is to say, if you saw him? --- At that time it appeared to me that he was about to arrest another person, catch hold of another person.

That is the impression you got? --- That is so.

And then you say you heard somebody saying, "Shoot"? ---Yes.

You are satisfied it was "Shoot!" It was not the Afrikaans word, "Skiet!"? --- "Shoot!" Not "Skiet!"

And your impression was that that word came from somebody who was in between the line of Police and the fence; in other words, standing between the Police and the crowd? --- That is true.

And had you heard any sounds of odd shots before you heard this word "Shoot!"? ---No.

At that moment when you heard the first shot from the rifles or whatever would be used - revolvers - were

you still looking at these people standing on the other side of the fence; did you still have them in view? --- When I just heard the thundering of these fire arms, it is just at that stage that I was handed over by this person to the Non-Europeans and I was being taken along, and as I was walking along, I looked. I could not see clearly because I was going ...

Yes; I can understand that. While you were walking, then, towards the steep, that was the time when there was firing? --- That is so.

At least up to the time when the firing started, that very moment, you were still looking in the direction of the people standing along the Western fence? --- That is so. I had this man by his arms and it was then said by him to the Police to arrest me.

I am not asking you these questions to catch you out? --- I understand.

You are the first person, other than a Policeman who was inside the Police premises when the shots were fired,? --- That is so. I was the first one.

You see, there has been quite a lot of evidence that immediately before the shots were fired by the Police, there was a shower of stones coming over from the crowd into the Police yard. You cannot tell me anything about that at all? --- I did not see that.

There has also been a suggestion in the evidence that immediately before the shots were fired, there was a tendency for some of the people at the gate to get into the Police premises, either because they were being pushed from behind through an open gateway, or because they wanted to enter? --- That I did not see because the gate was closed when I left from the gate.

P. MOLEFI
Cross-examination

Before the shooting, did you have any opportunity of looking at the gate so as to be able to see whether it was open or closed? --- All I can say is that by looking at the direction of the gate, the gate was closed. To me it appeared as if the man who was going towards the gate, was going to open the gate, although I did not see him in fact open the gate.

This detective to whom you referred as possibly being the person who took you inside, Col. Spengler, he said that immediately before the shooting started, he was at the gate and because the gate was pushed open, he was thrown off balance and half fell down into a sort of a crouching position, as I understood him? --- I did not see that happen. To me it appeared that he was going towards the gate as if he was going to open the gate.

I think I have said it before, that you appear to me to be an intelligent person, and I wanted to ask you this: Did you at any stage get the impression that because the people were fairly densely packed, there was the danger, because of people pushing from the back, that the fence might be pushed down and that the front people, even if they did not want to get into the Police premises, might be pushed into it? --- That I did not see because where I was standing, I was not pushed from behind by anyone; nor did I see anyone else being pushed from behind.

You did not get an impression at any stage that people were acting, as they so often do in a crowd, maybe those at the back pushing forward and tending to crush those in front against the fence? --- As I have said, all the people were happy. There was no-one that I saw pushing another, and they were standing there to

P. MOLEFI
By the Chairman.
BROWN THABE
Evidence-in-Chief

hear what was going to be said, that's all. Still, if someone comes forward, and asks to be allowed to pass in order to get through, by respect they give away to get through.

You mentioned at one stage or another Tsolo spoke to you and if not to you personally, then to a section of the crowd where you were standing? --- He was not speaking to an individual. He was speaking to the crowd that were there, as a matter of fact, shouting towards them, as to what would be said, so that they could hear.

Can you remember more or less what he said? --- I remember. I have said what he said.

It does not matter if you give a slightly different version; I don't want to compare. I just want you to refresh my memory as to what he said? --- I said that he had said that at 2 o'clock we might get an answer to our complaint.

Was that the first occasion that you had heard from somebody else that at some time on that day a person would be addressing the crowd in connection with the matter of your complaint? --- He was the only one I saw, except one or two others that were trying to stop the people not to get right up against the fence.

You saw that, too? --- Yes; I saw that.

BROWN THABE, sworn, states:

EXAMINED BY MR. FLEWMAN: Brown, you live in Sharpeville? --- Yes, I do.

You were at the Sharpeville Police Station at the time of the shooting? --- Yes.

You arrived at the Police Station, I think, when Tsolo was speaking to a European detective in a suit? ---
Yes.

And you yourself ^{were,} at that time, on the South side of the Police Station, that is along Zwane Street, somewhere near the South-West corner? ---Yes.

After Tsolo had spoken to this European detective, did he come anywhere near where you were? ---Yes; he did.

Did he say anything? --- When he came nearer, he said the gentleman had said we must wait for 2 o'clock and then he ^{said we} will get the answer.

Did you remain at the Police Station after that? I was still there at that time.

You did not go away? ---No; I did not.

Did you see anything of arrests taking place near the gate in the Western fence of the Police Station? --- I did.

Was Tsolo arrested there? --- Yes.

How was it that he came to be arrested; where was he arrested? --- At the gate.

Was he outside the gate, or inside the gate? --- I saw that he was caught hold of inside the gate.

Had he come from outside, had he always been inside or whereabouts ...? --- At the time I saw him, he was inside; he was being held by a Policeman.

Did you also see at some time that a line of Police was drawn up facing the Western fence? ---Yes; I did.

Was Tsolo arrested before that line was drawn up, or after? --- At the time when Tsolo was caught hold of, this line had not yet been formed.

After that, the line was drawn up? --- Yes.

After the line was formed up, did you still have a clear view of happenings at the gate in the Western fence? --- Nothing had happened.

Could you see things happening? --- Yes; I could.

Did anything happen immediately before the shooting, or how did the shooting come to start? --- Something did happen before the shooting.

What? --- Before the shooting took place, the Police got nearer to the fence and they were pointing at the people with their rifles.

How long before the shooting was that? --- About a minute.

And when you saw that, where were you standing? --- I was standing South.

Still on the South side; and can you, to assist his Lordship, indicate just how far you were from the corner. I know that that Southern corner is cut off? --- About two yards ...

THE CHAIRMAN: Are you any good at looking at photographs? --- Yes.

I wonder if you would look at this aerial photograph, Exh. "K", and tell us where you stood.

MR. PLEWMAN: The Witness indicates at a point on the Southern fence about two yards West of the extension of the cleared portion immediately West of the building.

THE CHAIRMAN: When the Police were lined up, would you then have looked at their backs? --- That is correct.

EXAMINATION CONTINUED: How did the shooting start?

--- After the Police had formed their line, they loaded their rifles. Another Policeman came along. He had a little short stick.

THE CHAIRMAN: Was he in uniform? ---He was in uniform but he did not have a tunic on.

EXAMINATION CONTINUED: He was in uniform, but he just had a shirt? ---He only had a shirt, not the tunic itself. He made them stand properly. After he had finished doing that, then the last Bantu man was caught. After this last man was caught hold of, arrested, then the Police started by pointing at the people with the front of their rifles.

THE CHAIRMAN:
/Are you referring to the person who gave evidence, here? Did you see this person? Did you see him sufficiently well to be able to identify him? --- He had some clothing on which was rather a bit tight on him and they were a bit dirty but I cannot be able to say, if I see him, "This is the man".

You did not see his face clearly? ---No.

You saw this man being arrested and then you say the Police were making jabbing movements with their rifles at the people along the Western fence? ---Yes.

EXAMINATION CONTINUED: What is the next thing you noticed; just carry on? --- After that, I heard the noise made by the rifles or the firearms.

The next thing you heard, was the shooting? --- I heard the noise made by the rifles or firearms.

What did the people do when the fire started? --- They turned round and went back.

They turned round and ran away? ---Yes.

Did you yourself also run away? --- I did.

Which way did you run? --- I ran in a Southerly direction.

Down which road? --- (Witness indicates on Exh. "K", that he ran South down the extension of the road which runs on the West of the Police Station, on the other side of Zwans Street and on the Eastern pavement).

Just explain to his Lordship carefully what happened as you were running away, whether you were hit by any bullets and exactly where you went after the shooting? --- When I started running away, we were a lot of people together, running away, in one group, as it were. I could not run fast on account of the lot of people that were there. When I crossed the island, when I got onto the other side pavement, someone fell up against my legs in the back, here. There was one lying in front of me, too. I then fell on top of the one who was in front of me. My right shoe remained behind. I then picked up the shoe and got up again; at that stage, I heard a lot of shots being fired (Witness indicates "ta-ta-ta-ta-"). When I put on my shoe, at that time the lot of shooting was quiet and there was no more shooting, then. I got up. As I walked along, I felt being shot here, where I show the mark.

Perhaps you had better show his Lordship. Have you got the same same coat on as you had on that day? --- Yes; I have the same coat on.

Can you turn your back to his Lordship and show his Lordship the mark where the bullet went in? --- (Witness indicates on the back of the left shoulder, high up).

THE CHAIRMAN: And then it grazed your left cheek? ---Yes.

EXAMINATION CONTINUED: It went through the coat

and grazed your left cheek? ---Yes.

When your shoe came off, was your shoe lying where you were, or did you have to go a little bit back to fetch it, or where was your shoe lying? --- When the shoe came off, as I picked up the leg on which the shoe was, I felt that the leg does not want to move. When I picked up the leg, the first step that I took - I took the first step with the same leg that was out of the shoe. I then saw that I could not go ahead. I then noticed that I did not have a shoe on.

And you went back and picked up your shoe? ---Yes.

How far back did you go for your shoe? ---I did not go back. I just leant backwards, looking ahead of me.

After the shot passed through your coat and grazed your cheek, was there any further shooting after that? --- After I had received this shot, I was only concerned to live. I did not hear any more shots or anything. I was only concerned to live.

When you received that shot, which way were you facing? --- South.

Directly South, down this road? ---In the direction that I was going.

NO FURTHER QUESTIONS.

KRUISVERHOOR DEUR MNR. LOUW: Het jy baie singery gehoor, daar? ---Ja; hulle het gesing.

Wat het hulle gesing? --- Christelike liedere.

Gaan jy kerk-toe? ---Ja.

Is dit die liedere wat julle by die kerk sing, of sing julle buitekant die kerk? --- Dit is die liedere wat in die kerkboeke is.

Translate

Watter ander liedere het julle gesing? --- They
were singing "Abide with Me".

Het jy vir Molefi daar gesien? --- Molefi who?

Peter Molefi? --- Ek ken die man nie.

GEEN VERDERE VRAE NIE.

- VEEFDAAG: 4.5 n.m. tot -
DONDERDAG, 12 MEI 1960
om 9.45 v.m.