

Mr. Parkington.

VOLUME XVII (a) & (b)

Pages 2528 - 2682

S. Str. 326:323.2 (68232) Com

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

25 MEI en 1 JUNIE 1960.

20
2
3
4

T. More. xxx. Mr Plewman. 2528-9
Commissioner 2530

B. D. Mostert. In Chief. 2533

R. P. G. Van Vuuren
(Fire Chief) 2534

PIENAAR (RECALLED) 2540 ✓

SIDWELL KAZA. 2567

J. C. VISSER (RECALLED) 2587 ✓

H. C. J. C. HEYL (RECALLED) 2597 ✓

BEYL

2607 - 2614

1 JUNE 1960

J. C. Van Wyk. 2615.

N. J. Olivier 2620

Capt. C. J. Els. 2626

J. J. Olivier 2642

A. J. P. P. P. 2666

COMMISSION OF ENQUIRY TO ENQUIRE INTO THE EVENTS
IN THE DISTRICTS OF VERBODINGS (NAMELY THE
SHARPEVILLE LOCATION AND EVATON) AND VANDERBIJLPARK
TRANSVAAL PROVINCE ON 21st MARCH, 1960.

EXHIBIT, 25th MAY, 1960 at
2-42 S.A.S.

APPEARANCES AS BEFORE.

THOMAS MORE, under former oath:

CROSS-EXAMINED BY MR. FLEWMAN: Judging from what you said, you did not patrol the whole fence right round the Police Station; you were more or less at one part of that fence only? ---Yes.

And you stayed in that position with movement perhaps a little bit - all the time; you did not go right round to the other side? --- That is correct.

I wonder if you will have a look at Exh. "N". I wonder if you can identify yourself. You are looking at the Policeman from the left. The first one is a large Policeman holding a sjambok or something like that; and then between him, and before you get to the next Policeman, you can see a face. I think that is you, is it not? ---Yes; that's me.

So that that is more or less where you were on the fence? --- Yes; that is so.

Between the first and second Policeman from the left of the picture, somewhat behind the motor car - the person facing the camera immediately on the left of the Policeman with his back to the camera, on the far side of the photograph? ---Yes.

Now, I want to ask you something about the crowd. Was this a peaceful crowd? ---Yes.

Were they singing? ---Yes; they were.

I suppose not all the sections of the crowd were singing the same song at the same time? --- That is so.

Now, I want to ask you one question about the nature of the campaign which was being conducted. You have seen certain of the pamphlets; we have heard evidence about it. Was this to be a violent campaign? ---It was a non-violent campaign.

Was that the underlying method which had been decided on? --- That is correct.

Could it be suggested ^{correctly} directly that you were inciting the people at the Police Station to violence? ---No; that is incorrect.

And we have also heard various views as to why the people were there and what they were expecting. Were you expecting anyone to make an address to you, an announcement? ---Yes. I was expecting someone to come and speak to me.

Only to you, or do you know whether there was to be an address to the crowd as a whole? --- This address had to be to us, not to the crowd.

Now, I want to ask you one other question. Were you ever asked by the Police personally to go away or to tell the crowd to go away? --- Not to me. Not to the crowd as well.

NO FURTHER QUESTIONS.

RE-EXAMINATION: NO QUESTIONS.

BY THE COURT: / ...

BY THE CHAIRMAN: Can you tell me what the membership of the P.A.C. was in Sharpeville? --- I cannot tell the Court, because I was not the secretary.

As far as you as one of the members of the local Committee are concerned, have you any idea about your membership - in the sense of whether one counts it in tens or in hundreds, or in thousands? --- The roughest estimation which I could make, can be about 100.

You reckon about 100 members only? ---Yes.

When did you start your branch in Sharpeville?
---July, 1959.

You have mentioned that in so far as your organisation was concerned, the campaign was to be of a non-violent nature? --- That is so; I said so.

Various estimates have been given of the crowd that gathered at the Sharpeville Police Station. Whatever the number was, it is quite clear on your estimate of the membership of the P.A.C., by far the greater majority of persons were not members of the P.A.C.? --- That is correct.

Did you have any knowledge at all of how the persons who were not members of the P.A.C. would or might act at a gathering of the nature which took place at the Police Station? --- Being ordinary people, not members of the P.A.C. - I have been a leader of the members of the P.A.C. To me it was just like ordinary people coming there to listen to what was going to happen or to what was going to be said. The majority of the gathering not being members of the P.A.C. that were at the Police Station, listened to what I had to say, although they were not members.

There is evidence which, if accepted, shows

that during the night of the 20th and 21st March and the early morning of the 21st March, there were people who resorted to violence and threats of violence in relation to this particular gathering. Have you any explanation of why that came about? --- I cannot explain that because I have no evidence to that effect, that there were people that resorted to violence on the night of the 20th.

Did you have any account at all during the 21st March as to whether anything in particular had happened in Seelise Street earlier that day? --- Not that I know of.

You had not received a report from any person about what had happened there? --- No.

When did you first hear of the suggestion that some official would come from Pretoria to address the gathering at 2 o'clock? --- Not having a watch, I am not sure of the time; but it was at the time that I was at the Police Station, and that was conveyed to me by Isolo.

As far as your recollection goes, was that before the aircraft operated over Sharpville, or after? --- Before.

I take it that you also understood that to be an indication from the Police that there was no objection to the crowd remaining there, at least until 2 o'clock, until this person should have addressed the meeting? --- That is so.

What was your interpretation of the fact that aeroplanes flew over during the course of the morning? --- Nothing at all; why they were there, why they were flying over there.

During the time that you were in the Police Station, the evidence shows that reinforcements arrived, sergeants arrived? --- That is true.

In your own mind, did you ask yourself how that related to the information which had been conveyed to you earlier that somebody would address you at 2 o'clock? ---No. I was surprised as to why reinforcements were there, and all that, having heard that there was going to be a gentleman to address the crowd at 2 o'clock.

You did not take up the matter with either Isolo or any of the Police who were about? ---No.

It is not yet quite clear to me, what was the answer that you personally expected might be given at 2 o'clock? ---Honestly I don't know what the answer was going to be.

What did you think it would relate to; would it relate to an improvement in your position so far as these reference books are concerned? --- Seeing that we had gone there in regard to these passes, I thought that the address which was going to be given, the answer would be in connection with that.

At that time, any time before the shooting, what did you think about the possibility that you would, or would not be arrested. Had that position been made clear to you at all? ---No-one explained that.

What is your age? --- 25.

And what are your educational qualifications?

--- J.C.

What sort of employment did you take after

~~W. MORE~~
~~By the Chairman~~
~~H.D. MURPHY~~
~~Accompanied~~

leaving school? --- A clerk at Raleigh Industries.

That is a firm manufacturing bicycles? ---

That is correct.

BAREND DANIEL MOSTERT, betdig, verklaar:

VERHOOR DEUR MNR. CLAASSEN: Mr. Mostert, u is senior inspekteur verbonde aan die Departement Nie-Blanke Sake te Sharpsville? --- Dit is reg.

Op Maandag, die 21e Maart, was u by die Administrasiekantore te Sharpsville? --- Dit is reg.

Het u by u gehad 'n tweerigting radiokar? --- Ja.

Het u mnr. Labuschagne daar gesien? --- Hy het van die lokasie af ingekom.

Het u later 'n versoek ontvang om ambulansie beskikbaar te stel? --- Dit is reg.

Vir beseerdes, verwondes en dooies? --- Dit is reg.

Wat het u toe gedoen? --- Ek het in verbinding getree met die Brandweer van Vereeniging en hulle gevra om soveel ambulansie te stuur as moontlik.

Hee lank ongeveer het u gewag? --- Ek was nog by die kantoor; ek het daar gewag.

Omtrent watter tyd het u die versoek ontvang? --- Ongeveer tien voor twee; ek kan nie sê hoe laat presies nie. Ek het onmiddellik in kontak gekom met hulle.

En was u toe nog daar toe die ambulansie gekom het? --- Ek was nog op dieselfde plek, ja.

H.E. KOSTERT
hoofgetuigenis
Mr. G. van VUREN
hoofgetuigenis

Het die ambulansse tesame gekom, of het hulle een na die ander gekom? --- Ek kan nie onthou nie. Ek het drie gesien wat onmiddellik daar gekom het, wat bynaamlik gewees het; een mag miskien 'n bietjie agter gewees het, of so, maar drie was daar gewees wat ek gesien het.

Hoe lank nadat u die oproep gemaak het, het hulle gekom? --- Seker omtrent so'n vyf minute. Ek kan nie presies sê nie.

En het u met hulle saam gegaan na Sharpeville lokasie? --- Nee.

GEEN VERDEDE VRAE NIE.

GEEN KRUISVERHOOR NIE.

DIE VOORSITTER: Weet u miskien heelant mnr. Labuschagne daar aangekom het? --- Dit was omtrent tien voor twee dat aan my opdrag gegee is, en ek het onmiddellik met hulle gepraat.

RUDOLPH PETERUS GERHARDUS VAN VUREN, beëdig,
verklaar:

VERHOOR DEUR MNR. GLAASSEN: Mnr. van Vuren, is u brandweer-hoof vir Vereeniging? --- Ja.

Het u op Maandag die 21e Maart hierdie jaar 'n oproep ontvang van die laaste getuie, mnr. Kostert? --- Ja.

Het hy u gevra om alle beskikbare ambulansse te stuur na Sharpeville-lokasie? --- Dit is reg.

Vanneer het u die oproep ontvang? --- Volgens my verklaring - ek het nie my eie besonderhede gebring nie, maar dit is in my verklaring, as dit miskien voor

die Hof is.

Het u dit vergeet? — Ja. Ek sou baie graag daarna wou kyk.

DIK VOORSITTER: Die tye wat in u verklaring verskyn, waar het u dit van geneem? — Van ons voorvalleboek.

Is julle verplig om 'n voorvalleboek te hou? — Ja.

En maak julle aantekeninge sodra julle ...? — Daar word aantekeninge gemaak onmiddellik van alle voorvalle wat daer gebeur wat betrekking het op die brandweermans. Die tyd was hier gewees, 1.49 n.m. Toe het ons daardie radio-telefoonoproep ontvang.

Was dit die eerste verscek wat julle gekry het? — In verband met die namiddag se voorval, ja. Die oggend was ons ook uit Sharpeville oor 'n geval wat ons moes gaan haal het; dit was tusslik vroeg die oggend gewees; maar in die middag was die eerste oproep om 1.49 gewees.

VERHOOR HERVAT: Het u toe dadelik werk gemaak om alle beskikbare ambulansse te stuur? — Ek het onmiddellik ons ambulansse — alle beskikbare, blanke en nie-blanke — het ek onmiddellik gevat. Ek het hulle begelei met 'n ligte brandweerwa met 'n sirene, vir speed, na Sharpeville.

Hoeveel ambulansse het u begelei? — Ek het vier begelei.

En u het gegaan tot op die tussel van die skietery? — Ja.

Hoe sou u sê, hoe laat het u entrent daar gekom? — Dit is moeilik om te sê. Ek sou sê in die omgewing

Is dit vandat u die boedskap gekry het? ---
Vandat ek die boedskap gekry het, om daar te kom.

Binne vyf of ses minute was u op die toneel?
---In daardie omgewing, ja; die presiese tyd kan ek nie
sê nie, maar dit was in daardie omgewing.

DIE VOESITTER: Hoe sou u die Polisiestasie
nader vanaf Vereeniging? --- Die direkte pad Sharpeville
in, die kortste pad het ek gevolg. Dit is vanaf
Vereeniging, Beaconsfield-laan uit, verby Sharpeville
kantors, regdeur in die hoofstraat, en bo links draai
na die Polisiestasie-toe.

Sou u langs Seciso-straat afry? ---Ja;
VERHOOR BEEVAT:
Seciso-straat is die hoofstraat.

Toe u by die toneel van die skietery aangekom
het, neem ek aan het 'n aantal beseerdes daar gesien
en 'n aantal liggene van die wat dood is? --- Dit is reg.

Wat was die Polisie besig om te doen terwyl jy
daar aangekom het?--- Ek kan dit eerlikwaar nie sê nie.
Sommige het gehelp met gewondes, om verligting te bring,
sover ek gesien het. Dit is ook al wat ek opgemerk het,
want ek was as't ware net daardie oomblik bekommerd
gewees om die gewondes weg te kry.

Kan u sê of u die eerste voertuie daar
gebring het en of daar reeds ander voertuie was wat of
van die beseerdes of van die dooies verwyder het? ---
Toe ek daar aangeland het, kan ek u nie sê of ek so iets
opgemerk het nie.

Het die ambulansse die beseerdes gevat? ---
Die ambulansse het die beseerdes onmiddellik gevat.

Die vier ambulansse wat u geseem het, was dit
genoegsaam? ---Nee; dit was nie genoegsaam op daardie
tydstip nie.

DIE VOORSITTER: Hoeveel kan u in daardie ambulansse vervoer? — Ek kan drie laat 18 - vier, met ongemak, die een of die vloer, natuurlik; en ek kan heelwat laat sit as ek die een 18plek nie gebruik vir 18plek nie.

Het u gehad wat kon sit? — Ja; daar was heelwat wat kon sit.

VERHOOR HERVAT: Is dit al ambulansse wat u vir u brandweerstasie het? — Ons het net die vier, en vandaar het ek per radio-telefoon nog ambulansse ontbied, vanaf Sharpsville.

Vanwaar? — Vanderbijlpark s'n, en ek het gevra dat ons Brandweer die Hoofkruis moet kontak, Hoedhulpige en St. John - alle beskikbare ambulansse. St. John het toe net 'n rukkie nadat ek daar aangeland het, vir my nog 'n ambulans gestuur Sharpsville-toe.

Het u op die toneel gebly totdat al die ...? — Ek het op die toneel gebly totdat almal daar verwyder was.

U het nie saam teruggegaan nie? — Ek het nie saam teruggegaan nie.

Kan u vir my sê hoeveel ambulansse u altesame gehad het vir die deel? — Ons het so vinnig gegaan; ek het my vier gehad. Dan het ek met die St. John Ambulans gekom en die Vanderbijlpark se Ambulans.

Hoe lank, na skatting, sou u sê het dit geneem totdat al die verwonders verwyder was, vandat jy daar aangekom het? — Dit is vir my 'n baie moeilike ding om te sê. Ek sou sê dit was ongeveer 'n ietse oor 'n uur, want ek ken nie almal vervoer so vinnig as wat ek graag wou nie, en daar was sommige gevalle gewees wat ons baie heel moes behandel het, eek, voordat ons hulle

ingelaai het.

En was u teenwoordig by die hantering, meer of min, van al die besesdes? ---Nee.

Is dit onder u toesig gedoen? --- Dit is nie alles direk onder my toesig gedoen nie, want dit was onmoontlik gewees. Ek het die ambulansse geles en het in die ernstige gevalle het ek die ambulansse geroep en gesê "Laai vir my hierdie geval op".

Is dit die manne wat aan die ambulansse behoort wat die besesdes gelaai het? ---Ja. Hulle het met behulp van die Polisie en bystaanders - daar was van die nie-blanke bystaanders daar rond wat ook gehelp het.

Wat sou u sê, hoe was hulle behandeling met die inlaai in die ambulansse? --- Tot die beste van ons vermoë het ons hulle die beste behandeling gegee. Soos u self kan verstaan, is ek nie teegerus gewees vir so'n groot hoeveelheid nie, en die wat ons ken behandeling gee, het ons gegee. Die ander het ons ons beste gedoen en in die gemaklike posisie in die ambulansse te sit wat ons ooit ken doen.

Terwyl u besig was met die ambulansse en die verwondes te verwyder, was van die dooies ook verwyder? --- Ja; ek het die Polisie gevra - ek weet nie wie dit was nie - daar was officiers daar - dat die dooies, ek verkies om liwers nie die dooies te neem nie, ons wil eerste die verwondes wegnesem eer ons enigszins kan dink om te help met die dooies.

Was dit 'n warm dag? --- Sover ek kan onthou, was dit 'n warm dag, ja.

Volgens wat ek nou van u verstaan, het u nie ambulansse gehê vir die verwydering van die dooies nie? --- Nee, op daardie tydstip het ek nie; ek het die Polisie

gebruik of hulle nie die dooies kan verwyder per Polisie-voertuig nie.

Ek neem aan dat sou hulle daar veel langer moet ^{indien} lê, hulle dalk kon begin ontbind? — Ja; /hulle sou nie verwyder word voor die verwondes weggevoer is nie.

U het die getalle opgegee wat die ambulansse van die verskillende genootskappe; en dit nodig is, kan ek dit later weer kry. Wat u betref, is alles gedoen wat kon gedoen word? — Alles moontlik is gedoen wat 'n mens kan doen op daardie oomblik.

Het u volgens ^{die} u/waarnemings enige onverskilligheid gesien aan die kant van enige persoon daar op die toneel in die hantering van besoredes of dooies? — Nee, dit kan ek nie sê, dat ek so-lies gesien het nie.

GEEN VERDERE VRAE NIE.

CROSS-EXAMINED BY MR. KENTRIDGE: I would just like to see the Witness' statement, please.

DIE VOORSITTER: Wanneer doen u die aantekeninge in u voervalboek; doen u dit onmiddellik nadat u die berig ontvang, of later in die dag, nadat die werk voltooi is? — Onmiddellik dat die oproep ontvang word. Dit is instruksies aan die staf, en dit onmiddellik te doen.

CROSS-EXAMINATION CONTINUED: According to the figures you have, here, 148 people approximately were taken from Vereeniging to Baragwanath Hospital? — These are the figures I obtained from the Red Cross; we have - the file gives an exact figure, but you will see we have some plus/minus figures there.

NO FURTHER QUESTIONS.

SERGEANT DANIEL PIERRE, sworn, states:

THE CHAIRMAN: I think before the witness gives evidence, in relation to the report I merely want to indicate that I have decided that I am not going to produce it or order its production, for the simple reason that I don't think it yields anything, and I say that with due regard to judicial fallibility and Council's infallibility.

I am in a position to control it, otherwise my approach might have been different; but I did not think it necessary to take all the steps to find out whether the Department claims any privilege whereas I could not see why the contents itself should not be disclosed.

MR. KENTRIDGE: Mr. Commissioner, I have no further submission to make on that.

FURTHER EXAMINED BY MR. GLASSER: Colonel, on the last occasion you gave evidence you told us that when you arrived at the Police Station the situation was very tense? --- That is so.

Q At that time, there was no stone throwing? ---
A Not yet.

Q What did you consider as a great danger at that time? --- Well, the crowd was very menacing; some were swinging sticks, they were shouting, gesticulating, showing the "Afrika!" sign and the fact that when I got to the gate they prevented me from coming in at first and struck my car.

Q That is as far as the attitude of the crowd is concerned? --- Yes.

Q Was there any indication to you that they

intended to get in, and onto the Police grounds? ---Yes; they were pressing up against the fence. The fence was leaning over about 30°.

Did you consider that as a source of danger? --- Not that only, but certainly the fact that they were so very close up against the Police. They could have pressed the fence down in no time and got amongst the Police and once they were amongst the Police, the Police would have been unable to use their arms.

What did you expect would happen if they should have succeeded in pushing the fence back? --- Then they would have burst in amongst the Police, and there would certainly have been an attack, then.

What would you have done in such a case, if you had noticed that the fence had been pushed down? What would you have done? ---If that was the case and they were surging forward, there would have been no option but to have given the order to fire.

At that stage - this was before you heard the two shots coming from the crowd and the stone throwing - I am dealing with the fence only and the humour of the crowd as such. Would you have waited to fire until the fence was completely down, or not? --- As I have said before, I did not give the order to fire. I would have waited a few seconds more for signs of a more sustained attack, a full-scale attack.

You mean even after the fence was down? ---Oh, no!

I am speaking - at this stage when you arrived and there was no stone throwing and there was no firing of firearms from the crowd, you have told us in what mood and humour the crowd was and you have told us about the

fence. I am dealing with this fence. Would you wait, if this fence was being pushed down more and more, would you have waited to fire until the fence was down completely? — That is difficult for me to say. If the fence was suddenly pushed down, I would have given the order to fire because then I would have been quite satisfied that a full-scale attack was being launched.

You have told my learned friend, Mr. Colman, that you did not want to take the lives of any of the Bantus if it was not necessary? — Quite; certainly.

On the other hand, you had ^{to consider} the protection of your men? — Very much.

And you told him that you found yourself in a very grave position. What did you consider to be your greatest concern at that moment? — We were completely surrounded and in a small space. There was a Police Station that had to be protected. There were the men. They had to be protected. They had to be brought into readiness to defend themselves.

I think you said that the rush-in at the gate you considered to be very serious? — That was a serious matter.

And I think you said you were on the point of ordering a firing at the gate? — Yes; where they were breaking through.

At that time, when this happened at the gate, where were you standing? — I was then approximately in the middle, between the North and the South gates.

Do you mean the North and the South fences? — Yes; against the Western fence — somewhere in the middle of the Western fence.

But would that be right opposite the gates?

No. That would be towards the North of the gate.

How far would you have been standing from the gate? ---I should imagine about eight to ten paces.

You were watching the gate at that time? ---
I was watching all over. My attention was - just after/time ^{the}
that Mr. Col. Spengler staggered from the gate and I saw
the break-through, my attention was diverted elsewhere.
At the same time the stone throwing was happening right
next to me.

But at that moment when there was this rush-in,
your attention was directed mostly to the gate? ---Yes.

If anything had happened/ ^{behind} either to the North
or to the South, then, that any of your men might have
considered very curious, placing their lives in danger,
would you necessarily have seen everything that they saw?
---No; I could not possibly. They could have seen much
more than I did. It was a long line - they could have
seen things that I did not see.

These men, in the Police, are they well
disciplined? ---Yes.

Do you think they would readily disobey an
order in the presence - or rather do an act of dis-
obedience in the presence of a senior officer? ---No.

Those men who fired first, you don't know
where the firing came from? ---I know that there were
two or three shots which came from my left, that is
towards the South.

That would be the ...? --- Towards the South
of the gate; practically opposite the gate.

And would you be in the position to say that
you saw the same danger that the men there might have

seen? ---No; I could not see from the side that they were, where the shots came from.

THE CHAIRMAN: Where was the left flank at that time - was it behind your back, or was it to your right? In other words, when you heard those first shots from the left flank, how were you facing? --- I was facing the mob, that is facing West.

And you judged that to come from the left flank? ---Yes.

Can you be certain on that? --- Yes; I feel quite certain on that.

You feel quite certain that it came from the left flank? ---Yes.

In your immediate vicinity, that is immediately to your left, or did it sound as if it came from fairly far down the line? ---No; it sounded from fairly far down the line.

EXAMINATION CONTINUED: I want to very shortly deal with the alternative measure that it was suggested to you might have been used to disperse the crowd. One of them was tear gas. I think you told my learned friend Mr. Colman that you had heard from Maj. van Eyl that tear gas had been tried at the Police Station? --- Yes. I cannot be quite certain.

But we have had evidence from Maj. van Eyl that tear gas was used, but not at the Police Station? Might there have been a misunderstanding between the two of you? --- That is possible. I took it that he meant it at the Police Station.

If you had known, if you had understood him correctly and he had said it had not been used at the

G.D. FINNAR
RECALLS

Police Station but in the location against the crowd that morning in Seaside Street, would that have made any difference to you? ---If I understood that tear gas had not been used at the station?

No. The position is that he had given evidence here that tear gas had been used in Seaside Street, not at the Police Station. He had used tear gas earlier? ---Yes?

I think you must have misunderstood him.

THE CHAIRMAN: What is your own recollection today of what Maj. van Lyl had told you about the use of tear gas? --- That he had made an attempt that morning to use tear gas but it was useless; it blew back onto the Police.

Have you any recollection of him saying where he had used it, specifically? Did you perhaps draw an inference as to where it was used? Have you any recollection? ---I took it that he meant at the Police Station.

Can you recall today whether he specifically mentioned the Police Station? ---No; I cannot.

If you threw back your memory, when you arrived at the Police Station, what was your belief; that tear gas had been used at the Police Station or not - if you can recall? ---I can't say whether I had that in mind or not.

You can't remember? ---No.

MR. KENTWIDGE: I think a reference to the record will show that it was as your Lordship has put it.

THE CHAIRMAN: Yes; at page 1443, was it? At page 1442, under cross-examination by Mr. Colman.

G.D. PIENNAAR
Escalier

It was put to you that you believed that "serious attempts had been made to disperse that crowd with batons and with tear gas". Your reply was, "I was told so". Then I intervened with the question: "The crowd then at the Police Station?" There was apparently no answer to that. Counsel continued cross-examination: "Well, at the Police Station serious attempts had been made to disperse the crowd with batons and tear gas" and your reply as recorded was, "I was told so". In other words, that not only the tear gas had been used, but that it had been used at the Police Station. The next question was, "These had for some reason failed? ---Yes". Then the cross-examination goes on.

MR. KENTPIDGE: I think, Mr. Commissioner, if you go on a page or two you will see that cross-examining counsel reverts to the question after Col. Pienaar had dealt with the question of the riot squad and how it had worked. At the end of that part of the cross-examination it comes again, rather more specifically.

EXAMINATION CONTINUED: Col. Pienaar, in any case the position is this, that you were told, asserting to your evidence, by Maj. van Zyl that tear gas as well as a baton charge had been tried? ---Yes.

But had both failed? They were not able to disperse the crowd, either by tear gas or by a baton charge? --- Quite.

That is what Maj. van Zyl told you? ---Yes.

So had you known that it had been tried at a place farther away from the Police Station, would you have resorted to these methods again? --- When I arrived

there, I found I was satisfied that an attack on the Police was imminent, and it was then my duty to see that the men were brought in readiness for such possible attack. There were many things that I could have done if I had time; - I brought the men into position to face this mob, and if an attack was made, that they would be ready. I hoped that this would sober up the mob and give me an opportunity to devise ways and means of dispersing the crowd. I had not got to that stage, yet. I never had any opportunity, and things happened before I got to that stage. The Police were attacked. It was a matter, then, of defending the station and the men.

Well, now, let us go on to some measure suggested to you for dispersing the crowd, that is a baton charge. Was the occasion such that a baton charge would have been successful? ---No; certainly I would not have attempted a baton charge there. The least that I could have done there, would have been a bayonet charge.

When a baton charge is carried out, I take it that the Policemen rush the crowd with batons, and if they start running away straightaway and they keep on running, then I take it it would be a success? ---Yes; quite.

And if they fight back? --- That is a different matter.

Is there a possibility, then, that they might get mixed up in the same crowd, the Police and the Bantus? --- That who would get mixed up?

Assuming the Bantus were to fight back, and the Police - would they have to get in amongst the Bantus, with this fight? --- Certainly.

Would that be dangerous? --- That would; that is why I say, at that stage I don't think I would have attempted

anything less than a bayonet charge, so that the men could be able to ward off any attack at the same time.

Another method is speaking to the leaders. Did you see any leaders there? ---Not that I could make out as such.

Did you see some men on the inside of the fence, on the Police side of the fence, that appeared to you to be leaders? ---No.

Could you recognise amongst the crowd on the other side of the fence any leaders at all? --- Well, there were many shouting at each other there, and as I say - I won't say that I could recognise any one of them as a leader, in that short time.

THE CHAIRMAN: Were you aware of any of these people inside the fence, that is inside the Police premises itself? --- At the time that I was there, there were none inside the fence.

You did not see anybody inside the gate? --- It was the first time that I saw Col. Spengler and Sergt. Muller, they did break through the gate for a little distance but they were pushed back.

I am not referring to that. I am asking whether you at any time saw anybody inside the Police premises? --- No.

You don't recall having seen anybody who moved about inside the Police premises and who might possibly have been a leader? ---No; I did not.

EXAMINATION CONTINUED: We have had evidence here that a loudspeaker was in fact used to address the crowd, whether that be accepted or not. Did you have any such evidence - did you have any such report at the

time you arrived there? ---No.

Now we come to the other measure suggested to you - warning shots. I take it a warning shot can be fired either overhead, or into the ground right in front of the person - the crowd? --- Yes.

Is there a standing order in regard to firing over the heads of the crowd? --- Yes. Standing orders forbid firing over the heads of the crowd because of the danger of hitting some people at the back.

And what do you think of the other method, of firing into the ground in front of the crowd?

THE CHAIRMAN: Do you mean generally speaking, or in the circumstances which prevailed at Sharpsville?

EXAMINATION CONTINUED: Well, at Sharpsville, in the position you found yourself in? ---I would not consider that advisable. That is once again - our danger was being so close to them.

What is meant by a warning shot; does it mean that you still give a warning that you will fire within a certain time, and that you then give a warning shot, or do you just fire? --- That would be done after the preliminaries have been gone through, you have spoken to the crowd, you have done everything possible by warning them to disperse. You may fire a few shots at their feet to convince them that you will use firearms.

You see, what I was thinking of is, supposing you fired these few warning shots into the ground and they did not disperse, would that have to be followed up by firing at them? --- There again, it is difficult. It is not the way we go about things. What I would have done there if I had had the opportunity and the time to do it, the crowd would have been warned, I might have spoken to them, done everything possible, got to

then
their leaders, tried to get them to disperse/and then
do so myself - warn them; and at the same time I would
have halready decided what I am going to do if the
warning is not heeded. I had the choice of gas, a baton
attack and a bayonet charge. It would not be possible
- it is only after those things have not succeeded and
you are about to fire, that you will first fire a few
warning shots into the ground.

But then, what is the next thing after that?
---If that does not succeed, well, then you must fire
into the mob.

THE CHAIRMAN: That, of course, I take it
assumed that the potential attack remains static? ---
It is again a question of what the occasion demands.
There, as I say, firing at their feet is when they are
rushing you from a distance - not in that situation.
Our situation - our duty there was still to get that
crowd dispersed. It had to be done by baton, as I have
said, or bayonet charge, or whatever the choice was,
the circumstances demanded; and firearms would then
have been used if an attack was made on the Police.

EXAMINATION CONTINUED: Do I understand you
to say you did not have the time to consider the other
possibilities? ---No; I was on the defensive and I was
lining up the men, hoping that the crowd would calm down
and give me an opportunity to leave the men and investigate
what means was at my disposal.

I understood the criticism to be levelled at you
by my learned friend that you left three sides of the
Police fence undefended and that you deployed your men
along the Western fence only? ---No; the two flanks
were defended. One man was sufficient to defend the

flanks.

Did you have men along the Northern fence? ---

No. The line might have made a bit of a bend, that some of them on the flank may have faced the North and the South fence; but they were ready to turn towards that fence if it came from that side; but the danger was definitely from the front.

Stones came from the Western side only? ---
Only that I could see.

And the shots that were fired? --- That also came from the West.

Did anything like that come from the South?

MR. KENTRIDGE: I don't think there has been evidence, with respect, that the shots came at all - the shots were heard from a certain direction but I don't anyone ...

THE CHAIRMAN: That is what he really means, Mr. Kentridge. You did not say bullets came; you heard shots? --- I heard shots from the Western side.

The shots were discharged from a position on the Western side? --- That is correct.

EXAMINATION CONTINUED: And you say nothing like that happened on the Northern side or on the Southern side? --- Not that I could hear, or see.

Did you consider the greatest danger from the Western side? --- Certainly.

Is that the reason why you deployed your men along that fence? --- Yes.

THE CHAIRMAN: Col. Piemar, I wanted to ask you something - I am not sure whether you referred to it

in your evidence up to now, but I note from the statement which you prepared shortly after this event, there is some reference to the fact that Brig. Els was expected to arrive from Pretoria? ---Yes; that I don't deny. That I learnt when I arrived at the gate to the township.

Did you get any indication as to when Brig. Els was expected? ---No. I did not even know that he was on his way. I only heard that he was coming.

From whom did you get that information? ---It was either from Col. Holmes or Maj. van Kyl.

Did you hear at all when they got that information? ---No. I did not follow it up.

You did not follow it up, at what time that day they had heard learnt that Brig. Els would come to Sharpeville? ---No.

When did he actually arrive at Sharpeville; you were still there? ---Oh, yes.

Do you know when he arrived on the scene, how shortly after the shooting? ---I cannot be certain. I would say within half-an-hour.

I don't - I am not concerned with a matter of minutes? ---I would say about half-an-hour after the shooting.

We have had quite a lot of evidence from people in the crowd who say that they had been told by Tsele that they could expect to be addressed by some higher official at 2 o'clock. I take it you have also heard that evidence to that effect has been given? Have you heard it? ---Yes; I have heard it all over the country.

You have heard that? --- The same story has been told in Cape Town, all over.

I am at the moment not concerned with what has been told in Cape Town - but at Sharpeville; that in so far as the evidence goes, now, the information was apparently conveyed by Tsolo to the people at the Police Station, and he claims to have heard it from a member of the Police Force. Now, what I want to know from you is, do you know anything about how a rumour of that nature, if it was a rumour, was started? ---I know nothing about that. I only heard about that some day or two afterwards.

Is it possible that it could have been employed as a means of keeping the people at bay until reinforcements had arrived? ---No; I could not say. As I say, I never heard anything of that sort until probably two days afterwards the news people asked me. That was the first time I heard about it.

You never heard any discussion in your circle that it was possible that during the earlier part of the morning a Police officer may have used that as a means of keeping the crowd quiet until such time as reinforcements could be mustered? ---I can quite truthfully say that the first time I heard that, was when SAPA, I think, told me; it was in the evening, probably the first or second evening after that - they 'phoned me and asked me about it. That is the first time I heard it, or heard any suggestion of it.

If it was made very shortly after the incident ...? ---I would say two days after.

Then it was raised with you? ---Yes.

Two days afterwards? ---Yes.

You are not able to enlighten me at all as to whether from the Police side that may perhaps have been used as a means - as a delaying action ...? ---It must have come to my notice if there was any talk of that.

From whom did you get this information? ---
It was not from a particular paper; SAFA ...

You say when you got to the gate, you got the information that Brig. Els would be coming over. I just wanted you to tell me again who the two people were that you might have heard it from? --- That Brig. Els was coming?

Yes? --- That would be Col. Helmer or Maj. van Zyl.

There is something else I wanted to ask you about, and that is, in so far as you now know, when did the Police know that these gatherings would be taking place on the 21st - not that such a campaign would be undertaken, but that such a campaign would be launched on the 21st? --- As I say, we knew that the campaign was about to be launched, but the first time it came to our notice was on Friday, the 18th.

It was published not only in circulars that day, but apparently also in the Press. As far as you know, did you have any advance information in the sense that persons might have, from the Special Branch, tipped you off; have you any information on that - I don't want you to guess? --- About the date that it was going to come off?

Yes? ---No. I personally learnt it, I think it came from headquarters on the 18th.

What I want to know, if you could tell me this: The information which you obtained then, was there anything to suggest that it would be localised? ---No; on the contrary. It was claimed that it would be virtually throughout the country.

I know; you have told me that before. What I want to know, on reconsideration is that correct; in so far as your information went prior to the 21st, did you have any information which suggested that the campaign would be confined to certain areas only? ---No.

I know it will be based on what you heard or read or saw in reports, but do you know at how many places in the Union there were, in fact, campaigns of a similar nature on the 21st? ---On the Witwatersrand, here, there were a small number that came to Newlands, Moreba and Orlando.

To the Police Stations? ---Yes.

That surrendered themselves for arrest? --- Yes.

When you mention "small number", what do you mean by that? ---In one place it was 44; in the other, 76; in the other, 12.

We are leaving out the position at Kvaatsen, Sharpeville and Vanderbijlpark. Are those the only other places in your area where there was a campaign? --- Yes, on the 21st.

Yes, I am not concerned with events subsequent to the 21st? --- Then there was some trouble in Pretoria, and there was some trouble in Cape Town.

Anywhere else, that you know of? In Pretoria, was it on a minor scale? ---Yes; it was on a minor scale.

G. D. PINNAR

In Cape Town, we know what the position there was, approximately; were there any other places that you know of?

- ADJOURNED: 11.5 a.m. -

- RESUMED: 11.30 a.m. -

GIDEON DANIEL PINNAR, still under oath

THE CHAIRMAN: Yes, Mr. Pinnar? — Your Worship, I have a few notes here on information that I gleaned from headquarters. May I refresh my memory on it, then I may be able to answer your last question?

Yes? — At Durban, thirteen Bantu men presented themselves for arrest under the Pass Laws. All thirteen were charged and convicted in the Native Commissioner's Court. At Pretoria five Bantu men presented themselves at Hercules Police Station for not carrying reference books. In Cape Town, hundreds of Bantus at different Police Stations presented themselves. During the day, the position became more and more dangerous ...

Are you referring, now, to Sharpeville only, when you now say the position became dangerous? — That is at Cape Town.

I am not concerned with what happened eventually at Cape Town? — That is all.

On the information which you were able to obtain, these were the places at which there were gatherings similar to the one at Sharpeville? — Yes; including what I have said about South-Western Native areas, Johannesburg.

In retrospect, Cal. Pinnar, do you think that the position at Sharpeville could have been controlled if more Policemen had been available earlier during the day?

---Yes; it should have been controlled.

Do you know why Police in greater numbers were not available at Sharpeville earlier in the course of the morning? --- They had to be drafted from all over, from Johannesburg, all over the Rand.

Have you any information as to when Police in numbers were first detailed to go to Sharpeville? That is now Sharpeville, as distinct from any other other place? --- From 7 o'clock that morning, I knew that the Deputy Commissioner was busy, as things were growing worse, drafting more and more men. They could not be taken from one station alone. They had to be drafted from all over because we never knew what was going to happen on the Rand, too. We could not deplete all the forces there.

I wanted to ask you this about the position at Sharpeville itself: When you deployed your men, in so far as the evidence goes it appears that the men fell into line - that is not only your constables but also those of the rank of sergeant; they all fell into line? ---Yes.

And they fell into line, regardless of whether they were armed with revolvers and .30's or with sten guns? ---Yes.

I wanted to ask you particularly in regard to sten guns. Is there any practice whereby the persons on the sten guns are kept together so as to be able to use them in case of emergency only? ---No.

There is no practice whereby your sten gunners are kept as a sort of reserve? ---In certain circumstances, yes. Not really in a case like that.

G. D. FINEGAR
HONORARY

About the sarcophagi: I have had some evidence here from people who were wounded, and they possibly mistakenly, are very firmly of the impression that the bullets which struck them came from the sarcophagi and they referred to sparks of light coming from a position somewhere over the front of the midguard, mounted over the front wheel. Can you throw any light on that? — Shots coming from the locality of the front wheel? —

Yes? — That definitely cannot happen.

No, apparently that is accepted. I wanted to know what is mounted on the sarcophagi there that could have led to the belief that bullets were being fired from there? — There is only the machine gun in the gun turret and then a row of firing holes on the side of it.

Perhaps if you could just look at the photograph. Looking at it as a layman, it might appear to be some form of armament — if you would just look at Exh. "O" (handed to witness)? — Yes; I believe these are smoke — pipes ejecting smoke. But they are not in use, here. That is used to throw a smoke screen.

There has been some reference in the evidence to the effect that that device was operating, at least on one sarcophagi? — No; that could not be. They are only mounted for throwing a smoke screen, and it is impossible to fire through them.

I take it that device could not be usefully applied in the circumstances which prevailed at Sharpville? — No. It is not equipped — it is only equipped for throwing a smoke screen. It has, I believe, a little device at the bottom, too, for throwing gas. That is

also not in use.

MR. KENTRIDGE (THROUGH THE CHAIRMAN): I had an opportunity of looking at the record during the adjournment and I think if one consults page 1388 of the record, it will appear quite clearly that when you went to the Police Station the impression you had was that the tear gas had been used at the Police Station and that the baton charge had taken place at the Police Station? ---Yes.

It appears from other passages of the record that that was part of the information which you had in your mind when you went to the Police Station? ---Yes.

And it was part of the data on which you made your various decisions - one of the things which you had in mind when deciding what you could, and could not do? --- That may be so.

Incidentally, with regard to that, you had the information from Maj. van Syl - let's get this clear - that the baton charge had been unsuccessful? --- Quite.

But as I understood it, it was in the sense that the crowd, although it was dispersed, later reassembled? --- That is how I understood it.

Because Maj. van Syl did not suggest that the various baton charges had met with much active resistance. If they were unsuccessful, it was not in the sense that the crowd had fought back, but having run away, they returned shortly afterwards; is that how you understood it as well? --- Yes; they dispersed for the moment and then they came back. He told me that shots were fired at the Police.

But he did not suggest that the baton charges had been unsuccessful in that the crowd had resisted? ---
No.

You have indicated that you were trying to observe the whole of the fence. I take it, though, that there were officers available under you who you could have placed on the Northern flank and on the Southern flank respectively? ---Yes; the officers were dispersed amongst the ...

There were officers of experience available who you could have placed in subordinate command at either the Northern or the Southern fence, or both? --- One I knew - Luit. Freemantle was on the right flank.

Did you place him there? ---No; I saw that he was there; I was satisfied that he was there.

So, of course, if any order had been necessary, at that particular locality, Luit. Freemantle would have been in a position to have given it? ---He would, yes.

And was there anyone on the Southern flank - any officer? ---I am not sure but I believe that Capt. Classen was there.

Luit. Classen? ---Yes.

And the same applies to him? ---Yes.

You know that neither of these officers gave any order? ---Nothing came to my knowledge about that.

And in fact, Mr. Classen, according to his evidence, did his best to stop the shooting, far from giving an order? ---Yes.

You have said to the learned Commissioner

that had there been more Policemen available earlier, the situation could perhaps have been controlled? ---Yes; what I mean is that an attempt could have been made to disperse them.

Do you mean from the Police Station? ---Yes.

Earlier in the morning? ---Yes.

If how many Police had been available, for instance? --- That I cannot say; it depends on the crowd.

Do you know how many Police were available during the morning? ---No; I could not say for certain.

In fact, if I am correct, my recollection is that for whatever reason - we need not go into that again - you did not even know how many men you had at the Sharpeville Police Station when you arrived? --- Yes; I was told - I cannot recollect, now, but I brought 25 European and Non-European, and I calculated that I would then have had 120.

On what basis? ---On what I was told what was at the Police Station.

Who told you? --- That was Maj. van Kyl.

It might surprise you to hear that in fact you had over 200 men at the Police Station? ---Yes; I did not expect to find that number.

THE CHAIRMAN: When you say 120, would that be both the Europeans and Bantu? --- And Bantu.

The total force, in other words? ---Yes.

CROSS-EXAMINATION CONTINUED: In fact, Capt. v.d. Bergh has collated the figures and he has found that in your perimeter you had 130 white men and

77 Non-Europeans, and in addition there was a force of between 50 and 60, I think it is, white and non-white, under Capt. Coetsee at the South-Eastern corner. But you did not know those figures? ---No.

You indicated last time that you thought there were about fifty or sixty men in your line? ---Yes.

In fact, you had, apparently, far more than that number available - perhaps three to four times that number? ---No; that could not be.

Well, Capt. v.d. Bergh has his figures. You have indicated that if an attack had come from the South or the North perhaps some of your men on the flanks would have turned to meet it? ---Yes.

But it is quite obvious, of course, from Capt. v.d. Bergh's figures, that you had ample men to deploy on the South and the North and even the East, if you had wanted to do so.

THE CHAIRMAN: Mr. Kentridge, in the figures that you are putting to this Witness, are you including, also, the members of the saracens?

MR. KENTRIDGE: Yes, I am. The figures I have given you include the crews of the saracens and for that matter members of the Criminal Investigation Department, of whom there were a few. But of course, as you know, the fixed contingent of the saracens are the driver and the machine gunner? ---No; there are men detailed to the saracens, too.

They are not fixed; they can be used in a line or anywhere you want to assemble them? ---No; under no circumstances. They have to remain in the saracens.

G.D. FLEMING
Memorandum

Do you know whether they did, or not? --- They might have been on top of it.

Some might have been ...? --- They should have been with the sergeant in case the thing had to move straightaway.

At any rate, we could sum it up this way, that if you had wanted to defend the Police Station, there were ample men available on the South, the North and the East? --- I had no more men in that sector than I used.

The point I am making is this: You did not have 200 men in line on the West? --- No. There were not 200 available to place there.

You place it at 50 to 60? --- Yes.

There might have been 70. The evidence is that there were 207 men in that perimeter. You could easily have placed, if you were anxious to defend the Police Station, apart from your 70 on the West, thirty or forty on the North and thirty or forty on the South and thirty or forty on the East? --- No; I don't see where they could have come from.

Do you disagree with Capt. v.d. Bergh's investigations? --- I can only speak from the number of men that I found there.

At any rate, you envisage the men on the flanks possibly turning round to meet an attack from another quarter? --- Yes; they could have done so.

Although they were facing West? --- Well, if they could turn.

If they knew what was coming? --- Yes.

And is that all you have to say on this aspect? That is the only explanation you can give of why men were not on the South and the North? --- No; those on the flanks were quite capable of meeting ...

That is all you have to say; that those on the flanks of your line were capable of meeting an attack from other quarters? --- Yes; there were the saracens, too.

Capt. v.d. Burch has given us the armament of the various members of the Force; he indicates that people were armed with sten guns, rifles, revolvers; the C.I.D. were armed with automatic pistols; the Non-European constables had assegai's and batons. I take it that the white Police also carried batons? --- Yes.

And incidentally, is it common or usual practice for members of the Police to carry sjambeks or whips? --- Not at all.

Is it permitted? --- Forbidden - sjambeks are forbidden.

And whips? --- Whips, too.

Did you not see any there at the time? --- No.

What would be the object of a Policeman carrying a sjambek or a whip? --- That I could not say. I can only say what he can do with it - use it. It is certainly not allowed.

On Exh. "E", do you see the Policeman at the gate, on the left? He seems to be carrying a leather or hide whip, does he not? I am asking you because it might throw some light on the attitude of the Police to the African crowd? --- No, I cannot really say what this is.

Well, can I put it this way? --- It may be even something in the meshing of the wire; I see it goes directly along with the meshing.

Oh, really, Col. Pienaar, you don't mean that, do you? Let me show you Exh. "L" which shows the same man in a different position? --- This is what appears to be a sjambok.

It is certainly not a conventional article issued to the Police? ---No.

Why do you think that Policeman carried it? Within the sight of his officers and non-commissioned officers?--- That I could not say. He may have taken it from one of the Natives. I could not say why he was carrying the sjambok.

Why should he have taken it from one of the Natives? ---He would have, if he had found it on him.

Why? --- To disarm him.

Disarm him? ---Yes.

Well, no-one has given any evidence to that effect. We have had a strange collection of weapons produced to the Court, from umbrellas to a bicycle pump, but no-one has suggested that a sjambok was taken from a member of the crowd? --- Well, I can't say why he was carrying it.

If he disarmed a member of the crowd and took a sjambok from him what would he do with it? --- Hand it in at the first opportunity.

THE CHAIRMAN: I don't know that we are not wasting time in this manner. The person who is standing there, I don't think there would be much difficulty in identifying him and if it is a matter you want pursued,

I'll call him as a witness.

MR. KENTRIDGE: Well, I could just ask the Colonel this: If that man was carrying a sjambok in the course of his duties, you would accept that it is an irregularity? ---Yes.

And it is most improper for a Policeman to use such a thing? ---Yes.

The learned Commissioner asked you what you knew about the question of whether the crowd had been told that an official or officer would come to make a statement, and he asked you whether it was not possible that it had come from some Police officer, or Policeman. You said that if it had, it must have come to your notice? ---No; what I meant, if there was any talk at all of such a story, then it would have come to my notice. I must have heard it.

You mean if there was talk about it? ---Yes.

You are not saying that it could not have happened? ---It is impossible for me to say if another officer had or had not mentioned it.

If in fact an officer had mentioned it, he might have wanted to conceal it - he might now want to conceal it? ---Possibly; I cannot say.

Very well. With regard to the Policeman who fired the first shot, have you still not found out who it was? ---No.

Capt. v.d. Berg, who has been conducting very extensive and thorough investigations, also informs us that he has not found any of the Policemen who fired who would admit to being the first one who fired. Have you also not been able to find out? ---No.

G.D. PIENAAR
Recalled.
SIDWELL KASA
~~EVIDENCE-IN-CHIEF~~

It would appear, then, that whoever fired first is not anxious to come forward and say so? --- That may be. It may be, also, that the member himself does not realize it.

That is also a possibility. That might apply to whoever fired the first two or three shots? ---Yes.

According to Capt. v.d. Bergh's records, there were a number of head constables and sergeants who were there at Sharpeville in your perimeter who carried out - I take it that the head constables and the sergeants would be the more experienced members of the Force? One would expect them to be steadier, perhaps, than the ordinary members? ---Yes.

According to Capt. v.d. Bergh's records, comparatively speaking very few sergeants and even fewer head constables fired. Did you know that? --- No.

Does it suggest anything to you? ---If I had been ^{not} armed, I would have/when fired myself, and I think I can explain why. As I have said, I would have waited for a more wholesale attack.

THE CHAIRMAN: As far as the head constables are concerned, would they have been standing in line as well? --- They would have.

They would also have been in the line, with the same view as the ordinary constable? ---Yes.

SIDWELL KASA, sworn, states (through Interpreter):
(Indemnity explained).

EXAMINED BY MR. CLAASSEN: Where do you live?
--- Bophelong. That is the location at Vanderbijlpark.

How long have you been living in that location?

--- The first time I got a house there, was in 1955.

And have you been living there ever since? ---

Yes.

Where do you work? --- Driving dry cleaners.

Is that in Vanderbijlpark? --- Yes.

Did you take part in the assembly which gathered around the Police Station at Vanderbijlpark on the 21st March? --- Yes. I did.

How did you get there - on your own, or did you go there with the crowd from Dophaleng location? --- I went there with a crowd.

What time that morning did you join this crowd? --- Half-past-three in the morning - 3.30 a.m.

How did you come to know that there was to be a gathering at Vanderbijlpark on that day? --- Knew. I got to know about the circulars that were issued by the Pan-Africanists.

Did you have anything to do with the distribution of these circulars? --- No.

Did these circulars tell you at what time you were to come together at the Police Station? --- No; only that it was said that at 8 o'clock we must be on our way to the Police Station.

By whom was that said? --- That is what was being said by the people, the crowd - a whole lot of people.

When was that said? --- The morning of the 21st.

Could you tell the Commissioner, why did you get up so early that morning? --- The first thing is, I heard a noise. I got up and I appeared. I saw

people passing. I went back into the house. I got dressed. I followed them.

Did you at that time appreciate why these people were up and about so early? --- I knew that on that day we had to go to the Police Station there to surrender ourselves, or to submit.

And was everybody to go there on his own, or were you to meet at another place before going onto the Police Station? --- It could have happened that if single persons wished to go there alone, they could have done so - I mean, one.

From what you heard, what had been said, what was the general intention of the people; that they should gather some place and then walk as a crowd to the Police Station? --- We left as a crowd, from inside the location.

Did you gather inside the location? --- I would say so, because as we were going along singly, people would join us and go along with us.

And did you see any Police in the location before you left the location? --- Yes; the Police did come.

What did the Police do? --- The leader of the Police came and got in amongst the crowd. The leader of the Police, with some other members of the Police, met with me.

Where was that? --- That was in the street, as we were walking along.

THE CHAIRMAN: Which street would this be - whereabouts? --- It is Bokwe Street.

Still in the township? --- In the township.

EXAMINATION CONTINUED: Did they speak to you?

---Yes, they did.

Well, tell us about this conversation? ---

The leader of the Police had asked me what this gathering was for. I said that the people had gathered here in the morning to go to the Police Station to surrender themselves. I was then asked whether the people weren't waking up the people on the sides; I said no. I said "If you should see anyone going about waking up people, go there and I will assist you to catch him or to arrest him". He went in amongst the crowd. He saw nothing in regard to people knocking at the doors or waking people. He then told me that he did not see anything. He came back. That was the last we had spoken to one another about it.

Why did the Police speak to you? ---I will say that they knew that ^{I was} one of the members of the P.A.C.

THE CHAIRMAN: How did they know that? --- That I cannot say, as to how they knew that.

Did you carry a badge? --- There is no such badge.

EXAMINATION CONTINUED: Have you got a branch of the P.A.C. at Bophelong location? ---Yes.

Are you a member of the Executive there? --- Yes, I am.

What position? --- Leader of the Executive Committee.

Are you the chairman? --- Vice-chairman.

The chairman, was he present with the crowd that day? ---He came afterwards, when we were already marching along.

Did you regard yourself as the leader that day, until you reached the Police Station? --- Quite.

Did people recognize you as the leader of the crowd? --- Yes, because I was the one best known.

At the Police Station, when you were there, did you still act as leader? --- At the time when we got to the Police Station, I was not asked by anyone as to whether I was the leader.

I want to know whether in fact you were acting as the leader? --- That is correct.

You told us that the Police spoke to you in the location. From what the Police said to you, did you gather that they were satisfied with your going to the Police Station in Vanderbijlpark? --- I was satisfied that the Police were satisfied, because there was nothing out of the way said by him to me or nothing to indicate that we were prevented to go there, or stopped from going there.

You had to cross the Golden Highway? --- That is true.

Up to that time, were you asked by the Police not to go to the Police Station? --- The only thing that was said, when we were crossing the Golden Highway, that we had to cross in groups but we must look out for the cars, vehicles passing.

Up to that stage, was anything done to disperse the crowd at all? --- No.

Was nothing done by the Police or said by the Police? Either to stop you or to disperse you on your way to the Police Station? --- No.

So, now, when you get to the Police Station,

what did the crowd do? --- When we got to the Police Station, the Station Commander came out. When he came out, I spoke to him.

Do you know who he was? ---I do not know the gentleman's name but it is a man I know well by just seeing him - by sight.

Do you know Capt. Cawood? ---I do.

Was Capt. Cawood there? ---No; Capt. Cawood came afterwards.

Tell us what the crowd did there when they went into the Police Station? --- After I had finished speaking to the Station Commander, I was told that we had to move over onto the Northern side of the Police Station, there where we would not be able to cause the traffic any trouble passing. After I had conveyed that to the crowd, they wasted no time and they went there immediately thereafter. He also said those who wished to sit down, may do so. Some of them sat down and some of them remained standing on their feet. He said to me he would be coming shortly, he was still going to phone up to Vereeniging. When he came back, he said that he could not contact the big man at Vereeniging but we must watch out for him for about fifteen minutes or so. He left. I think five minutes later, then Capt. Cawood came. He asked amongst the Police as to who the leader of this crowd was. Because I was in front, I heard a voice from the back, "That is him, there!" There was nothing further said to me. He caught me by the shoulder, pulled me along and said, "Sluit hem toe!"

Did Capt. Cawood speak to you at all? --- Not at the time when he arrived.

Before you were locked up, did he speak to you?
---He. I was first afterwards fetched, and then he spoke to me.

He gave evidence here, and he said that you told him that you could no longer control the people?
--- When Capt. Caswood came there, he asked who the leader was. A voice said "That's him there!" He then caught hold of me, pulled me along and said "Shuit how too!" After that, I was called. It is then that I was being asked by him to tell the crowd that they had to disperse. Just before he had spoken to me, when he said that I had to be fetched from the Police Station, the manager of the Vanderbijlpark matters called me when I came out of the Police Station. He said I must stand on a chair and I must act for him as an interpreter.

Would that be Mr. Knoetze? --- That is him, yes. He asked me to tell the people to go back to their homes, that no law was promulgated at the Police Station. He said that they will get the reply within a couple of days or so. I did so. After I had finished conveying that, I got off the chair. It is then that I was called by Capt. Caswood. He then told me to tell the crowd that they had to disperse within five minutes. I said to him "A big crowd like this, to disperse within five minutes? Give us a bit longer time than that!" He said "How many people are here?" I then asked him to ask Mr. Knoetze that. He said the workers at Bophlatseng were the amount of 9,000 but he also said that he thought on that day there were more than the figure mentioned. Capt. Caswood then said to me he doesn't care, they must leave. When I spoke to the crowd to go back, I felt being blinded by tear gas. When I looked, a second one passed me and fell near me, here.

Then some shouting started over there, "Fire! Fire!"
It came from the side of the Police.

Did you think the Police were shouting that? ---
I believe so, because at that stage there was no
ordinary individual in the Police yard except Policemen.

Did you go to civilians standing near the
Police Station? --- Let me say in short that in the
morning when we came there, there were Non-European
prisoners and they were then locked up.

You did not see European civilians armed with
rifles in the Police yard? --- I did not see them.

Then, when you heard this shouting, "Fire!",
did they fire? --- No. There was no firing at the time
but there was a baton charge. When the crowd dis-
persed, then the shooting started.

Before we got there; Capt. Cawood told the
Commissioner that the crowd was asking for your release?
--- That I cannot say; I was not present, because at
that time I was locked up.

Let me tell you what he told the Commissioner.
He said that the crowd told him they would go away if
you were released. You could not hear that, because you
were then locked up? --- Yes.

And he said it was on that condition that he
did release you. He said after you were released, they
refused to go away. Now, if that happened, at that
stage you might have heard about it? --- That people
could not have dispersed in the time given, because
I have said before people were still coming from behind
and the crowd was increasing.

What I want to know, is this: After you were

released, did you hear anything to the effect said by Capt. Cawood, "Now I have released your leader; will you now go?" or something like that? — He never spoke to the crowd himself.

Did you come to hear at all, even afterwards, from the people, that you had been released on condition that the people would go away? — No; I did not hear that.

Did you see Capt. Cawood address the crowd, asking them to go away? — At the time when I was still outside, he had not spoken to the crowd at all. He spoke to me.

Did you either notice yourself or did you hear from members of the crowd that he had gone to a window on the second or third floor and addressed them from there, asking them to go away? — I have not heard such a thing. I did not hear it at all.

You did not hear it, even from members of the crowd? — No.

You see, he told us that that happened but I am not sure whether you might not have been looked up at that time.

THE CHAIRMAN: Just let me get the sequence clear. When Capt. Cawood came there, the first thing he did was to get hold of you; did he take you in himself? — He ordered the Police to lock me up.

Up to that time, had you acted for Mr. Knoetze as interpreter yet? — No; I had not yet acted as an interpreter.

After some time, you were brought back? — That is correct.

Was it then that you acted as interpreter for

Mr. Kneetse? --- That is so.

Is it then that through Mr. Kneetse, you told the people to go home? --- That is correct.

Did you yourself also add your advice and say "Mr. Kneetse says you must go home, and I say so too", or did you not say anything like that? --- In the morning I said to the crowd, going there, "If we are told to go back, we must be satisfied and we must go back and wait for the day the man would come and speak to us".

As far as you could see, how did the crowd react to this that you told them? Did they start going home, or did they stay? --- I saw in the midst of the crowd that they were moving about, trying to go back.

When you interpreted for Mr. Kneetse, did you intend the people to understand that you, Sidwall, agreed with it? --- I added some few words to that myself, saying "Let us go back and after we have gone to the location we can speak about it again".

And then you got off the chair? --- I did.

What happened after that? --- After I had got off the chair, it is at that stage that Capt. Cawood spoke to me.

And said you now had five minutes to disperse? --- That is correct.

- ADJOURNED: 12.45 p.m. -

- RESUMED: 2.25 p.m. -

SIDWELL KASA, still under oath:

EXAMINATION BY MR. CLAASSEN CONTINUED:

You told us that you interpreted for Mr. Knoetze? ---
That is so.

You added something yourself? --- That is
correct.

And were they willing to move away from the
Police Station? --- They were.

Did they say so, or ...? --- I saw personally
when they moved about and went back a bit.

Would you say the tear gas was used immediately
after your speech? --- That is correct.

While you were still on the chair? --- It was
after I had spoken; after I had spoken to Mr. Cawood.

Were you off the chair already? --- I was off
the chair already, yes.

Did you see Mr. Knoetze there before the
arrival of Capt. Cawood? --- I saw Mr. Knoetze when we
were at the Golden Highway.

And when did he arrive at the Police Station?
--- They were on the lead; they were in front of us.
We were following them. I cannot say what time they
got there.

What I want to know is, did you see him on
the Police premises before the arrival of Capt. Cawood?
--- Yes; he was there before Capt. Cawood came there.

And before Capt. Cawood came, was there any
attempt made to get the people to go away? --- There
was this said, that we had to wait.

Did Mr. Knoetze not address the crowd before

Up to the time that Capt. Cawood came, was Mr. Kneetse just standing about doing nothing? --- That is correct.

When Capt. Cawood came, were the people away from the fence or were they then against the fence again? --- The people were not leaning against the fence. I made it my business to see that they do not lean up against the fence.

Can you indicate to us how far they were away from the fence? --- As far from where I am standing here, to this side of the table where Mr. Classen is standing (3 to 4 yards). Approximately four yards.

At the time when they at your request went out to the other side, where they sat down, how far were they then from the fence? --- About the same distance - from the small gate they were away from the fence as indicated.

Where they moved to after you asked them to get out of the street, did they stay there and they were still there when Capt. Cawood came? --- That is correct.

Capt. Cawood ordered a baton charge, too? --- I was already at that stage blinded by the tear gas. I will not say that Capt. Cawood said that there had to be a baton charge. I did not hear him say so, nor did I see him when he said that.

But did you see a baton charge being carried out? --- That I saw.

How long was that after you had been blinded by the gas? --- About three minutes later.

When did the people start moving away from the Police Station - Before the gas, during the gas, after the gas? --- As I have said before, the people

right behind were moving away. Those ahead could not do so too fast, because then they would get on top of the others, those behind. They had to wait until these moved off.

and do you say that happened before the gas was thrown? --- That is before that.

Then, what happened thereafter? --- Then this voice came, "Fire!" After the word "Fire!" was issued, they started hitting the people and as the people were dispersing, running away, they fired.

Did they fire from the Police premises or were they outside the Police premises? --- On the other side of the Police Station.

About how far from the Police fence? --- I am unable to say, because at that stage I was also running away.

Were you at the tail end of the people running away, or were you in the middle, or? --- I was right at the back, right behind.

So you saw what was happening at the time of this baton charge? --- Oh, yes; that I saw clearly enough.

Could you describe this baton charge to his Lordship? --- When this voice came, the voice that said "Fire!", the people started dispersing. Then the Police started hitting the people and then fired at them thereafter. I had run for a little distance and I stopped. I looked back and I saw some people were lying down on the ground. Some the Police picked up and took them back. We were pursued in that manner until we were in the big street, until we got out on the other side of the

SIDWELL FARRA
Evidence-in-Chief.

It was just the speed we had to run. We were not given any time to stop until we got to where we had to go.

We have had evidence, here, that Capt. Cawood shot a man. Did you see that? --- That I do not know. At the place where the Police were, there were many of them standing there.

Now, we have also had evidence about cars that were attacked on the Highway, the Golden Highway? --- Personally, I did not see it but I have heard of one vehicle that had been attacked.

I want to bring you back to the time that the baton charge started. You say soon after the baton charge you heard shots being fired? --- That is correct.

Do you know why the Police fired? --- I am still asking myself the same question to this day.

Were the people then all running away? --- They were all running, yes.

Did you hear many shots, or just one or two? --- Many shots.

How many people would you say fired there? --- I would say more than thirty.

All at the same time? --- Yes.

Were the people that were running away close to the Police? --- They were a little distance away from the Police Station at that time, but not too far.

Were they then spread out, or were they running down the street together? --- Yes; they spread and they ran in all directions.

Did you hear whether anybody was killed? ---

I heard towards towards the evening that there were three people who had been shot.

Killed? --- One died at that time, and the other two, I believe, died in hospital.

From what you heard, there were four people killed after this assembly? --- When I first heard about it, it was about three, not four.

Can you tell me how many members you have at Bophelong belonging to the F.A.C.? --- More than forty.

More than fifty? --- No. Less.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. LONE: Before you went to the police station, while you were still in the location, who is the man who told the people not to take sticks and knives and weapons? --- I told them.

Did you also, or did you not tell them that you were not going to fight? --- I told them they were not going there to fight.

Was your home later on visited by Police when you were not present? --- Yes, they did and they searched my house in my absence.

What did they take away? --- They found six pamphlets and they took forty sheets on which is written "Let's Forget" - "Lest we Forget". They took two books, "Cry the Beloved Country", "Up From Slavery", and some of my private things which I had in my house.

What happened to your reference book? --- That was also found amongst some books, and that was taken as well.

THE CHAIRMAN: Is that the Union reference book?

---Yes.

Do you belong to the Union, or do you belong to Basutoland? ---I am born in the Union.

CROSS-EXAMINATION CONTINUED: Where do you pay your taxes? ---I pay my taxes in Klerksdorp.

Where is your family? --- They are at Vanderbijlpark.

Do you regard yourself as a subject of Her Majesty's Government in Basutoland, or not? ---I cannot explain that. I have been born at Klerksdorp and I have paid my taxes at Klerksdorp.

THE CHAIRMAN: Have you ever been to Basutoland? --- I was actually born in Aliwal North, Cape Province.

Have you ever been to Basutoland? ---I have.

Have you got relatives there? ---Yes; there are relatives.

CROSS-EXAMINED BY MR. KENYON: I would just like to ask you about the two books which the Police took from your room. I just want to identify that. One, you say, was called "Ory, the Beloved Country"? --- That is correct.

That is a novel by Alan Paton? --- That's right.

If it is not out of print, it is obtainable in any bookshop? ---Yes.

The other one is "Up from Slavery". That is by Booker Taliaferro Washington, the American Negro? --- That is correct.

It was written at least eighty years ago, I think - about 1880? --- Yes.

Or 1890, perhaps? --- 1881.

That is a famous book? --- It was one of the set-

SIDWELL KASA
CROSS-EXAMINATION
BY THE CHAIRMAN.

books of Wilberforce Training Institute last year.

Have you had those books back from the Police?

---Not as yet.

NO FURTHER QUESTIONS.

BY THE CHAIRMAN: Do you know anything about the township of Soi Phatong? --- In regard to what?

Do you know anything about the P.A.S. activities in that township? ---I do.

I take it they have a branch there as well? --- That is correct.

The evidence before me so far has shown that on the 21st March there was a column consisting of men only who ^{is} marched from Soi Phatong to Verdening Police Station. I think the evidence also indicates that they were all unarmed? --- That is correct.

And that they walked in an orderly procession to the Police Station? --- That is according to what I heard. At that stage, I was not in the lead at all.

I know you were not. They got to the Police Station; they were told to disperse and go back; they were asked whether they had any leaders and they apparently indicated that there were no leaders in their column and after having been asked to turn back, they turned back and returned in an orderly manner to the township. Did you hear all that? ---I did.

I don't know whether you can tell me, but how did it come about that in the case of this group it consisted only of men, whereas as far as I know, your group consisted of men and women? ---It is correct. In our group there were men and women.

As far as you know, is there any particular

reason why in the case of Boi Phatong there were only men in the gathering? --- I cannot explain that, because that morning I did not go to Boi Phatong. I cannot say why there were men only.

Boi Phatong is a township for families; it is not for males only? --- That is true.

You don't know of the reason; was it not originally intended that only men should go and that in your case things went wrong and women joined up as well? --- That was the understanding, that men only would go.

And then the women just joined in out of curiosity? --- The women joined the crowd for the reason that they wanted to know what was going to happen to the complaint which their husbands had.

Do you know who the leader of the Boi Phatong crowd was? --- I am not prepared to answer that.

I don't think that can lead you into any trouble? --- My reason for not being prepared to answer the question by your Lordship, is this: I am questioned about the branch where I am and this question put to me relates to another branch at Boi Phatong, which is not one of my branches.

Yes, well, I am not concerned with that at the moment. I am merely asking whether you know who the leader was? --- May I ask your Lordship; does your Lordship want me to disclose this leader's name or do you want to know whether there is a leader, without disclosing the name?

First of all, as far as you know, is there a leader? --- There is one, yes.

Who is that? I don't want to know whether he

Is the Chairman of the Branch or the Secretary; who was the person in charge of that gathering that day; that is what I want to know? --- There I think the branch would know who the leader was on that day.

Could you give me the name of one member, so that I can enquire? --- I am not prepared to.

Well, then I will not pursue that matter. As you were being driven back from the Police Station at Vanderbijlpark, did the crowd or a section of the crowd, as far as you could see, at any stage turn back in order to resist being driven on? --- Not a single one, except myself. I occasionally stopped and looked back to see what was happening there but not a single one turned back after they had been chased away.

That is as far as you could see? --- That is so.

You mentioned that where the road to Bophelong crosses over the Golden Highway, the crowd was standing? --- No. The road which we talk about, called Golden Highway, is the one that passes near Bophelong.

Where that road from Vanderbijlpark crosses the Golden Highway, at the entrance to Bophelong, is that where you said a crowd of people had collected and there, on your information, someone was shot by Capt. Lawood? --- There were two in a private car. I would not be sure which one had fired the shot.

Where "a" Bantu was shot. You say here a crowd had collected? --- At that stage, when it was fired, there were some of the people on the one side of the road and the other on the other side, and the road in between.

I surely ask you because I want, if possible
Were you in the vicinity at that time?

Were you in the vicinity at the time? ---
That is correct.

Did you see the actual shooting? --- There
were two shots fired.

Did you see the person who was shot? The
only reason why I am asking this is to find out whether
you can perhaps give me some evidence as to how he was
shot, as seen by you? --- This vehicle came and when
it got amongst the crowd, turned facing North.

Perhaps you can just help me; did this
motor vehicle come along the road that leads from
Vandertijlpark to Bophelong? --- Yes.

It did not travel along the Golden Highway?
--- It is still the road leading to Bophelong.

Tell me what happened? --- They took out the
gun. I only saw the point of the gun out of the
window of the car. At the same time, I heard fire.
So he ran off from that vehicle.

How many cars did you see there at the time?
--- One car only.

Did you see anybody fall after the shots had
been fired? --- Unfortunately not.

Did you subsequently hear who the person is
who had been shot? --- Yes. I heard.

Do you know the name of anybody who was
present there who might have seen the shooting? ---
Some of my members.

Would you give me their names? --- Is it
necessary to give you the names?

I merely ask you because I want, if possible

THE CHAIRMAN.

to call somebody from the side of the crowd who saw what happened there? --- Well, I know one.

It need not be an A.H.C. - any I.A.C. member, if you think that will be dangerous; if you know of any other person who was there? --- You see, the trouble is, we are afraid we might incriminate our people by telling the name.

At any rate, you feel that you don't want to do that? --- No.

MR. CLAASSEN (THROUGH THE CHAIRMAN): Did you have an understanding with the people from Bophelong to meet them at the Police Station at Vanderbijlpark? That the two crowds from Boi Phatong and Bophelong were to meet at the Police Station? --- We knew that; we knew what time we were going to get to the Police Station and the same applies to the people of Boi Phatong.

THE CHAIRMAN: Did they have the same instructions? --- No; they were going to go their own time which they had decided on to go. They were not told that they had to go at a definite time.

JAKOBUS CHRISTIAN VISSER, bevestig:

VERHOOR DEUR MNR. CLAASSEN: Luitenant,
u onthou toe ek u laat inroep het in die Hof? ---Ja.

En dat u toe uitgeken is deur 'n getuie wat
toe hier in die getuiebank was? ---Ja.

Het jy die getuie herken? ---Ja.

As? --- Tsole.

Tsole het getuig dat daardie more hy met
jou gepraat het in die Felisiegroede? --- Dit is reg.

En hy het verder getuig dat onder andere jy
vir hom gesê het dat hulle moet wag tot 2-uur, wanneer
'n hoër offisier sou kom en hulle toesprek? --- Dit is
'n leuen.

Is die hele ding 'n leuen, of is net gedeelte
'n leuen? Het jy miskien vir hom gesê om te wag? ---
Ek het nie; wat u nou gesê het, is 'n leuen - die hele
storie wat hy daar gesê het.

Het u ook nie vir hom gesê om te wag nie? ---
Nee. Ek was nie bewas van enigiemand hoër wat sou
kom, daardie tyd nie.

Het jy gesien enige tyd of hoofkonstabel Heyl
met hom gepraat het? --- As ek reg onthou, was hoof-
konstabel Heyl by my gewees die tyd toe ek met hom
gepraat het.

Jy het na Heyl daar gekom? ---Ja.

Maar jy het oorgeneem van Heyl, is dit nie? ---
Oms kan dit so meen, ja.

Ek meen, hy was die seniorman daar totdat jy
aangekom het? --- Dit is reg.

J.C. VISSER
Witness
Cross-Examination

En toe jy daar aangekom het, het jy hom gevra of hy met van die leiers wat daar op die terrein rond was, gepraat het? ---Nee.

GREEN VERDEEN VRAE HIE.

CROSS-EXAMINED BY MR. KENTRIDGE: Mr. Visser, where did you speak to Tselo? --- At the front entrance of the Police Station.

For about how long? ---Perhaps a minute or two, three; it is difficult to say.

THE CHAIRMAN: On one occasion only that morning, or on more than one occasion? --- I spoke to him on the first occasion at the steps, that is when we conversed, when he had the interview with me. Later on I did tell him on one occasion that he must tell his men to get back from the wire, from the fence, because they were leaning against the fence at that time.

Were those the only two occasions, as far as you remember? --- As far as I can remember, yes.

CROSS-EXAMINATION CONTINUED: I think you told this Commission on the last occasion when you gave evidence that you did not tell the crowd to go away for various reasons which you gave?---Yes.

You had your general conversation with Tselo. He told you that everyone wanted to be locked up and you said you had no room. Correct? --- That is correct.

You made it clear you could do nothing for him. Is that right? You made it clear that you could not lock him and his people up? --- That is correct.

You also told us that you could not send them away? --- That I could not send them away?

Yes; you told us you felt either you had no

power or no reason to lock these people up, to order the crowd to disperse? --- That is correct.

Are you suggesting that you just meant the conversation lapsed in that position? --- Yes; that is what happened.

You were the senior officer there, at that time? --- That is correct.

I take it this was not simply a social conversation you were having. You were trying to deal with the situation? --- Well, I was not trying to deal with the situation at that time. I came there, I saw the situation as it was and I was anxious to know what it was all about and that was actually the main purpose why I had an interview with him. If I may put it this way, G.I.D. officers are usually not employed to deal with situations like that. If any action is to be taken or instructions to be given for certain actions to be taken, it is usually done by uniformed officers.

I am not trying to create discrepancies between your evidence today and your evidence on the last occasion. I had better remind you of your evidence on the last occasion. Your evidence was that you had told Capt. Coetzee that you were worried about the situation at the Police station; that he did not react at that stage and that you, with a couple of other detectives, went along to the Police Station because you were worried about the situation; and you also pointed out that for some time you were the senior officer at the Police Station? --- That is correct. At that time, that is the time when I was worried about the situation, I did not know what was going on at the Police Station because I was a few hundred yards away

from the Police Station at that time. That was at the stage when I noticed that the crowd was actually going away from the Police towards the Police Station.

In that case I will give you an opportunity to alter what you said last time. When you arrived at the Police Station, did you then not find a situation which caused you any sort of worry? --- It is not necessary for me to alter my opinion or evidence. I think it is quite clear what I meant, and what I said.

Well, I am asking you; did you find a situation there which worried you at all? --- I found the situation tense.

Did you have any worry about people coming over the fence or coming into the station? --- I feared that the worst could happen if they did come through.

Were you happy about that crowd being there at the Police Station? --- No; I was not happy.

Would you have preferred them to go, or were you content to have them stay? --- Well, it is a difficult question to answer.

Of course it is; it was intended to be a difficult question. It is a rather difficult question for you to answer, is it not? However, take your time and answer it; but think carefully before you answer it? --- I found the situation, as I described earlier, and it is difficult to say at this stage whether I wanted them to go home or whether I wanted them to stay. That perhaps never entered my mind.

You see, Mr. Visser, let's summarize the evidence as far as it concerns you. You say you went to the police station; you found a certain situation there.

Q. You admit yourself that you did not tell the crowd to go away and Teole for his part said that you told them to wait until a "high officer" came. Now, if you did not tell them to go away, is it not likely that you had something else to say? ---I had nothing else to say.

Q. You were content to leave the situation as you saw it? ---Yes - well, not; because later on I sent a message to Capt. Coetzee, and other men came up.

Q. They did not order the people to disperse either, did they?--- They did not come to the Police Station.

Q. They did not even come to the Police Station.

THE CHAIRMAN: What was the purpose of your going to the Sharpeville Police Station? ---I passed the Police Station round about 10 o'clock; that is when we came from Vanderbijlpark. I noticed that there were small bundles of about 10, 20 to 30 in the vicinity. After we had passed the Police Station, we saw this whole congregation in the main street. Then, when we had come round and came to the Police, there, we noticed that this crowd was moving back, that is towards the Police Station and I realized that if that crowd was to come to the Police Station, the men at the Police Station would not be able to stand up to any action, if there was any action. I just felt that the Police at the Police Station were not sufficient in number to cope with that situation. I did not go there, perhaps to take command. That was not my intention at all; I went there to see what the situation was.

CROSS-EXAMINATION CONTINUED: You happened to be the senior officer there, and you were in command simply as an interim, temporary measure? --- Yes. I mean, in ...

Q. You did not expect to have to stay in command? ---

Q. In rank I was in command, but actually I would not call it that I was in command.

Q. But you had to take the main responsibility for the time being, as the senior officer? --- I was prepared to take the responsibility, yes.

Q. But you felt that at some stage you would be relieved by some senior, uniformed officer? You did not expect to be left there to cope with it by yourself? ---

Q. I knew that there were two senior uniformed officers at Sharpeville at the time - that was Capt. Coetzee and the District Commandant, Maj. van Zyl. They were the only two Police Officers that I knew of at the time.

Q. And the position is that you felt that reinforcements ought to be sent to the Police? --- Correct.

Q. And really all you were interested in doing was keeping the crowd quiet until reinforcements came? --- No; it is not a question of keeping ...

Q. Well, you were interested in keeping the crowd calm, that is to say, ensuring that nothing happened before reinforcements came? --- Well, I had no contact with the crowd. The only person I had contact with was Iselo, when I spoke to him.

Q. I am not asking you about Iselo. I am asking you about your own state of mind. You told us you found the situation a little worrying; you felt that reinforcements ought to be sent to the Police Station. You expected that a uniformed officer would take over from you. You told us that you were not really - you did not really think it was your function to deal with the situation, to handle it; that not correct? --- That is correct, yes.

Q. In other words, what I am putting to you, is this, I moved between the crowd and the Police Station.

that all you felt you had to do, all you felt that you were called upon to do, was simply to do your best to see that nothing critical happened before the reinforcements arrived; it was your only duty? --- Well, I was prepared to take the responsibility for anything that might happen until the time that anybody else comes there.

But you would have preferred nothing to happen, obviously. You would have preferred it if the crowd had remained quiet? --- Ja; I think that would have been the path of least resistance, if you may call it that.

Well, it was surely a sensible thing to do, whatever your view of the crowd, before reinforcements came - surely until reinforcements came it was the only thing you could do? --- Yes; to wait.

Did you think that the crowd was at all excitable? --- The crowd was, yes.

And consequently, if you had any duty, it was to do whatever you could to see that the excitement did not erupt into anything? --- Well, I did my share to prevent an eruption.

And, of course, there are various ways in which you could keep the crowd quiet until reinforcements or the senior officer arrived? --- I suppose so.

One of these ways was to talk to the leader? --- When I spoke to the leader, it was not with the object of keeping the crowd calm. As I said earlier, I was anxious to know what was behind it, what the object was.

What other way did you have of keeping the crowd calm? --- As I said earlier in my evidence, I moved between the crowd and the Police inside.

Why? --- To prevent that any irresponsible action from anybody might perhaps erupt the crowd.

Weren't you afraid that the crowd might get a little impatient? --- Surely they showed patience by being there from that morning and I was not afraid that they would get impatient.

You said you think they were a little excitable; you had been worried about the situation. Were you not afraid that they might become impatient and do something rash, or was it not that sort of crowd. Was it a very calm crowd? --- I was not afraid of that, because if it had to happen, it had to happen. There was nothing I could do about it.

But was it something that you thought of as an unpleasant possibility, that they might lose patience? --- No. I can't agree with that.

You see, again I would remind you of what you said last time, but you can amend it if you wish. You said last time that the impression that you had about the crowd was that it was being worked up. You may be wrong, of course, but you said that was the impression you had, that the crowd was being worked up. Was that, or was that not your impression? --- That was my impression, but I was there for quite a while, and I don't know what part of my evidence that is; but I should think that later on perhaps I could have had that impression, at a later stage, perhaps.

Well, you see, in your evidence you gave that at the stage, what you saw when you arrived and when you first spoke to Isale. You may have been wrong about that, then? Perhaps the crowd was not being worked up? --- Well, if you take the attitude of the leader, Isale, at

the time, that is after I spoke to him, it was clear, that by just lifting up his hands there was a tremendous roar from the crowd, and for a leader to be able to get that response from a crowd, I think that he is definitely, or was in a position to work them up.

And also in a position to keep them calm? ---

Yes. authority to deal with the situation, wouldn't he?

And you obviously wanted him to keep the crowd calm rather than excited? ---Perhaps. I don't know. It is very difficult to say.

I don't know why that is difficult to say. Would you have been happier if the crowd had become more excited, or less excited? --- Well, it is difficult for me now to recall the exact of mind at that particular time.

You see, Mr. Visser, let's not beat about the bush. Is it not clear that if your position was the position of one holding an interim command, rather anxiously waiting for reinforcements, having a leader of the crowd there to speak to, the obvious thing to say to him would be "It's no use talking to me about being arrested; there is a more senior man coming; you had better wait until he comes"? --- Well, I would say yes to that question if I knew that a senior man was coming there.

Well, you have told us that you did not expect to be left in command yourself? ---Exactly; but at that stage when I spoke to Isale, that was just shortly after I arrived there. At that time I knew that Capt. Coetzee was further down in the street, and that is the only one, with the exception of the District Commandant, who was in he left before
Sharpeville at that time, because I left before I went to

the Police Station.

You have told us you did not expect to be left in command there. You expected reinforcements and a uniformed officer? --- Quite so. A uniformed officer may then be one of my same rank.

Maybe. The point is, he would have had more authority to deal with the situation, wouldn't he? --- He would not have more authority to deal with it. The only difference would be the uniform.

He would have had more actual authority to deal with it; more power to deal with the situation? --- Not more power. The only difference would be the uniform, nothing else.

Not the fact that he would have reinforcements with him? --- Perhaps if you take it that way.

THE CHAIRMAN:
/ It would be something which would fall more particularly within his province of work? --- That would be so.

CROSS-EXAMINATION CONTINUED: You see, I suggest that the obvious and natural thing for you to have done when Teale came to you and said that the crowd wanted to be arrested, was to say to him that you could not do anything about it, but that later on a uniformed officer, or a senior officer or another officer would be coming along and he should discuss it with him? --- Well, whether that would be the natural thing to do or not, I would not be able to say. The fact remains that I did not say anything of that sort to Teale.

You know, there is a great deal of evidence, apart from Teale's own evidence, that after he had spoken to you he went to this crowd at the fence and he said that they must wait because a more senior officer

is coming. Did you not hear that? ---No; I did not.

Well, you you heard him speak; you mean you don't understand what he said. After you left - after he left you, you heard him speak to the crowd. You have told us that? ---Ja. He was in direct contact with the crowd.

You had a lot of African Policemen with you? --- That is correct.

They must have heard what he said? ---It is quite possible.

They probably heard you speaking to Tsolo, also? --- Some of them did hear.

THE CHAIRMAN: Who were those? ---It is very difficult to say. I knew that Mr. Hoyl was in the vicinity. There were a number of African Policemen in the vicinity, at the entrance. I know of one man, Det. Genst. Pieterse, who was there. He was standing next to me when I spoke to Tsolo. But there were quite a number of them.

I am more concerned with anybody who would have heard your conversation with Tsolo and who would then have been able to understand what Tsolo said to the crowd immediately after you had spoken to him? --- I am sure that somebody - I know of one Native detective that was there; that was Edwin, but now whether he was at my side or within hearing distance at that particular time, I would not know. I suppose he would be able to say.

CROSS-EXAMINATION CONTINUED: There were probably also uniformed Africans? --- There were uniformed ...

And if you had said one thing to Tsolo and he

J.C. VISSER
Cross-examination
Re-examination

had said another thing to the crowd, surely one would have expected some of the African Policemen at least to react to that? --- Well, I would have expected; but no report of that nature whatsoever was conveyed to me.

However, then, we can simply sum it up by saying that you found the crowd a little excited; you found a leader who you thought capable of working them up. You thought there were insufficient Police at the Police Station. You were expecting reinforcements; you were expecting a uniformed officer to take over, and you did not take any steps to disperse the crowd, either directly or through the leader. That we can sum up as your evidence? ---Yes.

And it is on that basis that the Commissioner will have to decide whether your version is more probable, or the version of Tsolo is more probable. Have you nothing to add to your evidence? ---Nothing to add.

NO FURTHER QUESTIONS.

RE-EXAMINED BY MR. CLAASSEN: Mr. Visser, supposing that you had in mind keeping the crowd there until reinforcements arrived, did you have any reason for suggesting 2 o'clock as the time when they would arrive? ---No reason whatsoever, because I certainly did not - 2 o'clock never came into the picture, never came to my mind. It is a fabrication altogether, as far as I am concerned.

How far were these other officers that you could have had in mind, might come to the Police Station; how far were they away from you at that time? --- I did not know where the District Commandant was, because he left Sharpeville, that is at the point where Capt. Coetzee

J.G. VISSER
Re-examination
J.G. VISSER
getuigenis

was - he left Capt. Coetzee before I left Capt. Coetzee to go to the Police Station and he said he was going to the office. The only other officer I knew of at that time, was Capt. Coetzee.

Where did the District Commandant go to? --- To town, because at that same time, just prior to that, a report was received by the district Commandant that things were not going smoothly in Evaton and it was as a result of that, that he left by car. I think he said he was going to the office to 'phone up and see what was going on.

Did you expect him to stay away long, or did you expect him to return? --- Well, I did not know what was going on at Evaton, so I cannot answer that question.

JOHANNES GERHARDUS HEYL, beëdig, verklaar:

VERHOOR DEUR MNR. CLAASSEN: Ek het u ingeroep terwyl hier 'n getuie in die getuiebank was vannêre. U het die getuie gesien? --- Ek was nie hier vanoggend nie.

Gistermiddag? --- Gistermiddag.

Het u hom gesien? ---Ja.

Het u hom herken? --- Ek het hom herken, deeglik herken.

Wie was hy? ---Hy was Michael Nyankane Tsalo.

Is dit die man wat u van gepraat het in u getuigenis vroeër? ---Ja.

Wat u op die Polisieterrein gesien het? --- Binne-in die Polisieterrein, aan die Suidekant, by die trappies.

U het ons gesê van die gesprek wat u met hom gehad het? ---Ja.

Daardie tyd, was u alleen met hom? --- Ek het eers toe ek met hom begin praat het, alleen gewees, en net nadat ek met hom begin praat het, onthou ek het konst. Beyl van Sharpeville Polisieostasie, Hantoesersant Francis Mkwana en Hantoeckenstabel Hamilton Mpye ook by my gestaan, toe ek met hom gepraat het.

Het u ooit vir hom iets gesê omtrent 'n persoon wat later sou kom en die skare toesprek? --- Glad-en-geheel nie.

Was u teenwoordig gewees toe luit. Visser met hom gepraat het? --- Aan die begin. Luit. Visser het by my gekom waar ek in gesprek met Tsolo was, en hy het vir my gevra wie is die persoon, en wat soek hy. Toe het ek vir hom gesê dit is die sekretaris van die F.A.S. soos hy homself aan my bekendgestel het, en ek het sy naam genoem, Michael Nyakane Tsolo.

Was u teenwoordig tydens die hele gesprek wat hy gehad het met Tsolo? --- Die luitenant het 'n rukkie met Tsolo gepraat, en toe het hy en Tsolo na die draad-toe gelyp. Wat hulle toe gesels het, het ek nie gehoor nie.

Het u tydens die gesprek wat u aangehoor het, so-lies gehoor dat hy vir Tsolo sou gesê het dat iemand later sou kom en die skare toe te spreek? ---Nie in my teenwoordigheid nie.

DIE VOORSITTER: Het u te enige tyd daardie dag nêring gehoor van so'n meentlikheid, of dat so-lies aan iemand gesê is, vir enige rede hoegenaamd? --- Glad-en-geheel nie.

Wanneer het u vir die eerste keer gehoor dat

J.G. HEYL
Hoofgetuigenis
CROSS-EXAMINATION

dit beweer word dat so-iets plangevind het? --- Dit is die eerste maal dat ek van so'n aangeleentheid gehoor het toe ek dit in die koerant geles het as gevolg van die getuigenis wat by die Kommissie afgelê is.

MR. CLAASSEN: GEEN VERDERE VRAE NIE.

CROSS-EXAMINED BY MR. KENTRIDGE: Mr. Heyl, I recall your evidence which you gave last time - I have a note of it here; you did make it clear there, also that Luit. Visser was in conversation with Teolo for some little while and that you did not hear all of it? ---Dit is so.

I take it that while you were there at the Police Station together with Luit. Visser, you must have had some general talk about the situation? --- Dit is so.

I am not asking you to remember the details at the moment but I take it you must, as the two senior men there, have discussed the situation? --- Dit is so. Dit het ek ook in my hoofgetuigenis voorheen afgelê.

You may also recall that you told us last time that it was you who Maj. van Zyl sent to get in touch with Col. Pienaar? --- Dit is so.

And although you did not speak to Col. Pienaar, you spoke to Col. Lemmer? --- Dit is so.

And you knew that reinforcements were coming from Johannesburg? --- So het kol. Lemmer my gesê, ja.

the course of
And I take it that in your general talk with Mr. Visser, you would very probably have told him that you had been in touch with Col. Pienaar or Col. Lemmer, and that reinforcements were on their way? --- Ek kan nie onthou dat ek daardie spesifieke posisie aan luit.

Visser megedeel het nie.

I am not asking you to recall that sort of detail, but it is very probable that you would have? --- Ek glo nie ek het dit met die luitenant bespreek nie. Nie dat daar vanaf Johannesburg versterkings sal kom nie.

I am sorrys that reinforcements would come from somewhere? --- Ek het gladnie die kwessie van versterkings met die luitenant bespreek nie.

What were you discussing with him? --- Ek het eers met Tsolo gepraat en 'n rukkie later het luit. Visser by my gekom waar ek in gesprek met Tsolo was. Nadat hy 'n kort woordewisseling met Tsolo gehad het, het hulle na die draad-toe gelyop, op en af teen die draad gelyop en die skare het toe 'n bietjie bedaar en party van hulle het selfs gaan sit op die grond. Toe het ek in die kantore ingegaan.

In other words, it seemed that as a result of Mr. Visser's conversation with Tsolo, the crowd calmed down and some of them in fact sat down? --- Dit is presies so.

As though they had a long wait in front of them? --- Dit sal ek nie sê nie.

I didn't think you would? --- Ek sal sê die skare het nie vir lang - ek het dit in my hoofgetuie ook gesê, dat sover ek kan onthou het die skare van die draad af weggegaan ongeveer 'n veert of 15 daer, maar nie vir lank nie, ongeveer 15 minute, en toe het hulle weer teen die draad aangedrom.

But the point that you make is that the crowd seemed to get calmer and some of them sat down? --- Dit is heel waar.

What I am suggesting is that it is very likely that in the course of your general talk with Mr. Visser, you probably said something to indicate to him that you had been in contact with Col. Lemmer? ---Nee. Dit beslis nie.

But you were discussing the general situation with him? ---Nee, ook nie. Kyk, nadat luit. Visser en Teolo van die draad af teruggekeer het, terwyl hulle daar is, het ek ingegaan en ek het weer uitgekóm uit die kantoor uit. Toe het luit. Visser by my gekom nadat hy met Teolo gepraat het, en toe het hy vir my gevra wat ek gedoen het en ek het vir hom gesê ek het 'n boodskap reeds uitgestuur. Dit is toe op daardie boodskap, en hy vir my, dat hy na die stasie gekom het. Toe het hy vir my gesê - toe vra hy vir my of die skare baie groter is as toe ek die boodskap gestuur het. Toe sê ek ja, beslis, baie groter. Toe sê hy vir my daarop hy dink hy sal moet 'n boodskap uitstuur na Maj. van Syl-toe en vir hom die posisie te verduidelik. Wat hy in die briefie geskryf het vir die boodskapper, het ek nie gelees nie. Ek weet nie wat daarin gestaan het nie.

Did Mr. Visser not indicate to you that he was a little worried about the situation? ---Hy het vir my gesê dit lyk vir hom dinge lyk nie goed hier nie.

And you required reinforcements? --- Ek kan my nie in herinnering roep dat hy ...

DIE VOORSITTER: Waarin ek meer belangstel, is dit: Jy het vir my gesê luit. Visser het gekom na waar jy met Teolo gepraat het? ---In die begin, ja.

Was dit die hele eerste ontmoeting? --- Dit was aan die begin, waar ek die luitenant vir die eerste maal ontmoet het.

Waar jy besig was om met Tsolo te gesels? ---

Ja.

Toe hy daar by jou aansluit, het julle toe 'n algemene bespreking gehad oor die posisie? --- Hoe; gladnie.

Hierdie bespreking, wanneer het dit plaasgevind? --- Dit was nadat luit. Visser en Tsolo - van buite af het luit. Visser toe ook ingekom.

Het jy enige herinnering wat julle bespreek het? Toe jy daar by Tsolo was en luit. Visser daar opgedaag het? --- Soos ek sê, terwyl ek met Tsolo gepraat het, het luit. Visser op die voorsteopie uitgekou en ek het hom toe gewaar en ek het toe met hom gepraat, en hy het vir my gevra wie die man is en toe het ek vir hom gesê wie dit is; en ek het vir hom gesê wat sy status ook is, wat hy vir my gesê het. Toe het die skare baie teen die draad aan geleun en luit. Visser het vir Tsolo gesê, in Engels, "If these people keep on pressing against the fence, that fence is liable to break at any moment and then there is certainly going to be a lot of trouble. You must try and calm these people down, get them to stand away from the fence". Dit het hulle toe gedoen.

Dit was blykbaar in 'n teenwoordigheid gesê?

--- Dit is in my teenwoordigheid vir Tsolo gesê.

Wat is daarna gesê? --- Toe het die luitenant en Visser na die skare geloop, teen die draad op. Ek het ook saam geloop en toe ek sien die skare beweeg terug van die draad af, het ek omgedraai.

CROSS-EXAMINATION CONTINUED: At any rate, Mr. Heyl, if we can get the situation clear: You had been the person entrusted by Maj. van Iyl with

a message to Col. Pienaar. You had telephoned and in fact spoken to Col. Lemmer? — Dit is so.

He had reassured you; he had indicated that reinforcements were on their way? — Dit is so.

So you, at any rate, knew that reinforcements were on their way? — Dit is so.

To be sent by Col. Lemmer? — Dit is so.

I suppose you assumed that those reinforcements would be in charge of an officer? — Dit sou ek aangeneem het, ja.

Probably quite a senior officer? — Dit is ook moontlik. Die kolonel het natuurlik nie vir my gesê wat hy sou stuur nie, of hoeveel hy sou stuur nie.

All I am saying to you is that it is not impossible that in the course of your general talk at the Police Station you may well have mentioned this? — Nee. Ek staan daareop, ek het nie vir luit. Visser ...

No, I am not saying luit. Visser. You would possibly have mentioned it to someone at the station? — Ek kan nie onthou dat ek die feit dat versterkings vanaf Johannesburg gestuur sou word, met enige persoon bespreek het of gemeld het, behalwe aan maj. van Sijl nie.

DIE VOORSITTER: Is dit nie moontlik of waarskynlik dat jy vir iemand sou gesê het, "Eyk, ons posisie is gereed; daar kom versterkings" nie? — Nee. Ek kan dit nie in my geheue roep dat ek dit aan iemand gesê het, behalwe vir die majoor, toe ek die boodskap aan hom gelewer het nie.

CROSS-EXAMINATION CONTINUED: At that time you were a handful of Policemen at the Police Station? — Dit is waar.

There was what you regarded as a big crowd around the Police Station? --- Dit is ook so.

You were a little apprehensive about their mood? --- Dit is so.

What would have interested you Policemen more than the question of reinforcements? --- Dit is heeltemal waar, maar ek het dit nie met iemand bespreek nie.

After all, you were the senior uniformed man there, weren't you? --- Tot aankoms van luit. Visser, ja.

Is it likely that people would have come to you and said, "How long are we going to be left here?" or "When are reinforcements coming?" --- Nee.

They just stood there silent, all your men? --- One - aan die begin stadium was dit ekself, sers. Grobler, konst. Beyl en nog, ek dink twee ander blanke konstabels. Van die Sharpeville Polisieestasie se Bantoespersoneel was daar ongeveer 15 of 18.

It was you who sent the message which brought Luit. Visser back? --- Dit is so.

What message did you send? --- Ek het net vir die Bantokonstabels gesê hulle moet vir maj. van Zyl gaan sê dat hier 'n groot skare saamgedrom is om die Polisieestasie. Dit is al. Ek het nie vir hom gevra hy moet versterkings stuur nie. Ek het nie 'n geskrewe boodskap aan die Bantokonstabel gegee nie. Ek het verwag dat as die majoor my boodskap kry, sal hy weet wat om te doen.

I take it you would have liked to have seen reinforcements? --- Op daardie stadium, presies.

J.G. HEYL
Cross-examination
MR. M. CLAASSEN
VS. STATE

And so would Sergt. Grebler? --- Ek skat so.

And Const. Beyl? --- Ek skat so.

And all the others? --- Ja.

And Luit. Visser? --- Dit is so.

And you don't think it is possible that you discussed it with each other? --- Nee; gladnie.

Very well; I won't take that any further. The learned Commissioner will decide for himself what is possible or not. Now, you mentioned Const. Beyl? --- Yes.

He was with you? --- Ja.

Do you know where he was at the time of the shooting? --- Nee, dit weet ek ongelukkig nie. Ek kan dit nie onthou nie.

Was he one of your men? --- Nee; hy is op Sharpeville gestasioneer.

He is one of Sergt. Grebler's men? --- Dit is reg.

NO FURTHER QUESTIONS.

MRE. CLAASSEN: GEEN HERVERHOOR NIE.

HENDRIK JAN MICHAEL HEYL, beëdig, verklaar:

VERHOOR DEUR MRE. CLAASSEN: U is 'n konstabel in die Suid-Afrikaanse Polisie gestasioneer waar? --- Te Sharpeville.

In verband met die skietery - die dag was u daar? --- Ja.

Het u op die Polisieterrein beweeg - was u op die terrein tydens die skietery? --- Ja, ek was daar.

Hoe was jy gewapen? — Met 'n rewolwer en elf rondes.

Op watter gedeelte van die Polisieterrein was jy tydens die skietery? — Aan die Westekant.

Hoe gar van die groot hek aff? — Dit is tussen die groot hek en die hek wat ingaan na die Polisiestadie-toe.

Tussen die twee hekke? — Tussen die twee hekke.

Om die hoek? — Was. Die groethek ^{en} -/die hek wat inloop by die Polisiestadie, regoor mekaar.

DIE VOORSITTER: Met ander woorde, jy was in die middel van die langte pad van die draadhek, na die hek wat na die binneplein van die Polisiestadie lei? — Ja.

Was jy daar toe kol. Pienaar ingekom het? — Ja.

Naby die hek? — Ja.

Watter karre het daar ingekom voordat hy ingekom het? — Die heel eerste wat daar aangekom het was ek was by die vangwe. Dit is die heel eerste wat aangekom het by die Polisiestadie daardie oggend. Daarna het 'n vragmotor met 'n paar - see, voor die vragmotor het luit. Vieser en 'n paar van sy manskappe daar aangekom. Toe het daar 'n vragmotor aangekom met 'n paar Polisie, en toe het hulle een na die ander daar aangekom.

VERHOOR MERVAT: Was u daar altyd daar naby die hek? — Ja.

Het u enige anders gehad behalwe 'n rewolwer? — Gedurende die middag nie - voor die skietery was ek gewapen met 'n rewolwer.

En na die skietery? — Ook dieselfde.

Het met 'n rewolwer? ---Het 'n rewolwer.

Het jy niks anders by jou gehad nie? ---Nie gedurende die skietery nie.

DIE VOORSITTER: Maar te enige ander tyd? ---
Ja; die oggend, ongeveer 7-uur het ek 'n sjambok van een van my Bantoekekonstabels afgeneem, wat ek by my gehou het.

VERHOOR HERVAT: Waar kom hy toe aan die sjambok? ---Hy het aan my gesê hy het vroeër die môre, gedurende die nag, sal ek sê, die sjambok ^{van} vir een van die Naturelle waarop hulle knuppelstorsalope uitgevoer het, afgeneem.

Hoekom het jy dit van hom afgeneem? --- Ek het hom geroep omdat hy een van ons Bantoekekonstabels is wat by ons gestasioneer was, en ek het vir hom gesê 'n konstabel is nie geregtig om met 'n sjambok rond te loop nie.

En toe, wat het jy toe met die sjambok gemaak? --- Ek het dit die heel tyd saam met my in die vangwa gehad.

Met enige besondere doel? ---Nee.

Dit is met die patrolling? ---Met die patrolling wat ons gedoen het.

En toe later, toe u terug is by die Polisie-kamp? --- By die Polisie-stasie te Sharpeville het ek die sjambok afgeneem. Ek het eers daarmee rondgestaan en later het ek dit in my kantoor gaan neersit.

Hoe laat het jy dit omtrent in jou kantoor gaan neersit? --- Dit is moeilik om te sê; ons het ongeveer 10-uur by die kantoor gekom. Dit was net na 10-uur.

Het jy dit nog by jou gekom tot tydens die skietery? — Ek kan nie sê hoe lank ek dit nog gehad het nie, maar ek weet in die kantoor het ek dit nog gelaat, en toe ek weer daarna gaan soek, was dit weg.

Wanneer het jy dit in die kantoor gaan sit? — Dit was net so na 10-uur — nadat ons by die kantoor aangekom het.

Jy sê jy het dit in die kantoor gaan sit na 10-uur? — Ja; ons het ongeveer 10-uur daar gekom, en ek kan nie eintlik presies onthou hoe lank ek dit nog saam met my gedra het nie, maar ek weet dit was net so kort na ...

Maar kort voor die skietery, het jy dit toe nog gehad? — Hee; toe was dit al in die kantoor gewees.

Kan jy sien wie se kar — kan jy vir ons sê watter kar dit is wat opbewysstuk "A" inkam by die hek? — Hee, ek sal nie kan sê nie.

Jy kan nie persone in die kar identifiseer nie? — Daar het eenslag 'n hele jaar van hierdie karre somer gelyktydig, agtermekaar daar aangekom, en dit is baie moeilik om te sê wie was in daardie betrokke motorkar gewees.

Weet jy of die twee gebeurtenisse — ek weet nie of u dit nou in verbanding sal kan bring nie. Sou u sê by hierdie tyd het u nog die sambok gehad? — Hee. Daardie tyd het ek nie die sambok gehad nie.

In elk geval, het jy daardie sambok gebruik vir enige onbeheerlike doel? — Hee, ek het nie. Dit was op geen tydstip in gebruik vandat ek dit gehad het nie.

GEEN VERDERE VRAE NIE.

CROSS-EXAMINED BY MR. KENTRIDGE: Do you remember when the three saracens arrived under Capt. Brunner? ---Ja. Ek kan onthou min of meer wanneer hulle daar aangekom het.

That was round about 1 o'clock or something like that, was it not? ---Ja.

At that time you say you did not have the sjaabok? ---Nee.

I wonder if I could just show you this photograph. I am showing you Exh. "M". Is that not you on Exh. "M"? ---Nee, dit is nie ek nie.

You think it is not you? ---Nee.

You see this man holding that sjaabok? ---Nee, dit is nie ek, daardie persoon nie.

Are you quite certain of that? --- Ek is heeltemal seker; dit is nie ek nie.

On Exh. "L" - is that not you? --- Oek nie ek nie.

Can you tell us who it is? --- Daar was baie Polisie die dag gawees, en die meeste van hulle ken ek nie.

I just want to make it clear to you on Exh. "L1", that also in the photograph is Capt. Brunner, so that this photograph was clearly taken after his arrival. At any rate, you can't suggest any legitimate reason why any Policeman should carry a sjaabok around with him? --- Die foto het baie betrekking op my, maar ek kan nie vir seker sê dit is ek nie.

Which one are you looking at? --- "L1".

If you look at "M", that seems to look even more like you? --- Die gelykenis lyk baie hier. Laas

ek net mooi kyk.

At any rate, how is it that you came here to give evidence today? ---I was summoned to come here.

By whom?

THE CHAIRMAN: By the Commissioner, Mr. Kentridge.

MR. KENTRIDGE: I am sorry, Mr. Commissioner.

CROSS-EXAMINATION CONTINUED: Did you discuss with anyone the question whether it was you in that photograph? ---Nee, dit is die eerste keer dat ek dit jou hier voor my sien.

At any rate, after the shooting, did you find the sjambok again? ---Nee.

You did not see it again? ---Nee.

You walked out of the Police grounds after the shooting? --- Dit is moontlik dat ek dit nog kon gehad het daardie tyd, maar die hand toe ek van Aliens weggegaan het, toe ek in die kantoor kom was die sjambok weg.

When you walked out of the Police grounds after the shooting, did you have the sjambok with you? --- Dit is baie onwaarskynlik om te sê ek het; moontlik ek, moontlik het ek nie.

I want you another photograph which is not an exhibit. Look at this one and look at the man on the extreme left of the photograph. Is that not you, carrying the sjambok? --- Dis lyk vir my meer na 'n klerie as na 'n sjambok.

That is the person on the extreme left - only one or three-quarters of the figure. Do you see the person in this photograph on the extreme left having this object in his hands, and at the head of it there is a little

loop? — Ja; dit lyk nees een wat daar is.

Just like the one in the Eks. "L" and "M".
You see the loops there, also. Now, you took a
sjanbok from a Native constable because you knew
that a constable was not entitled to carry it? —
Hy het die sambok — hy kan die sambok dra as 'n
wapen maar hy mag dit nie gebruik op die publiek nie.

But I thought you said he is not entitled to
carry a sjanbok? — Ek het gesê hy mag dit nie dra
as hy op diens is nie.

But you were on duty that morning? — Ja;
ek was.

A sjanbok is a very improper thing to use
when dealing with a crowd? — Dit is waar.

I take it that is frowned upon officially
by the Police? — Die Bantokonstabel het vir my gesê
waar hy dit gevind het, en ek het dit by hom geneem.

You see, as Police you were not entitled
to handle a crowd with whips, are you? — Daardie
sambok was nie gebruik nie.

DIE VOORSITTER: Het u dit te enige tyd
gebruik om enigiemand te lyf te gaan of om hom te
dryf om hom te lyf te gaan? — Nee, ek het nie.

CROSS-Examination CONTINUED: You see, if
Policeman carry sjanboks round with them when they
deal with crowds, it might give the impression that
they regard the crowd as animals, might it not? —
U kan dit op twee maniere opneem. Jy kan iemand
bangmaak met die sambok, of jy kan bedoel dat jy het
die sambok gebring om hom daarmee uit te tart. Die
bedoeling was nie om iemand uit te tart nie.

What was the purpose, then? --- Ek het die sambok van die Bantoeckenstapel aigeneem en dit in my bewaring gehou.

Now, Mr. Beyl, is that not you in the photographs? --- Soos ek u sê, die ooreenkoms kom baie na by. Volgens wat nou uitkom, moet dit ek wees.

It was you, was it not? ---Ja.

MR. CLAASSEN: GEEN HERVENKOR NIE.

DIE VOORSITTER: Ek wil net verduidelik, die Kommissie sal sy werksaamhede nou verdaag tot Woensdag die 1e, om verskeie redes; een van die redes is dat die stenograaf 'n geleentheid moet kry om die rekord heeltemal tot op datum te bring, en ook om die praktisyne en die Voorzitter 'n geleentheid te gee om die ietwat lywige rekord deur te lees - op die 1e en indien nodig, op die 2e, sal verdere getuiknis wat nodig mag wees gelei word, en die hoop bestaan dat die laaste rondte dan op die 6e Junie in aanvang kan neem, naamlik die argumente wat voorgedra sal word.

I would like to indicate, it does not follow that if any evidence which is material and which is important in the sense that it may relate to an aspect which has not been fully covered by the evidence that has been taken up to date - if that comes to anybody's notice, not only the practitioners', that that evidence will if possible, be made available. I don't wish to indicate that no further evidence is required or will be received.

- ADJOURNED: 4.5 p.m. to -
1st JUNE, 1960 at 9.45 a.m.

WEDNESDAY, 1st JUNE, 1960.
at 9.45 a.m.

JOHANNES CHRISTOPPEL VAN WYK, baskig, verklaar:

VINHOOR DEUR MNR. CLAASSEN: Mnr. van Wyk,

waar woon u? --- Severne-rylaan 6, Drie Riviere.

Is u verbode aan 'n droogskoonmakery te
vereniging? --- Ja.

Op die 31e Maart van hierdie jaar, het u gegaan
na die Sharpeville Bantodorp? --- Dit is reg.

Wat was die doel van u besoek aan die dorp? ---
Toe ek die oggend by die droogskoonmakers kom, het ek
gevind dat nie een van die werkers daar was nie en ek
het na Sharpeville gegaan om te kyk of ek hulle in die
hande kan kry en hulle sodende na die werk te neem.

Het u met die kar gery? --- Dit is reg.

Wie was saam met u in die kar? --- Mnr. Louw.

Het die twee van julle? --- Tot by Sharpeville, ja.

By die Munisipale kantore, het u daar aangegaan?

--- Ja; ek het daar stilgehou en ek het gevra om in te gaan
om te kyk of ek my werkers kon kry. Ek het met die
staander van Die-Slankke saak gepraat, en hy en sy
assistent en twee ander mense het my voorgesel tot ...

Dit sal nou wees mnr. Ferreira en mnr. v.d. Walt?

En twee ander mense.

Was julle toe ses in die kar? --- Ses in die kar.

En het julle die lokasie ingery? --- Dit is reg.

Het u met Sesiso-straat afgery? --- Dit is reg.

Hoe laat was dit? --- Ongeveer halfnag.

Wat het u daar gevind? --- Daar het klein

piese Bantoes geleë op die hoeks van die strate.

Ons was pas in, toe sien ons dat klippe gealinger word na die kar, en die regter-voerglas was beskadig.

Klippe was verder gegooi totdat ons by 'n groep Polisie gekom het in die hoofstraat.

U het die groep Polisie in die hoofstraat gevind? --- Dit is reg.

Was hulle opgestel daar, in 'n lyn? --- Nee. In 'n groepie het hulle gestaan.

Wie was in bevel daar? --- Ek weet nie. Daar was 'n majoor. Ek weet nie wie in bevel was nie.

Maar volgens ek van u nou verneem, is die klippe deur Bantoes na u kar gegooi voordat u die Polisie bereik het? --- Dit is reg.

Ook in die hoofstraat? --- Dit is reg.

En toe julle by die Polisie gekom het, wat het julle toe gedoen? --- Ek het navraag gedoen en ek het gesien dat dit absoluut onmoontlik sou wees vir my die werkers daar uit te kry. Terwyl ek daar was het Naturelle daar geraas en gekree; klippe was gegooi die Polisie. Die Polisie het hulle net effens terug laag, en ek is kort daarna daar weg. Ons het net 'n afgewag om terug te ry.

Hoekom kon julle nie dadelik terugry nie? --- Ek daar stilhou en ek kyk na die pad wat ons moet aggaan, was daar baie Naturelle - waar ons alreeds onveiligheid ondervind het.

Wat Bantoes betref, hoe het dit vir jou verderaf, dieper in die lokasie in? --- O, daar baie, baie verderop.

Hoe ver kon jy sien; kon jy sien hoe ver hulle staan? --- Nee; dit kon ek nie sien nie.

Ken jy enige skatting maak? --- Ek sou sê daar was bykans 1,000 om die Polisie.

Hoe bedeel jy nou, om die Polisie? --- Die Polisie was in die middel van die skare gewees, en dan was hulle in die straat, aan alkante, en op die hoeks van die strats.

Ja, maar kon jy die uiteinde van die skare sien? --- Nee, ek kon nie; daar is goeie.

Ja, maar ek praat nou van die straat. U het nou gekom van die Municipale kantore af en af gery, meer of min in 'n Suidelike rigting, in die lokasie in? --- Ja.

Toe jy by die Polisie kom, ken jy sien hoe ver af in die straat die Bantoes nog staan, as 'n skare? --- Ja, maar ek kon net die voorstes sien - ek sou sê daar was bykans 1,000.

Het jy toe daar teruggedraai? --- Ja; nadat ek gesien het dat ek niks sou behaal nie. Ek het weer uitgery.

Het mnr. Ferreira toe weer saam uitgekom? --- Ja. Dieselfde ses persone.

En op die terugreis, was daar weer geweld gebruik? --- Ja; ek sou sê meer as in die eerste geval.

Wat het toe gebeur? --- Die ruit by my is 'n klip deurgeslinger; 'n klip het op my skoot geland. Die voorkant is 'n klip deur, en ook die ruit aan die linkerkant. Verskeie klippe is teen die kar self geslinger, ruite uitgeslaan, en ons het gegaag om uit te kom.

Al wat gebruik was teen die kar was klippe? --- Nees 'n mens in die vlug kom uien.

Was daar enigiets wat u gedoen het om aanleiding

te gee tot hierdie kliggebied? U of enige van die
mannes in u kart? ---Nee. Ons het in die kar gesit.
As ek geset het dat dit die toedrag van sake sou wees,
sou ek nie gegaan het nie.

Het u al die tyd gery, of het u stilgehou? ---
Nee, ons het vinnig gery, terug.

Nyk na hierdie kar - waar die regter-voor-
syvenster beskadig is? ---Ja. Dit is reg.

In die glas daar gebars? ---Ja; Daar is 'n
klip deurgegooi.

In die glas gebars? ---Ja.

Op daardie foto, sien u enige verdere merke,
duike of onrigte wat aan die kar aangebring is? ---
Bekant die regter-voorniel is 'n duik. Daar is
verder agter 'n duik, maar dit kan nie gesien word op
die foto nie.

(Foto van beskadigde kar, Bewysstuk "XII"),

Kyk na hierdie verdere foto.

DIE VOORSITTER: Mnr. Claassen ek weet nie
hoeveel foto's u wil inhandig nie. Ek weet nie of
die getuie se getuie in twyfel getrek word nie.

Mnr. CLAASSEN: Edelagbare, dit is die enigste.
As u sien dat dit nie nodig is om dit in te handig nie -
dit is beskryf - kan dit uitgelas word.

DIE VOORSITTER: As die getuie sy beskrywing
gee - wat was die ontvang van die akade gewes, aan geld?
--- 296.

VERHOOR HERVAT: Hierdie verdere foto toon
twee verdere ruite wat stukkend is? --- Die voorvenster,
en links agter.

Mr. van Wyk.
Hooftsaak.
Kruisverhoor.

Enige verdere duike? --- By die voordeur, reg agter die voordeur, links. Die linkerdeur, agter, en agter, langs die kottebak.

GEEN VERDERE VRAE NIE.

ADVOKAAT DEUR Mnr. FLEMMAN: Mnr. van Wyk, hoeveel werkers het u in u besigheid? Nie-blanke werkers? --- By die droogskoomskers?

Ja? --- Vyf.

En was dit die vyf persone wat u toe wou gaan haal by Sharpeville? --- Ja.

Al vyf woon in Sharpeville? --- Dit is reg.

Werk hulle nog by u? --- Ek kan nie so se nie; die werkers gaan, en kom. Hulle het wel 'n paar dae daarna aangekom en begin werk.

U het hulle toe weer aangehou? --- Ja.

Was van hulle miskien geskiet? --- Nee.

Hulle het almal teruggekom? --- Ja.

Wat is eintlik u plan; hoe sou u hulle uitwring van die lokasie af, aangesien julle ses mense in die kar was? --- Die doel was om uit tevind of hulle kom kom of nie.

Is nie een van hulle beset in die geboue by Sharpeville Polisie-stasie wat u van weet nie? --- Nee.

Weet u of hulle daar was? --- Hulle het wel vir my gesê hulle was tuis, by hulle huise.

Ten tye van die skietery? --- Ja.

GEEN VERDERE VRAE NIE.

Mnr. CLAASSEN: GEEN BEVRAEGING NIE.

Enige verdere duike? --- By die voordeur, reg agter die voordeur, links. Die linkerdeur, agter, en agter, langs die kottebak.

GEEN VERDERE VRAE NIE.

ADVOKAAT DEUR Mnr. FLEEMAN: Mnr. van Wyk, hoeveel werkers het u in u besigheid? Nis-blanke werkers? --- By die droogskoemakers?

Ja? --- Vyf.

En was dit die vyf persone wat u toe wou gaan haal by Sharpville? --- Ja.

Al vyf woon in Sharpville? --- Dit is reg.

Werk hulle nog by uf? --- Ek kan nie so se nie; die werkers gaan, en kom. Hulle het wel 'n paar dae daarna aangekom en begin werk.

U het hulle toe waar aangehou? --- Ja.

Was van hulle miskien geskiet? --- Nee.

Hulle het almal teruggekom? --- Ja.

Wat is eintlik u plan; hoe sou u hulle uitbring van die lokasie af, aangesien julle ses mense in die kar was? --- Die doel was om uit tevind of hulle kom kom of nie.

Is nie een van hulle beseer in die gebeure by Sharpville Polisie-stasie wat u van weet nie? --- Nee.

Weet u of hulle daar was? --- Hulle het wel vir my gesê hulle was tuis, by hulle huise.

Ten tye van die skietery? --- Ja.

GEEN VERDERE VRAE NIE.

Mnr. GLASSEN: GEEN BEVRAEGING NIE.

E.J. OLIVIER
HOOFDREDAKANT

WILHELM JAKOBUS OLIVIER, bedië, verklaar:

VERHOOR DEUR MNR. CLAASSEN: U woon te 56 Laan nr. 12, Panchaven? --- Ja.

En waar werk u? --- By SAFIE.

Is u hoof-stoorman daar? --- Ja.

Hoeveel Santos werkmans het u in daardie besigheid? --- Besoel u die hele ...

In die stoer? --- In die stoer het ek net vyf.

En in die hele besigheid? --- Plus/minus 400 na 500.

Op die 21e Maart van hierdie jaar, het u na Sharpeville gegaan in die nêre? --- Ja.

Wat was die doel? --- Die doel was om met die vervoer te help, omdat daar nie vervoer was nie om die Naturolle werk-tos te bring nis.

Ben u met a die werkmans werk-tos bring, of ander ook? --- Net ons die werkmans.

Hoe laat het u by die Kantoor aangekom? --- Dit was so'n bietjie na ses - ontrent 6.20, daar rond.

Het u eere by die kantoor aangegaan, by die ingang van die lokasie? --- Ja; ons het eere daar gevre of ons kon ingaan.

Ja toe aan u verlof geger om in te gaan? --- Ja.

Hoe laat is u toe in? --- Dit was toe plus/minus 6.20, 6.25.

Wat was die toestand wat u gevind het daar in die straat, in die hoofstrant? --- Ons het met twee lories gegaan. Die een, die grote, het ons buitekant laat staan om ons het met die van ingegaan. Toe het

ons een Natural daar opgelees. Die ander Bantoes het geskree hy moet aftrek, hulle sal hom doodmaak. Toe sê hy nee, sy baas sal hom help. Toe skree hulle vir hom "Met jou baas en al sal ons jou doodmaak".

DIE VOORSITTER: Watter taal het hulle gepraat? ---Hulle het Basutotaal gepraat.

Verstaan jy Basuto? ---Ja.

VERHOOR HERVAT: Toe het ek - mr. Kahn was by my gewes, toe sê hy vir my "Oms beter maar hier wil wegkom, want dit lyk vir my dit sal nie oetaal nie". Die ander wou toe nie kom nie.

Het jy van jou werknemers daar herken? ---

Ja; Daar was 'n hele paar gewes.

Weet jy of hulle in die hertel woon, of woon hulle enige plek in die lokasie? ---Hulle woon enige plek in die lokasie. Ek sou u nie kan sê waar die meeste gewes het nie.

Hoe diep het julle in die lokasie ingery? ---

Ons was by die kantore verby gewes, heeltemal by die skare wat daar gestaan het was ons verby gewes, aan die ander kant - ek sou sê omtrent 500 treë anderkant die skare.

Hoe groot was die skare omtrent? --- Toe ons

daar gekom het, was daar omtrent van 400 na 500 of meer; ek is nie seker nie. Die straat op was daar heelwat.

Het julle Polisie ook daar telgekom? ---Ja,

daar was Polisie.

Heerselt? --- Ek kan nie sê nie -daar was omtrent

'n stuk of tien, behalwe die Municipale Polisie, wat ek daar gesien het.

W. J. M. M. M. M.
HOOFDSTUK 10.

En kon jy uitmaak wat hulle houding was teenoor die Polisie? --- Dit was nie gunstig, volgens wat ek gehoor het, wat hulle daar gesê het nie.

Wat het jy gehoor? --- Terwyl ons daar gestaan het, het van hulle gesê daar kom nog Polisie aan; toe sê hulle "Laat hulle kom; ons wil die honde doodmaak".

En u het dit raadsaam geag om toe maar om te draai? --- Ja; ons het toe maar omgedraai. --- Om het eers daar gewag om te kyk of daar nie nog is wat opgetel wil word nie. Ons het tot na 3-uur gewag, toe sê ons. Koma "Hee, ons moet maar ry". Ons is ontrent halfnege daar weg.

Is dit totdat u by die hek weer uit is? --- Ja; totdat ons weer omgedraai het, nadat ons uit was. Toe het ons daar buitekant die Municipale ingang gewag, die Polisie-stasie.

Die Municipale kantore? --- Municipale kantore.

By die ingang? --- Ja.

Het jy enige tekens van geweld gesien? --- Hulle het net geskree hulle moet nie werk-toe gaan nie, hulle moet terugbly.

Het jy nie enige ander voertuie daar gesien nie? --- Daar was 'n paar Polisie-"vans". --- Om het toe by die

Jy het geen klipgoedery na karre gesien nie? --- Ja, dit was ontrent 7-uur se kant gewens. Toe het daar 'n ou Natrel aangekom met 'n 1934 of 1936 Ford, wat daardiegekom het. Toe hy weg draai - daar het 'n paar ander karre aangekom, en een hulle is niks gesien nie. Toe die kar kom, toe stam die jeug Natrelle, van so ontrent 12 of 13 jaar, die kar, voor dieur in. Van die ander wat daar gestaan het in die skare, het toe klippe opgetel en die ruite en alles stutend geset

Maar hy het dareen deurgekom.

Was hy op pad uit die lokasie? ---Hy was op pad uit die lokasie.

Kyk na hierdie foto's - dit is van dieselfde kar; kan u daardie kar herken? (Bewysstuk "G2")? --- Dit is die tipe kar wat daar gewes het.

U kan nie sê dit is dieselfde kar nie? --- Nee; ek sal nie kan sê dit is dieselfde kar nie, maar dit was die tipe kar waarna hulle gegooi het.

GEEN VERDERE VRAE NIE.

KRUISVERHOOR DEUR MNR. PLEWMAN U sê u was deur die skare daar, toe het u by Polisie gekom wat in die straat gestaan het. U sê daar was ongeveer tien van hulle. Presies waar het hulle gestaan? --- Toe ons ingegaan het, het hulle daar gestaan.

DIE VOORSITTER: Hoe diep in? --- Van die skare af... Nee, van die ingang, soos u nou by die Municipale kantore verbygaan, na Sharpeville. Hoe ver vandaar het u die Polisie teëgekem? ---Hulle het feitlik gelyk gestaan met die Municipale kantore.

KRUISVERHOOR HERVAT: Hierdie skare waarvan u gepraat het waardeur u gery het voordat u by die Polisie gekem het, waar het hulle gestaan? --- Ons het net by die Polisie verbygegaan, toe ons die skare teëkem. Ons het gevra, ons wil ons Naturelle gaan oplaai. Toe sê hulle onskan probeer, maar ons gaan op die risiko in.

Toe het jy 'n skare nie-blanke verbygery? ---Ja.

Het jy toe verdere blanke Polisie teëgekem? --- Nie by die skare nie.

En anderkant die skare? --- Nee, ek het nie gesien nie.

nie ander teëgekem nie.

Die groot straat wat van - as ek dit as 'n hek kan beskryf - die hek van die lokasie inlei in Seeiso -straat, ken jy dit? - -Nee.

Dit is die groot dubbelpad? ---Ja.

Is dit die pad waarin julle gery het - 'n dubbelpad? --- Ja.

En jy sê die enigste Polisie wat jy daar teëgekem het, was by die Municipale kantore? ---Ja.

Verderaan het jy deur 'n skare gery? --- Ja.

En hoe ver het jy gekom in Seeiso-straat; hoe ver op het jy gery? --- Ons het net by die skare verbygery. Dit is omtrent 200 na 300 treë.

DIE VOORSITTER: Is enigiets gedoen teenoor u motorvoertuig? ---Niks teenoor ons motorvoertuig nie.

KRUISVERHOOR HERVAT: Wat was hierdie skare - gemeng, d.w.s. vrouens en kinders? ---Ja; dit was gemeng gewees.

Waar was die werknemer wat julle opgelaaï het; waar het hy gestaan? ---Net toe ons by die skare kom.

Dit wil sê die 200 treë wat julle nou gery het? ---Wat ons ingery het.

Nadat julle daardie 200 treë afgery het, het julle hem daar gekry? - -Ja.

En waar was die ander wat julle daar gesien het? --- Hulle het almal daar tussen die skare gestaan.

Was hulle gewillig om te kom, of nie? --- Hulle het gelyk soos hulle gewillig was, maar dit lyk vir my hulle was bang gewees.

Wie is dit wat julle eintlik daar gedreig het?

--- Dit was maar in die algemeen dat hulle gepraat het.

Hoeweel mense het hierdie woorde wat jy hier gegee het, gebruik? --- Daar was 'n hele paar van hulle.

Gee my maar 'n skatting? Drie? --- Dit kan meer ook wees.

Wat het hulle gesê in Sesutu? --- Hulle het gesê wat ek nou gesê het, aan die boytjie wat op die lorry was, hy moet afklim of hulle gaan hom doodmaak.

Wat is die Sesutu woorde wat hulle gebruik het? --- (Prant Sesutu).

Ek wil hê dat jy aan my 'n skatting gee van hoeweel persone hierdie woorde gebruik het? - - Ek sal nie kan sê nie. Hulle het gemaak en in die rondte gedraai en deurmaak gepraat.

Jy sal ook nie kan sê of dit 'n individu was, of dit somar van die skare af gekom het, of hoe dit ...?

--- Ek sal lievers sê dit het van die skare gekom.

DIE VOORSITTER: Is dit soort van soos 'n koor waar 'n hele klomp mense tegelyk praat en daardie woorde gebruik het, of was dit dat daar vanuit die skare die stem van 'n enkeling gekom het? - - Die posisie was, dit het meer gegaan of dit sekere individuele mense was; dit was nie die hele skare nie.

Maar gelyk, of by verskeie kere? --- Dit het verskeie kere gebeur - hulle het dit verskeie kere gesê.

KRUISVERHOOR NEMVAT: Kan u 'n skatting gee van hoe groot hierdie skare waarvan ons nou praat, was? --- Soos ek gesê het, dit was ontrent 400 na 500.

En van wat u self gesien het, het hulle daardie Polisie nie daar molesteer nie? --- Nie terwyl ek daar was nie.

E.S. ...
K...
G.J. ...
Hooggetuientis

Hierdie motorkar wat aan die en Natural behoort
het, wat daar afgehoor het, ek kon nie mooi volg nie.
Jy is daar het 'n klomp kinders van oker tegelf na
dertien jaar, in sy pad gekom? ---Hulle het daar voor
die kar gehardloop.

Vanwaar? --- Hulle was tussen die skare gewes.

Hoe het die kar gery; het dit vinnig gery,
of stadig gery? --- As ek moet skat, het dit amptant so
25 myl per uur gery.

Het hy iemand daar besaer? --- Dit was net die
en Natural; hy was nie besaer nie.

DIE VOORSITTE: Hoo, die vraag is, het die
motorvoertuig enige van die kinders besaer? --- Hoo, hy
het gestop voordat hy teen hulle gekom het.

Maar as u is hulle het in die straat gehardloop,
het hulle dit met enige bepaalde doel gedoen, of net
omdat hulle maar in die straat gehardloop het en dat hy
toe moes stop? --- Ek sou reken hulle het dit met 'n
bepaalde doel gedoen, want die ander karre wat verbygekom
het, het hulle nie dit mee gedoen nie. Net toe daardie
spesifieke kar kom, het hulle voor dit gehardloop en
van voor gekeer.

Hoe bedeel u; het hulle enige tekens gegaar?
---Hand opgesteek en voor hem gehardloop. Party van
die kinders het hulle hande opgesteek en hem probeer keer.

CORNELIUS JOHANNES EDE, beklig, verklaar:

VERHOOR DEUR MR. CLAASSEN: Jy is 'n
konstabel in die Suid-Afrikaanse Polisie gestasioneer te
Versauniging? --- Dit is reg.

Op die 21e Maart van hierdie jaar...

Sharpeville Polisie-stasie? --- Dit is reg.

Was jy in Zwane-straat gewes met kapt. Coetzee
- onder sy bevel? --- Dit is reg.

Het jy saam met kapt. Coetzee oorgekom vanaf
Johannesburg? --- Nee.

Waar het jy by sy eenheid aangesluit? --- Daar
waar ons gewag het op versterkings.

Is dit in Seciso-straat - naby die ingang na
die dorpsgebied? --- Dit is reg.

Hoe het dit gebeur dat jy by sy manne aangesluit
het? --- Ons is daar opgelaa en aan ons is gesê ons moet
afgaan na die Polisie-stasie. Ons het links gedraai, en
daarna weer regs. in 'n systraat

Uiteindelik het julle te staan gekom in Zwane-
straat? --- Dit is reg.

Kan jy sê hoe laat omtrent julle daar aangekom
het? --- Dit was om-ansy 12-uur se kant gewes.

Is julle daar in 'n lyn opgestel oor die straat?
--- Daar het van die manne so gestaan, maar nie almal van
ons nie.

Waar was die manne? --- Hulle het saar daar so
rondgestaan.

Party is in 'n lyn opgestel? --- Hulle was nie
juis, sou ek sê, opgestel nie. Dit het saar 'n lyn gevorm
daar oor die straat.

Waar het jy gestaan? --- Ek was ook saar daar
tussen die gedrang gewes.

By die groep? --- Ja.

Toe die skietery plaasgevind het, waar was jy
toe? --- Ek was op 'n vragmotor se dak gewes.

By die Polisie, of verderaf in Zwane-straat?

--- Hulle was haaltonal aan my regterkant gewees.

DIE VOORSITTER: Was hulle naderaan die Polisie-stasie as jy? --- Wel ek sou nie sê hulle was nader gewees nie. Miskien net 'n paar treë. Ek kan nie presies sê nie.

VERHOOR HEEVAT: Maar hoe ver was jy van hulle af? --- Ek sal dit nie kan sê nie.

Jy is 'n polisie-man; jy kan seker dures vir ons 'n skatting gee, al is dit nou nie so korrek nie. Was jy tien jaarte van hulle af, of was jy twintig jaarte van hulle af? --- Dit sou nie meer as tien treë gewees het nie.

Ma het jy op 'n vragmotor gestaan? --- Ja; bo-op 'n vragmotor se dak.

Waar het die vragmotor gestaan? Kyk, die Polisie is opgestel in Kwane-straat? --- Ja.

Het die vragmotors ook in daardie selfde straat gestaan, of het hulle in 'n ander straat gestaan? --- Nee, hulle het in daardie selfde straat gestaan waar die Polisie was.

Het verder terug? --- Ja, kyk, hulle was ...

DIE VOORSITTER: Het hulle in die straat gestaan, of op die sypaadjie? --- Nee, hulle het in die straat gestaan. Hulle het tot teen die sypaadjie gestaan.

En het jy in die linkerhandse baan gestaan, of in die regterhandse baan? --- In die linkerhandse baan.

Ma daar is 'n dwarsstraat wat 'n mens kry net voordat jy by die Polisie-terrein kom? --- Ja.

Aan watter kant van daardie dwarsstraat was u vragmotor? --- Aan die linkerkant; min of meer vyftien treë van die hoek af.

Met ander woorde, jy moet nog eers oor daardie dwarsstraat gaan voordat jy by die Polisie terrein kom?

---Ja.

So ontrent vyftien treë weg van daardie dwarsstraat? ---Ja.

En as jy nou dink aan waar jou vragmotor was waarop jy gestaan het en die Polisie wat, sees jy sê, 'n lyn gevorm het, waar was die Polisie? ---Hulle was aan die regterkant.

VERHOOF HERVAT: Hoe lank was jy daar op die vragmotor? ---Nee, ek kan nie sê hoe lank dit was nie.

Wat het jy op die vragmotor gemaak? --- Daar was eers 'n konstabel voor by ons gewees. Hulle het vir ons gesê ons moet eers op die vragmotor klim om te kyk wat gaan daar voor aan by die Polisie; toe het ons kort-kort gaan sê wat daar aangaan. Ons het van bo-af gerapporteer, wat daar aangaan.

Toe het julle van bo-af aan kapt. Coetsee gerapporteer? ---Nie direk aan kapt. Coetsee nie.

As daar iemand naby is, dan sê jy naars net vir hom.

Sou jy nie direk aan kapt. Coetsee kon rapporteer het vanwaar jy gestaan het nie? ---Nee.

Hoekom nie? ---Hy was te ver van af gewees. Op die oomblik het ek ook nie gewoet waar hy was nie.

Deurdát julle van die vragmotor af verder vorentoe kon sien wat daar by die Poliestasie aangaan?

--- Dit is reg.

Was jy daar gewees op die vragmotor tydens die skietery? --- Dit is reg.

Jy het die skietery gehoor? --- Dit is reg.

Vanwaar het dit gekom? --- Ek sal nie kan sê nie. Daar was so'n lawaai gewees; daar was baie groot lawaai, so ek kan presies nie sê vanwaar dit gekom het nie.

Voor die skietery, was daar 'n lawaai wat jy gehoor het? --- Wel, ek sal nie sê-voor die skietery was daar baie lawaai. Daar was geskree en so aan.

Het die skietery sê jy was die lawaai so groot dat jy nie kon sê vanwaar dit kom nie? --- Nee.

Het jy na die skietery nense gesien weghardloop? --- Ja.

Bantoes? --- Het die skietery het ek hulle gesien hardloop.

Het hulle in julle rigting ook gehardloop? --- Ja.

Is daar geskiet - in Swane-straat, deur die nense wat daar was by julle, is daar geskiet? --- Ek kan nie presies sê nie, want dit was so'n helse lawaai gewees, ek kan nie sê vanwaar dit gekom het nie.

Het jy geskiet? --- Ja; ek het geskiet.

Hoeveel skote het jy geskiet? --- Twee skote.

Het wat? --- Het 'n .303.

Waarnee was jy gewapen? --- Ek het 'n .303 en 'n rewolwer by my gehad.

Waarheen het jy geskiet? --- Ontrent drie treë voor my, in die sypaadjie vas.

Wat was die doel van jou geskiet? --- Die Bantoes het reg op ons afgekom en ek het op daardie oomblik nie gewest wat aangaan nie. Ek het gereken as ek skiet sal hulle die systrate afgaan of niskien wegby van ons, want ek het gedink hulle storm op ons af.

Re-examination
Cross-examination

Kon jy? --- Dit het geen effek gehad nie.
Het hulle nogtans by julle verbygestoorn? ---Ja.
In Zwane-straat af? --- In die systrate ook, af.
En het jy met die twee skote geskiet? ---Ja.
Toe jy die twee skote geskiet het, was die
lantoes al daar waar jy geskiet het, of nie? ---Nee; hulle
was nie.

Verstaan ek nou jou doel was dat toe jy hulle
sien aankom, toe skiet jy die twee skote sodat hulle in
die systrate kan opgaan? ---Ja, wel, ek het nie gewest
wat aangaan toe hulle aankom na ons nie.

DIE VOORSITTER: Wat het jy gedink? --- Ek
weet nie wat ek gedink het op daardie oomblik nie.

Het jy ooit gedink jou lewe is in gevaar? ---
Ja; ek het gedink hulle storm op ons af; dit is al wat
ek gedink het.

Het jy nie gedink hulle hardloop weg nie? ---Nee.

VERHOOR HERVAT: Was daar ander mense naby jou
by die vragnoter? --- Aan die regterkant van die straat
was daar mense wat daar geit het.

Kon jy vir Olivier? ---Ja.

Kon julle van dieselfde plek af? ---Nee.

Ek heen van dieselfde stasie af? ---Nee.

Het jy hom geken daardie tyd? --- Ek het hom
geken, daardie tyd.

Weet jy of hy geskiet het? --- Ek weet nie eers
waar hy was, toe, nie.

Q. A. VAN DER MERWE VRAAG NIE.

CROSS-EXAMINED BY MR. KENTRIDGE: Konst. Kla,

het u enige bevel - did you hear any order to fire? ---
No.

From Capt. Coetzee? ---No.

Before the shooting, did Capt. Coetzee make it
plain to all of you that there was to be no firing
without his orders? --- Ek het dit nie gehoor nie.

Isn't it correct that whether he says so or not,
you are not allowed to fire without his orders?

DIE VOORSITTER: In die omtandighede waarin
julle daar was, is dit nie korrek dat julle nie behoort
te vuur sonder dat daar 'n bevel gegee is nie? --- Ek
het gereken dat ons lewes in gevaar is, daarom het ek
geskiet.

(Witness warned). (Indemnity explained).

CROSS-EXAMINATION CONTINUED: Now, you told His
Lordship a few minutes ago that you did not know what
went on in your mind? --- (Deur talk). Dit is so.

Now you say you think your life was in danger.
Which is correct? --- Wel, op die oomblik het ek net een
gedagte in my kop gehad, en dit is ons lewens is in gevaar.

Was it not absolutely obvious that these people
were running away from the firing at the Police Station?
---Dit weet ek nie.

Why did you think they were running? ---Nee,
dit weet ek nie.

At the time when you shot, had any of them
run past the lorry already? --- Nee.

The Police - the other Police on the ground
were in front of the lorry, weren't they? --- Ek weet
daar waar ek geskiet het, was daar nie Polisie voor nie.

But they were across the road, in front of your lorry, nearer to the Police Station? --- Aan die regterkant ja.

Did the crowd do any harm to them? --- Wel, ek het nie so opgelet na hulle kant nie, na hulle gekyk nie.

They did not fire, did they? --- Ek kan dit nie sê nie. Ek weet regtig nie.

The crowd did not start running before the shooting, did it? --- Daar was bewegings tussen hulle, maar ek weet nie wat was die bedoeling nie.

You just don't know why they were running? ---
Nee.

When the shooting started, the crowd started to run? --- Ja, toe het hulle al gehardloop.

Why did you think they were running? --- Oor die skietery.

After the shooting started, why do you think the crowd began to run? --- Seker omdat hulle weggehardloop het vir die skietery.

What did you aim at when you shot? --- Ek het in die grond geskiet; ek het na niemand gekorrel nie en op niemand aangelê nie.

You did not aim at anybody? --- Nee.

What was the danger to your life? --- Wel, vroeër daardie oggend al is ons vasgekeer. Ek het nie gewest wat daar sou gebeur nie.

At the time when you shot, where did you think the danger to your life would come from? --- Ek het gesien hulle kom aan; ek het nie gewest of hulle stons of wat nie.

You thought that the people who were running

towards you, do you now say, might have been attacking you? ---Ja.

Were they men, or women, or children? ---
Hulle was - ek kan nie sê nie. Hulle was deursekaar
gewees.

Are you suggesting that you fired in order to stop them? --- Ja.

Presumably, then, you must have aimed at them? ---Nee.

How else, how on earth did you think you were going to stop them? --- Daar op die grond te skiet het ek gereken hulle sou skrik.

Did you think they would see the bullets hitting the ground? --- Ek weet nie.

So did you fire into the ground in front of them? --- Ontrent drie treë voor die vragmotor het ek vasgeskiet.

And how far in front of the crowd was that? --- Dit was 'n hele entjie.

About how far off? --- Hulle was nie.

DIE VOORSITTE: By benadering, die naaste wat nou nagehardloop gekom het. Waar jy op die voertuig gesit het - wys hier in die Hof? --- Soos vanhier, tot daar agter u. Ontrent 20 of 'n bietjie meer treë van my af.

CROSS-EXAMINATION CONTINUED: So you fired into the ground three yards in front of your lorry? --- Reg.

But they kept on coming on? --- Reg.

So what did you do? --- Verder het ek niks gedoen nie.

Did you fire another shot? ---Nee.

Did you fire your two at the same time?---Nee,
die twee skote was agtermekaar gewees. Jy kan nie twee
skote tegelyk skiet nie.

DIE VOORSITTER: Het jy ooit tot die besef
gekom hierdie mense hardloop nou weg, hulle is besig om
weg te hardloop, hulle val jou nie aan nie? ---Nee voer
hulle by my verby is nie.

CROSS-EXAMINATION CONTINUED: Were any of them
hit? Those that were running towards you? --- Aan my
kant was daar niemand gewees nie.

DIE VOORSITTER: Hoe oud is jy? --- Agttien.

En hoe lank is jy in die Polisiediens? --- Wel,
in Desembermaand 1959 het ek uit die Polisiekollege gekom.

Na hoe lank opleiding? --- Ek was sewe maande
daar gewees.

Waar is jy toe aangestel? --- Ek is reguit
Vereeniging-toe.

CROSS-EXAMINATION CONTINUED: You don't know
if your bullets ricocheted? ---Nee. Hulle kon nie.

DIE VOORSITTER: Het jy op die teerblad geskiet,
of op die grond? ---Nee, ek het op die sypaadjie, op die
grond geskiet.

CROSS-EXAMINATION CONTINUED: There has been
evidence from a Non-European constable called Maruping,
that the shooting from one of the men under Capt. Coetzee's
command caused a child to be shot in Evans Street? --- Ek
weet daar nievan nie.

Was that perhaps your shots? ---Nee; dit is
onmoontlik.

DIE VOORSITTER: Nadat alles nou verby is, nadat die mense nou weggehardloop het, verbygehardloop het, en dinge tot bedaring gekok het, het jy enige besesdes of dooies voor julle in Zwane-straat gesien, in julle onmiddellike omgewing? ---Ja. Aan my kant was daar niemand, waar ek gekiet het nie. Aan die regterkant van die straat was daar gewees.

Hoe ver van daardie hoek af? --- Ontrent vyftien treë van die hoek af, heeltemal aan die regterkant, op die middelmannetjie, het daar een gelê.

CROSS-EXAMINATION CONTINUED: But you were on the lefthand side of the tarred road? --- Dit is reg.

Didn't you see people lying on the lefthand side of the road in Zwane Street, in front of you? --- Nee.

I don't mean just right in front of your lorry. You could see up Zwane Street? ---Ja.

Were there any bodies in the part of Zwane Street or-on your side, on the lefthand side? ---Ja, op die hoek, onderkant (Getuie dui aan op Boursstak "B1").

You point near the South-Western corner, but not exactly right on the corner; a little way down Zwane Street? ---Ja.

THE CHAIRMAN: More or less in line with the Eastern portion of the Police Building.

CROSS-EXAMINATION CONTINUED: Did you see people lying in the street, over there? ---Ja.

After the shooting, who did you report to? --- Aan niemand nie.

Did you not report to anyone that you had

fired your rifle? --- Nee; dit het ek by die Vereniging
Polisieestasie eers gedoen.

Who did you report to? --- Ek het aan Mr.
Krugger gerapporteer.

Who is Mr. Kruger? --- Die stasiebevelvoerder.

Did you tell him that you had fired two shots?

---Ja.

Did you tell him where? --- Ek het vir hom
gees ek het met my rewolwer en my geweer geskiet, maar
ek het nie gees waar nie.

Where did you shoot with your revolver? ---
Dit was daardie oggend gewees, toe ons vangekeer is.

Did you make a statement in connection with
this occurrence at any time? ---Ja.

When? --- Wel, ek weet nie die datum nie,
maar dit was by die Polisieestasie eersmaal, en daarna
weer aan hoofkonstabel Pollson van die speurafdeling.

When did you make it to Mr. Pollson?

DIE VOORSITTER: Was dit op die 23e Mei? ---
Dit was nou-die-dag. Ek dink so.

CROSS-EXAMINATION CONTINUED: And your
first statement that you made at the Police Station,
did you make that in writing? --- Ja.

Do you know who you made that to? --- Sers.
Terblanche.

Is he of the C.I.D.? --- Nee; Uniformafdeling.
And did you sign that statement? --- Ek het dit
geteken.

And in that statement, did you say that you
had fired your rifles? --- Nee.

Did you say where you were? --- Nee. Ek het nie gesê waar ek met my geweer geskiet het nie. Hy het vir ons gevra "Hoeveel skote het julle geskiet; maj. van Zyl wil dit hê om hom te dek, daar". Toe het ek vir hom gesê ek het twee geweerakote geskiet, en ses rewolwerakote.

You said the morning you fired six shots with your revolver? --- Nee.

But in your statement you made to S. Sgt. Terblanche, did you tell him that you had fired your rifle at the Police Station? --- Nee.

Did you not give him a statement about that at all? --- Nee.

You did not say why you had fired your rifle? --- Nee.

You did not say why you had fired your revolver? --- Nee.

Why did you not tell him why you had fired your rifle? --- Hy het nie direk gevra nie.

Was it not that you felt that you had to hide that you had fired your rifle? --- Nee.

Do you know whether anyone else under Capt. Coetzee's command fired at the Police Station? --- Nee.

Do you think Capt. Coetzee would have heard you firing, or seen you firing? --- Ek weet nie.

Who else was up on top of the lorry? --- Ek was op die oomblik alleen daar gewees; ek weet nie agter my nie. Ek het nie opgelet nie.

Where were you standing; on the bonnet, or on the roof? --- Ek het op die bonnet gestaan.

the roof? — Ek het daar gesit op die dak.

When you were sitting there, did you have your rifle ready? — Nee.

Where was your rifle? — Ek het dit daar gehou, maar sonder enige bedoeling.

Was it loaded? — Ja; die magasyn was gevul maar dit was nie oorgehaal nie.

DIE VOESITTER: In jou eerste verklaring wat op die 24e Maart gemaak is, het jy nie daar die indruk geskep dat jou twee .303 skote die oggend afgevuur was toe die vangwa in moeilikheid was nie? — Sers. Terblanche het gesê hy is 'n bietjie haastig, hy wil net weet hoeveel skote ons geskiet het en sonder enige mening het ek gesê ek het twee .303 skote en een rewolwerskote geskiet. Toe vra hy vir my "Waar is die rewolwerskote geskiet?" Toe sê ek vir hom "Ek het die oggend geskiet daar toe die vangwa vasgekeer was".

Ek sal dit vir jou lees soos dit hier aangeteken is deur nr. 276147 - dit is eker "Voet"? — Voet.

"Konst. J.H. Grove het toe met 'n vangwa na my gekom. Die klippe het toe geroën op ons en ek het ook skote gehoor kmal in die hestel-gronde. Konst. Grove was toe nitjaag maar ons was toe vasgekeer en duisende klippe was na ons gegooi. Die vangwa was toe ook vasgekeer en duisende klippe was na ons gegooi. Die vangwa was toe ook geraak en erg beskadig. Ek het toe my vuurwapen gebruik en een skote met my .38 rewolwer en twee met my .303 geweer op die Bantoes afgevuur. Die Bantoes het toe 'n pad oopgemaak en Konst. Grove het met die vangwa deur hulle gejaag".

Die Bantoes het nog al die tyd gegooi en die vangwa
verskeie kere weer getref? --- Dit is seker fontief
daar, Eielagbare; ek het die .303 nie daar geskiet nie.

In elk geval, gee jy toe, dit skep die indruk,
in elk geval, dat jy die .303 gevuur het toe jou vangwa
in gevaar verkeer het, toe jy saam met konst. Grove was?
--- Ja, dit skep die indruk, daar.

CROSS-EXAMINATION CONTINUED: Did you sign
that statement? --- Ek het dit onderteken, ja.

In your statement, did you not speak about the
time when you were with Capt. Costnes at the Police
Station? --- Ek weet nie of ek daarvan - nee, ek het nie.

DIE VOORSITTER: Ek dink in die eerste
verklaring handel jy gladnie met die gebeure by die
Polisiestanie om .130 toe daar geskiet was nie? --- Nee.

CROSS-EXAMINATION CONTINUED: If you had told
Sergt. Terblanche that you had fired those two rifle
shots at the Police Station, it would have been in
your statement, wouldn't it? --- Ja. Hy sou dit
ingesit het dat ek by die Polisiestanie geskiet het.

You knew he was taking a statement about the
events that day and why people had fired and what had
caused them to fire? --- Hy het ons gevra hoeveel skote
ons geskiet het, want maj. van Zyl wou geweet het.

Is that all he asked you? --- Ja. Hy het
gees ons mees 'n verklaring maak van dienskote wat ons
geskiet het. Toe het ek vir hom gees ek het twee skote
met die .303 en ses skote met die .38 geskiet.

But did you not tell him about the stoning
early in the morning? --- Dit is reg; en ek het vir
hom gees dat ek daar met die rewoluer geskiet het.

H. J. HLE
CROSS-EXAMINATION
RE-EXAMINATION

You told him that you had fired the revolver because the people had been stoning you in the morning?

— Ja.

Did you not tell him why you had fired the .303? — Nee.

And why didn't you? — Wel, hy het vir ons gesê ons moet net vinnig 'n verklaring maak want die speurders van Johannesburg neem oor en hulle sal verder verklarings later kry.

Doesn't it look very much as if you did not tell him about that because you wanted to conceal it? — Dit mag so lyk, maar dit was nie my bedoeling nie.

At any rate, looking back on it now, there was no reason, really, for you to fire at all, was there? — Ek het gereken op daardie oomblik, toe die Bantoes aangestorm gekom het, ons moet skiet.

You say "aangestorm"; they were running. Are you sorry you fired those shots? — Op die oomblik, ja; maar ek het op daardie oomblik gladnie gewet wat aangaan nie.

Is that it, then? — Ja.

DIE VOORSITTE: Jy is jonk, en jy het gekrik, en jy was bang? — Dit is reg.

CROSS-EXAMINATION CONTINUED: Well, that answer is satisfactory to me.

DIE VOORSITTE: 'n Mens hoef nie ooit bang te wees om te erken dat 'n mens feilbaar is nie, konstabel? — Dit is reg.

MR. KENTRIDGE: NO FURTHER QUESTIONS.

HERVENHOOR DEUR MNR. GLASSEH: Nadat jy daardie

Capt. H.S.
VERVOER
J.S. OLIVIER
VERHOOR

skote afgeskiet het, was jy onder die indruk gewees dat niemand daarvan gewest het nie? ---Nee.

Hoe het dit gekom dat jy 'n verklaring gemaak het waarin jy erken het dat jy geskiet het? Is dit omdat iemand anders dit tot jou nandag gebring het, of het jy dit toe uit jou eie gesê? --- Nee; ek is gevra deur die speurders en toe het ek die verklaring gemaak.

THE CHAIRMAN: Mr. Kentridge, I just want to indicate that it was at my request that Capt. v.d. Bergh sought to find evidence in relation to the firing by constables or other members of the Force in Zwane Street. That is how this Witness came to make a second statement.

JACOB JACOBS OLIVIER, beëdig, verklaar:

VERHOOR DEUR MNR. CLAASSEN: Waar is jy gestasioneer? --- Ek is gestasioneer te Vanderbijlpark.

Het jy by die Sharpeville Polisie-stasie gewees tydens die skietery op die 21e Maart? ---Ja.

Hoe laat het jy daar gekom? --- Ek het die nag al daar aangekom, ongeveer 2-uur.

Het wie het jy saangekom? --- Ek het met die Vanderbijl polisie saargekom hierheen.

Wat het jy gemaak gedurende die tyd vandat jy daar gekom het? --- Ek was vanguard-bestuurder.

Het jy in die lokasie rond patrolleer met die vanguard? ---Ja.

Was jy later in Sesise-straat gewees? ---Ja.

Het jy geskiet? --- Ek het geskiet.

Het wat? --- Ja.

Die groot straat wat vanaf Vereeniging loop na die lokasie? --- Ja.

En is jy vandaar saam met 'n afdeling van manskappe onder bevel van kapt. Coetzee na die Polisie-stasie? --- Ja. Dit was die middag, ongeveer 12-uur.

Het julle daar in die straat aan die Suidekant van die Poliestasie, Zwane-straat, stelling ingeneem? --- Dit was in Zwane-straat maar dit was aan die Oostekant gewees.

Was die manne daar opgestel gewees in die straat? --- Ja.

Het julle met julle vragmotors ook tot daar gekom? --- Ja; ons het daar parkeer.

Was jy nog daar gewees toe die skietery by die Poliestasie plaasgevind het? --- Ek was daar gewees.

Het jy dit gehoor? --- Ek het dit gehoor, ja.

Het jy besef vanwaar die skietery kom? --- Ja; ek het net skote gehoor. Ek het nie gesien vanwaar dit kom nie.

Het jy - al het jy dit nie gesien nie, het jy besef of het jy gedink dat dit van een of ander plek af kom? --- Ja; dit het vir my gegaan asof dit vanaf die Poliestasie kom.

Wat was die gevolg van die skietery? --- Die skare het gehardloop, met klippe gegooi en in alle rigtings gehardloop.

Waar was jy daardie tyd gewees? --- Ek was aan die Oostekant.

Het jy geskiet? --- Ek het geskiet, ja.

Het wat? --- My .303.

Hoeveel skote? --- Ek het vier skote geskiet.

Waarheen het jy geskiet? --- Ek het op die
middelman gestaan, in die middelman geskiet.

Hoe ver was kapt. Coetsee van jou af, omtrent?

--- Ek het hom nie gesien, daardie tyd nie.

Was jy tussen die groot kloop mense, of was
jy afgesonder van hulle? --- Hulle het tussen ons
deurgardloop, op ons afgestern gekom - en om ons.
Ek het nie gekyk waar kapt. Coetsee is nie. Ek het net
voor my gekyk.

Ek wil weet, of u my kan sê, presies waar u
gestaan het voordat die mense begin hardloop het? ---
By die middelman; op die middelman.

Ja; maar het kapt. Coetsee die mense daar in
'n lyn opgestel? --- Hulle is in 'n lyn opgestel, ja.

Het jy in daardie lyn gestaan? --- Ek het in
daardie lyn gestaan.

En jy het op die middelman gestaan? --- Op die
middelman.

Was daar meer Polisie op die middelman as jy,
of was jy alleen? --- Daar het om my gestaan. Ek is
nie seker of daar nog op die middelman gestaan het nie.

Het julle die hele straat vol gestaan? --- Ons
het die hele straat vol gestaan.

Was julle gewere gelaaai? --- Ja; my geweer was
gelaaai. Ek weet nie van die ander nie.

Het julle enige bevel gekry in verband met
skietery, of julle onder sekere omstandighede moet
skiet, of nie moet skiet nie? --- Nee; ons het nie so'n
bevel gekry nie.

Is daar van die ander manne wat geskiet het? ---
Ek weet nie. Ek het skote gehoor, maar ek weet nie wie
geskiet het nie. Ek het nie gesien nie.

DIE VOORSITTER: Bedoel u dit is skote wat
afkomstig was van iemand in julle groep wat geskiet het,
hoewel jy nie weet nie, of is dit skote wat van een of
ander plek mag gekom het? --- Dit het so hard gebeur,
ek kon nie skote gehoor het nie - ek het net gehoor klap
en so aan. Ek het nie geweet of dit by ons is, of
daarbo nie.

VERHOOR HERVAT: Die skare Bantoes wat toe
weggehardloop het, het hulle in julle rigting gehardloop,
oek? ---Hulle het op ons afgekom, ja.

Het ek verstaan dat jy gesê het hulle het
deur julle gehardloop? --- Tussen ons verby gehardloop;
hulle het in groot groepe gekom, en party het tussen
ons verby gehardloop.

Wanneer het jy nou geskiet? --- Toe hulle kom
na ons-toe.

Hoe ver was hulle van jou af toe jy geskiet
het? - - Party was alreeds tussen ons deur. Die groot
bondel water ons afgekom het, was ongeveer soos daar by
die muur - 'n bietjie verder. (15 treë). Die enkele
was ontrent soos hierdie bankie, voor ons verbygemaal.
Die massa, soos daardie kaal boom buitekant (20 treë).

DIE VOORSITTER: Is dit die populierboom daar
buite? --- (15-20 treë) Ja. gesien of deur gesien of

VERHOOR HERVAT: Wat was die doel van jou skiet?
--- Ek wou hulle skrikmaak het. Ek was bang hulle sou
oor ons hardloop.

Het die - hoe het jy die hardloperly beskous, as

J. J. OLIVIER
HOOGKONING.

as mensse wat weghardloop van waar daar voor geskiet word,
of mensse met 'n ander bedoeling? ---Ek het self nie geweet
wat aangaan nie. Ek het net gesien hulle kom almal op
ons afgestern. Ek het geskrik.

Het jy besef waarvoor die mensse hardloop? ---
Ek het klippe daar be deur die lug sien trek, by die
Polisiestasio; daar het baie klippe getrek.

Was dit voor die skietery of na die skietery? ---
Dit was met die skietery. Toe dink ek hulle gooi die
Polisiemannne daar, hulle maak hulle miskien dood, of so.
Toe kom die ander op ons afgestern, toe dink ek hulle
stern ons nou. Toe begin ek te skiet.

Kan jy sien wat aan die voorkant, dit is aan
die Westekant van die Polisiestasio, werklik plaasgevind
het? ---Nee; ek kan nie sien nie. Daar was te veel voor
ons.

Toe jy hoor die skietery vind plaas, wat het jy
gedink het gebeur? --- Ek het gedink hulle val die Polisie
nou aan.

En jy sê jy kan nie sê of die ander manskappe wat
by jou was, ook geskiet het nie? ---Nee; ek kan nie sê nie.

DIE VOORSITTER: Kan jy vir kenst. Het? ---Ja.

Weet jy of hy geskiet het? --- Ek het hom nie
gesien nie.

VERHOOR HERVAT: Daar op die middelmannetjie
waar jy gestaan het, het jy gesien of daar deesse of
verwondes gels het na die skietery?--- Daar het gels, ja.
Daar het 'n deesse kindjie gels, 'n jong Natural.

Op die middelman? ---Op die middelman.

Hoe ver van jou af? --- Ongeveer 40 na 50 treë.

Het jy daardie kind geskiet? ---

J. J. OLIVIER
hoofgetuigde
Kruisverhoor

DIE VOORSITTER: Jy is natuurlik 'n Polisie-
amptenaar, so jy besef vermoedelik jou regte. Jy kan
nie gevra word om enige antwoord te gee wat daarop sou
dui dat jy miskien 'n misdryf gepleeg het nie. Jy weet
wat jou posisie is? ---Ja.

Na die skietery, toe die kind daar lê, is die
aangeleentheid bespreek - die feit dat die kind nou daar
lê, daar onder die manne, of wat was die bespreking? ---
Nee, dit was nie bespreek nie.

Het jy gesien hoe die kind daar kom? --- Nee,
ek weet nie. Ek het net gesien hy lê daar. Na daar
geskiet is, het ek gesien daar lê een - dit is die wat
die naaste aan my gelê het.

DIE VOORSITTER: Het julle gaan kyk om te sien
wat is verkeerd met die kind, hoekom hy daar lê? ---Nee;
ons het geweet hy was geskiet gewees het.

Ja, maar was hy dood? ---Hy was dood gewees, ja.

VERHOOR HERVAT: Was daar enige aanduiding of
die kind daar geskiet was waar hy geval het? ---Nee.
Hy is nie daar geskiet nie.

DIE VOORSITTER: Het jy ooit gesien waar hy
geskiet was? Was hy deur die kop geskiet, of deur die
bors, of deur die been? ---Nee, ek het nie so gekyk nie.

VERHOOR HERVAT. KENTRIDGE: Do you
remember the Police Station - have a look at this
photograph (Exh. "H1" handed to Witness). Do you see
Zwane Street on the South side? ---Ja.

Your line was there on the Eastern side of the
Police Station fence? --- Ja.

Perhaps just a little bit off the photograph?
---Ja; ek was 'n bietjie af gewees.

And you were standing on the middle island? --- Ja

And was your line drawn right across the street, or only on the righthand side, across the righthand side?

--- Dit was heeltemal uit die foto gemaak.

Was die ^{lyn} line right across Zwane Street? --- Ja; dit was ongeveer regoor gemaak.

During the time you were there before the shooting, you say people were - members of the crowd were shaking fists at you and shouting abuse at the Police? --- Ja; dit is waar. Hulle het dit gedoen.

How close to you did they come? --- Een het tot teen my gekom en sy vinger in my gesig gedruk en gesê: "Jy weet van Oete Manor; ons sal vir julle net so doodmaak".

Were a lot of them doing that? --- Wel, daar was baie van hulle gemaak.

But were there many of them who walked right up to the Police? --- Baie van hulle, ja.

Coming right up to you? --- Reg na ons op gekom, ja.

You see, Capt. Coetzee gave the evidence that he did not permit any members of the crowd to come closer than ten yards to the line of Police.

MNR. OLIVIER: Tien jaarte is korrek, maar enkelinge het wel gekom; hy het gepraat van een jong Bantu wat by hulle gekom het met 'n hoes of iets wat van hom afgevat is. Hy bedoel die skare - nie enkelinge nie.

CROSS-EXAMINATION CONTINUED: Capt. Coetzee said he did not let the crowd come closer than ten yards? ---

--- Die groot groep het ongeveer tien treë van ons gekom, sou ek sê. Maar wat na ons reguit aangekom het, tot teenaan ons - daar was 'n hele paar van hulle gewees.

What did Capt. Coetzee do with them? --- Dit is toe kapt. Coetzee vir my gesê het ons moet nie kwaad word of so nie; "Staan maar stil". "Los hom maar, laat hy maar terg" en so aan.

Did he say "Los hom"? --- "Los hom", ja.

Why did he say that? --- Hy was seker bang gewees ons sou miskien ook kwaad word of so-ists.

Did he have some - did you have some sort of fight with this Bantu.

THE CHAIRMAN: Mr. Kenridge, "Los hom" means "ignore him".

CROSS-EXAMINATION CONTINUED: Did you do that? --- Nee; ek het toe maar net doodstil gestaan.

Did Capt. Coetzee walk along your line, telling the men they must not fire without an order from him? --- Nee. Ek het dit nie gehoor nie. Hy ken dit miskien gedoen het, maar ek het niks gehoor nie.

You see, that is what he says he did. He says he went along the line impressing on everyone that they must on no account fire without an order from him; that he was in command. You don't recall that? --- Ek kan dit nie onthou nie.

But you did not hear an order from him to fire? --- Ek het niks gehoor nie.

You heard no order from anyone? --- Van niemand nie.

Are you being serious about this, that people apart from Capt. Coetzee, was there not some sergeant or head constable near you? --- Daar was eek

'n paar sergente gewees.

They did not give you an order? --- Ek het geen bevel gekry nie.

So it is quite sure you shot without an order?

---Ja; ek het nie 'n bevel gekry nie.

And you fired your first shot, and then you waited a little? --- Ek het nie lank gewag nie. Ek het net geskiet, en dan wear geskiet en so aan.

And the people next to you were not shooting? --- Nee; ek het niemand gesien skiet nie. Ek het skote gehoor klap en so aan, maar ek weet nie vanwaar dit gekom het nie.

By that time some people had already run past you? --- Daar het enkele verby gehardloop, ja.

They did not harm you? --- Hulle het klippe gegooi en so aan.

Were they running towards you? --- Hulle het op ons afgestorm.

They did not - did they throw stones at you as they were running towards you? ---Ja; hulle het almal klippe in hulle hande gehad.

Why didn't the other men in your line fire; do you think they did not see the stones? ---Hulle het ook gesien, ja.

They held their fire?--- Ek weet nie.

I suppose Capt. Coetzee must have seen that they were throwing stones, and holding stones in their hands? ---Ja; hy het ook gesien. Ek het nie gesien nie.

Are you being serious about this, that people threw stones at you at that time, as they were running

towards you.

DIE VOORSITTER: Na die skietery begin het? ---
Na die skietery begin het. Ja, ek het gesien voor die
skietery het hulle klippe in hulle hande gehad.

Ja, maar die vraag is nie dit nie. Die vraag
is, die wat in hierdie rigting gehardloop het, in julle
rigting, na die skietery begin het. As ek jou reg
verstaan het jy gesê dat daardie mense, terwyl hulle na
julle gehardloop het, het sommige klippe in die hand gehad
en andere het klippe na julle gegee? ---Hulle het klippe
na ons gegee, ja.

CROSS-EXAMINATION CONTINUED: Many stones? ---
Baie gewees.

So I suppose some of your men must have been
hit by stones? Some of the people in your line. The
line was right across the street, shoulder to shoulder;
isn't that right? ---Nee. Ons was 'n ontjie uitmekaar
gewees. Ons was in 'n lyn maar ons was nie teenaakbaar nie.

How many people were hit? --- Daar is Polisie
wat raakgegee was. Ek weet nie wie dit almal is nie.

Was anyone badly injured? ---Nee.

Anyone injured at all? Was anyone hurt by
these stones there in Zwane Street? ---Nee; ek weet nie.

You say some individual people were already very
close to you, and even passed you; but the main crowd
was as indicated, about 20 to 25 yards away? --- Ja.

All together; a big crowd grouped together? ---
Ja; hulle was teen mekaar gewees, gebliek gewees.

Between that crowd and the Police line there
were some individuals who were running in front of the
crowd? ---Ja; daar was party wat nie in die groot

towards you.

DIE VOORSITTER: Na die skietery begin het? ---
Na die skietery begin het. Ja, ek het gesien voor die
skietery het hulle klippe in hulle hande gehad.

Ja, maar die vraag is nie dit nie. Die vraag
is, die wat in hierdie rigting gehardloop het, in julle
rigting, na die skietery begin het. As ek jou reg
verstaan het jy gesê dat daardie mense, terwyl hulle na
julle gehardloop het, het sommige klippe in die hand gehad
en andere het klippe na julle gegee? ---Hulle het klippe
na ons gegee, ja.

CROSS-EXAMINATION CONTINUED: Many stones? ---
Baie gewees.

So I suppose some of your men must have been
hit by stones? Some of the people in your line. The
line was right across the street, shoulder to shoulder;
isn't that right? ---Nee. Ons was 'n entjie uitmekaar
gewees. Ons was in 'n lyn maar ons was nie teenaakkaar nie.

How many people were hit? --- Daar is Polisie
wat rankgegee was. Ek weet nie wie dit almal is nie.

Was anyone badly injured? ---Nee.

Anyone injured at all? Was anyone hurt by
these stones there in Zwane Street? ---Nee; ek weet nie.

You say some individual people were already very
close to you, and even passed you; but the main crowd
was as indicated, about 20 to 25 yards away? --- Ja.

All together; a big crowd grouped together? ---
Ja; hulle was teen aanekaar gewees, geblok gewees.

Between that crowd and the Police line there
were some individuals who were running in front of the
crowd? ---Ja; daar was party wat nie in die groot

groep was nie.

Right in front of you? ---Ja.

Did you shoot at them? --- Ek het nie na hulle geskiet nie.

How did you avoid hitting them? --- Hulle was op ons gewes, en ek het nie na hulle geskiet nie.

Do you say you fired into the ground? --- Ek het my nie soveel aan hulle gesteur nie. Ek het my gesteur aan die groot groep, die massa wat op ons afgekom het.

Did you fire into the ground, or at their feet? ---Na die grond, in die middel.

Just in front of them? --- Ja. 'nHele ontjie voor hulle.

Did your bullets ricochet?

DIE VOORSITTER: Was daar miskien opslagkoeëls gewes, van wat jy geskiet het? --- Ek glo nie die koeëls kon opgeslaan het nie. Dit was in die grond gewes.

CROSS-EXAMINATION CONTINUED: That island, the "middelmantjie" as you call it, how wide was it; about as wide as this suitcase? ---Breër.

About 2 ft. or 3 ft.? ---Ongeveer soos die deur (3 ft.)

Did you make a statement about the events on the 21st March? --- Ek het 'n verklaring gemaak, ja.

When? --- Ek dink dit was die 21e Mei dat ek 'n verklaring gemaak het.

And before that, soon after the shooting? ---Nee.

Is this the only statement you have made? --- Dit is die enigste wat ek gemaak het.

Did you not report to anyone that you had fired four shots with your rifle? --- Ek het by my stasie gesê dat ek vier skote geskiet het.

Who did you say that to? --- Ek dink dit was sers. Gregory.

Did you tell him where? --- Ek het vir hom gesê by die Polisie-stasie het ek die vier skote geskiet.

Because you see, on the official report put in by your Station Commander you are not shown as having fired four at the Police Station, are you? --- Ja.

And did anyone ask you why you had fired? --- Nee.

DIE VOORSITTER: Het jy 'n skriftelike verklaring gemaak oor wat daardie dag plaasgevind het, soos 'n mens gewoonlik van 'n getuie verneem, of het jy net 'n mondelinge verklaring aan die sersant gemaak? --- Ek het 'n skriftelike verklaring gemaak op die 21e Mei.

Afgesien van die 21e Mei, voor dit? --- Nee; geen skriftelike verklaring nie.

CROSS-EXAMINATION CONTINUED: After the shooting, you did not discuss it with the men next to you; you did not discuss with them whether they had fired or anything like that? --- Nee. Ek het nie.

Did Capt. Coetzee know that you had fired? --- Ek weet nie of hy geweet het nie.

Do you think he would have known? Do you think he would have seen you firing, or heard you? --- Nee; ek glo nie hy sou my ken sien nie. Hy het seker ook naer gekyk na die Bantoes wat op ons afstroom.

This crowd that was running towards you, this big crowd that was 25 yards away, what happened to them?

--- Ek het voor hulle vasgekiet en hulle moes dit seker gesien het. As ek voor hulle gekiet het, het hulle so 'n bietjie gee-pad en dan in 'n ander rigting gegaan.

In which direction? --- Wa die regterkant-toe en na die linkerkant-toe.

Do you think that was because of your shooting?
--- Ek kan nie sê nie.

Do you think they could see you shooting? ---
Hulle moes seker gesien het.

- ADJOURNED: 11.15 a.m. -

- RESUMED: 11.45 a.m. -

JACOB JACOBUS OLIVIER, still under oath:

CROSS-EXAMINATION BY MR. KENTRIDGE CONTINUED:

How could you see where your shots went? --- Ek het gekorral waar ek gekiet het.

You aimed on a place on the island? --- Ja.

And could you see where your bullets hit? ---
Ek het in die grond gekiet, waar ek gekorral het.

Did you fire your four shots one after each other or did you leave a little interval between each shot? --- Ek het nie juis 'n rukkie gewag nie. Ek het kort na mekaar gekiet.

I suppose, then, by the time you fired the last shot the crowd must have been very close to you? --- Soos ek gesê het, die ankeles was alreeds verby gwees.

And this big crowd that you were frightened of, by the time you fired your fourth shot they must have been very close to you? --- Party het langs my gestaan, langs my verby gehardloop.

When you stopped firing, how close to you were

they? ---Hulle was by ons gewees, naby ons gewees.

Why did you stop shooting? --- Ek het gehoor hulle skiet nie meer nie. Ek het gehoor die skote raak nou minder, toe reken ek ek moet ook nou ophou.

So you stopped firing because the firing you heard seemed to be slacking off? --- Ja; en die grootste groep het toe uitmekaar gegaan.

Otherwise you would have gone on firing? --- Nee, ek sou nie geskiet het nie. Die enkeles wat na my gehardloop het, sou ek nie geskiet het nie. Maar toe ek daardie groot massa sien, het ek geskrik en ek het geskiet.

You did not fire past the Eastern fence of the Police Station? ---Nee.

You did not see anyone else doing that? --- Ek het niemand gesien skiet nie.

DIE VOORSITTEK: Weet u wat in die Oostelike heining van die Polisie-stasie? ---Ja.

Met ander woorde, enigeen sou na sy regterhand nees geskiet het? ---Nee, ek het niemand gesien skiet nie.

CROSS-EXAMINATION CONTINUED: After the shooting, did you stay in your line? --- Ek het nie in my lyn gebly nie.

What did you do? ---Ous het agter-toe gestaan, rond gestaan, alle kante-toe.

Was the line not still drawn up across the street?---Nee.

Are you sure about that? ---Ja; ek is seker.

Well, if you were moving around, why did you not go up to this child to see what had happened to him? ---Na die skietery, toe hulle nou uitmekaar uit is, het ons geleop na al die lyke toe, en na die beoerdies, en

hulle te probeer help.

And did you not see what had happened to this child? ---Nee; al wat ek gesien het was dat hy gels het met 'n klip in sy hand.

Oh, now he had a stone in his hand? ---Ja.

And no-one told us about that before? ---Ja, maar ek het dit gesien. Ek weet nie of die ander dit gesien het nie. Ek het dit gesien.

It had not fallen out of his hand, this stone; it was still in his hand? ---Ja; in sy hand.

Where was he shot? --- Ek het nie opgelet nie. Ek het nie gekyk waar hy geskiet is nie. Ek het net gesien hy lê met 'n klip.

Was this what you saw from the place where you fired, or did you go up to him? ---Nee, ek het daar verbyge-loop, gekyk - die wat dood is, het ek laat lê en die wat nie dood is nie, het ons probeer help.

You see, you said earlier in reply to my learned friend and to the learned Commissioner that you did not go up to this child to see what had happened to him; you did not see whether he was shot in the head or the back or the leg, and you are now able to tell us that he had a stone in his hand? ---Ja; ek het nie spesiaal na hom ge-loop om te gaan kyk waar hy geskiet is, of so nie. Al die Polisie-manne het gegaan en die wat geskiet is, wat ons gesien wat dood is, het ons laat lê en die ander het ons probeer help. Dit is daarom dat ek gesien het hy het 'n klip in sy hand.

How close to him were you? --- Ek het by hom verbyge-loop, so gestaan en kyk, toe loop ek verder aan.

Unless my recollection is quite wrong, this is

the complete opposite of what you said while you were giving evidence here this morning? --- Ek het gesê dat ek nie na hom gaan kyk het net nadat ons opgehou skiet het - spesiaal net na hom geloop het om te gaan kyk nie. Daar, na die skietery, toe ons na almal geloop het, het ek by hom verbygeloop en gesien dat hy 'n klip in sy hand het.

DIE VOORSITTER:
/Hoe het hy gels - op sy rug, op sy maag, op sy sy? --- Ek dink hy het op sy maag gels, so dwarsoor die middelman.

CROSS-EXAMINATION CONTINUED: And what hand was the stone in? ---In sy regterhand.

How could you see that? --- Ek het gekyk en gesien.

It had not fallen out of his hand? --- Hy het so gels (verduidelik).

Const. Olivier, we had better check the record because this morning, according to my note, you indicated that you did not go to have a look at this child; that you saw it between 40 and 50 yards away. That is the note also made by my learned friend; that you never went up to him? --- Ek het reeds gesê, ek het dit vanoggend gesê, maar die betoeling was dat ek nie spesiaal na hom geloop het nie. Ek het verstaan u het my gevra of ek spesiaal na hom geloop het om te gaan kyk waar hy geskiet is.

Where was he shot? --- Ek weet nie.

You could not see any wound on him? --- Daar was so baie gewondes, ek het nie na hom geloop en gaan kyk waar hy presies geskiet is nie. Ek het maar net gesien hy lê, en hy was toe reeds dood. Ek het geen

idea waar hy geskiet is, in die been of arm nie.

At that time, were the vans picking up the dead bodies? ---Ja.

Did you not pick this body up and take it to a van, or get somebody to do so? ---Nee. Ek het dit nie gedoen nie.

What were you doing; just walking about? --- Ek het u gesê, ons was bezig om die beneerde te help.

Did you help any wounded? ---Oms het baie gehelp.

I am asking you; did you help anyone? --- Ek het gehelp, ja.

Who did you help? --- Ek ken die name nie.

Man, or woman? --- Ek het mans gehelp, en vrouens, almal deurnekaar.

What sort of help did you give?--- Die wat in die bene en arms gestuur was, wou op een been spring en wegloop. Toe het ons gesê "Nee, sit stil; moet nie spring op daardie been nie".

Oh, I see. That is the sort of help you gave? --- Dit was, ja.

You saw a great many stones thrown. I rather got the impression from you that you saw stones being thrown at the Police who were in the Police Station; is that right? --- Ek het klippe deur die lug sien trek.

Where? --- Vannit die Bantoes, na die Polisie.

Going which way? ---Na die Polisie.

From what part of the crowd? --- Soos ek sê, uit die hele groep het ek die klippe gesien kom.

Was that just before the shooting started; do you mean at that time? ---Ja; dit was so-te-sê gelyk

gewees.

And there were stones being thrown at the Police Station? --- Na die Polisie-stasie.

Let's have a look at Exh. "B1" and you can tell us where you saw the stones being thrown? --- (Getuie teen aan).

Along the whole of the South side of the Police Station - is that what you mean? --- Van orals; hulle het alle kante gegooi. Hierdie wat hier gestaan het (dui aan) het na ons-tee gegooi.

Those standing on the South side, near the South-East corner, threw stones at you? --- Ja.

Was that before the shooting? --- Dit was net die skietery gewees.

That was even before they were rushing? --- Toe het hulle begin beweeg.

One final question on this point: These people on the South side were throwing stones at the Police Station. Could you see what they were throwing at? --- Ek het nie juis mooi kon sien tot voor die Polisie-stasie nie. Hulle het te dig gestaan. Maar ek het die klippe net deur die lug gesien trek, soos ek gesê het, na die Polisie-stasie se rigting.

It so happens that your evidence on this point does not seem to be borne out by any other evidence. I think I ought to tell you that it may become necessary later, in the course of argument, to submit to the Commissioner that your evidence about the stones you saw thrown, is incorrect, and in fact is false? --- Nee, ek het dit gesien. Ek weet nie wat die ander gesien het nie.

Can we take it, then, that after the shooting

J. J. OLIVER
Cross-examination
J. P. WILSON
HOORRECHTER.

there in Zwane Street you did not speak, you did not report to any officer or sergeant or constable about your shooting? --- Direk daarna het ek niks gepraat van die skietery nie. Niemand het my ook gevra nie.

NO FURTHER QUESTIONS.

MNR. CLAASSEN: GEEN HERVERHOOR NIE.

JOHANNES PIETSEN, beddig, verklaar:

VERHOOR DEUR MNR. CLAASSEN: Waar woon jy?

--- Ek woon hier onder in die dorp.

In Vereeniging? --- In Vereeniging, ja.

Wat is jou adres? --- 41a, Smuts Road.

Vereeniging? --- Ja.

Jy weet van die skietery wat plaasgevind het op die 21e Maart vierdie jaar, te Sharpeville? --- Ja.

Daardie dag, het jy na Sharpeville gegaan? ---

Ja.

Hoe laat het jy sekkentoe gegaan? --- Ek het daarheen gegaan, omtrent half-past-nine die more.

Hoe het jy daar gekom? --- Ek het daar gegaan met 'n kar.

Het jou kar? --- Ja.

Wat het jy daar gaan maak? --- Ek het gaan kyk wat aangeen daar.

Wat het jy verwag? --- Ek het verwag om te hoor wat aangeen.

Maar wat het jy ointlik wou gaan sien? --- Ek wou gaan sien het, ja.

Wat? --- Wat aangaan daar, met daardie hoop
mense wat daar gewes het.

Het jy verwag dat daar iets sou gebeur daardie
nôre? --- Ja.

Waar het jy dit gehoor, dat daar iets sou
gebeur? --- Dit was Vrydag.

Jy sê jy het omtrent half-tien sêwentoe gegaan?
---Ja.

Het jy by die groot hek ingegaan, hier waar
die munisipale geboue is? ---Ja.

DIE VOORSITTER: Jy moet nie net jou knop
knik nie.

VERHOOR HERVAT: Jy ken Seciso-straat? ---
Seciso-straat?

Die groot straat, soos jy ingaan? --- Ek ken
hen, ja.

Nou, vertel aan ons hoe jy toeastande gevind
het toe jy daar gekom het? --- As ek daar kom, ek stop
die kar.

Waar? --- Daar op die hek. Toe gaan ek in.
Nou, wanneer ons daar staan en staan en staan en staan
en staan en staan en staan, toe was daar eemal baing
mense daar. Die mense, almal van hulle het toe nie
die regte gekry as ok' nie; maar so het dit aangegaan;
dit het gegaan naderhand dat hulle almal aangegaan het
met die mense wat daar gewes het.

Hulle het baklei - praat jy nou van die Baktoe-
mense? --- Almal.

Het jy Polisie ook daar gesien? ---Ja.

Wie het met wie baklei? --- Teenekaar.

Vertel aan ons eers wat die Bantoes gedoen het?
--- Hulle het geskree, geskree, geskree, daar, omdat die
ander mense verstaan/wat hulle praat. Maar nou was dit
so, geen ander een het geen ander een verstaan nie.

DIE VOORSITTER: Watter Bantogroep behoort jy
aan? Is jy Sesuto? --- Ja.

Watter taal praat jy die beste? Sesuto? ---
Afrikaans.

Praat jy Afrikaans beter as Sesuto? ---Ja.

VERHOOR HEEVAT: Jy wil nie liever deur die
tolk praat nie? ---Nee; dit is nie nodig nie.

Wat het hulle - jy s' hulle het daar baklei? ---
Hulle het daar baklei, ja.

Waarnee het hulle baklei? --- Hulle het gehad
klippers, alle seorte dinge - ek het nie uitgemaak wat
hulle het nie.

Het hulle gegooi met die klippe? --- Gooi - ek
het nie gesien nie; maar hulle het baklei.

En stakke? ---Hulle het gehet, maar dan het
ek nie gesien slaan nie.

En het jy gesien wat die Polisie gemaak het? ---
Die ding wat hulle nou maak, toe was ek nie daar nie.

Toe hoe laat het jy daar gebly? --- Ek het daar
gebly tot omtrent half-past-elfen.

Het jy gehoor wat gesê word daar onder die
mense? --- Op die oomblik toe ek daar was, ek het nie
goverstaan nie, want ek was te ver.

Die eerste klomp wat jy teëgekam het, het jy
gehoor wat hulle gesê het? --- Ek het gehoor, ja.

Wat het hulle gesê? --- Ek het net gehoor skree,

"Afrikal!" "Afrikal!"

En is jy toe later na die Polisiestasis toe ook?
--- Toe was ek na die Polisiestasis-toe weer.

Toe die skietery plaasvind, was jy ...? --- Was ek nie daar nie.

Was daar baie Bantoes gewes op die Polisiestasis? --- Baie.

Wat het hulle gemaak? --- Ek het net gesien staan, daar.

Was hulle vriendelik of was hulle kwaad gewes, of wat was die posisie? --- Hulle was nie kwaad gewes nie. Dit was ordentlike mense.

By die Polisiestasis? --- Ja.

Het hulle gesê wat hulle daar kom maak? --- Ek was nie naby nie, want ek was bevrees om naby te gaan. Ek het nie geverstaan wat hulle gesê het, daar nie.

Waarom was jy bevrees? --- Want ek het gesien nou wat aangaan daar, toe dink ek dit sal nog aangaan, daar.

Hoe meen jy; waarvoor het jy gevrees; waarvoor was jy bang? --- Nadat hulle nog sal baklei.

Met wie? --- Met die witmense, daar.

Het jy gedink hulle sal baklei? --- Ek het gedink - ek het so gesien, ja.

Wat het jy gesien? --- Dat ek sal nog kan sien.

Hoekom het jy so gedink? --- Omdat daar is nie een wat 'n ander een bysterk nie.

Hoekom sê jy so? --- Ek sê so omdat ek sien daar is nie een wat 'n ander een bysterk nie.

Het daar nou enigiets verkeerd gebeur, daar, wat jy

gesien het? --- Daar is iets verkeerd wat ek ook gesien het waarvan het, ja.

Wat? --- Wat die mense - hulle was so, hulle het - die predikante, hulle was almal agter. Nou, daardie ding was heeltemal verkeerd vir my, as ek gekyk het, ja.

Watter ding was verkeerd - die predikante wat agter was? --- Ja.

Wat het die predikante gemaak? --- Hulle was agter.

Het hulle gepraat met die mense? --- Ek het geeneen gesien praat met mense nie.

Waarvoor was jy eintlik bang? --- Ek was bang om nadat ek moet praat, sal hulle ook vir my slaan.

GEEN VERDAGTE VRAG NIE.

CROSS-EXAMINED BY MR. KENTRIDGE: I think a little while ago you saw me outside Court? --- Yes.

And I think you told me there was something important which you have to tell me? --- Yes.

I don't know whether that was something you meant to tell me for the purposes of this Commission or whether it was not? --- Yes, it was.

Would you like to say it here? --- If you want to know what the Master stands for.

Have you nothing to tell? --- If I must tell something, I will be telling it; but I just want to know.

THE CHAIRMAN: I don't quite follow this. Jy is jy wil weet wat die "Master" voor staan; watter een praat jy van - van die Kommissaris, of van die advokate, of van

wie? --- Die baas.

Mr. Kentridge, die advokaat? --- Ja.

CROSS-EXAMINATION CONTINUED: Yes, but is there something you want to tell the Commissioner? --- I've got something to tell the Commissioner.

DIE VOORSITTER: Luister hier: Al wat ek wil hoor, is getuienis oor wat gebeur het daardie dag by Sharpeville, verstaan? As jy vir my daaroor kan getuienis gee, oor wat jy gesien het of wat jy gehoor het, wat vir my kan help om uit te vind - baie mense praat en sê "Dit het gebeur"; ander mense praat en sê "Dat het gebeur", en ek moet nou probeer uitvind wat het werklik gebeur. As jy iets weet van wat jy gesien het met jou eë of wat jy gehoor het met jou ore daardie dag, daar, kan jy dit vir my vertel; maar ek stel nie belang in ander goed nie? --- Houja, maar, as jy vandag vir my hoor ...

Ek sal jou hoor as jy vir my iets kan sê. Hou, wat is dit wat jy wil sê? --- Is dit goed om te sê, by die Commissioner

Laat ek net hoor; ek sal kan besluit of jy getuienis sal gee. Wat sê jy, wat is jou klagte? --- Ek dink die baas, jy moet my hoor; dit is - as hulle toegelaat het as hulle moet maak soos hulle toegelaat is, gedink het, dat hulle maak nie mooi nie.

Mr. Clanssen, ek is bevrees hy mag iets hê wat sê maar op die oomblik hy wil/sien - op die oomblik is dit nie vir my duidelik nie.

CROSS-EXAMINATION CONTINUED: I wonder if you could tell us, Pieteresen, what is your occupation? --- My occupation is on these Ministers.

You are a student of Religion? --- Yes.

J. P. P. P.
ORDER - EXAMINATION
MR. PIETERSE
HOOGGETUIGDE

Well, Mr. Commissioner, this witness has approached me outside Court and indicated without telling me what, that he had something important to say, and I just thought I should raise it in case there was anything. I have no idea at all what it is, because he had some reluctance to tell me.

DIE VOORSITTER: Mr. Claassen, ek sal die memorandum nagaan en dan kan ek die getuie weer terugroep indien dit nodig is - tensy dit voorgestel kan word presies wat hy wil sê.

Mr. Waldeck, kan u vir hom vra, in Sesuto? ---
Ek sê hulle maak nie reg nie, net die Wet.

Kyk, Pieterse, ek dink jy sal 'n oomblik moet afstaan sodat ek eers geleentheid het om vas te stel wat die posisie is, dan sal ek jou weer terugroep? ---
Goed.

ANDRIJN JACOBUS PIETERSE, beëdig, verklaar:

VERHOOR DEUR MNR. CLAASSEN: U is 'n speurderkonstabel in die Suid-Afrikaanse Polisie gestasioneer te Vereeniging? ---Ja.

Is u op 21 Maart na die Sharpeville lokasie? ---
Ek is.

Was u die bestuurder van 'n voertuig? ---Ja.

Wat se voertuig was dit? --- 'n Volkswagen.

Wie was nog insitendes van die kar? --- Sers.
Prinsloo en nog twee ander lede; ek kan nie Anthony nie.

Was u meer as een voertuig bymekaar? ---Ja.
Oms was drie wat na die Polisieostasie gegaan het.

Het u direk ingegaan na die Polisieostasie? ---

Ja.

Hoe laat het u daar aangekom? ---Ongeveer 11 v.m.

Wet u wie die senior-Polisiebeampte was, destyds?
--- Luit. Visser was saam met ons.

Het u hoofkonstabel Hoyl daar gesien? --- Ek het
hom daar gekry.

Ken u 'n Dantoe met die naam van Tsolo? --- Ek
het hom die betrokke dag die eerste keer gesien.

Waar was hy toe u daar aangekom het? --- Aan
die Suidekant van die Polisieostasie het hy op-en-af
langs die draad geloop, aan die binnekant van die
draad.

Hoe laat het julle ontrent aangekom by die
Polisieostasie? ---Ongeveer 11-uur.

Het jy die vliegtuie gesien oorgaan? ---Ja.

Na julle daar gekom het? ---Na ons daar gekom
het.

Hoe lank was julle daar toe die vliegtuie
oorgekom het? ---Ongeveer 'n kwartier.

Hoe seker kan jy wees ontrent die tyd toe julle
daar aangekom het? ---Nee, ek is nie baie seker nie.

Dis is 'n beraming? ---Ja.

Tsolo - het jy hom gesien praat met iemand? ---
Met luit. Visser.

Hoe lank nadat julle daar gekom het? ---
Ongeveer tien minute nadat ons daar gekom het.

Waar was hulle toe hulle met mekaar praat? ---
Aan die Suidekant van die Polisieostasie, buitekant die
ingang van die aanklagtekantoor.

Daar is 'n stoep? --- Daar is 'n stoep.

Nie op die stoepie nie? --- Hy het nie op die stoepie gestaan nie.

Hoe het dit gekom dat hulle in gesprek verkeer het, daar? --- Luit. Visser het hom geroep/en hy het na hom-toe gekom.

Wie was teenwoordig? --- Ek kan nie almal onthou nie. Hoofkonstabel Keyl was daar. Ek weet - ek was daar; daar was Bantokonstabels.

DIE VOORSITTER: Weet jy watter Bantokonstabels - was daar enige van die wat u gekom het? --- Ek kan hulle nie juis nie.

VERHOOR HERVAT: Die persone wat daar teenwoordig was by die gesprek, het hulle naby genoeg gestaan aan die besprekings dat hulle kon hoor wat gesê word? --- Ja. Party het op die muurtjie wat daar is, gesit. Party het op die trappies gestaan. Ek het onder andere by die muurtjie gestaan.

Het jy gehoor wat daar gesê is? --- Ek het alles gehoor wat daar gesê is.

Vertel aan ons hoedat die gesprek begin het, en alles wat jy daar gehoor het, wat jy daarvan kan onthou? ---Luit. Visser het vir hom gevra wat hulle daar kom maak. Hy het toe gesê dat hy nie sy pasboekie by hom het nie, en dat hy en andere gekom het dat hulle moet toegeluit word.

DIE VOORSITTER: Watter taal is gepraat?---Hy het Engels gepraat.

VERHOOR HERVAT: Ja, verder? ---Na die gesprek het luit. Visser aan hom gevra, "Wat sal julle volgende stap dsa wies?" Hy het toe gesê hulle wil £35 per maand

hê. Daarna het hy hom weer gevra, "Wat sal dan julle volgende stap wees?" en hy het toe gesê hulle wil vrye beweging hê, as hulle nou by voorbeeld wil daarnatoe gaan, of daarnatoe gaan. Hy het natuurlik ook gesê dat Ghana se mense wil by voorbeeld ook vrye toegang hê tot die Unie, dat hulle hiernatoe kan kom en gaan net soos hulle wil.

Nog iets? --- Dan het hy natuurlik gepraat van hulle President, Sebukwe. Hy het gesê hy sal nog hulle President wees, hulle Koning.

Enigiets verder van Sebukwe? ---Nie wat ek kan onthou nie.

Is dit al wat jy kan onthou? --- Dit is min of meer al wat ek kan onthou.

Hoe het die gesprek geëindig? Het die manne wat daar by die stoepie gestaan het daar gebly, en het hy nog daar gebly na die gesprek, of het hy weggestap? ---Luit. Visser het hom versoek om aan die mense te sê hulle moet nie daar oor die draad leun nie. Toe het hy teruggeleef na hulle-toe en met hulle gepraat.

Het hulle teruggestaan? ---Nie juis nie. Party het beweeg, en dan het hulle maar weer vorentoe gekom en maar weer teen die draad gestaan.

Watter kant-toe het hy gestap toe hy met hulle gepraat het? --- Eers na die Suidekant van die draad-toe, en toe het hy omgeleef en toe het hy met persone gepraat wat op die kliniek se dak gesit het, aan die Westekant van die Polisieostasie.

Het hy deur die skare gestap? --- Ja. Hy is by die hek daar uit. Daar het hy met die persone gepraat wat op die dak gesit het, en hy het toe weer afgeklim en

hy het weer teruggekom en hy het weer binne gekom.

Was hulle stil gewees toe hy met hulle gepraat het? --- Hulle het "Afrika!" geskree en gesing.

Jy, maar terwyl hy met hulle gepraat het? ---
Nee. Daar was dit omtrent nooit stilte gewees nie.

Watter taal het hy met hulle gepraat? ---Nee,
ek weet nie. Ekhet net gesienhy praat met hulle. Ek
kon nie hoor wat hy sê nie.

Jy kon niks uitmaak wat hy sê nie? ---Nee.

Kan jy onthou of daar later weer 'n gesprek was
tussen hom en Iuit. Visser? ---Nie wat ek van weet nie.

Jy weet wat jou eie bewegings was daar op die
Polisieterrein? ---Ja.

Sou jy sê dat die moontlikheid wel bestaan dat
daar so'n gesprek gewees het, sonder dat jy daarvan
bewus is, of sou jy so'n moontlikheid heeltemal kan
uitsluit? --- Ek was nie al die tyd buite nie. Ek was
in die kantore, by voorbeeld; ek was in die agterplaas,
so ek kan nie sê of daar nog 'n gesprek was nie.

Maar kan jy sê dat dit die eerste gesprek was?
--- Dit was heeldefinitief die eerste gesprek.

Die moontlikheid bestaan dat daar ander gesprekke
gevolg het? --- Die moontlikheid bestaan.

Maar dit was die eerste gesprek? ---Ja.

Toe het Visser hom na hom-toe roep, het jy die
indruk gekry dat Visser hom ken? - Iuit. Visser? --- Nee.
Ek is amper seker Visser het hom gevra wie hy is. Ek
gle nie hy het hom geken nie.

Was dit die enigste Bantoe wat aan die binnekant
van die draad was, behalwe die nie-blanke Polisie? ---Nee.

Daar was nog ander, ook.

Hoeveel? — Ek kan my voorstaan dat ek twee ander gesien het.

Maar het jy die indruk gekry dat luit. Visser met hom praat asof hy hom beskou as die leier van die mense? — Ja.

En ...? — Hy het ook aan hom gevra wie hy is.

As daar enige gesprek — was daar enige gesprek in verband met iemand wat die skare sou toespreek op 'n latere stadium? — Nee.

Was daar enigiets gesê waarvan jy kon aflei dat die skare daar moet bly en wag vir iemand wat hulle sou kom toespreek? — Nee.

Het jy enigiets gehoor omtrent iets wat om 2-uur sou plaasvind? — Nee.

Kan jy die moontlikheid daarvan heeltemal uitkakel? Het jy die hele gesprek gehoor? — Ek het die hele gesprek gehoor, en daar was nooit so iets genoem nie, nie deur enigiemand in my teenwoordigheid nie.

DIE VOORSITTER: Is daar miskien tussen julle in die gesels verwys na die feit dat iemand later sou kom om te hoor — ek praat nou nie van 'n gesprek met Teelo nie, maar tussen julle, onder mekaar? — Nee; want ek het ook nie gewoet of daar ooit versterkings sou kom nie.

VERHOOR HERVAT: Daar was nooit 'n kwessie dat Visser die skare toegesprek het en dat hy maar bloot getelk het nie? — Nee.

Hy het met hom self gaan praat? — Hy het met hom self gaan praat. Visser was nie eers naby die skare nie. Visser het alleenlik met hom gepraat.

Was daar enige versoek gerig deur Tsolo of
- aansenigees van julle, waarvan jy bewus is? ---Nee.

Jy sê daar was maar deurentyd 'n lawaai, en geraas?
--- Deurentyd het hulle geskree en gesing, verskillende -
hulle het nie altyd almal een lied gesing nie. Die
klomp aan die Suidekant het by voorbeeld een lied gesing,
dan sing daardie klomp aan die ander kant weer iets
anders.

Wat was hulle houding teenoor die Polisie? ---
Ek weet nie hoe om dit nou juis uit te druk nie.

DIE VOORSITTER: Watter tyd praat u nou van?

VERHOOR HERVAT: Van die begin af, vandat u
daar gekom het? ---Hulle was beledigend; hulle het
sekere dinge gesê, en geskree, oor Cato Manor, "Afrika!"
en daardie klas van dinge.

In watter opsig was hulle beledigend? Is dit
iets wat jy afgelei het van ...? --- Dit is die houding
wat hulle aangeneem het; ek het afgelei, hulle respek-
teer nou nie juis die Polisie wat daar binne is nie.

Jy sê "beledigend" of bedoel jy minagtend? ---
Ek sal net weer 'n voorbeeld noem. Ek het onder andere
op een tydstip daar by die draad - een van hulle het
vir my gesê "Ou Piet!" Ek het onder andere vir hulle
gesê, "Dit is nou julle eie draad wat julle nou hier so
verniet en wat julle so druk". Toe het hy vir my
gesê, "Julle sal hom regmaak!"

Het jy die indruk gekry dat die draad onnodiglik
gedruk word? ---Ja.

Tot hoe 'n mate? --- Aan die Suidekant staan daar
by voorbeeld so 'n goel paaltjie; ek dink dit behoort
aan die Pookantoor. Op een stadium het hulle daardie
draad gedruk dat dit teen daardie goel paaltjie

Het jy die paaltjie nog weer gesien daarna? ---
Ek dink die paaltjie staan nog daar.

Kan jy enigiets aan die paaltjie sien wat kan
toon dat die draad oer gedruk was? --- Ek glo nie.

Jy is nie gestasioneer te Sharpeville nie? ---Nee.

Jy kan seker nie spreek van hoe die paaltjie
gestaan het voor die tyd nie? ---Nee. Ek weet ook nie
hoe hy nou staan nie.

Dem sal ons dit nie verder neem nie. Was u
daar gedurende die skietery? --- Ek was daar.

Waar was jy? --- Aan die Suidkant.

Hoe ver van die punt af? ---Om die eerlike
waarheid te sê, dit het baie vinnig gebeur. Ek het net
opgestaan. Ek het daar op 'n stoel gesit. Ek het
daar opgestaan en toe die Polisie aantree, het ek
nader geloop.

Weet u of die punt reguit na die Suidelike
draad gewys het, of het dit skuins gewys, meer in 'n
Oostelike rigting? ---Nee, ek weet nie.

Het jy geskiet? ---Nee.

Het jy in die lyn gestaan? --- Ek was glad nie
in die lyn nie.

Was jy gewapen? --- Ek was gewapen.

Het 'n gewone ...? ---'n Gewone pistool.

DIE VOORSITTER Waar was jy gewes met betrek-
king tot die ingang na die Polisiekantoor, met ander
woorde, die ingang aan die Suidelike kant? --- Die klein
hekkie - entree tussen die klein hekkie en die ...

Ek bedoel, was u meer na die Westekant gewes, of
meer na die Oostekant van die ingang na die Polisiekantoor?

--- Omtrent in die middel van die draad aan die Westekant, en die hekkie.

Met ander woorde, u was aan die Westekant van die ingang gewees?---Ja.

VERHOOR HENVAT: Kon jy sien wat voor gebeur, aan die Westekant? --- Nee.

Het voor die skietery, het jy nie gesien wat daar gebeur nie? --- Ek het niks gesien voor w/ die skietery nie.

Waarmee het jy jouself bezig gehou; wat was die doel van daar sit? --- Ons was op diens, daar, en ek het maar net gesit en rondkyk.

As daar klippe gegerol was, weet jy daar niks van nie?--- Ek weet daar niks van nie.

As daar arrestasies uitgevoer is of mense verwyder is van naby die groot hek, weet jy daar niks van nie? --- Ek weet daar niks van nie.

As daar bevel gegee is om aan te tree, weet jy daarvan? ---Ook nie.

Of om te laai - vyf rondes te laai? ---Niks nie.

Het jy 'n bevel gehoor om te skiet? ---Niks nie.

So jy het gladnie gesien wat daar aangaan nie? --- Nee.

Het voor die skietery, kan jy vir ons sê wat die toestand van die draad was? Was die draad nog oer gedruk gewees? --- Aan die Suidekant het hulle nog teen die draad gestaan.

Was die draad oergedruk gewees? --- Die draad het half oergehel. Hulle het teenaan die draad gestaan.

Jy het vir ons meer of min 'n beskrywing gegee van

die houding van die skare, toe julle daar gekom het?

—Ja.

Kan jy vir ons sê of dit verander het? —

Om die waarheid te sê, toe ek opgestaan het om te stap na waar hulle aangetree het, het ek eerlikwaar opgestaan omdat ek nie alleen daar wou sit nie.

DIE VOORSITTER: Was daar niemand anders daar nie? —Nee. Daar was nog een persoon saam met my gewees het, maar ek glo nimmer. Ek het eerlikwaar opgestaan omdat ek onrustig was.

VERHOOR HERVAT: Wat was dit wat jou eintlik skrikkerig gemaak het? —Hulle houding.

Kan jy dit 'n bietjie nader beskryf? — Daar was by voorbeeld van die Bantoevrouens wat met die hande in die lug rondgespring het en te kere gegaan het, en dan het hulle so na die draad aangekom en so het hulle nou saam begin beweeg.

Het jy dit net opgemerk wat die Bantoevrouens betref? —Nee, almal. Toe het die Bantoevrouens so 'n kreet gegeroep, wat ek al ondervinding van gehad het, vroeër jare.

Wat betei dit? — Dit is so'n soort oorlogskreet wat hulle geuit het.

So jy kan ons nie help met wat aan die Westekant gebeur het nie? — Nee.

GEEN VERDEEN VRAE NIE.

CROSS-EXAMINED BY MR. KENTRIDGE: Mr. Pieterse, I was not quite sure where this chair was that you were sitting on.

DIE VOORSITTER: Kan u vir ons op die foto wys? — Ek dink daar is 'n waterkran.

Kyk na Newyestuk "Bl"? --- (Getuie teen aan).

CROSS-EXAMINATION CONTINUED: You were on the South side, more or less opposite the South-Eastern corner - the South-Western corner of the Police building itself? ---Ja.

And as you have said, you were virtually alone, there?---Ja. Ek dink ek was op daardie stadium alleen daar.

Well, the evidence has been that there weren't any Policemen on the South side? --- Ek was definitief daar.

But there were not any uniformed Policemen on the South side? ---Nee; daar was nie.

Yet we know that there was no attack on the Police Station on the South side? --- Sever ek gesien het, nie.

That little gate on the South side opposite the entrance was not locked? ---Nee.

There was nothing to prevent people running through that gate and right into the Police Station? --- Dit is reg.

I want to ask you about this person who spoke to you; did he say to you "Ou Piet"? --- "Ou Piet".

Is that what you are generally known as? --- Nee. Ek is bekend as "Baas Piet".

Yes; they know your name; I suppose you are fairly well-known? ---Ja.

This conversation between Luit. Visser and Taelo, lasted a few minutes? --- Yes.

Have you ever made a statement about this

conversation? A statement in which you were asked to recall what had been said? --- Ek het gisterdore 'n verklaring gemaak.

Between the 21st March and the 31st May, did anyone ask you anything about this conversation? --- Niemand.

And you just remember it? --- Ja.

I am mentioning it because the account that you give of the conversation is almost exactly the same as Luit. Visser gave this commission; he mentioned all the same things - the £35 a month, the free travel between here and Ghana for Africans, Sekukwe as First President? --- Dit is definitief wat daar gesê was, en ek onthou dit baie goed.

Are you in Luit. Visser's department? --- Ja.

Is he your immediate superior? --- Kapteyn Kruger is. Ten tyde van die voorval was luit. Visser.

Did you ever discuss the events of that day with luit. Visser? --- Gladnie.

You never said a word to him about what happened at Sharpeville on the 21st? --- Ons het dit nooit bespreek nie.

DIE VOORSITTER: Hoekom nie? --- Ek weet nie. Ek het nie gewoet ek sou eers hier getuigis gee nie.

CROSS-EXAMINATION CONTINUED: Was it not a matter of interest in the C.I.D., or are you all too busy? --- Ons is besig.

But was it not a matter of interest to you, in the C.I.D.? Surely, there was a discussion about what had happened and what might have been done to avoid it? --- Ons het dit nie bespreek nie.

DIE VOORSITTER:

/Was daar geen bespreking tussen jou en enige lid van die Polisieang te enige tyd in verband met wat op die 21e Maart by Sharpeville gebeur het nie? ---
Tussen my en luit. Visser, nie. Ek was behulpsaam met die ondersoek van die saak, en daar was dinge bespreek. Maar nie tussen Visser en my nie.

CROSS-EXAMINATION CONTINUED: Who did you have discussions with? --- **Het die lede van die Mag met wie ek saam gewerk het, het ek sekere dinge bespreek.**

Do you mean Capt. v.d. Bargh, the C.I.D.? --- **Ja.**

But I am talking of discussions between you and other people who were there with you on the same day? ---
Nie met een nie.

When you arrived at the Police Station, was Luit. Visser in the same party as you - in one of those three cars? --- **Ja. Ek het die (onhoorbaar).**

According to the information we have, at that time when you arrived there was only a handful of Policemen at the Police Station? --- **Ja; ek weet nie presies hoeveel was daar nie.**

In fact, it has been said about six whites and six non-whites, when you arrived? --- **Daar was baie nie.**

Were you expecting reinforcements? --- **Ek het nie geweet of ons sou kry nie.**

Were you at all worried about it? --- **Ja.**

Didn't you ask anyone what was going to happen? --- **Ne.**

Didn't you say to Mr. Visser, "How long are we going to be left here; what about reinforcements?"? ---
Ek het dit nie vir hom gevra nie, en ek het ook nie vir een gevra nie.

Aren't you on speaking terms with Luit. Visser?

--- Ek is.

No-one asked any questions? --- Nie sover ek weet nie.

Did you not hear anyone say that reinforcements were coming? --- Ek het dit nie gehoor as nie.

DIE VOORSITTER: Het dit gelyk asof dit nodig is?

--- Ja. Ek was by toe ek gesien het hulle kom.

Sen dit nie 'n ding wess wat 'n mens sou wou vernem nie, van die mense wat daar is, "Hoe lyk dit, is daar versterkings wat aan die kom is?" of "Het julle al gevra vir versterkings? --- Ons het Vanderbijl-toe gegaan en toe ons by Vanderbijlpark gekom het, was daar een univern Polisie-man by daardie kantoor. Hier het dit dieselfde gegaan; die een het nie gewest waar is die ander nie.

CROSS-EXAMINATION CONTINUED: However, you say, do you, that while you were there with Luit. Visser en Head Constable Heyl, there was no conversation about whether reinforcements were coming or whether anyone else was coming? --- Nee; ek het nie gehoor nie.

I think the Vereniging C.I.D. has perhaps inherited from the Royal Navy the conditions of the "Silent Service". Did you carry an automatic pistol? --- Ja.

But you did not use it? --- Nee.

You say you think you were there about a quarter-of-an-hour before the aeroplanes? --- Ja.

You see, you seem to have a good memory; so can we be reasonably certain about that? I mean, it was not an hour before? --- Nee, dit was darens nie 'n uur nie.

It could not have been? ---Nee.

You see, the sort of information that we have had up to now would indicate that Luit. Visser's conversation with Tsolo was just after he arrived, within a few minutes of his arrival? ---Ja.

And the evidence would appear to show that Luit. Visser arrived at about 10 o'clock and not 11 o'clock. Are you sure ...? --- Soos ek gesê het, met my tye - ek sou nie ...

You see, it may be that there was an earlier conversation with Luit. Visser which you did not hear? --- Ek is baie seker dat die eerste maal toe met Tsolo gepraat was, was ek teenwoordig.

Did you see Luit. Visser after speaking to Tsolo, in the fort, go with him towards the fence and speak to him there at the fence? ---Nee.

You see, Head Const. Heyl appears to recollect that something like that happened; but you don't recollect it? ---Nee.

Perhaps you did not see it? --- Ek het dit nie gesien nie.

NO FURTHER QUESTIONS.

HERVERHOOR DEUR MNR. GLAASSEN: Mr. Pieterse, julle - vanwaar julle weggetrek het toe julle na die Polisie-stasie gegaan het, het julle ander Polisie agter gelaat? --- Ons het daar Polisie agter gelaat.

Wanneer jy sê jy het nie juis versterkings verwag nie, waarom kon daardie persone nie na die Polisie-stasie kom nie? --- Toe ons deurgeken het, het dit baie moeilik gegaan en ek het nie gewet of hulle moeilikheid op daardie plek waar hulle agtergebly het, gehad het nie.

Wat is die moelikhaid wat hulle gehad het? ---
Daar was nog Naturelle in die straat, in die groot straat,
toe ons anderkant om gery het.

Waar die Polisie daar was? ---Ja.

Wat het die Polisie gedoen in verband met daardie
Bantoes? --- Hulle het net daar gestaan.

Maar waarom het hulle daar gestaan? --- Ek weet
nie wat hulle doel was nie.

Was jy ook daar gewees voordat jy na die Polisie-
stasie gegaan het? ---Ja.

Wat was julle hoofdoel gewees? --- Ons het daar by
hulle aangesluit. Ek weet nie wat hulle hoofdoel was nie.
Ek dink die doel was daar om die Bantoes te keer dat hulle
nie kan deurkom nie.

Is dit bespreek, daar? --- Dit was nie bespreek nie.
Dit is maar 'n afleiding wat ek gemaak het.

Jy weet nie hoe sterk die Polisie daarentrent
gevoel het nie? --- Gladnie.

- VERDAAG: 12.45 n.m. -