

Mr. Parkinson.

Pages 2450 - 2527

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KOMMISSIE VAN ONDERSOEK EN ONDERSOEK IN TE STEL
NA DIE ONTHOUDING IN DIE DISKRETE VAN VERHOORING
(TE WETE DIE SHARPEVILLE BOERIE IN EVATON) EN
VANDERBILLPARK, LIMPOPO PROVINSIE, OP 21 MAART
1960.

24 MEI 1960 om 9.30 v.m.

SA 4-7-63

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EXHIBITS

SCHEDULE "A" See Schedule "A", EXHIBIT "VVV"

SCHEDULE "B" See said bills EXHIBIT "VVV"

SCHEDULE "C" Appended by EXHIBIT "XII"

KOMMISSIE VAN ONDERSOEK OM ONDERSOEK IN TE STEL NA
DIE GEBEURE IN DIE DISTRIKTE VAN VERENIGING (TE
WETE DIE SHARPEVILLE LOKASIE EN EVATON) EN VANDER-
BIJLPARK OP 21 MAART 1960.

24 MEI 1960 om 9.45 v.m.

VERTEENWOORDIGING SOOS VOORHEEN.

JAN VAN DER BERGH, beëdig, verklaar:

VERHOOR DEUR MNR. CLAASSEN: U is 'n kaptein in die Suid-Afrikaanse Polisie? — Ek is 'n kaptein in die speurdiens, distrikspeurder-offisier, Jeppe. Ek is belas met hierdie ondersoek. As gevolg van hierdie ondersoek het ek sekere verslae ingewen, as gevolg waarvan ek sekere data saangestel het vir die inligting van hierdie Hof — op u versoek, in werklikheid, Edelagbare Regter. Ek het die inligting ingedeel, die data, in drie verskillende skedules, wat ek genoem het Skedule "A", Skedule "B" en Skedule "C". Ek sal hulle net afsonderlik behandel. Skedule is 'n opgawe by benadering van offisiere, onder-offisiere en manskappe aanwesig op Polisiepersonele, Sharpeville, om ongeveer 1.30 n.m. op 21.3.60 en die aard van hulle bewapening. U sal merk volgens hierdie skedule dat ek die stasies wat hierby betrokke was min of meer afsonderlik behandel het, en dan op bladsy 3 het ek 'n saangestelde — al die inligting saangestel met betrekking tot die aantal manne, dit is insluitende offisiere, ens; hoe hulle bewapen was, die aantal wapens, hoeveel rondes aan hulle uitgereik was en hoeveel rondes hulle gevuur het;

soek

asook sal u net sien, onder die opsomming is ook vier Browning-masjiengewere wat uitgereik was met 'n hoeveelheid ammunisie. Die aantal blanke manne by Sharpeville binne die Polisiepersele aanwesig was 130; nie-blankes 77 - 'n totaal van 207. Dit is met betrekking tot skedule "A".

(Skedule, Bewysstuk "XVV").

Ja? --- Skedule "B" is 'n opgawe by benadering van lede van die Mag aanwesig in Zwane-straat, Sharpeville, aan die buitekant van die Polisieostasie om ongeveer 1.30 n.m. op 21.3.60 en aard van bewapening. Hierdie skedule het betrekking op kapt. Coetzee se groep. U sal merk op hierdie skedule dat ek nie hier aantoon of daar manne gevuur het al dan nie. Mag ek sê dat sedert ek die skedules opgestel het, het dit tot my aandag gekom dat wel twee manne onder kapt. Coetzee se bevel gevuur het, onderskeidelik een vier skote met 'n .303 geweer en die ander twee skote met 'n .303 geweer. Dit sal dan ook 'n verandering bring aan my skedule "B". Oorspronklik het ...

Skedule "A"? --- Skedule "A", ja; oorspronklik het ek by Jeppe 'n man wat vier skote gevuur het, ingesluit by Skedule "A" as gevuur - dit is binne die Polisie-persede; waarna ek in werklikheid dit nou sal moet aftrek. Dit is dan vier skote minder, volgens Skedule "A".

(Skedule "B", Bewysstuk "VVV").

Ja? --- Skedule "C" is 'n opsomming van die feite volgens gegewens van die toedrag van sake te Sharpeville op 21.3.60. In hierdie skedule behandel ek die aantal manskappe wat gevuur het, die aantal manskappe beseer, die aantal Bantoes gedood, die aantal Bantoes

volgens my inligting beseer, en dan ook die aantal
privaat-geboue, dit is geboue van ge-intimeerdes ens.,
sover vasgestel kan word, wat in die lokasie beskadig
was; die aantal openbare geboue wat in die lokasie
beskadig was; ander eiendom beskadig, soos by voor-
beeld die telefoon-verbindings en die omheining by die
Polisiestasie. Hier, nou weer, in Skedule "C", waar
ek gesê het dat 47 manskappe met .303 gewere gevuur
het, 255 skote, sal dit nou moet wees 46 manskappe en
251 skote met .303 gewere gevuur. Dit is weer
daardie een man wat nou tot my aandag gekom het - een
van die persone onder kapt. Coetzee se bevel wat buite
gevuur het, en nie binne-in die Polisiestasie nie.
Ek weet nie of ^{die} Agbare Hegter die totaal skote wat
gevuur is, wil hê nie.

DIE VOORSITTER: Die skedule spreek vir
sigself? --- Spreek vir sigself.

(Skedule "C" ingehandig, gemerk Bewysstuk "XXX").

CROSS-EXAMINED BY MR. KENTRIDGE: Capt. V.d.
Bergh, in this regard, at my request I think you tried
obtain certain additional information? --- That is so.

In the first instance with regard to damage
to private property in Sharpeville. I think I asked you
whether there was any information available about any
damage to private property by reason of the firing by
the Police? --- I have ascertained that.

Have you been able to find that out? --- Yes.

What have you been able to find out? --- I have
made a short list, here; if I may just be allowed to
refer to it - "Damage to African house"; firstly a
building in Seciso Street, a private dwellinghouse.
A bullet damaged the roof - that is on the North-

Western side of the Police Station. A dwellinghouse in Zwane Street - a bullet mark on the wall, that is on the South-Western side of the Police Station. Dwelling house in Zwane Street; bullet marks on the fencepost immediately in front of the house - that is on the extreme Southern side. Dwellinghouse in Zwane Street - two bullet marks on the wall. That is also a house situated on the extreme Southern side. A dwelling house in the street - it has no name - which runs out of Zwane Street. A bullet mark on the wall. That is also a house situated on the Southern side of the Police Station. Then another dwelling house in Zwane Street; a bullet mark on the brick of the house, that is also a house situated on the Southern side. Again, a house situated in Zwane Street South of the Police Station; a bullet mark on the roof. That is seven private dwellinghouses, and then I also observed a bullet mark - not a bullet mark, but it is a window that was smashed by a bullet, of the library in Seeiso Street. I think that is the library on the North-Western side. That is in so far as property damaged evidently by Police bullets.

Yes, well, thank you very much? --- And then you also asked about the wounded.

Can you just tell us, while we are here, whether you obtained this information from Police sources, from information already in the hands of the Police, or did you have to investigate this yourself? --- This information came to my knowledge through the course of my investigations by my own unit.

You have also some information about the people wounded? ---Yes. Persons wounded on properties - not necessarily their own; because some people were wounded,

somebody standing in the yard of somebody else. So far, I have found five instances; there may be more, because as you are well aware, there are many people to be seized, still, and my investigations are still proceeding and there may be more; but at the moment, there are five. Do you want the particulars?

Please? — An African woman was wounded in a private property off Seciso Street.

THE CHAIRMAN: In relation to the Police Station, in that vicinity, or near the Municipal offices; approximately where? — These persons were all, according to my information, wounded probably as a result of the shooting.

Yes, but at Sharpeville Police Station only? — In the vicinity. No instance has come to my knowledge elsewhere and the information I have correlated here is only information obtained from persons in the immediate vicinity of the Police Station, be it the North-Western side or the South-Western, or Southern side. The buildings — I have not asked my detail to establish exactly in which direction they are situated, but I've got that available should it become necessary, later. But I have, here, one African woman. She was wounded on premises in Seciso Street — that is the enclosure; I am not talking about people in the street. I am talking about the enclosure. Then I have another African woman wounded on private property in Zwane Street, that is the street on the Southern side; and another African woman wounded in her front yard in Seciso Street, that is on the Northern side — North-Western side. Another African woman wounded in Zwane Street, and then another African woman wounded in Zwane street, on a property situated in Zwane Street.

Is this again as a result of your own investigations? ---Yes. My unit's.

You have said that you are in charge of the investigations in this case. Let's just place on record what investigation that is? ---My investigation includes the investigation for the purposes of this commission, that is Sharpeville, Vanderbijl and Evaton. It also includes the investigation of cases of public violence - Sharpeville, Vanderbijlpark and Evaton and then probably there are still investigations for an inquest. So it is really seven all told.

Are you investigating in the case of any charges against members of the Police? ---Not presently. I am having my statements taken in such a way, in other words, all the - I am collecting all the information I can and all the evidence I can, so if eventually there should be - it should be decided that there should be prosecution, I can be ready, obviating the re-taking ...

But have you been asked to investigate any charges against the Police for Departmental purposes? --- No. That I have not, and I would not be asked to do that; that is entirely a local thing. That would not be done by me.

You still have your Schedule "C" in front of you? ---Just tell me what you want to know.

I am now coming onto the question of injuries to Policemen - para. 2? --- Yes, I have ...

You have got there, twelve white men injured, and one non-white? ---Yes.

These are members of the South African Police?

--- South African Police. I should ask that the number, 12, be amended to thirteen. I subsequently established that another detail was injured.

All I want to make clear is that none of these injuries were bullet wounds? ---No.

As far as you know, are these people who claim to have been hit by stones? ---Mostly, I would say. I can just go through it quickly.

Well, perhaps we could just look at it and see if it is necessary to read it out into the record? --- With the exception of the African member who was stoned during the course of the morning - it will be remembered, he gave evidence; two stones struck him, and he was also stabbed in the back. That occurred the morning. Then, Const. Coetzee was also injured during the course of the morning. The other twelve Europeans, are alleged to have been injured at Sharpeville during the course of the incident, when the stones were thrown. All the injuries are stones.

As far as we were able to make out from Capt. Theron, none of those people were hospitalized? --- Well, according to my information, none of these injuries were serious.

In the original public official statement made, it says that three members of the Police were slightly injured? ---I can't recollect having seen that.

But you don't know who those injured in particular were? ---I would not know.

So really the information you have is the same as Capt. Theron's? --- What was that again?

I think it became clear that one man was cut

under the eye? ---Yes; if you want a little elucidation on it, I can go through it quickly. Constable struck with a stone on the legs; no wound. Second constable, with a stone on the chest; no wound. Third constable, stone on the chest, no wound. Fourth constable, with a stone on the left bicep, no wound. Fifth constable, stone immediately under the left eye - open wound; not serious. Sixth constable, stone on the head, open wound; not serious. Seventh, stone on right hand, no wound. The next constable, an instrument - it does not say a stone. An instrument on right hand. He has a slight incision, not serious. Next constable, stone in stomach, no wound. Next one, stone on left thigh, no wound. Next constable, stones on hand, chest and head; no serious wounds. Next one, stones on hip, slight injury. The last one, stoned on right shoulder, no injury.

Thank you very much. I now want to ask you about your information in Schedule "B" about the Africans that were killed or injured - in Schedule "C". I just want to ask you a simple question about that. Are your figures taken from hospital records? --- Schedule "C" again?

Paras. 3 and 4? --- As a result of the post mortem reports and the U.D.J.88's in my possession.

If some people were slightly injured and ran home and did not report to hospital, they would not appear on here? ---I am sure not, because I would not know of it.

Quite. Then I asked you to have available further details about the damage to the Police vehicles. This appears in para. 5 of Schedule "C"? ---Yes.

According to my latest information, there were five Police vehicles damaged during the incident. I have not included Col. Piennar's vehicle in this information, because he gave evidence and he mentioned it; I did not see that damage. So I did not include that, yet; but otherwise there are five vehicles. Firstly, the landrover stationed at Sharpeville; the left rear window broken, then the wire that they've got on the sides, bent; and then 7 dents in the body. How serious these dents are, I would not know.

Do you know when that took place? --- According to my information during the course of the day, in Sharpeville; which incident, I would not be able to say.

Quite? --- The second vehicle is a pick-up van, thirteen marks and dents on the body, and then the windscreen broken. The third vehicle is also one of their panel vans. There is a mark on the left front door, a mark on the left part of the body, a mark on the grill; two marks on the engine top, a mark on the right front door and left front parking light broken. Then, diverse marks on the right side of the body. The fourth vehicle, also a pick-up van, one mark on the right side near the back of the rear wheel, two marks on the roof on the right side, and one mark on the left front door. Then, the last one, that is the vehicle, the car of the District Commandant, Jeppe - beg pardon, Vereeniging; eight dents on the body.

These refer to Sharpeville during the period from the early morning, or I suppose the previous evening? --- During the course of the day, 21.3.60.

THE CHAIRMAN: Would this be restricted to up to the time of the shooting? --- This includes the period

from early morning, from when it was alleged the Police were stoned here near the entrance to Sharpeville, to the 1.30 incident.

CROSS-EXAMINATION CONTINUED: And after?---
Not after.

In the case, then, of the civilian vehicles ...
?---Yes, but these are only Police vehicles.

In the case of the civilian vehicles, I don't want the details but that covers the whole day right up to ...? --- There are the two Press vehicles that I know were damaged during the course of the day; I cannot now correctly say whether it was before, or after the shooting. Mr. Sacks gave evidence on that. Mr. van Wyk, a civilian - his car was badly damaged during the course of the morning, and then there is an African who is alleged to have been intimidated. I think he gave evidence. His car was also badly damaged during the course of the morning, that is before the shooting incident at Sharpeville, 1.30 p.m.

Do you remember that Col. Pienaar gave evidence of seeing people around a small car, where he was afraid that the occupants were being murdered? ---I remember; I was in Court when he gave evidence.

I thought you might remember that. You have not been able to identify that car? ---I have not established who the owner of that car was, no.

Or what happened to it? ---No.

Now, I would like, now, to come back to your para. 1, that is the question of the number of rounds, and fired by whom. You have compiled this ...? ---
It was received^{as} a result of an enquiry by me from the

different districts, to enquire as to how many rounds were fired and by whom. That I received in the nature of reports, returns, I would say. The other information, that is in so far as - how they were armed and with how many rounds of ammunition they were issued; that I received by report in part, by oral or telephonic enquiry; by myself or members of my unit.

Now, if I may say so, there has obviously been a tremendous amount of work put into these schedules by you. I would like to ask you whether you had difficulty in obtaining these ammunition returns? ---No. Are you referring, now, to how the men were armed, or ...

What they fired? ---No; I circularised, on the 1st April, and by the 5th or the 6th April I had some of these reports and I can easily say that within a week, from the date that I circularised, I had all the reports. There - that is so, yes.

If I can just recapitulate. You say eleven men fired with ston guns? ---Yes.

That is out of the fifteen who were armed with ston guns? --- That is so.

And the 46 who fired with .303 were 46 out of 66 and the 15 who fired revolvers were 15 out of 85 - that is, I take it, because the men who had .303's probably also carried revolvers? --- They do.

Some of the ston gunners probably carry service revolvers, also? ---Yes.

Now, the twopen who fired .25 revolvers, were - is a "revolver" the correct term? They are automatics, I take it? ---Yes; there are automatic pistols. These .25's.

Now, who would have fired those? --- Two members of the C.I.D.

That is the weapon carried by the C.I.D.? ---

Normally.

Two men fired one round each with their automatics? --- An automatic magazine usually takes - there are different kinds of issues to members of the Force. Some of them load seven rounds in a magazine, some nine.

THE CHAIRMAN: I think the question was - each one fired one shot only? --- One shot only, yes.

CROSS-EXAMINATION CONTINUED: Do you know who they were? --- Yes.

Who are they? --- The one is Sergt. Prinsloo from Vereeniging, and the one is Det.-Sergt. v.d. Merwe.

Both C.I.D.'s? --- Both C.I.D.'s, stationed at Vereeniging.

And these automatics, are they carried in holsters, or in the pocket? --- Well, "they are carried in the easiest manner. Some of them have holsters, some of them carry it in their hip pocket and some don't carry them. But normally these youngsters, I have seen lately, have small holsters made, shoulder holsters.

I was rather puzzled about why, with all this armament there, two C.I.D. men should have taken it upon themselves to take out their automatics and fire one round each? --- Members of my Department hardly ever carry firearms.

So I understand. Do you know then why these two men fired a round each with their automatics; what were they trying to do? --- I cannot recollect the

contents of contents of their statements, but they gave a reason in their statements.

But those are the only members of the C.I.D., apparently, who used firearms? --- According to my information, yes.

Furthermore, it would appear, if I can generally sum up, what you have here, there does not appear to have been any officer who fired? --- That is so.

Then again, in the case of the head constables, it would appear that except for one head constable from Hospital Hill ...? --- That is so; one head constable fired.

He fired five rounds with a .303? --- Five rounds, yes.

It appears from your returns that some sergeants did do some firing but that in general most of the sergeants did not fire? --- They fired to a much lesser extent.

That is even proportionately, considering how many sergeants were there; a small proportion of them only fired? --- That is so.

I assume that in the course of your investigations you tried to find out which of the men at the Sharpeville Police Station fired first. You will recall, there has been a great deal of evidence that the shooting started with two or three individual shots? --- I have been trying my best to establish who was responsible for firing first; I did not succeed.

I take it that you and the team of detectives under your command attempted to do that by interrogation of the Police who had fired? --- That is so.

Question: And you were unable to find out? ---Yes.

Answer: No-one, no Policeman has admitted being the first to fire? ---Quite.

I would also like to ask you how you came to find out that two men under Capt. Coetzee's command fired? --- After I had instructions to compile this data, I asked stations to furnish me with the number of men and how they were armed, and the amount of ammunition. Then, from one station I received a report that a detail under that command had fired four shots on the Western side of the Police Station. Then I had already drawn up my schedules. But then, I noticed that it said "On the Western side, under Capt. Coetzee" and that set me thinking. Then I detailed one of the members of my unit to go and get him and obtain his statement. Then I found another one.

Question: Where was he from? ---He was from Vereeniging.

Question: He was under Capt. Coetzee, also? ---Yes; he was outside the Police Station, Zwane Street.

Question: He originally, then, I take it, did not appear on any ammunition return? ---He did; both of them appeared on the Vereeniging return. But you've got a copy of the Vereeniging return which Maj. van Zyl handed in. If you will observe, Const. Els, the last on the list before the "X" in the centre ...

THE CHAIRMAN: 37029? --- That is so. I asked whether he had fired; he said yes, with a .38 revolver and a .303 rifle; but he fired six shots with the .38 revolver and two shots with a .303 rifle; but they included him in Group "A". Group "A" conveys shooting prior to the .30 incident. So they included both these in the Group "A", that is not firing at the Police

Station; that is during the course of the morning.
So they - you will recollect, I think, that Maj. van Zyl
said they fired during the course of the morning.

CROSS-EXAMINATION CONTINUED:

/So the correct position is that he fired
six shots with his revolver during the course of the
morning, and then two rounds with his .303 rifle.
These two rounds evidently are the rounds fired in
Zwane Street.

And the other man who fired the four? --- The
other man is - when you see Vanderbijlpark - Olivier.
Const. Olivier.

THE CHAIRMAN: 33668? --- That is so.

Now, you will note, there, that they classified him
under Group "B", that is firing within the Police
Station, the grounds of the Police Station, which is
then not so. When I noticed that even in their
second report they said that he fired on the Western
side which is within the Police grounds, where they
added Capt. Coetzee, then I pursued the matter.

CROSS-EXAMINATION CONTINUED: Is that why
Capt. Coetzee's name appears ...? ---No; his contingent.

So the point is then, that on this report as it
stands, it was not made clear that these two men had
been with Capt. Coetzee's contingent when they fired,
or within the Police Station? ---Yes. You see, at the
time of the submission of that return, they indicated
to me that Group "A" would be the group who fired
earlier during the day and Group "B" would be the group
who fired in the Police grounds. Vereeniging district,
that means Vereeniging/Vanderbijl, is evidently the only
district which had some men firing during the course of
the day and then also some at Sharpeville. That is why

why they had to distinguish by indicating which group.

I see. Now, it is possible, then, that on other ammunition returns some of the people might have been under Capt. Coetzee's command as far as the returns show. The other returns won't distinguish it, I take it? ---No; they won't distinguish who was under Coetzee's command or not.

So, can we put it this way, that if you had not spotted the discrepancy between two returns, then the fact that one man was under Capt. Coetzee and appeared here as having fired - then it might never have been spotted by anyone? --- Well, I would not say that.

Well, don't be too modest, Captain? ---It is possible.

You have got before you the individual ammunition returns of shots fired? ---I have, yes.

Would you have a look at, first of all - what is the first one you have in front of you? ---Jeppe.

Before you do that, perhaps I should tell you the ones I want in the first place. Would you look at Johannesburg? --- Central?

I think it must be central? ---Yes?

There, amongst others, you have three constables, namely Collins, and Meyer who fired ten rounds each? --- Jerry Meyer?

I don't know; Meyer? ---Yes; I've got two.

They fired ten rounds each with a .303? --- Collins, ten rounds with a .303; Meyer, ten rounds with a .303.

And then you see Constl. Volschenk? --- Twelve rounds with a .303.

That would mean that he must have emptied one magazine and re-loaded? --- Exactly.

Then, on the same list you have a Const. Saainan? ---Yes.

THE CHAIRMAN: That return, does that deal only with the ammunition expended at Sharpeville at 1.30? --- Yes.

It does not refer to shooting anywhere else? --- This is only Sharpeville at 1.30 p.m.

CROSS-EXAMINATION CONTINUED: Then Const. Saainan? --- Twelve rounds with a .38 revolver.

The .38 revolver, we have been told, holds six rounds? --- Yes; it has a round cylinder and it holds six rounds. After that, you've got ^{to} break the revolver to inject the shells and then you've got to insert the shells singly.

One by one? ---Yes.

And then close it up again. When you open the service revolver, the shells come half out of the cylinder and you can just shake them out. You don't have to pull them out, do you? ---Not necessarily. You can just turn your revolver over and they drop out.

Then, would you look at Newlands. There you have Const. Steinberg, who is down as having fired 57 rounds from the sten gun? --- That is so.

And Const. Meyer? ---Yes.

Twelve rounds with a .38 revolver? --- That is so.

Would you look at Hospital Hill? ---Yes.

There you've got Const. Michau, Const. Booyson and Const. Hattingh? ---Ja.

Is it correct that they each fired twelve rounds? Ten rounds, with a .303? --- Michau, ten rounds with a .303; Booyens, with a .303, ten rounds; Hattingh, ten rounds with a .303 - yes.

And do you have Const. Barnard and Const. de Jager? --- Barnard, 9 rounds with a .38 revolver. De Jager, twelve rounds with a .38 revolver.

Now, I understand that Const. Theron who gave evidence yesterday falls under the Hospital Hill list, although he comes from Rosebank? --- Yes.

What is he down as having fired? --- One round with a revolver.

If his evidence given yesterday is correct, that return must be wrong? --- It should have been two.

The point then is, I think, that it is possible for these returns to understate the rounds fired? --- I can't ...

How would it be compiled, Capt. v.d. Bergh? Would the Head Constable ask Theron how many rounds he fired? --- Well, the normal procedure would be for the - of course, I addressed my enquiry to the district commandant, the Officers Commanding, wanting to know how these men were armed and who fired and the number of rounds fired and with what. He would - the officer commanding on receipt of this, would refer it to his station commander, whether it be the head constable or a first class sergeant. Then he would have to collect that information and compile the list, hand it to his officer commanding who would in turn send it to me.

And the head constable would ...? --- He would have to go to the men individually, and ask for the

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reports; because the normal procedure is, when a member has expended ammunition he has to submit a report, whether it be for one round or 100.

Is Const. Sneigans also on that Hospital Hill report? ---No; he would be on the Newlands return.

Could we go back to Newlands, then? --- Sneigans, sten gun; number of rounds fired, nil.

That is how he appears on the report? ---On this report.

So this must be a corrected report? ---It is; after my query. I queried the original return.

Having seen Sneigans' original statement? --- Yes; when I - when one of my members, after he took a statement from Sneigans, that I knew/ ^{he denied} that he had fired; I personally spoke to the District Commandant, Newlands, asking for a correct report; and then I received this report.

You asked for a correct report? ---I referred the fact to him that there was a discrepancy. Then I received this latter report.

And on the original report he was down as having fired 35 rounds? --- 35 rounds, yes.

In Schedule "C" you point out that five of the Policemen who fired, did so with two different weapons? ---Yes. That is so.

That is at Sharpeville Police Station? --- At the Police Station, yes.

Is that in each case a .38 revolver and a rifle, or? ---I think so. I am not very sure of my facts, now.

Are you secretary of the Sharpeville branch of

the P.A.C.? ---Yes, I am.

Can you tell me what membership you have in the Sharpeville Branch? --- No, I cannot say.

THE CHAIRMAN: Have you any idea whatsoever, whether it would be only about fifty, or? --- I would say about 150.

EXAMINATION CONTINUED: Are women as well as men eligible for membership? ---Yes, they are.

Is there any particular age? --- From eighteen upwards.

I want you to have a look at four exhibits which have been handed in here, Exhs. "D1-4" (handed to witness)? ---I see them.

Have you seen them before?---It is not the first time I see them now.

Do you know by whom ^{they have} been issued? ---I don't know.

Before the 21st March this year, did you receive such circulars? --- Yes; I did.

Did you receive them in your capacity as secretary? ---Not in my capacity as secretary.

Did your branch receive such circulars for distribution? ---No.

Were such circulars distributed in Sharpeville before the 21st? ---Yes; they were.

Do you know by whom? ---I do not know by whom.

Did you and your branch follow the instructions of this circular? ---Oh, yes.

I am talking about the circular, "Calling the Nation"? --- We are not the people, "Calling the Nation"

but the tribe the paper refers to, is the one calling them.

I know; but I am only referring to this particular circular which is headed "Calling the Nation". That circular gives instructions for assemblies at Police Station as part of the anti-pass campaign? --- That is so.

Was this a circular directed to the members of the P.A.C., or to all the people? --- To all the people, whether a member or not.

And your branch carried out the instructions on that circular? --- Yes; they did.

And you understood it to refer to all the people? --- That is correct.

When did you become aware of the date of this campaign which should take place on the 21st? --- Three days before.

Is that when this circular was issued, or before that? --- These two had already been issued - "DJ" and ...

When you received the last one ...? --- This is the last one.

Is that the one calling the Nation? --- No.

I mean the last one, in the order in which they appear?

THE CHAIRMAN: The date was to be decided upon by your President, was it not? --- That is correct.

By him alone? --- By the Executive - the National Executive.

Was that only released on the 18th, made public

on the 18th that on the 21st this campaign would start?
--- That is correct.

Before that date, did anybody know when it was going to be? ---No.

EXAMINATION CONTINUED: According to that, you had to gather at the Police Station and hand yourselves over for arrest? --- That is true.

Was it left to the different branches to arrange their own procedure on that date, their own organization, or was there some other meeting between the different branches, or the National Executive, as to how the campaign should be carried out? -- Everyone was to go there on the morning of the 21st, that's all.

As soon as you heard that the 21st was fixed for this purpose, did you organize to get the people there? --- No; I did not.

I am not referring to you personally; I am merely referring to your branch? --- Not all the people; the branch met; the people of the branch met, and they knew that this gathering had to take place on the 21st.

I am not quite clear on that. Did the members of the Executive of your branch come together, or did all the members of your branch come together? --- Only the Executive.

Do you mean they discussed this meeting that was to take place on the 21st? ---It was known, then.

But did they have a discussion on it? ---It was.

What steps had you to take to get the people there? --- The people knew that they had to go there.

It was not for us to go and inform them that they had to

to go. They knew that they had to go.

Do you mean from this circular? --- From this circular, yes.

Were there any reminders to be sent, or were they personally to be reminded? --- There were no reminders sent.

THE CHAIRMAN: From your knowledge, when were copies of this last circular distributed in Sharpeville; the Saturday, or the Sunday? --- Friday.

It was apparently also in newspapers on the Friday? --- I don't know.

You did not see the newspapers? --- No; I did not.

EXAMINATION CONTINUED: Apart from the circular, there were no further steps taken to get the people to go to the Police Station? --- No.

Had the people to be told which Police Station they had to go to? --- To the nearest Police Station they had to march, the circular said.

Was it decided at all that there should be a leader on that day? --- Well, the only thing is, when arriving at the Police Station, the one who enters the Police Station first to surrender himself, knew himself to be the leader.

Does it mean that if an ordinary member who is not a member of the Executive got there first, he would be the leader - if he did that first? --- No.

Can you just explain that? --- As I was the leader of the Pan-Africanist Congress at that time and the man who surrendered myself first - so I knew it was my duty to do that.

You regarded yourself as the leader and the

Yes.

people recognised you as the leader? --- They recognised me as the leader.

Did you feel yourself responsible for the meeting? ---Yes.

Did you have any other people to assist you? --- The Executive, the Branch Executive was there to assist me.

Who actually assisted you on that day? --- The Vice Chairman.

Thomas More? --- That is Thomas More.

Anyone else? --- Koali Teketsi.

Is he a member of the Executive? ---Yes.

Who was the chairman? --- The Chairman was not around.

Is he your brother? --- That is my brother, yes.

Was there any particular method adopted in marching to the Police Station, such as for instance the people being divided up into certain groups, or was everyone to come as and when he chose? --- No; as I said, one by himself or with his friend or her friend, can go there; but we should meet all at the Police Station.

Were they expected all to go direct to the Police Station from their homes? ---Yes.

In other words, you would not first meet at a place and then march in a column to the Police Station? ---No.

You would all meet at the Police Station? --- All at the Police Station.

Each one would get there as best he can? --- That is so.

Did you expect women as well as men to go? --- Yes.

And children? --- Well, in regard to the children, I knew that the children might follow their mothers when they go there, that's all.

Apart from this circular and the instructions contained therein, were no instructions whatever given to the People of Sharpeville? ---No.

Was nothing said to them about the possibility of violence? ---No.

Were they not told not to bring sticks along? --- That they were told, that sticks should not be taken with, going there.

When? --- To the Police Station.

But when were they told that? --- It is written in the circular, there. It is a non-violent campaign.

I understand that, but my impression that nothing besides the instructions contained in there were told to them? --- There was nothing else told to the people; it was all in this circular, this pamphlet.

We have had evidence here which alleged that the people were intimidated during that night, the previous evening, and violence was used by some young men? --- Well, I believe that that is not the organization of the F.A.C.

THE CHAIRMAN: To put it differently, you said that the campaign was to be non-violent? ---Yes; I said so.

In so far as your organization was concerned, was it to be entirely voluntary? --- That is correct.

No measures were to be taken by the F.A.C. to force anybody, either directly or indirectly, to go to

N. TSOLO
Evidence-in-Chief
J. V. d. BERGH
Cross-examination

the Police Station on that day? --- No. Everyone is entitled to go freely if he likes to go; he must not be intimidated or forced to go.

EXAMINATION CONTINUED: You gave no such instructions? ---No; I did not.

Were you aware of these things happening? ---No.

Did you hear afterwards?---I heard the Police mentioning it, yes.

- ADJOURNED: 11.15 a.m. -

- RESUMED: 11.35 a.m. -

JAN VAN DER BERGH, onder verige sed: That is so.

CROSS-EXAMINATION BY MR. KENTRIDGE CONTINUED:
Capt. v.d. Bergh, I wonder if you could look at your returns for the radio division. There, you see under radio - I will read out the information I took from it, if you can just tell me whether it is correct. I think when you checked up, you pointed out to me that some of the people who had fired with two weapons had in fact fired with a revolver and a sten, not a revolver and a .303? --- That is so.

You pointed that out. Now, if we can go through the radio division, Const. du Plessis fired 50 rounds with his sten gun? --- That is so.

Const. Steyn fired 50 rounds with his sten gun plus 6 rounds with his .38 revolver? --- That is so.

Const. van Wyk fired 47 rounds with his sten gun and three rounds with his .38 revolver? --- That is so.

Const. van Zyl fired 50 rounds with his sten gun and 6 rounds with his .38 revolver? --- That is so.

And Const. van Niekerk fired 25 rounds with his

sten gun and 8 rounds of .38? --- That is so.

Now, also, there, on that list, are Consts. Preterius and Mynhardt, each of whom fired twelve rounds with the .38 revolver? --- That is so.

At Hospital Hill - it was under Hospital Hill that you found the other man who had used two weapons? --- That is so.

I am sorry; would you just get the radio; I think you had a note in connection with van Wyk? --- Yes. Three rounds didn't fire, misfired. That is the sten.

That is why it is 47 and not 50? --- That is so.

Now, to get back to Hospital Hill. You found the other man who fired two weapons. That was Swanepoel and he only fired four with his .303 and two rounds with the .38? --- That is so.

Now, at Springs we found two men, namely de Vries and van Schalkwyk, who had each fired ten rounds with their .303's and two other men, Roets and van Zyk, who had each fired nine rounds with their .303's? --- That is correct.

And if we go back to Boksburg, you found one man, Prinsloo, who fired nine rounds with his .303? --- That is so.

Now, there is one thing finally. I don't know whether you looked at some of the photographs which were put to Col. Pienaar which show a man with a white handkerchief around his head. I don't know whether you are able to recognise him in the photograph? --- I flicked at some of them, and I have had some of them investigated.

And have you been able to ascertain who it was?

---Let me just have a look at the photo, first.

Here is Exh. "P"? ---Yes; I instituted enquiries and established the identity of that member.

As? --- Const. Saaiman at Central, Johannesburg.

Was he wearing in that photograph uniform trousers? ---No. My information is that on the morning of the incident he was on a raiding duty at his station when there was a shortage of drivers and he was taken off the raid to come through with a contingent of men to Vereeniging.

One of the Police Witnesses said that this man, I think with the white handkerchief on his head, was someone who was well-known in Vereeniging - the Vereeniging O.I.D.? ---I think there is a second man with a white shirt on the photo.

With a white handkerchief, also? ---No. I can't see the handkerchief - just behind the saracens, on one of the photo's.

THE CHAIRMAN: Just to the right, I think? --- Yes.

CROSS-EXAMINATION CONTINUED: Do you think it was Const. Saaiman who wore the white handkerchief on his head? --- That is my information.

That is the one standing near Col. Spengler on the photograph? --- That is so.

I see, also, on Exh. "W", taken after the shooting - you will see on the left of the photograph, also, a person; does that seem to you to be the same man? --- Which one is this; this one in the white shirt - or there? No; I could not say whether that is the same one as the one on the photo referred to.

Have you met Const. Saalman? ---I have seen him once.

You can't ^{say} whether that is him or not? --- I can't identify him.

In that photograph, "WW", the man in the white shirt with the white handkerchief appears to have his trousers tucked into his socks? --- That is so. And on the previous exhibit it appears to be the same.

Have you been able to identify no-one else as having worn a white handkerchief on his head that day? ---No.

One other question on the same lines, Captain. I take it that in addition to trying to find out who the men were who fired first, you have tried to find out who it was who shouted "Skiet!"? ---Yes.

Some Witnesses, both Policemen and civilian depose to having heard it? ---I did.

Have you managed to ascertain that? --- I have not been able to establish that.

Has no-one admitted having shouted that? --- No. There is just this slight correction I would like to make to my cross-examination by Mr. Kentridge before we adjourn. Mr. Kentridge asked me, referring to my data, whether it is possible that some of the men reflected in the lists as having fired, could have been of the men who could have fired under Coetzee. I think my reply there was doubtful. I just want to bring to the notice of your Lordship that it is impossible for the men as reflected on the returns from the various stations as having been able to fire under Coetzee's command. I have established that with the exception of the men Coetzee brought with him from Jeppe, he only had

men from Vereeniging and Vanderbijl under his command, of whose names I am in possession, and these men, European as well as Non-European, have all been interviewed by myself and members of my unit and statements taken during the course of the past weekend, and I have established beyond all doubt that only two members in Zwane Street, two European members in Zwane Street fired. So I just want to make it clear that none of the other men as reflected in the returns as having fired shots, fired under Coetzee's command, with the exception of the two men that I have just mentioned previously.

When you say you have established this beyond all doubt, do you mean that you asked them and no-one admits having fired? --- That is so; with the exception of the doubt.

That is all you mean by "beyond all doubt"? ---
Yes.

You are not doubting whether they are telling the truth? --- No. I just wanted to - because I created the impression by replying to your previous question, that some of these men reflected in the returns could have fired in, or outside of the Police yard.

THE CHAIRMAN: That is the returns other, now, than Vereeniging and Vanderbijlpark? --- These are all the original returns that I received in regard to the shooting - those who fired shots, and what they fired with. They were all in the Police yard and they were not members of Coetzee's unit, because Coetzee's unit, I have established who they were and he only had Jeppe men and then a few Europeans and a number of African Policemen from Vereeniging and Vanderbijlpark, and Sharpeville; and of that entire unit, I could only establish that two had fired.

CROSS-EXAMINATION CONTINUED: Yes; I think my original suggestion has been that some of the people down in those returns, ^{as} having fired at Sharpeville, might actually have done so when with Capt. Coetzee; apparently that is wrong, because none of those names are people who were under Capt. Coetzee's command? --- I just wanted to make that clear.

NO FURTHER QUESTIONS.

HERVERHOOR DEUR MNR. GLAASSEN: Kaptein, op hierdie punt, verstaan ek dat hierdie twee manne wat u nou vastgestel het wat geskiet het, nie onder die manskappe was wat met hom saangekom het nie? --- Dit is korrek. Die een man is gestasioneer te Vereeniging en die een is gestasioneer te Vanderbijl. Dit is nie van Coetzee se eie eenheid wat hy met hom saangebring het nie.

Hy het getuienis afgelê dat hy vanaf Seeloostraat, naby die Administratiewe Kantore, opdrag gekry het om hierheen te kom, of self besluit het om hierheen te kom? --- Waarheen, nou?

Na Zwane-straat? --- Ja.

Kan dit wees dat hy sý eie manne en 'n paar ander manne saangebring het? --- Ek sou sê dat sy eie manne hulle altyd om hom sou skaar - sy persoonlike eenheid - en dat die buitestaanders sou maar altyd in die agtergrond wees; dit is natuurlik.

U sal weet in watter vorm u u versoek opgestel het na die verskillende distrikte vir die opgawe waarvan u u eie opgawe opgestel het? --- Ja.

Van die wyse waarop u die versoek aan hulle gestel het, sou hulle kon aflei vir watter doel die aantal patrone wat weggeskiet is deur elke persoon, gebruik sou word? --- Dit sou moeilik wees om te sê.

Ek sou saamem datsonnige kon aangeneem het dat dit vir departementale doeleindes is.

Indien die individuele Polisie-man sou gewest het vir watter doel dit was? ---Nee; ek sou alleenlik saamem dat die betrokke offisiere wat geneid was hiermee, sou weet waarvoor ek dit wou hê en dan, as hy sy opdrag oordra aan sy ondergeskiktes, die sou miskien 'n idee wees waarvoor dit is; maar die individuele man, as sy stasiebevelvoerder of sy sersant hom kon vra hoeveel hy geskiet het, dan dink ek sal hy dink dit is vir departementale doeleindes.

Die persone wat u aangegoe het wat se'n heël getal patrone weggeskiet het, het u hulle persoonlik gespreek? ---Nee; ek het hulle nie persoonlik gespreek nie. Daar is lede van my eenheid wat sommige van hulle persoonlik gespreek het.

U sal seker nie kan sê of daar eerder hulle verdere gevalle was soos die van Pennekan nie? --- U meen, wat nou tien skote, by voorbeeld, opgegee het, en in werklikheid twee gevuur het?

Ja? ---Nee.

Wet u op watter basis die mense die getal patrone wat hulle weggeskiet het, bereken het? By voorbeeld, sou hulle die skote getal het wat hulle geskiet het en later die getal opgegee het, of sou hulle op 'n ander wyse mees uitvind hoeveel skote hulle geskiet het? --- Wel, myns insiens, die een metode is om te weet hoeveel patrone aan jou uitgereik was en wat jy dan oer het. Dit is entrent al manier waarop jy kan uitvind; want hulle kon nie die doppies wat hulle vuur nie.

Wet u die verskeie gevalle, wanneer hulle gevra is - hoe lank na die 21e Maart hulle gevra is en van

te stel? --- Ek het my onskrywe die 1e April laat uitgaan. Op daardie datum weet ek, nadat ek vereenselwig het met verklaringe destyds in my besit - was ek bewus daarvan dat sommige van die mense, sommige stasies het kort na die terugkeer van hulle eenhede, neem ek aan, by hulle stasies, vir verlae gevra vir departementele doeleindes. Toe my versoek uitgegaan het, was daar alreeds by party stasies verlae ingesit of opgestel vir die inligting van die verskillende distrikskommandante.

Terloops, weet u of 'n stengeweerpatroon ook in sommige rewolwers gebruik kan word? ---Nee; 'n sten-patroon kan nie in 'n rewolwer gebruik word nie.

Selfs ook nie as die loop groot is nie - 'n .9 mm.? --- Ek sien lievers sê dat ek nie weet of 'n sten-patroon - ek het dit nog nooit probeer nie; ek weet net een ding, 'n sten-patroon kan nie in die gewone rewolwer - dit kan nie outomaties uitgeruk word, soos die gewoonte is met die .38 patroon nie, omdat die sten-patroon het nie 'n ruggie agter nie; waarna die sten het. Die .38 patroon het 'n ruggie, en die sten-patroon het nie 'n ruggie nie; sodat as jy die silinder uithaal en hom breek, dan trek jy hulle self uit.

Dit is nie outomaties nie? ---Nee; ek dink dit sal ook vaslaan. Ek dink die vuurpomp - hy mag miskien die skoot kan vaslaan, maar dan sal die dopple vassteek in die silinder.

Die huise wat u van gepraat het wat beskadig is deur koeëls, die wat in Zwane-straat is, neem ek aan is in die onmiddellike omgewing, en die eerste huise aan ...? --- Aan die Polisie-stasie, ja.

Wat was die verste afstand van die Polisie-stasie af dat u gevind het dat huise beskadig is? --- Aan die

Suidkant?

Aan enige kant? — Aan die Suidkant - die verste; dit is die huise in Seeise-straat. Dit sal eker tussen 150 en 200 treë wees.

Van watter deel van die Polisie-stasie, dink u, sou hulle moes gevuur gewees het? — Dit moes in 'n Noord-Westelike rigting gewees het. Die huise in Seeise-straat wat getref was, is huise min of meer in lyn met die biblioteek, daardie geboutjie daar oorkant die winkels.

U sê dit moes meer of min hoëls wees wat afgekieet gewees het uit die Noord-Westelike hoek? — Ja; wel dit moet skote wees wat in 'n Noord-Westelike rigting gevuur was.

En die persone wat gewond was op privaat persele, wat was die verste afstand daar? — Wel, ek praat nou onder korreksie maar ek meen weer daar is 'n geval in Seeise-straat. Dit sal ontrant dieselfde distansie wees as die huis wat ek nou sê, 150 na 200 treë.

En dit sou in dieselfde rigting uitgekom het? — Wel, ek neem so aan. Dit moet in daardie rigting kom, as sy daar getref was.

DIE VOORSITTER: Het u geleentheid gehad om na die oopgawe te kyk? —

MHR. LOUW: Nog nie, Edelhare, maar daar is nog 'n paar vrae wat ek graag wil vra, as u my sal toelaat.

KRUISVERHOOR MEUR MHR. LOUW: Kaptein v.d. Bergh, kan u my net asseblief sê, wat die totale aantal skote is wat afgevuur was? — Wel, gee my net 'n oomblik kans en ek sal u nou inlig. As u bereid is om op te tel, sal ek u die gesamentlike gee - dit is nou, u meen, rondes

J. V. d. BUSH
Kruisverhoor

ammunisie uitgereik?

Neer, al die skote wat geskiet was - die totaal?
--- O; 362 sten; 291 .303; 128 .38; 2 .25. Dit is
743 skote.

DIE VOORSITTER:

/Dit is natuurlik met die persone in Sharpeville?---

Dit is met die insident te Sharpeville om 1.30 n.m.

KRUISVERHOOR HERVAT: Ja; dit is met waarna

ek verwys. U het nie 'n statistiek opgestel van die
totaal mense wat doodgeskiet is nie? ---Neem u op slag
gedood, of nou as gevolg daarvan dood?

Almal wat seker dood is, as gevolg van die
skietery? --- 69.

En die aantal gewondes? --- 178. Dit is wat
ek kon vasstel van verslag tot my beskikking. Daar kan
natuurlik meer wees, want daar is party wat ons nie van
weet nie, wat nooit hospitaal-toe gegaan het nie.

Dit is meentlik, ja. Het u vasgestel, miskien,
hoe veel aantal wonde die dooies gehad het, en die gewondes?
---Neer; dit het ek nie vasgestel nie. Dit het ek aan
die dokters oorgelaat.

Het u al verhoor ondervinding gehad met so'n
groot betoging van bantoes by mekaar/by Sharpeville? ---
Neer. Ek het baie min ondervinding van sulke betogings.

Het u ondervinding van skietery - daar is 743 skote
geskiet; as dit direk op bokke of mense gemik was, sou
u verwag meer mense sou mors raakgeskiet word, of minder?
---Ja, ek sou definitief meer dooies en gewondes verwag
het met hierdie -in aanmerking nemende hierdie aantal skote
wat gevuer is.

Indien daar opsetlik geskiet was met die doel om

doed te maak, sou jy verwag dat daar meer mense dood-
genkiet is? ---Ja.

Is jy bewus van die feit dat in sekere lokasies
die Bantoebevolking in etniese groepe ingedeel word? ---
Ek weet daarvan, maar ek dra min kennis omtrent die
indeling.

U weet nie of dit in Sharpeville die geval is
nie? --- Ek het verstaan dat dit die geval is.

In vastgestel hoeveel van elke etniese groep
gewond of gedood is? ---Nee, ek het dit nie gesien nie.
Ek het dit nie nodig gegag nie.

Ek wil u 'n paar vrae oor die Basutoes vra;
as ek van Basutoes praat, praat ek van die onderdane
van Basutaland, wat onderdane is van Haar Majesteit,
die Koningin. Die Basutoes wat hier inwoon, mense wat
hier van woon - het u 'n idee hoeveel van die Basutoes
daar gedood en gewond is? ---Nee.

U het nie spesiaal ondersoek daarna ingestel
nie? ---Nee.

Kragtens jou ondersoek, kan jy sê, of kan
jy nie sê nie, of die Basutoes as 'n groep aansiedig was
aan hierdie optog daar by Sharpeville nie? ---Nee; ek
kan nie daaroor 'n opinie uitspreek nie.

Jy het nie feite daaroor nie? --- Ek het nie
feite daaroor nie.

Het jy 'n idee by wie 'n mens die inligting kan
kry? ---Ek dink mr. Labuschagne en mr. Ferreira sal
miskien in 'n beter posisie wees om daardie inligting te
verstrekk. Ek dink hulle beskik oor al die gegewens.

HYAKANE TSOLO, under former oath:

EXAMINATION BY MR. GLASSER CONTINUED:

Tsole, I understood you to say that you were the leader, regarded yourself as the leader, that you were accepted as the leader of that day? ---Yes.

Did you have any concern about the possibility of some of the people resorting to violence on that day? ---No.

You did not think it could happen? ---No.

Did you know about a large crowd of Bantus who were near the Administrative offices that morning? ---No.

THE CHAIRMAN: Where were you that morning, from about 7 o'clock up to about 10 o'clock? Which part of Sharpeville - if you were there? ---I was at the Police Station that time.

EXAMINATION CONTINUED: What time did you get there? ---Round about 7 or 7.30.

What time did you get up that morning? ---Six or half past.

So, did you know nothing about what happened in Secise Street on that day? ---No.

Did you have any reports that stones were thrown there? ---No.

Did you have any reports that firearms were fired? --- I heard that the Police were assaulting people lower down.

Did you have any report that firearms were fired by the Bantus? ---No; I don't think I received such a report.

H. THOMPSON
EXAMINATION CONTINUED

Did you receive any report that property, or motor vehicles were damaged on that day? ---No. I did not receive such a report, and if that was the case, I would have seen it.

Was it in your mind that the Police might try to disperse the people whilst they were going to the Police Station? ---No.

Did you think that ^{if} the Police came across large groups of people on their way to the Police Station, they would not disperse them? ---No. I only thought that if they should come across groups going towards the Police Station, they might arrest them, because these people would not be in possession of their reference books or passes.

Did you ...

THE CHAIRMAN: In organising this meeting, did you determine at all how you would react to the request, or an order by the Police that you should disperse? --- It is in that pamphlet - mentioned in the pamphlet.

Yes, well, can you give me the answer? ---

If the Police tell us to disperse, we shall disperse immediately, but they should ^{not} give us time to disperse within five minutes; that is wrong. So if they ask us to disperse, we shall disperse.

EXAMINATION CONTINUED: Did that also apply if they were asked to disperse when they were at the Police Station? --- Yes.

Were any requests made by the Police for the people to disperse? ---No.

Was there any conduct on the part of the Police

that gave you the impression that they wanted you to disperse? ---Not at all.

What did you have in mind; did you expect that the Police would arrest all the people? ---I had in mind that should the Police effect arrests and if it is "full", the others would disperse.

THE CHAIRMAN: If the Police lock-up is full? --- That is so. If it is full, the Police would request the remainder to disperse.

But then, would they come back again? ---Yes; they will.

So this campaign was not a one-day campaign, in other words? --- No; until the passes are all totally abolished.

It was to start on the 21st March and then to continue? --- That is correct.

EXAMINATION CONTINUED: At what time did you expect people to gather at the Police Station? --- Early - just in the morning.

Up to any particular time? ---No. Were they still there in the afternoon? --- Yes; they were.

Could you give us an explanation for that? --- I cannot explain that. It was fired at the people by the Police, and the people ran away.

THE CHAIRMAN: Do you know of any particular reason why they stayed there up to the time that the Police fired? --- They were waiting to be arrested by the Police.

EXAMINATION CONTINUED: Were you satisfied to
EXAMINATION CONTINUED: You were on the Police

side of the fence? --- I was inside the Police yard, yes.

With what purpose? --- I went into the Police yard and told the Police that I personally, and the crowd that was standing outside the fence, had no reference books and that they should arrest us.

Who were at the Police station at that stage that you spoke to? --- I first spoke to a Masutu Policeman, a Non-European.

THE CHAIRMAN: About what time was this when you now first spoke to the Police at the Police Station? --- On arriving at the Police Station at the time that I have mentioned, I went straight to the Police and I informed them, as I have already said.

This was the Masutu Policeman? --- Yes.

EVIDENCE-IN-CHIEF CONTINUED: I think you said that was about 7 o'clock in the morning? --- That's right.

Were there any European Police on the premises, there? --- Not that I saw.

THE CHAIRMAN: Was there any crowd collected at the Police Station at that stage? --- There was a crowd collected.

A big crowd - can you form an estimate? --- The crowd grew bigger and bigger, as the people were coming along.

What was this Policeman's reply? --- I was told by this Non-European Policeman to wait until a Policeman of a higher rank would come there and I should then speak to him about it.

EXAMINATION CONTINUED: Were you satisfied to wait? --- I was.

And did you tell the crowd round the fence what this man had said to you? --- Yes, I did.

When did you see the European Police arrive? --- I am unable to mention the time, but it was still in the morning, but rather late in the morning, although I cannot mention the time.

Were you there when the aeroplane flew over? --- Yes; I was there.

This European Policeman that arrived at the Police Station - were these European Police there before the aeroplane flew over? --- Two Europeans arrived there, dressed in civilian clothes. Others were there with rifles and bayonettes.

Was that long before the aeroplane flew over? --- No; they were not there then - the aeroplanes were not there, then.

Did these two people arrive long before the aeroplane came? --- That is correct.

Did you speak to them? --- Yes, I did.

To one, or both? --- I actually spoke to one who replied to me. There were others who stood a bit further back from where this European was standing that I spoke to.

What did you say to him? --- I said to this Policeman that myself and the crowd gathered there had come to surrender ourselves to be arrested because we had no passes or reference books.

Is that all you said? --- There was some other discussion between myself and him, which has no bearing on the matter at all. We just spoke about it.

What did you say? --- The officer told me to

H. THOMAS
Inspector-in-Chief

wait for this high official to come.

Did he say when this official would come? ---
He said that we had to wait, he would be coming presently
round about 2 o'clock.

Did he say where he would come from? --- No.

THE CHAIRMAN: Were you alone, or was any other
member of the P.A.C. with you when you had this discussion?
---I was alone.

And do you know who this European was? ---
I do not know the man's name, but if I see him I will
know who he is.

Was he in private dress, or in uniform? ---
He was in civilian clothes.

Are you able to give some description of him?
--- He was wearing a pair of spectacles, he was tall
and set. That is the only description that I could
give about him.

At any rate, if you saw him now you would be
able to pick him out? ---I would be able to, if I see him.

EXAMINATION CONTINUED: Was this man that you
spoke to, the first European Policeman to arrive there?
---Yes.

He was accompanied by another man, also in
civilian clothes, and I think you said others in uniform?
--- That is correct.

The other man - did you speak to him, too? ---
No; I did not.

Later, after that, did you again speak to
European Police? --- He was the only one that I spoke to.
We were awaiting this official about whom we had been

told, that would come.

Were you ultimately taken into the Police offices? --- Yes. I was caught hold of and pushed inside.

You were not released again until - you have been kept in custody ever since, is it not? --- Before my arrest, I was allowed to walk about and speak to the crowd, but since my arrest I have not been released.

From the time that you arrived there up to the time you were taken inside - you were arrested; let us use it for short - did you speak only to these two Policemen that you have now mentioned, one the Hanta Policeman and this other European? --- No. I spoke to another European after that, but that was at the time when there were many Police there - European Police and Non-Europeans.

That Policeman that you spoke to on this occasion that you speak of now, did he come later? --- Yes.

What was the conversation between the two of you on this occasion? --- I only asked him whether this official had not yet arrived.

What did he say? --- He said to me "Pack you".

Was he also in civilian clothes? --- Yes; he was also clothed in civilian clothes.

By that time, were there some senior Police officers in uniform? --- Yes; there were.

Did you speak to them? --- No; I did not.

You have mentioned three occasions, now, that you spoke to Police? --- That is correct.

Did any Policeman on any occasion approach you

to speak to you? --- No.

Did any of the Police ask you to say anything to the crowd? --- These that I spoke to, yes, asked me to ask the people and not to press up against the fence.

Did both these Policemen make that request? ---No; the first Policeman made that request. That was the first European that I spoke to.

Did you do that? ---I saw that the people were not standing up against the fence, but to satisfy him I went and I conveyed to them what he had asked me to do.

Did the people at any stage lean up against the fence? ---No; not at all.

Did I understand you to say that none of the other European Policemen approached you, to speak to you? ---No.

None of them asked you to disperse the crowd? ---No.

And did they give no indication whatsoever at any time that they wanted the crowd to be dispersed? ---No.

What was your idea of the purpose of the lot of Police there, and the saracens? --- I have said, that this campaign was not going to be a violent one and I was surprised as to what the presence of the saracens was there for.

Did any thought occur to you, what the Police had in mind? --- All I thought was that these saracens were brought there just to frighten the People to leave.

What did you think was the purpose of the saracens? --- The first time I saw them, I was

surprised, that's all.

What did you think their purpose was? ---
These aeroplanes were diving down and going up again,
and I thought they were also there just to frighten
the people.

THE CHAIRMAN: Did you understand that to show
that the Police were not keen that you should stay there?

---No.

EXAMINATION CONTINUED: You thought that they wanted you to stay there?

--- I have said, they just wanted to frighten us.

For what purpose; as far as you thought? You
could not know what went on in the minds of the Police? ---
To frighten us to leave.

Why didn't you leave? --- We are not children and
we are not to be frightened. We were waiting on what we
were told, for this man that was going to address us, to
say something to us.

EXAMINATION CONTINUED:
/Did you see anybody on the Police grounds
speaking to the people through a loudspeaker? ---No.

There was no-one.
This gentleman who was to address the crowd, the
if he did not appear, what did you have in mind doing then?
--- Then we would have told the Police that the person who we
were told was going to come, had not come; "Arrest us".
Or we would have left, and would have come back again.

When? --- The following day.

Did you see the people doing anything to justify
the shooting? --- No.

Did you see any stone throwing? --- No.

THE CHAIRMAN: Could you perhaps tell me, about
how long before the shooting were you taken inside the

office? --- About five to six minutes.

Put it another way: When you were taken inside, had the Police already been formed up into a line? --- I did not take notice as to whether they were lined up or not. But what I do know is, the Police were standing here, some were standing behind the others. That is how they were standing.

EXAMINATION CONTINUED: Have you seen that gentleman before (Constable Hays)? --- I have seen him at an identification parade at Boksburg, but I had not seen him before.

THE CHAIRMAN: You did not see him that day at Sharpeville? --- No.

EXAMINATION CONTINUED: I will tell you why I asked the question. This gentleman gave evidence that he spoke to you on that day -- Head Constable Hays? --- I don't know the man. I never spoke to him at all.

And this gentleman here, Lieutenant Vissers? --- That is the gentleman that I spoke to first.

Is he the gentleman that told you that you have to wait for an officer of the Police? --- Yes; he is the man.

And the other European that you spoke to a little later, is neither of the two? --- That is so, neither of the two.

THE CHAIRMAN: I am not sure -- you may already have stated it, but the last one that you spoke to, was he a man in uniform or in civilian dress? --- He had a white shirt on, and a pair of ordinary trousers.

Did he have anything on his head? --- I do not remember any more whether he had anything on or not.

WITNESS-IN-CHIEF

I just want to mention something. I see some cameras in Court. I don't want you to publish photographs of this person, for a particular reason. There has already been some slight difficulty, or may be some difficulty about somebody's whose photograph was published and who was thereafter identified and the question then arises whether the publication of the photograph had any bearing on the identification; so I will be pleased - I am not saying that photographs were taken of the Witness or that it is intended to take photographs, but I don't think they should be taken.

- ADJOURNED: 12.45 p.m. -

- RESUMED: 2.15 p.m. -

NYAKAE TSOLO, still under oath:

EXAMINATION BY MR. CLAASSEN CONTINUED:

Tsolo, the crowd of Nantus surrounding the Police Station, were they making a big noise? --- No.

At no time? ---No. The only noise that was made by them, was "Afrika!"

Did you at any stage encourage them to shout "Afrika!"? --- I was shouting out the word "Afrika!" myself and when doing so, they would do so, too.

Did you hear them shouting anything at the Police? ---No.

Were you there when the saracens arrived? --- Yes, I was.

I wonder whether you would know when Col. Piemmar's car arrived? ---I saw the vehicles arriving but I do not know Col. Piemmar.

Did any of those vehicles have any difficulty

N. TUCOLO
Witness-in-Chief
CROSS-EXAMINATION

in getting through the gate?—No.

Did they have a clear passage in? — The people had opened the road to enable the vehicles to get in.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. FLEMMAN: Tucle, am I correct in understanding that from your arrival in the morning you were waiting at the Police Station for this announcement to be made? — That is so.

Did you go away at any stage in the course of the morning; did you leave the immediate vicinity of the Police Station? —No.

There was evidence here that at some stage some official was looking for you and the information he got was that you had gone to have something to eat? —Yes, during the day I did go and have something to eat.

And did you then come back on your own? — On the way I came back; before I got to have something to eat.

You told his Worship that this was a non-violent campaign and was to be a voluntary one? — That is what I have said.

For the purposes of record, I want to ask you. Was there ever any plan that there would be an attack on the Police Station? — Not at all.

And did you at any time yourself or did anybody else, to your knowledge, try to incite the people and encourage them to attack the Police Station? — No.

Now, I want to ask you this, not so much as a member of the Pan-Africanist Congress; I want to know

what Africans generally feel about this. Do you think the African people find the passes and the Pass Laws burdensome? ---If the Court wants this platform to be turned into a political platform, then I will but that is not what I came here for.

I think. I do not wish to have a political discussion; I just want a general statement, as to whether the African people generally find the Pass Laws burdensome? ---Oh, yes; very much so.

And again I do not wish to have any political debate with you. As a method of protest, you have no vote - that is so, is it not? --- That is correct.

And therefore, any protest which the African people want to make must be, not of the nature of voting; it must be a different form of approach? --- Yes. We as Africans, go personally, if there is any complaining to be done, not by means of a vote.

We have had evidence that when you were taken into the Police Station you were asked by a uniformed officer, at the request of somebody in civilian clothes, for your pass. Is that correct? --- That is correct; that was when I was inside, yes.

And the uniformed officer who was brought into Court for you to identify this morning, can you say whether or not he was the person who inside these premises asked you for your reference book? --- No; he is not the man.

Can you just tell me this: Were you, after you were taken into the Police Station, questioned in any way? ---Yes; I was.

Can you tell me what the subject matter of the questioning was? --- I have already said that these young men

questioning was? --- There were so many questions, that I cannot remember.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. LOUW: Tsole, how long have you been living in Sharpeville? --- From 1944, I think.

Do you know the Sharpeville Township very well?
---I do.

Do you know that there are a number of people from Basutoland? People who are still subjects of Her Majesty's Government? ---Yes; there are.

Do you know that these people ^{have} come here to work?
--- I do not know what they have come here for.

Have you as Secretary of the Pan-Africanist Congress tried to get those Basuto's to become members of your organisation? ---No.

Do you know that some of the Basuto's were wounded who went to the charge office? ---Yes; that is correct. And some were killed? --- I do not know of some that were killed or dead.

These people say they came here to work; don't you think you are responsible for their wounds, trying to persuade them to go to the Police Station for passes? --- These people referred to, were not pulled there or taken there by force; they went there on their own to listen about the passes.

Do you know that some people were forced by young men from their homes in the middle of the night to go to the Police Station, told to go there and not to go to work? --- I have already said that these youngsters

who were going round at night taking people out, or forcing people to go there, or preventing them from going to work, are not of our people. -- I include all

the people. These people are they? -- I said I do not know them at all.

But you have known Sharpeville from 1964? --

I know Sharpeville, but not all the inhabitants of Sharpeville.

In your Organisation, the P.A.C., are there not mostly young people? -- No; there are old people, too.

But mostly young people? -- That is true.

Is it not possible that some of these young men went round and stirred up the location during the night of the 21st? -- Our people are disciplined people. They know what it is.

Can you make no suggestion as to who these young people were who went round in the night? -- Honestly, I do not know.

Do you know that the people from Basutoland who work here, also wear passes? -- I know every Masato carries a pass.

Not Masato - Basuto from Basutoland? -- If I may explain here, Masato is singular; Basuto is plural. "Afrikaners" and "Afrikaners!"

West jy daardie Basutos beskou hulle pas as 'n identifikasiekaart, dat hulle daarop werk kry en dat dit hulle veiligheid gee om hier te werk? -- I just want to give one answer to this; I do not want to answer a lot of questions - just one answer, here. I want to explain why this Pan-Africanist Congress - what it is striving at.

All right, explain? -- Our aim is to unite the

people on the basis of African nationality; to create and assert the African personality and to restore the black man's human dignity. That is all - I include all the people there, the ...

In the Union, or where? --- From Cape to Cairo; from Morocco to Alaska. (Voices from audience).

THE CHAIRMAN: Look, I want to make it quite clear. I have gone out of my way to make it possible for people to attend this Court, but if they abuse that, then I shall certainly not allow these proceedings to be in any way upset by anything of that kind.

CROSS-EXAMINATION CONTINUED: Now, in this attempt of yours to unite the whole Africa, innocent people, Basuto's from a foreign country outside our Union were killed. Don't you mind people being killed in your protests? --- As I have said, we did not think that the people would be killed at the Police Station. We went there only to surrender ourselves/being in possession of our reference books - for arrest, there, I mean to say; so we did not even think that the savages would kill the people. So even if these people are dead at Sharpeville, their blood is out, to unite (inaudible).

You were there at 7 o'clock - jy was daar om 7-uur om jou pas af te gee. Hulle het gewaag om jou te arresteer om jou pas te vat; waarom het jy daar gebly? ---

Have you tried it? --- I do not want to attempt to try it. Hulle het jou nie gearresteer nie; jy het daar gebly? --- I think you can refer that question to those Policemen who did not arrest me. I don't know why they did not arrest me.

Why didn't you go there - why didn't you go away

when you were not arrested? ---I was there to surrender myself for arrest.

You were not arrested from 7 o'clock to 10 o'clock or from 10 o'clock to 1 o'clock; why didn't you go away peacefully? ---I was there for arrest. It can be how late, I go there for one object; I was not going to turn back.

And you would have stayed there the whole night and the next day and the next day, waiting for them to arrest you? ---I have said there, I won't stay there the whole night but I will come there the following day to surrender myself again.

And continue a disturbance? --- If you tell me that I was continuing a disturbance there, I am very doubtful of that.

I ask you; you would have continued with a disturbance? --- I did not - I never meant to cause any disturbance at all.

You said you had no voice; that is correct. You had no franchise - that is common knowledge. In the Verseniging location there is a Board appointed by the Municipality. Could you not have put your complaints through that Board? --- Which Board is it; it is the first time I hear of it.

It is an Advisory Board in Verseniging? --- That is what I refer to as a "Dummy Institution".

Have you tried it? --- I do not want to attempt to try it.

On the 21st, thousands of people in the Sharpeville Location stayed away from work? ---I believe so.

Do you know about it? ---I know; I did not go

myself.

Did you spread the news that they should not go?
--- This pamphlet explained to the people that they were not to go to work.

So it was not necessary for you to tell them?
--- No; not at all.

NO FURTHER QUESTIONS.

BY THE CHAIRMAN: I wanted to ask you, what is your educational qualification? --- Second year J.C.

Would that be form III, or Std. VIII? --- Std. VIII.

When did you leave school? --- In 1958.

And what sort of employment did you take up?
--- I worked for the firm "African Cables".

What sort of work? --- Manual labour.

How long have you been concerned with this type of organising work? --- From last year in July, with the F.A.C.

Does your experience date from about then?
--- After I had left school, yes.

In assisting in the organisation, did you consider this specific aspect, namely that any gathering like that round a Police Station would attract a lot of women, would attract a lot of children; did you think about it, as an organiser? --- That we knew.

What experience had you had before the 21st of handling a big crowd of people? --- I don't follow what you are referring to.

Does that mean you feel that your influence either in meetings or in any other circumstances, so as to know how they react to your instructions of

commands or requests? --- I have explained that we all want one unity, shall I say -- the feeling of Afrika!

I am asking you what experience you had before the 21st of arranging a meeting or a gathering of this nature? --- To put it this way, I did not invite the people as such; this pamphlet, that is what invited the people, including myself and the rest of the gathering.

Let me ask you another way: Did you ever at any stage before Monday morning think that there possibly might be a crowd of the order of 5,000 to 20,000, whatever is the correct estimate? --- I had in mind that the whole of the Sharpeville village would be there.

And was that your impression as you moved about the crowd during the day, that that had actually happened; that you had the support of all these inhabitants of Sharpeville? --- Yes; and I was very pleased about it.

You felt that nearly the whole of Sharpeville was there? --- Yes.

And you feel that you could have controlled the entire population, or nearly the entire population of Sharpeville gathered there? --- There are many ways of controlling. I don't know what your Lordship is referring to, by the word "controlling".

Well, I will put it to you this way. If at 1 o'clock you had said to them "Go home", do you think they would all have listened to you? --- As the leader of these people, yes.

Does that mean you feel that your influence affects everybody in Sharpeville? --- Yes.

I might be incorrect, but I seem to recall that there was evidence that some of the people who called at the houses to take people out, wore some sort of badge to indicate that they belonged to the P.A.C.? --- What is written on that badge? --- "P.A.C." or "Away with Passes"? --- That I don't know.

I have already indicated that my recollection may not be right; but if it should appear that there were members who apparently belonged to the P.A.C., if they went about these houses threatening people, would that be contrary to the P.A.C. Policy? I am not talking about the events at Sharpeville; I am not concerned with the rest of South Africa? --- It is not necessary that one should wear the badge of the P.A.C. to indicate that you are a member of the Pan-Africanist Congress. You can be one without wearing a badge.

I am merely asking, if these were members of the P.A.C., would they have been acting contrary to the declared Policy of the Movement? --- No, not.

Would that be in accordance with the declared policy, to force these people out of their homes? --- That will not be in accordance with our Policy.

Your intention was that anybody who wanted to go to work on Monday morning, could do so freely? --- If he were one of those who are satisfied with pass conditions, then he could have gone.

And was it the intention that the buses should operate on that morning? --- Well, the buses belong to the V.F.C.; it is not our buses.

You were not concerned with the question of whether the buses run or do not run on this day? ---

Nothing at all.

You said in answer to a question that you expected that you would have not only men at Sharpsville Police Station, but also women and you realized that children, being curious, would also come there? --- That is true.

One of your helpers who gave evidence here, as far as I can recall, told me that the whole idea was that the members of the P.A.C., the male members of the P.A.C., were to be the only people who were to go this day to the Police Station? --- That is true; that paper disclosed that. But if women should go there, they were not to be stopped. They want to know what is happening to their men and where they have gone to, and what is going on.

There is some evidence that in Vanderbijlpark there was a crowd of men only who went to the Police Station? --- I do not know what happened at Vanderbijlpark. I was at Sharpsville.

Well, they apparently remained together; they came to the Police Station and they were told to disperse and they turned around and went back to their township? --- I am pleased to hear that.

Is that what you had in mind; is that how things should have happened? --- If we had given them our greetings, yes.

There is one other thing that I don't quite follow in your evidence. When you were first asked, or rather, when you first asked to be arrested, you were told by the Mantu constable that you should wait for a European to come? --- That is correct.

When was this question of arrest again raised?
--- At the time when this European Policeman and another
one came in - the one that I have mentioned in my
evidence before the adjournment.

Then you again raised this question of arrest,
and there was no - you were not arrested? ---No; not
at the time.

I am not quite certain. What did this European
Policeman say to you? ---I was told by this European
Policeman to wait for their chief, as I said this
morning, until he comes.

Was that the person who was to come at
2 o'clock? ---Yes.

And you passed that information on to the
crowd? ---I conveyed that to the crowd.

In the sense that they should then all remain
there until 2 o'clock? --- That is so.

And did I understand from your evidence that
so far as you were concerned, at any rate, you accepted
that that was the intention, that you must wait there
until 2 o'clock when he would come and address you? ---
That is correct.

You have also told me that when the aeroplanes
came over you thought it was an attempt by the Police
to frighten you? --- That is what I said.

That was your interpretation? --- That is so.

Did that not suggest to you that the only
reason why the Police could want to frighten you, was
to persuade you to get away from the Police Station? ---
That I knew, that they wanted us to get away from there.

But now you have on the one hand one

Policeman saying to you that you must stay there until 2 o'clock so that some superior officer or other person could speak to you? --- That is correct.

And on the other hand you have, as you have described, had the aeroplanes over and you have had the arrival of the Policemen and armoured vehicles, suggesting to you that the Police wanted you to go away? --- I said that those things were brought there to frighten us. I have also said in my evidence that we are not small children to be frightened away by things like that.

No, I understand that; but then you know, or thought that when these aeroplanes fly over they won't do you any harm, I take it? --- That is correct.

I understand that you say you are ^{not} children and you are not to be frightened so easily. What I am trying to find out is what you as one of the leaders and one of the intelligent people, thought about this funny situation; on the one hand the Policeman asking you to stay, and on the other hand a show of force, of aircraft and men and armoured vehicles? --- I had no thought at all. I never thought that they would kill, the way they did kill us.

You did not turn it over in your mind at all? --- Not at all.

Did it occur to you to go to this ^e Lt. Visser or any other Policeman and say "Look, I don't quite follow what is going on. You tell me what I've got to stay here until 2 o'clock, and yet here you come with aircraft and armoured vehicles and an increased number of Policemen. What is it all about?" --- I had no idea at all as to why these aeroplanes were flying about there, nor did I have any idea about the vehicles. But

I had in mind, when seeing a lot of Police like that, that they were there to arrest us.

Up to the time that you were arrested, and taken inside, had there been any difficulty on your part in making contact with the Police at all? Or the Police with you, for that matter? --- Not at all. I could go to them and speak and go to the crowd and speak to them. I was not hampered in any way at all.

And the Police would come to you as well? --- If-it is not a question of them wanting to come to me; if they wanted me, they would call me.

I think it was mentioned already that Robert Mangaliso Sebukwe is the President of your whole organization? --- He is our President.

Now, there is just something else that you might be able to tell me. We know that at Evaton there was a campaign in the sense that people gathered and went to the Police Station and eventually went back to the Evaton location; and one had the same in Vanderbijlpark. All I want to know from you is this: Was that organized from Sharpeville or did each of these places have their own President responsible? --- It is just one constitution of the Pan-Africanists.

Yes, I know; but you have now told us that in Sharpeville you occupy a certain position and Thomas Mero occupies another position. Have you got similar people in Evaton and Vanderbijlpark? --- That is so.

I take it they would all act in terms of the circular that you have referred to? --- Yes.

It was not open to each area to act as they think fit? --- No.

They had to act in terms of the circular? ---Yes.

MR. KENNEDY (THROUGH THE CHAIRMAN): When the Police took you inside, you did not resist, did you?

--- No. I did not resist.

You did not call upon your fellows to come and rescue you and fight the Police? --- No.

Early in the morning, we understand, when you first were at the Police Station, there were very few Policemen there? --- That is true.

If the crowd had then wanted to come into the Police Station, it could have done so easily? --- To do what?

I mean, if this was a bad crowd and had wanted to do harm to the Police Station, it could have done so? --- They were disciplined; they did not go there to cause any violence.

But what I mean is, early in the morning there were a lot of people and very few Policemen? --- That is true. There were not many Policemen in the morning. No.

You said that you thought that the Police wanted to frighten the people away? ---Yes.

But if the people stayed there, did you think they would be addressed by someone? ---Yes; as I have said.

Or did you think that the Police would shoot? --- No; not that the Police would shoot.

You have been asked what experience you have had of crowds; Have you ever before this time had experience of a large body of armed Policemen? ---No. that was the first time.

H. 78010
by the Chairman.
E.E. ARNOLD
Hoofsaaklik

Before that day, had you any reason to believe that Police armed with rifles and sten guns would mow down an unarmed crowd, including women and children? --- No.

SYDNEY EDWARD ARNOLD, beëdig, verklaar;

VERHOOR DEUR MNR. CLAASSEN: Jy is 'n konstabel in die Suid-Afrikaanse Polisie gestasioneer te Radio, Johannesburg? ---Ja.

Op 21 Maart van hierdie jaar, het jy oer gekom na Sharpeville lokasie? ---Ja.

Waarmee het jy gekom? --- Met 'n saracen.

Onder bevel van wie het jy gestaan? ---

Kapt. Brunner.

Julle het met drie saracens gekom, nê? --- Ja.

En ander voertuie? ---Nee.

Kan jy se omtrent watter tyd julle by die lokasie aangekom het? --- Ongeveer 12-uur, 12.45 - kwart-voor-een.

Hoe laat het julle by die Polisie-stasie aangekom, of in dit die tyd dat julle daar aangekom het? --- Dit is toe ons by die Polisie-stasie aangekom het.

Het jy enige wyse gehad waarvolgens jy kan bepaal wat die tyd is? ---Nee.

DIE VOORSITTER: Was dit 'n blote skatting, of het jy 'n herinnering dat jy een of ander tyd op jou horlosie gekyk het? --- Ek het een of ander tyd op my horlosie gekyk; dit was 'n rukkie voor dit gewes.

VERHOOR HERVAT: Was jy die bestuurder van een van die saracens? ---Ja.

En het jy 'n aparte operateur gehad vir die masjiengeweer? ---Ja.

Of moes jy dit ook ...? ---Nee; hy was apart
gewees.

Het jy net bestuur? --- Ja.

Het jy geen wapens gehad nie? --- Geen wapens gehad
nie.

Is geen wapens aan jou uitgereik nie? ---Nee.

Waar is jou saracens opgestel in die Polisie-
gronde? --- Dit was in die middel ongeveer oor die hek
gewees - tussen die twee ander.

Daar was saracens in the hoek gewees? ---Ja.

Een in die een hoek, en die ander in die ander
hoek? ---Ja.

DIE VOORSITTER: Dit is nou die Noord-
Westelike hoek, en die Suid-Westelike hoek? ---Ja.

VERHOOR KEEVAT: En julle was meer of min
in die middel? ---Ja.

Daar is 'n betonpad wat lei van die groot hek
af na die binneplaan van die Polisie-stasie? ---Ja.

As jy nou uit die gebou uitkom en gaan na die
hek, was jy aan die linkerhand van daardie beton-pad?
--- Aan die regterkant.

Nadat jou saracens opgestel is, wat het jy
gemaak? --- Ek het binne-in die saracens gehly.

Die heel tyd? ---Nee, ek sal nie al die heel
tyd nie; maar ek was 'n rukkie binne-in gewees.

Om wat te doen? --- As vir ons by voorbeeld
gees is die saracens moet gesped of na enige ander plek
gaan, dat ek kan reg wees. Ek was die bestuurder gewees.

Het jy agter die wiel bly sit? ---Ja.

Toe jy uitgeklim het, waarheen het jy toe gegaan? --- Ek het bo-op die saracoen bly staan.

Was daar andere met jou saam op die saracoen? --- Sers. Horne was saam op die saracoen, heel buitekant.

Was hy ook van die bemanning? ---Ja; hy was eintlik met die masjiengeweer gewes.

Het hy ook bo-op gestaan? ---Ja.

Heel bo-op, of op die trappe, of waar? ---Heel bo-op.

Altwee van julle? --- Altwee van ons.

Tydens die skietery, was julle toe ook bo-op of waar was julle? --- Ek sal nie kan sê waar hy was nie, maar ek was binne-in, tydens die skietery.

Jy neem agter die wiel? --- Agter die wiel.

Wet jy of Horne 'n vuurwapen gehad het - jy sê hy het die masjien gehad? ---Ja.

Wet jy of hy nog 'n ander vuurwapen gehad het? --- Nee; ek sal nie kan sê nie.

Het nie een van julle geskiet nie? ---Nee.

Kyk na Bewysstuk "U". Kan jy jouschf identifiseer daar op die foto? ---Ja.

Wys waar jy staan? --- (Getuie teen aan).

DIE VOORSITTER: Is dit die persoon op die saracoen wat feitlik teenaan die gebou staan, onder die dak? ---Ja.

VERHOOR NEMVAT: Kan jy vir Horne ook daar by jou sien? ---Ja.

Waar is hy? --- Hy was op 'n ander saracoen.

Is dit die man met die oorpak aan? --- Ja.

Ek het van jou verstaan dat hy vroeër met jou saam op jou saracen gewees het? ---Nee, ek kan nie mooi onthou of hy saam met my was nie.

Van daar iemand anders saam met jou op jou saracen? ---Ja.

Wie was dit? --- Snelgans - ek is nie meer seker van die name nie.

Maar nou sê jy daardie een is Horne met die oorpak. Kyk na "V". Kan jy jouself daar sien? --- Ek sal nie verseker kan sê of dit sers. Horne is nie; maar daardie tyd was ek binne-in gewees. Ek was net op daardie eerste een. Ek sal nie verseker kan sê of dit sers. Horne is nie, maar ek is definitief op hierdie een nie.

Kyk na "W". Sien jy jouself daar? --- Ek is nie seker - nee, dit is ook nie ek daardie nie.

"X"? ---Ook nie.

"Y"? ---Hierdie persoon het opgerolde moue, en ek het lang moue aangehad.

So jy sê jy kom net voor op daardie eerste een, "U"? ---Ja.

En jy het toe binne gegaan? --- Ja.

DIE VOORSITTER: Op watter tydstip het jy na binne gegaan? --- Dit is net toe die kolonel vir hulle gesê het - ek weet nie presies wat sy van is nie, maar hy het vir hulle gesê hulle moet aantree. Die univernamme het buitekant gestaan toe sê hy vir hulle hulle moet aantree; toe gaan ek in.

Weet jy niks wat plaengevind het daarna, sover dit die Polisie of die skare betref nie? ---Nee.

Jy ken nie sien nie? ---Nee.

VERHOOR HERVAT: Ken jy nie vanwaar jy sit,
die skietery sien nie? ---Nee.

Dit is ...? --- Jy ken dit sien, maar ek het
nie deur die preiskoep gekyk nie.

Hoekom nie? ---Nee, ek weet nie presies nie; ek
het net nie daardeur gekyk nie.

Wat het jy dan gemaak gedurende die skietery?
--- Ek was binne-in die saracen gewees.

DIE VOORSITTER: Jy het verwag jy mag miskien
een of ander tyd 'n bevel kry dat jy die saracen moet
verwyder? ---Ja.

VERHOOR HERVAT: Toe julle in gekom het, waar
het jy gary tussen die drie saracens? ---Oms was heel
voor gewees.

Kapt. Brunner, waar was hy? --- Kapt. Brunner
was by ons in die saracen.

Hy jou gesit? ---Ja.

Langs jou? ---Langs my.

Was julle die voorste voertuig van die
konfesi wat mosse deurgaan? ---Ja.

Het julle enige noodlikheid gehad om in te kom
by die hek? ---Nee; daar was 'n skare voor die hek,
maar hulle het geroep.

Het jy gesien toe kol. Pienaar daar aankom? ---
Ja; ek het net gesien toe hy voor by die hek was, toe het
gesien hy het uitgeklim.

Het hy enige noodlikheid gehad? ---Ja; hy het
noodlikheid gehad.

Wat was sy noodlikheid? --- Die skare was nie
voor ^{odgee} nie om het teen die kar geslaan met kleries en net

klippe gegesol.

Het jy dit gesien? ---Ja.

DIE VOORSITTER: Waar was jy toe? --- Toe het ek agter uitgekyk.

VERHOOR HERVAT: Hoe was die skare; was hulle stil, rasend? ---Hulle was rasend gewees.

Het jy opgelet na die toestand van die draadheining? --- Ek het nie so opgelet nie.

GENE VANDER VRAE NIX.

CROSS-EXAMINED BY MR. KENTRIDGE: Are you still in the Police Force? ---Yes.

What is your rank? ---Konstabel.

What was the number of your saracen? --- 90600.

Who was the N.C.O. in your saracen; was it Sergt. Horne? ---Ja.

I wonder if you can tell me who else was in your saracen? --- Ek is nie meer seker van die name nie. Daar was serg. Horne en kapt. Brunner. Van die ander is ek nie meer seker nie.

Do you usually drive a saracen; are you trained to do that? ---Ja.

And the other men who were with you, were they not part of the regular crew who were always with you? ---Nee.

As I understand it, you were standing on top of the saracen before the shooting? ---Ja.

Before the shooting started you went inside; that is to say, at the moment when the shooting started, you were already inside the saracen? ---Ja.

Did you notice, when you were still standing on top, whether the people were still at the fence or whether they were running away? ---Hulle was nog by die draad gewees.

They were not running away? ---Nee.

Just have a look again at Exh. "U", the one you say shows you yourself. Is that you standing there? --- Ja.

Why do you say that? --- Ek kan myself nithen op hierdie een. Dit was ek definitief gewees.

You see, this man is wearing short sleeves. I am not trying to trap you. The thing is, we have a lot of these photographs, and it seems to me that the man is the same man right throughout, with short sleeves; there does not seem to be anyone different. So are you sure that this is you and not Sergt. Horne? --- Ek sal nie kan sê nie.

Because you see, also, in this picture, the crowd is running away, already? ---Ja.

Now, if you looked at mine; it is clear on the first photograph. Here is the man who you think might be yourself. Now, on the next, it seems to be the same man? ---Op hierdie een kan jy duidelik sien, definitief die man is op - die heel arms.

On Exh. "F" you can see clearly the sleeves are rolled up. Then if you look at "V" again, you see the man is standing in exactly the same position as on "F". It seems to be the same person. Don't you think here on Exh. "U" it is also the same person? --- Dit lyk nie dieselfde nie.

You see, the evidence is that when this

photograph was taken, the shooting had already started.

DIE VOORSITTER: Het jy enige skote gehoor terwyl jy buite was - dit maak nie saak of dit van die Polisie gekom het, of ...? --- Nie terwyl ek buite was nie.

Toe jy skote gehoor het, was dit enkel skote gewees? --- Daar was twee of drie enkel skote gewees, en toe was die sarasin gewees.

Jy weet nie waar die skote vandaan gekom het nie? --- Nee.

Maar is jy heeltemal certig dat toe jy die eerste skote hoor, vanwaar dit ookal gestuur is ...? --- Toe was ek al binne-in die sarasin.

Het jy voor jou stuurwiel gesit? --- Ja.

CROSS-EXAMINATION CONTINUED: But then, is it right, then, that this man you have pointed to in Exh. "U" is perhaps not yourself at all? --- Ja; dit mag wees.

Is Sergt. Horne a machine gunner? --- Ja.

Shouldn't he have been sitting at his machine gun? --- Hy moes daar gewees het, ja.

DIE VOORSITTER: Het jy hom daar gesien te enige tyd? --- Toe ons die lokasie ingekom het. Toe ons binne-kant gekom het, was hy nie agter die masjiengeweer gewees nie.

Nee, maar ek neem toe jy sou by Sharpsville in die sarasin inklin, waar was hy toe gewees? --- Hy was nie binne agter die masjiengeweer nie.

Het jy hom te enige tyd daar gesien voordat hy - voordat jy weer daar uitgeklim het? --- Het voor die skietery ophou, het ek uitgeklim. Dit was so-te-so oor gewees. Toe die skietery ophou, toe klim ek uit.

Were there other men of the Radio Division

Toe jy within, was jy bewus daarvan of sers. Horne binne-in die saracem is? ---Nee; hy was definitief nie binne-in die saracem nie.

Toe jy within, dat jou kop te-wit kom, het jy bewus geraak van wat die posisie is op jou die saracem? Of daar mense op staan? --- Ek kan nie onthou of daar iemand op gestaan het nie.

CROSS-EXAMINATION CONTINUED: When did you first see these photographs? --- Toe sers. Lera die verklaring by my kom vat het.

Was that a little while ago? ---Ja.

How long ago; do you remember? ---Ongeveer 2 tot 2½ weke terug.

Did you see them all? ---Nee; net die wat u my nougewys het.

You just saw one? ---Nee, nie een nie; die paar wat u my nou gewys het.

Had you made a statement before? ---Nee.

You mentioned the name of Const. Smeigans. Do you know him? --- Wel, dit was die eerste keer dat ek hom daardie dag gesien het.

And did you speak to him after the shooting? --- Ek sal nie met zekerheid kan sê nie.

You don't know whether he fired or not? ---Nee.

Do you know anyone else that fired, of the people that were there in the saracem? ---Nee.

You did not hear, afterwards, who had fired? --- Nee.

You are from the Radio Division? ---Ja.

Do you know anything about people being threatened? Were there other men of the Radio Division

S.E. ARNOLD
Cross-examination
THOMAS MERE
Witness-in-Chief

with you in the saracens? --- Dit was net mers. Horne gewees.

And in the other saracens? --- In die ander saracens was daar 'n paar gewees.

Le Roux - was he one? --- Ek kan nie meer die vanne onthou nie.

You don't remember who they were? --- Nee.

NO FURTHER QUESTIONS.

MR. CLAASSEN: NO RE-EXAMINATION.

THOMAS MERE, sworn, states (through Interpreter):
(Indemnity explained):

EXAMINED BY MR. CLAASSEN: Were you a member of the P.A.C.? --- I am.

And Vice-Chairman of the Sharpeville branch? --- Yes.

You know about the assembly of Bantus around the Police Station on the 21st March this year? --- I remember that.

Could you tell us why the people went there? --- The people went there to surrender, to be arrested, because they do not want to have passes at all.

Did you that night, the previous night, - were you up early? --- I got up Monday morning, yes.

What time? --- About 6 o'clock.

Do you know whether people had been told that night to be up early to go to the Police Station? --- I do not know whether the people were notified that night to be up early to go there.

Do you know anything about people being threatened

to go to the Police Station? --- No.

Do you know anything about stone throwing in Secise Street? ---No.

Were you not in Secise Street at all? ---I was at the Police Station, not in Secise Street.

At what time did you arrive at the Police Station? --- About 7 o'clock.

Tell us what you did there? --- When I got to the Police Station, I found some people gathered there. The reason why I had gone to the Police Station was to keep the people under proper control.

What - did you do that? ---Yes, when I got there, I did so.

What steps did you take to achieve that? --- I told the people that seeing that I am there, they are not to create any disturbance; that there is a time, as I had told them, that they can do certain matters which they were authorized to do. It is true, they listened to what I said. I also explained to them why we had got there, and they understood. At about 8 o'clock Toole came in.

THE CHAIRMAN: That would now be the last witness? --- That is Toole. When he came there, he found that there was a large gathering and I happened to be present. He found me explaining to the gathering that we had to submit in regard to the passes. I then saw some Police vehicles entering, lorries full of Policemen entering. They all came in. The people were in a happy mood. There was nothing wrong. They raised their hands, calling "Afrika!" When these motor cars and lorries had entered, they came in - there was

no trouble whatsoever, nothing at all. There was no one that was preventing them from entering. I told the gathering not to interfere with any of the vehicles coming in, even if there was any trouble - not to interfere at all. In fact, they did as I asked them to. There was nothing - until all the vehicles came in and all the Policemen that were on them, as also the saracens. After these people had entered I explained to the people the nature of these passes. After I had finished explaining to the people Teelo came along. He said that he was informed that the people over there were not to lean up against the fence but to stand back a little bit from the fence. It is true that I conveyed that to the group and they listened to it; they did give way from the fence. I also told them not to make a noise. I also told them not to make a noise until such time as this chief that I was told by Teelo was going to come, and was going to speak to them. I explained that to the gathering, to these people.

THE CHAIRMAN: When did this take place? ---
Somewhere about 9 o'clock in the morning.

EXAMINATION CONTINUED: You said something that you explained to the people about the passes, did you? ---
I tried to explain to them about it.

Didn't you succeed? ---Yes, I succeeded.

Did you say that you did that after all the vehicles were inside? ---Yes. I did not - the vehicles did not enter - they would come in, some of them would come out, others would come in; that is how they went.

What did you tell them about the passes? ---
I said to them the pass in regard to all of us as Non-Europeans, was heart spoilers.

That was the purpose why they went there, is it? They wanted these pass Laws abolished? --- That is correct.

Why did you find it necessary to explain to them again about the passes? ---I thought of explaining to them for these reasons, that maybe they had forgotten something; it may be that they were no longer thinking about it - just to refresh their memory again.

Did they listen to you? ---Yes; they did.

Did they agree with you? ---Yes, they did.

How did they agree with you? ---In agreeing with me, they showed the sign we give when we call out "Afrika!"

Holding up the hand? --- That is correct.

Were you told by Teale that somebody would address the people at some later stage? --- No; that is not what he said. What he said was that a man of some standing would come there and then we, having gone there, would go there for the reason, to submit to arrest with regard to the passes - we would surrender - we wanted to be arrested without passes.

You were to wait for this man before you surrendered? ---Yes; because we had already heard that such a man was coming.

Where did you hear that from? --- That was conveyed to me by Teale. He had gone to the Police offices while I was busy with the crowd and he came back and conveyed that to me.

You did not see who he spoke to? ---No; I did not.

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

What time was that? ---I am not so sure about

the time. I had no time at the time.

When you arrived there, were there European Police?— Yes, there were.

In the morning, when you arrived? —No; not in the morning.

Did they arrive later? — The European Police came with these vehicles that I have just mentioned - motor cars and lorries and things.

And did you surrender yourself for arrest? — We were waiting for this gentleman to come to submit to be arrested.

Did you after Isalo had told you about this gentleman, convey it to the people or did he do so himself? — At the - after he had conveyed it to me, after I heard that from Isalo, at the crowd where I was I conveyed what he had said to me.

Did you hear him speaking to the crowd, telling the crowd that? —Not the crowd where I was.

With what - did you stay with that part of the crowd all the time? — Yes. Isalo was with another crowd, shall I say in front of the Police Station, facing the Police Station.

You never got to that spot? —No; I did not.

Was the crowd noisy, or quiet? — They were quiet at the time when I spoke to them, because they would not make all the noise when I am addressing them.

At other times? —I had told them that if they wished to mention the word "Afrika! Iswe Letshi" they could do so. After I had spoken to them, that is what they did. They said "Afrika! Iswe Letshi" because there was a time to do that, and there was

also a time to speak.

Did you at times hold up your own hand? ---
That is correct; I raised my hand.

Did Tsolo do so, too,? --- Yes; he did.

Did you hear any of the European Police
speaking to the crowd? --- No Policeman spoke to the
gathering.

Was there not a gentleman speaking through
a loudspeaker to the gathering.

Do you think they would have listened to him
if he had wanted to address them? --- Yes; if he had
the permission from us as leaders that he could address
them, then they would have listened to him.

You think they would not otherwise have listened
to him? --- They would have been surprised as to why,
how it came about.

Did you see Tsolo being arrested and taken
into the Police offices? --- He was there, as I have
already explained, in front of the Police Station.
I could not see what was happening there, so I did not see.

Could you hear? --- Hear what?

Could you hear what was going on at the time
that he was taken in? --- I heard nothing at that time.

Did he do anything that you could see, why
the Police should have taken him inside? --- When
Tsolo was taken in, we thought that he was going to get
the answer to this chief that was going to come and was
going to address us, and that we were going to listen to
him - that he would bring back the answer as to when this
chief was going to come.

Were you also taken in? --- That is correct.

Were you the second one to be taken in? ---
I do not know whether I was the second person taken in.
All I know is that I was taken in.

THE CHAIRMAN: Where were you taken from;
what part of the Police grounds? ---I was inside the yard.
I was standing at the big gate when I was taken in.

EXAMINATION CONTINUED: What had you done to
be taken in?--- I was just taken and told to go there, and
I went to the Police Station, inside.

Did they take you in, or did you go willingly?
--- They took me in.

Did they say why they were taking you in? ---
No reason was given why.

Did they tell you inside? ---No. They did not
speak.

Did nobody speak to you inside the building?
--- The person who had arrested me/^{told me} to stand inside the
verandah; that is all he did.

You and Tsolo were inside. Were there any
other Bantus inside? ---Not that I have seen. I know of
myself and Tsolo to be there.

All the time that you were there, do you know
of anybody that had been requested, either by you or by
Tsolo, to assist you in keeping the crowd away or keeping
them quiet? --- At the place where I was, I did not ask
anyone to assist me; but whether he, Tsolo, at the
place where he was, had asked for one, I do not know.

You were near the small gate? --- The gate
facing the clinic from where I was - I cannot see clearly
what is happening there.

T. MOSE
Witness-in-Chief

You were at the other gate? --- That is correct.

Did you have any difficulty in keeping the people away from the fence? ---No difficulty at all.

Did you see anybody walking up and down from the small gate towards the big gate? ---No.

On the other side of the fence - on the side where the Bantu's were; between them and the fence, walking up and down? ---No; I did not.

Would that have been necessary? ---Unless he had been permission from us to do so; otherwise it would have been.

- ADJOURNED: 4.10 P.M. -
to 25th May, 1960 at
9.45 A.M.