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MNR. PARKINGTON

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

1 JUNIE 1960 (VERVOLG)

2 JUNIE 1960.

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BEWYSSTUK

NOTE MADE BY MALACHIA NINOTOMI

Bewysstuk "YYY"

AS FOR THE FACTS CONCERNING THE ARREST OF MALACHIA NINOTOMI AND HIS WIFE, I REMEMBER HEARD THAT MALI, NINOTOMI ASKED WHAT TIME HE DID THIS ARREST AND HE SAID HE SAID THAT HE WAS AT THE TIME. HE ASKED HIM WHAT THEY WERE THERE FOR, AND MALI SAID TO MALI, NINOTOMI THAT THE TIME WAS THE DAY YOU SAID TO GO THERE AND TO SURRENDER IN ORDER TO BE ARRESTED BECAUSE THEY HAD NO PASSPORT. HE ASKED HIM WHY. I REMEMBER HIM ANSWERING, SAYING THAT THEIR PASSPORTS WERE

E. LITELU  
Recall

ON RESUMING AT 2.30 P.M.

EDWIN LITELU, sworn, states (through Interpreter):

THE CHAIRMAN: Edwin, you gave evidence before?

---Yes.

And in the course of that evidence you referred to a discussion between Tsolo and Lait. Visser? ---Yes.

I think you yourself also spoke to Tsolo? ---Yes.

Now, what I want to know from you is, were you present during the time that Lait. Visser had the discussion with Tsolo?---I was present.

Can you recall today what was spoken between them? ---I can recall.

What language did they speak? --- English.

And do you understand English?---I do.

Are you a Kulu? ---No; I am Masuto.

Then you would also have understood what Tsolo said to the people, if you listened? --- I did not hear what Tsolo had to say to the gathering, because there was too much noise.

But you saw that he did speak to them? --- All I heard was that he told the people not to lean up against the fence and the others to get off the roof of the clinic.

As far as you can remember, what was discussed between Lait. Visser and Tsolo? --- I remember having heard that Lait. Visser asked Tsolo how did this crowd come to be here, and he said that he was in the lead. He asked him what they had come there for, and Tsolo said to Lait. Visser that the 21st was the day put down to go there and to surrender in order to be arrested because they have no passes. He asked him why. I remember him answering, saying that these passes are

E. LITTLE  
Recalled.

causing trouble, there is nowhere where they can work. Then the subject was changed and they started discussing matters out of the bible. I did not hear what that discussion was about. I think it was Luit. Visser who started changing the subject and talking out of the bible.

Did Luit. Visser at any time ask Tsolo to do something? --- I did hear Luit. Visser saying to Tsolo that Tsolo must speak to his people and ask not to lean up against the fence, because they are pressing the fence down.

Did you yourself at any time think that later during that day an official would come from somewhere else to address the crowd? --- No.

Did you hear it mentioned by any of the Policemen or any of the members of the crowd outside that such a happening would take place? --- As far as the Police is concerned, I did not hear a single one mention that, but I did hear that Tsolo said to the gathering that it is said we must wait and that a high official would come and speak to them.

Where did you hear that? --- I heard Tsolo saying that to the people who were standing at the fence.

When did he say that? --- Somewhere about 12 noon.

When was that in relation to the time that Luit. Visser was talking to Tsolo? --- A discussion between Luit. Visser and Tsolo - somewhere around 11.30 and thereafter at about 12 noon Tsolo spoke to the gathering.

Did you at any time while you were standing near to Luit. Visser and Tsolo hear any mention from either of them that at 2 o'clock or some other time a high ranking

official would come to discuss the matter of passes with the gathering? --- No.

MR. CLAASSEN: Edwin, were you at the Police Station when Luit. Visser arrived? --- Yes; I was.

And did you stay outside in the yard all the time? --- I was there, but I used to go into the Police station and come out, on and off.

Did you see more than one discussion between Tsolo and Luit. Visser, or was it the only one? --- I only know of one occasion when they spoke to one another. It may be that on another occasion they had spoken to one another without me knowing about it. I only know of one.

When Tsolo told the people about this address that would take place at 2 o'clock, would you say that happened about 12 midday? --- That is what I think.

Where did Tsolo stand at that time? --- He was standing close to the fence, but on the inside of the fence, on the Police Station side.

In relation to the small or the big gate, where did he stand? --- (Witness indicates).

THE CHAIRMAN: That is on the Southern side between the small gate and the South-Western corner? --- That is so.

THE EXAMINATION CONTINUED: Immediately before where did he come from? Before he said it to the people? --- He was walking along, beside the fence.

Before he said that? --- Before he said that, yes.

You did not see him coming from Luit. Visser just before he addressed the people about this 2 o'clock

F. LITTLE  
HOUSTON

address? --- It was quite a time after he, Tsolo, had spoken to Luit. Visser when he, Tsolo, went and conveyed that to the gathering. Luit. Visser was not there.

Did you hear anything being said about people having to move to the football field from the Police Station? ---No.

Not from Tsolo or from anyone else? ---No. I did not.

Did you at any time get near to the fence to hear what people were talking about? --- The people outside the fence were making a noise, and the noise they were making was this that one would speak to another and the other one could hear it, and the other one could<sup>not</sup> hear it.

You could not hear what was said? ---No; I could not hear what was being said.

I think you said to his Lordship that on account of the noise you could not hear what Tsolo was saying to the crowd? --- I said I heard him.

Could you hear everything that he said to the crowd? --- When Tsolo spoke to these people, they would listen to him and they would stop making a noise.

MR. KENTRIDGE: You are in Luit. Visser's department? ---I am.

At that time, he was your officer? --- That is correct.

When you heard Tsolo speak to the people about the high official coming later, did you report that to Luit. Visser? --- No. I did not.

You did not think there was any need to? --- I did not know whether that was so, or not.

I did think that it may be that he had been told to say so to the crowd.

THE CHAIRMAN: Did you understand from what Tsolo told the crowd that he was conveying to them information which he had get from the Police? --- That is so.

Did he say, "The Police have told me that a high official would come"? What precisely did he say, as far as you can remember? ---Heard Tsolo say to the gathering, "It is said that ...."

MR. KENTRIDGE: And you did not report this to Luit. Visser; you thought it might be true? --- I thought that he might have been told to say so.

Luit. Visser did not ask you at any time to speak to Tsolo or to anyone else? --- Yes. He asked me - Luit. Visser asked me to ask Tsolo to ask these people, the gathering, not to lean up against the fence.

And you did that? ---I did.

And Tsolo told them that? ---Yes, he did.

And they did so? --- Yes. They would stand back for a while and come forward again, up against the fence.

When Luit. Visser spoke to Tsolo, where was Luit. Visser standing? ---He was standing on the verandah of the Police Station.

That is opposite the small gate?--- That is correct.

I would just like to ask you something about this discussion about matters out of the bible. Do you remember what Luit. Visser said about the bible? ---I did not pay much attention. If I remember



E. LITVIN  
INTERVIEW

correctly. Lait. Visser asked who was the first human being.

And did he reply? --- I don't remember what he said who the person was, who was the first human being.

And then did they go on speaking about religious matters? --- Yes; that conversation was carried on.

In English? ---Yes; in English.

Tsalo had said that the people were there to be arrested? --- Tsalo explained to Lait. Visser that the people had come and they had no passes, and they were going to surrender to be arrested or to submit to being arrested.

And did Lait. Visser say that he would arrest them? ---No. He said "Why?"

But did they speak any more about arresting, being arrested? --- Tsalo carried the conversation further by saying that these passes are topical (?).

But what did Lait. Visser say about arresting the people there; did he say that he would, or that he would not? --- I did not hear Lait. Visser that he would, or he would not.

What was going to happen to these people, as you understood it? Were they going to be arrested, or weren't they? --- As far as I know, they would not have been arrested.

Why not? ---Because there was no reason to be arrested.

Even though they had no passes? --- Even if they had no passes, I do not think that they would have been arrested.

E. LITHEU  
RECHTER  
RECHTER V. RENSBURG  
RECHTER

So what did you understand at that time was going to happen to all these people; were they just going to wait outside? --- I do not know what would have happened.

Do you know why they were waiting there? --- I do not know what they had come to the Police Station for.

Do you know whether Luit. Visser was waiting for some higher officer to take over from him? --- It can happen.

Did you hear something like that? --- No.

When Luit. Visser started to talk about the bible, did you then lose interest? --- I did not pay much attention that, then. I went away.

PETRUS HERMANUS JACOBUS JANSE VAN RENSBURG.

besig, verklaar:

VERHOOR DEUR MNR. CLAASSEN: Mr. van Rensburg, u is in diens van die Munisipaliteit, in die Nie-Blanke afdeling? --- Ja.

Waar is u werkzaam? --- Ek is werkzaam in die lokasie in Sharpeville, in die Erf-en-Diens-Skema.

Watter werk doen u daar? --- As inspekteur.

Die dag van die skietery op Sharpeville, was u daar? --- Ja, ek was daar.

Waar was u gewees? --- Ek was aan die Oostekant van die Polisieostasie gewees.

Was u met enige ander persone daar? --- Ek was saam met die Polisie daar gewees.

Is dit kapt. Coetzee? --- Ek weet nie wat die

Kaptein se naam was nie, maar dit was aan die Costekant van die Polisiestasië gewees.

In Zwane-straat? --- Dit moet Zwane-straat wees.

Was u gewapen? --- Ek het 'n rewolwer in my sak gehad, ja.

Het u dit gebruik? --- Nee, ek het dit nie gebruik nie.

Weet u of die manskappe wat daar onder die bevelvoerende offisier teenwoordig was, hulle vuurwapens gebruik het? --- Nie wat ek gesien het nie.

Gehoer het? --- Ook nie gehoor nie. Daar was so 'n lawaai, dit was moeilik om te onderskei.

Die lawaai het eintlik van die Westekant gekom? --- Ja; dit het van my Westekant gekom.

Maar was die geraas daar nog so groot dat u <sup>nie</sup> hoor as iemand daar 'n vuurwapen afskiet? --- Dit kan <sup>nie</sup> wees dat jy hom sal hoor as dit naby is, maar dit is moeilik om te sê met die distansie daar, om alles. Die lawaai was tamlik groot gewees.

DIE VOORSITTER: Daar is twee persone hier *wat* vanoggend getuigenis gegee het. Een het gesê dat hy bok-op 'n vragmotor gestaan het aan die linkerkant, d.w.s. aan die Suidekant van die straat, en dat hy vandaar twee skote geskiet het in die sypaadjie in; en 'n ander konstabel het op die middelmannetjie gestaan en daar gevuur in die linie? --- Dit kan wees dat dit saam geval het met die ander skote, toe daar geskiet was.

Waar het u gestaan? --- Ek was agter, by die voertuig; ek was nie heel voor saam met die Polisie nie. Ek was nog agter by die voertuig. Daar het entrent

vier of vyf voertuie gestaan.

VERHOOR HERVAT:

/ Het die - is dit deel van u pligte om te sien dat die biersaal moet gesluit word? --- Ja.

Is dit gesluit op die aand van die 20e? --- Ja; toe was ek persoonlik daar gewees, by al die biersale.

Is daar meer as een biersaal? --- Ja; daar is sewe depots.

Is enigeen van hulle beskadig? --- Ja; daar was twee beskadig Dinsdag. Ek was die Sondagand daar gewees, die 20e. Toe het ek almal self toegesluit en hulle was almal onbeskadig. Die Dinsdagore het ek hulle weer besoek. Toe was daar twee beskadig gewees.

Waar, meer of min, is die twee geleë wat beskadig is? --- Halle is in die erf-en-diens-skema, heel aan die Weste - die Suid-Westelike kant van die lokasie.

Al twee van hulle? --- Al twee van hulle.

Haby mekaar? --- Halle is ongeveer 400 of 500 treë uitmekaar.

Sal u aan ons die beskadiging beskryf - eers van die een, en dan van die ander? --- Die heel verste een se ruite was stukkend gegooi gewees. Ek kan nie meer die presiese getal nou onthou nie. Ek het hulle getal, die dag.

DIE VOORSITTER: Is dit een of twee, of tien of twintig? --- As ek mooi dink, is dit sijn of meer in die twintig gewees.

Klein ruite, of groot ruite? --- Halle is nie te klein nie; entrent so 12" x 18", ongeveer.

VERHOOR HERVAT: Is dit al skade wat daar aangerig is aan die een biersaal? --- Aan die een, ja.

En aan die ander een? --- Die ander een se ruite was ook stukkend gegooi, en die vensterraam was gebuig; hulle het dit probeer oopbreek.

Hoeveel ruite is daar stukkend gegooi? --- Ek kan nie die presiese getal onthou nie; ek kan net skat -- ongeveer ag, by die ander een.

En het dit gelyk na 'n poging tot inbraak? --- Dit was 'n bietjie erger.

Nee, ek bedoel die buig van die ...? --- Die buig, definitief.

Maar die ander dink u was sonder needswillige beskadiging? --- Needswillige beskadiging.

Hoe lank was u die dag op Sharpeville? --- Watter dag?

Die dag van die skietery? --- Ek was heeldag daar gewes.

In die lokasie? --- Ja.

Saam met die Polisie? --- Saam met die Polisie.

Van hoe vroeg af? --- Vanaf ongeveer 2-uur die môre.

Is u saam uit met die patrollies wat uitgegaan het? --- Ja.

In daardie omgewing waar biersale is, was daar enige onluste? --- Ongeveer so 300 na 400 tref aan die Noordkant van die biersale was daar die môre 'n vergadering gewes, vroeg.

Daar was geen botsings tussen die Polisie en die ...? --- Daar was 'n botsing gewes.

In die onmiddellike omgewing van die biersale? ---  
Nie in die onmiddellike omgewing nie. Nie terwyl ek daar  
was nie.

Wel, u kan ons net kortliks sê. Was u in Secise-  
straat ook, 'n bietjie later in die oggend, hier tussen  
7 en 9? ---Ja.

Hoe laat was u daar? --- Ek was daar totdat die  
sarnens gekom het.

Hoe lank sou dit wees dat u daar was? --- Dit was  
'n hele paar uur.

Wat het daar gebeur? --- Daar het 'n groot klomp  
Bantoes met Secise-straat af gekom na die kant van die  
kantore, en voorman het twee Naturrelle geloopt en hulle  
het hulle aangehits en geskree "Afrika! Iswe Letlhi!"  
"Moyebye Afrika!" en mense aangewink om te kom na die  
kantore se kant-toe. Hulle het geskree en gemaak om  
te kom gegaan. Dit was met klippe gegooi, daar.

Het die Polisie hulle later daar teruggedryf? ---  
die Polisie het hulle net geblok daar waar ons gestaan het.

Kan u my net 'n indruk gee: Waar was daardie mense  
op weg heen gegaan? --- Dit het vir my voorgekom hulle wou  
inkom na die dorp se kant-toe.

Na Vereeniging se kant? --- Na Vereeniging se kant.

Deur die hek? --- Hulle wou deurkom.

ONSE VERDEDE VRAE NIE.

MR. KHEBUSE: NO CROSS-EXAMINATION

MR. LOUW: NO CROSS-EXAMINATION

SIMON ANDREW VAN DEN BERG, beëdig, verklaar:

VERHOOR DEUR MNR. CLAASSEN: U is 'n konstabel in die Suid-Afrikaanse Polisie? --- Dit is reg.

Waar is u gestasioneer? --- Gestasioneer te Brixton.

Op die 21e Maart, was jy by Sharpeville? --- Ek was.

Met wie het u saam daar gekom? --- Met 'n saracen, onder die bevel van kapt. Brummer.

Was jy een van die manskappe van die saracen? --- Ek was.

Nie die bestuurder nie? --- Nie die bestuurder nie.

Of operateur van die masjiengeweer? --- Oek nie.

Jy het daar op die Polisieterrein gebly tot die skietery? --- Ek het.

Kan jy vir ons sê of kapt. Brummer 'n luidspreker gebruik het om die Bantoes toe te spreek? --- Hy het.

Kan jy die luidspreker beskryf? --- Dit was die gewone witte wat met battery operateur word. Dit het een gewone flitsbatterie in.

Moet dit saam gedra word? --- Dit moet.

DIE VOORSITTER: Is dit deel van julle uitrusting? --- Nee, nie 'n deel nie. Dit word gebruik in verband met onluste ens.

Waar het daardie een vandees gekom? --- Dit was in die saracen toe ek aansluit by hulle.

VERHOOR HERVAT: Het elke saracen dit, of weet jy nie? --- Ek sal nie kan sê nie.

Jy is nie normaalweg lid van so'n ....? --- Ek is nie.

Jy sê die battery moet gedra word? ---Ja.

As jy wil loop daarmee? ---Ja.

Dit is nie iets wat jy somer in jou sak kan dra nie? ---Nee; dit is 'n groot ding.

En het iemand dit gedra? --- Ek het.

Sal jy ons vertel presies wat julle gedoen het, hoe ver julle geloop het? ---Op die terrein by die Polisiestasie?

Ja? --- Ek was aangestel om saam met kapt. Brummer te bly op alle gevalle met die luidspreker, indien hy dit nodig het. Met die aankoms daar het hy 'n poging aangewend om die skare toe te spreek, maar op daardie stadium vat hy die luidspreker weg van my; jy praat deur 'n mikrofoon. Hy staan met dit alleenig. Hy het probeer die skare spreek, maar hulle het hom afgekeer. Hy het as gevolg nie - hy kon nie gehoor gewees het nie.

Het hy gepraat? ---Hy het 'n poging aangewend. Of hy gepraat het of nie, ek het hom nie gehoor nie. Die geskree was te kuaal gewees.

Het hy net op een plek stilgestaan? ---Hy het af gegaan teen die draad. Hy het toe waggerrak en ons is vannaar af weg.

Ek weet nie of ek nou reg verstaan nie. Terwyl hy 'n poging aangewend het om te praat - moet u nie met hom saamstaap nie? ---Nie noodwendig nie.

Hoe ver kan julle vannaar af wees? --- Dit maak nie saak nie. Hy vat die ding. Die ding is net, wanneer hy dit nie nodig het nie, is ek daar om dit te vat.



En jy kan nie sê of hy werklik gepraat het of nie?  
— Ek het hom nie gehoor nie. Die gekree was kwaai.

En het jy hom gesien loop langs die heining af?  
— Ek het.

Daar is so'n klein hekkie aan die Suidkant en 'n groot hek aan die Westekant. Kan jy vir ons ...? — Die skare was aan die Westekant gewes. Hy het op en af, ek sou sê van Noord na Suid en terug, geloop.

Van Noord na Suid langs die Westelike hek? — Ja. Aan die binnekant van die Westelike heining.

U sê hy het op-en-af daarmee geloop? — Ja.

U sê hy het 'n poging aangewend om te praat? — Sover ek kon uitmaak, ja.

**DIE VOORSITTER:** Wat het jou tot die besluit laat kom? — Hy het die luidspreker opgehou in die lug en dan die mikrofoon na sy mond, en daar was — as jy hom aanskakel, as jy die dinges afdruk, kan jy praat; die manier waarop hy te werk gegaan het — dit was duidelik vir my hy wil praat.

Hoe ver was u toe van hom? — Seker sover soos die muur hier agter (20 treë). Padweg 15 treë.

Vanwaar u staan tot by die muur, of van die een muur tot ...? — Van hier tot by die muur.

U sê alhoewel hy sekere bewegings gemaak het wat vir u gelyk het asof hy praat, het u niks gehoor nie? — Ek het nie vanaf hom nie; die gekree was baie.

**VERHOOR HERVAT:** Meen u dat op daardie afstand, indien hy sou gepraat het, u hom nie sou ken hoor nie? — Wel, as daar nie 'n gekree was nie, behoort ek hom te gehoor het, maar ...

Ek bedoel met die geskree? --- Ek sou sê ek sou  
hom nie gehoor het nie want die geskree - dit was meer as  
een man. Hy was net een, en hulle was baie.

DIE VOORSITTEK: Ja, maar hy het 'n luidspreker?  
--- Dit maak nie saak nie. 'n Luidspreker sou nie oor  
daardie stamme gehoor kon geword het nie; nie geweensweg  
nie, in elk geval.

DIE VOORSITTEK: Was dit so'n groot lawaai?  
--- Daar was baie mense.

GRIN VERHOOR VAN HIE.

CROSS-EXAMINED BY MR. KENTRIDGE: You say that  
Capt. Brunner walked from North to South and back? ---  
That is so.

Did he go right to the South fence? --- Well,  
I did not watch him all the time; I mean, his movements  
were from North to South. Whether he went right up to  
the fence or not, I could not say.

As I understand you, really, once Capt. Brunner  
had taken the loudspeaker from you, you did not have to  
remain in attendance on him? --- Well, not necessarily.  
I was supposed to, but at that time we were separated.  
But I was supposed to - when he was finished with the  
loudspeaker, he would hand it back to me and I would  
sort of stay with it until he wanted it again, or something  
like that.

There were a number of Policemen walking around  
inside? --- Well, they were all over, for that matter.

You could not really keep your eye on Capt.  
Brunner? --- No; I had other duties to see to, apart from  
the loudspeaker.

You were with the saracens? --- I was.

Did you stay with the saracens? --- What stage are you referring to? ---

I mean when you got in; did you stay with the saracen all the time? --- When we got in where?

At the Police Station? --- No; I came with the saracen from the Rand, for that matter.

Yes, I know. But once you had arrived at the Sharpeville Police Station and you got out and you had given Capt. Brunner the loudspeaker, did you remain at the saracen? --- Well, we were around there - not at it all the time, but we were in the vicinity of the saracen.

An officer called Capt. Theron - do you know him? --- I do not.

Well, he was in charge at the Police Station at the time when Capt. Brunner arrived. He gave evidence that he saw Capt. Brunner take the microphone down to the South fence and try to address the people there. You can't apparently admit or deny that? --- It is possible. He did move from North to South in front of the people, but whether he went and stayed there, I could not possibly say. I did not watch him all the time.

And Capt. Theron said in his evidence that as far as he could see, the only time that Capt. Brunner actually tried to address the crowd with the microphone was when he was at the Southern side, and he also says that he <sup>could not be</sup> heard because of the shouting of the crowd. You don't dispute that? --- Don't dispute what?

What Capt. Theron says? --- Well, I would not - I mean, he may just have seen Capt. Brunner at that one stage, whereas I saw him at more than one stage.

But Capt. Theron's view is that Capt. Brummer only made one attempt, actually, to address the crowd and was shouted down. Is that how you saw the ...? --- That can be as Capt. Theron describes it, but I would not deny nor admit it.

You have explained that this crowd was noisy and you could not hear what was said, even over a loudspeaker; even if something had been said you feel it would have been too loud to hear what was said? ---Yes.

The noise would have been too loud for the loudspeaker to have been heard?---Yes.

I take it you mean the noise was such that even with the loudspeaker the voice could not carry very far? ---No; because it would be one voice and there must have been a good few of them. The noise was quite ...

When Capt. Brummer spoke to you, I take it you could hear him? --- Well, if he was next to me; when we were together. It depends where we were.

Quite; I mean, if the crowd was on the fence over here and you were standing here, you could talk across a couple of feet? --- The first few feet, maybe, yes.

You could not have been heard at the back of the crowd? --- Probably not.

What weapons did you have that day?---I myself?

Yes? ---I was issued with a sten gun.

Did you use it? ---I did not.

Where were you standing during the shooting? --- I was next to the saracen.

On the ground? ---On the ground.

And you did not get an order to fire? ---If there

was an order, I did not myself hear it.

What weapons ...

THE CHAIRMAN: Which screens were you standing against? — I was in the same screen as Capt. Brunner. I am not exactly sure where we took up a place, but I think it was on the North-Eastern corner.

CROSS-EXAMINATION CONTINUED: Is that the one of which Const. Arnold was the driver? — Yes; he was our driver.

At any rate, the point is, you did not get an order to fire, and you did not fire? — I did not get specific instructions.

And I take it you would not fire without an order? — Well, it just depended. I mean ...

I am talking about you yourself. I am not asking you to criticize ...? — It all depends what the position is.

I am talking about that day. That day, not having got an order, you did not fire? — I did not fire because whether there was an order or not, I did not hear it.

Not having heard an order to fire, you did not fire? — You can put it that way if you like, but ...

This is nothing to be worried about. Col. Pinner who was in charge says he did not give an order to fire? — Yes.

So all I am getting to you, then, is that you definitely did not fire? — I did not fire; definitely not.

Well, in view of your long row of ribbons, Mr. V. J. Brown, I think it is just what we expected from

you.

**BY THE CHAIRMAN:** Before the firing started, where were you? ---I was with Capt. Brummer at one stage. When he disappeared, I just sort of mingled amongst the rest. We were just standing around, sort of waiting for something to happen.

We know that Col. Pienaar arrived and that some time thereafter the men were told to fall into line? --- Yes.

Do you recall that? ---Yes; I was there, then.

Then you at some stage or another placed yourself near to your saracen? ---Yes, well, I was automatically standing with the line. At one stage that line was near to our saracen, sort of passed by our saracen. I was by the saracen, in line with it; lining up next to it.

Did you line up? --- Well, we were told to line up. They sort of formed a bit of a line, not a 100% line.

Did you see anything; did you watch what was happening at the gate? --- Well, yes, our eyes were just sort of on the opposite side. People were just pushing and pressing, and shouting.

Have you got a clear recollection of how the shooting started; in other words, what happened the last minute or so before the shooting started? --- Well, there was shouting coming from the opposite side, and the fence was being pushed and we just sort of stood there. One or two stones came over from their side, and the next thing I knew I just heard firing. Before I knew where I was, it was all over and done with.

You must have had a lot of experience, as counsel remarked. How long do you think the firing lasted? ---

Well, it was just a burst. It was a matter of seconds, I would say. If I were to judge off-hand, I would say roughly 10, 15, 20 - maybe longer or shorter; it was just a burst and it was over and done with. It did not last hours. Before I knew where I was, it was over. I did not even have a chance to see what was happening. When I saw, it was all over and the vans were coming along and picking up, and that sort of thing.

After the firing, could you describe to me what happened? --- Directly afterwards?

Yes? --- As far as I can recollect, I think some officer gave instructions for us to render first aid and lorries came along and started to pick up the wounded and the dead and cleared the roads, and the Municipality came with ambulances and so it sort of carried on for the next hour or two, maybe more.

MR. KENTRIDGE ( THROUGH THE CHAIRMAN): His Lordship asked you about the duration of the shooting. I take it you are giving your impression, as you remember? ---Yes.

His Lordship put it to you that as an experienced man he wanted your view on it. Can I just place on record - we haven't got a television camera. Can we just get clearly what your experience is? How long have you been in the Police? --- Five years, now; broken service. I have been before, and I broke my service.

But I see that you have the Africa Star and the 1939-45 Star and the Italy Star; and I think I see a mention of dispatches? --- That is so.

Where did you serve? ---I served with the British during the war.

S.A. v.d. BENCH  
BY THE CHAIRMAN  
L. MINTON  
WITNESS-IN-CHIEF

In what regiment? --- In the Union Castle Line.

You mean Merchant Navy? --- Merchant Navy, yes.

And did you do military drill, gun drill and so on during the war? --- I did serve a year in the Special Service Battalion in 1938.

So that was your first military experience? --- That was.

So it goes back to there - 1938? --- Yes.

And then you have had war-time experience? --- I did.

In the Merchant Navy? --- Yes.

And then you have been five years in the Police Force, all in all? --- Yes.

You were not in the Police before the war? --- I was not.

So it is post-war? --- Post-war, correct.

MALACHIA MINTON, beëdig, verklaar (deur tolk):

VERHOOR DEUR MNR. CLAASSEN: Malachia, jy is 'n spouder in die Suid-Afrikaanse Polisie verbonde aan die Veiligheidsafdeling? --- Dit is so, ja.

Waar is jy gestasioneer; te Vereeniging? --- Hier by Vereeniging.

Het jy dikwels die Sharpeville Lokasie besoek? --- Dit is waar meeste van my diens te my heen geneem het.

Het jy ook daar 'n vergadering bygewoon? --- Daar was nie 'n publieke vergadering in Sharpeville nie; dit was 'n geheime vergadering - "secret meeting".

Het jy dit bygewoon? --- Ja; by een, by 2171.



Het hulle gewest jy is 'n spreker? ---Hulle ken my baie goed.

Ken jy die lede van die Uitvoerende Komitee van die tak van Pan-Africanists te Sharpeville? --- Ek ken hulle, ja.

Wie is hulle? --- Een van hulle is Job Tšolo; Michael Tšolo.

Wat is Job? ---Hy was eers die Voorsitter gewees.

Michael Tšolo? ---Hy was hulle sekretaris gewees.

Die ander lede?--- Thomas Mera.

Wat is hy? ---Hy is een van die wat Job Tšolo bystaan.

Die ander? --- Die een is David Panodibe en die een is Johannes Monyake. Die ander is Thaddia Mtsampe.

Die vergadering waarvan jy vertel, wie het dit toegesprek? --- Dit was die Voorsitter, Job Tšolo.

En wat was die datum? --- Dit was op die 10e Januarie 1960.

Ken jy onthou wat hy gesê het? --- Ja, ek kan probeer.

Watter taal het hy gebruik? ---Hy het in Engels gepraat.

DIE VOORSITTER: Jy sê dit was 'n vergadering; was dit 'n Komitee-vergadering, of wat? Het dit in 'n huis plaengevind? --- Dit was in 'n huis.

Hoeveel mense was by hierdie vergadering? --- Daar was dertig van die mense wat daar by was wat ek nie geken het nie.

VERHOOR HENVAT: Wel, sal jy in Engels weergee

wat gesê is? --- (Sonder toek): He said "We are ready to destroy white domination against the black people in Africa and the only weapon is to fight. There is no freedom without bloodshed." (Deur toek): Dit is wat hy gesê het in Engels.

Hog iets meer? --- Daar was tanslik baie gesê. Ek kan nie die ander onthou wat daar wel gesê was nie.

Het jy die pamflette wat uitgegee was, gesien? --- Ek het.

Het jy die een gesien, "Calling a Nation"? --- Daar was drie, en die een pas geneem was die laaste.

Die een waarin die datum voorgestel is van die betoging - het jy dit gesien? --- Dit is die een, "Calling a Nation".

Op daardie dag, die 21e Maart, waar was jy? --- Ek was op diens in Sharpeville gewes, op daardie dag.

Van hoe vroeg af? --- Vanaf 12-uur die nag was ek op diens.

Het jy met die Polisie saam gegaan? --- Ja, ek het.

Het jy vir Thomas More gesien? --- Ek het.

Wat het hy gedoen? --- Hy het 'n klomp mense bymekaar gemaak. Hy was op die punt van hulle gewes, na die kant-toe wat hulle noem "Sites and Service".

Het die Polisie daar by hulle gekom? --- Ja; ons het daar by hulle gekom.

Het een van die Polisie met hulle gepraat? --- Een van die Polisie se offisiere het met hulle gepraat.

Wie was dit? --- Luit. Fourie.

Wat het hy vir hulle gesê? --- Hy het gevra wat hulle daar soek in die nag. Luit. Fourie het een hulle verduidelik

dat hulle moet uiteengaan en na hulle huise teruggaan en as hulle iewers wil gaan, moet hulle in die dag daarheen gaan en nie in die nag nie.

Was hulle gereed om uiteen te gaan? --- Nee. Hulle wou nie uitmekaar gaan nie, totdat ons 'n knuppelstoraalloop op hulle uitgevoer het. Toe het hulle uiteengegaan.

Daardie nêre van die 21e, was jy in Seciso-straat, hier naby die hostel? ---Ja; reg teenoor die Municipale kantore.

Was daar baie Bantoes in die straat? ---Ja, daar was.

In Seciso-straat? --- Dit is die straat wat op gaan na Sharpeville. Ek dink dit is Seciso-straat, ja.

Wat het dit vir jou voorgeken was hulle van plan om te doen? --- Dit het vir my gelyk, volgens ek gesien het, hulle het met die pad gekom asof hulle hier na die dorp se kant-toe kom, in die rigting van die dorp.

Is hulle gekeer? ---Ja; hulle is deur die Polisie gekeer.

Het jy enige van die leiers van die P.A.C. herken onder daardie klomp? ---Ja; twee.

Wie was hulle? --- Johannes Nonyake en Thadida Ktoampe.

Is dit twee van die Uitvoerende Komitee-lede? --- Ja, dit is.

Was hulle aan die voorkant van die skare, of waart? --- Ja; hulle was op die voorpost van die skare. Hulle het hulle hande opgesteek gehad, en gesê, "Iswe Letma!"

Wat was hulle optrede verder? --- Nadat hulle voorgekeer was, is daardie twee leiers toe in hegtenis

genees.

Het die skare toe later ongedraai? ---Nee. Hulle het aangehou sing hierdie "Inwe Letha!" totdat daar weer 'n knuppelsterloop uitgevoer was, en toe is hulle uitteem.

Het jy enige klippe gesien, daar? ---O, baie.

Wat gegooi was? ---Hulle het ons daarmee gegooi.

Wie - die Bantoes? --- Daardie eense, ja.

Hoe kom? --- Ek weet nie.

Was dit voordat julle 'n knuppelloop uitgevoer het? --- Nee; dit was ten tye van die knuppelsterloop. Toe ons hulle sterloop met die knuppels, toe gooi hulle met klippe.

Het julle vuurwapenskote gehoor? --- Ek sal nie kan sê of daar wel 'n skietery was nie, want daar was 'n geweldige geraas.

Wanneer is jy daar weg uit Seelso-straat? --- Nadat ons die knuppelsterloop uitgevoer het, het ons in Seelso-straat gaan staan, in die middel van die lekasie, ek dink tot ongeveer tot 11-uur die oggend.

Was jy by die skietery by die Polisie-stasie? --- Ek was ten tye van die skietery by die getroude kwartiere van die Polisie.

Het jy die skietery gehoor? --- Ek het gehoor, ja.

Wat het jy gedink van die doel van die betoging daardie dag? --- Ek het geskrik toe ek die groot skare sien, en ek het toe herinner wat Job Tsolo sou gesê het, "There is no freedom without bloodshed".

OMEN VERDEDEL VRAE NIE.

She invited you to the meeting on the 19th January? --- I was not invited. I went there on my own.

CROSS-EXAMINED BY MR. KENTRIDGE: When you attended this meeting on the 10th January, were you in the Special Branch already? ---I was.

When did you join the Special Branch? ---March, 1957.

So you were well-known to be a Special Branch man? --- The leaders knew me very well.

Job Tsole? --- Including Job Tsolel

Will you just tell me very shortly what your duties were as a Special Branch man; did you have to attend meetings? ---I have to go to meetings if there are, but the reason why I went to this one that I have mentioned, I had information and that is what caused me to go there.

But I want to ask you about your work in general. I take it you attend public meetings? ---If there are A.N.C. meetings or P.A.C. meetings, then I would go there; but that was at the time when I was in Johannesburg. I used to attend those meetings. There were none of that here.

But when a Special Branch man attends a meeting he goes there to listen to what is said, and makes a report? --- That is correct.

Or perhaps, if someone at the meeting makes a speech inciting other people to violence, you might have to arrest him afterwards? --- No. I would just listen to what he has to say; I would not arrest him.

I say afterwards?---Yes; if I have information from my superiors to the effect, I would.

Who invited you to the meeting on the 10th January? ---I was not invited. I went there on my own.

on information received.

You said it was a secret meeting - do you mean a private meeting? --- I call it a secret meeting because it was not held in public; it was in a house.

But did you walk into the house? --- When I got there, a number of men having badges on the lapels of their jackets - that is when I arrived; thereafter I entered the house.

And they did not put you out? --- Some did try by using obscene language against me, or bad words, but Job told them to leave me alone.

So Job Tsolo knew that you were there as a Special Branch man? --- Oh, yes, he knows that.

And then, did you take notes of his speech? --- Yes, I did.

Let's have a look at your notes? --- I have not got them on me. They are at the office.

Which office? ---

THE CHAIRMAN: What sort of notes do you make? --- I make notes of what is being said; the words used by them. At this meeting the people, as I have said, used obscene language and vulgar words towards me, and Job told them to leave me alone. After he had told me to myself, I then made notes of what was being said.

CROSS-EXAMINATION CONTINUED: At the time? --- Yes; at the time.

So you can refresh your memory from those notes? --- If I read my notes, yes.

Before you came to give evidence here, did you have a look at your notes to refresh your memory? ---

No, I did not.

You still remember this? --- No; because I did not know that these words would be used, that there would be "no freedom unless there is bloodshed" - "no freedom without bloodshed".

I don't follow that; what do you mean, you did not know these words would be used? ---I have been asked by the learned counsel as to whether if I now read these notes, they will refresh my memory and I said yes. I still remember these words - that is what I mean by that.

How long did Tsolo speak that day? ---I've - at 12 o'clock in the day time I got there; when they started, I don't know; but the meeting ended somewhere about 3 o'clock.

How long did Job Tsolo speak? ---I did not take notice of the time. He spoke, and after he had finished, he sat down.

Was it a long speech, or a short speech? --- It was not very long. He spoke for a little while and sat down.

This statement about bloodshed, was that in the middle of his speech? ---It was in the middle of his speech.

Did you tell Sargt. Wessels about it? --- I notified him about it, yes.

Where do you say these notes are, in which office? --- The following day I wrote a note to Mr. Wessels; I had an exercise book in which I wrote the note.

I am talking of the notes you made at the time? ---It is in Mr. Wessels' office.

Where is that? ---Bensonfield - Police

P. HINDONG  
INVESTIGATION  
N. MOSE  
HOORHLE

headquarters.

Just down the road? ---In Vereeniging, here.

You can fetch it within five minutes? ---I can go and fetch them, but I haven't a bicycle.

Well, I would like to ask this witness to stand down for ten minutes to go and fetch his notes.

THE CHAIRMAN: Yes, well, would you go and fetch your notes? ---I will.

(Witness stands down).

- ADJOURNED: 3.50 p.m. -

- RESUMED: 4.15 p.m. -

MOSES MOSE, sworn, states (through interpreter):

EXAMINED BY MR. CLAASSEN: You are a sergeant in the South African Police, and where are you stationed? --- Hospital Hill.

On the 21st March of this year, were you then stationed at Sharpeville? --- Yes, I was.

What were your duties there? --- I was the Charge Office sergeant.

On this day, the 21st, when did you go on duty? --- At a quarter to five in the morning.

Is that your usual time? --- No; my time is five to one.

Did you stay on the Police premises until after the shooting on that day? --- No.

When did you leave again? --- 1 o'clock.

Was that before the shooting? --- Before the shooting.



That morning a number of Nantus gathered around the Police Station? --- Yes.

Was there a stage in the morning when there were no Europeans on the premises at all? ---Yes; I was the only one and other members, Non-Europeans.

Can you remember when the first European members of the Police arrived there that morning? ---I think about a quarter past eleven.

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

Were there any Europeans then? --- There were European Police then.

Before the European Police arrived, did you see Teolo on the Police grounds? ---Yes. He entered the gate and he came to me in front of the charge office.

Was that when he arrived there? --- That is correct.

What time was that?---I am not sure; 8 o'clock or just after 8.

Did he speak to you? ---Yes; he spoke to me.

What did he want? ---He asked me to open the cells and to put all the people into the cells because they have no passes.

Did he say anything more? ---I said to him, "But the Europeans are not here". I said "I'll send some policemen to go and call them". I called two Non-European Police. I said to him, "I am afraid I cannot send the Police away, because there is a big crowd". He said he would give me some escorts. Then I sent the Police. He then escorted them until they came out of the grounds,

and then they left.

Why did you not want to send some of your men away? --- I was confused by the crowd because there was no telephone to communicate with these European Police and I did not know what to do.

Why did the crowd confuse you? --- They were right round the Police Station. There were many of them. They were right round the Police Station.

But what did they do? --- They were just standing. They wanted me to lock them up.

Was Tsolo the only one who spoke to you? --- Yes; he was the only one.

When the Europeans came, do you know whether Tsolo spoke to them? --- When I was standing there with Tsolo, Sergt. Wessels came there. Sergt. Wessels spoke and asked him, Tsolo as to what his complaint was.

THE CHAIRMAN: Did you know Sergt. Wessels before that day? --- I had seen him once on a previous occasion.

Do you know a man called Luit. Visser? --- No.

What did this man look like who spoke to Tsolo? --- A tall man.

And is there anything further you can remember about him? --- It is a young man, well-built, "fris"; he is not an old man - a young man. Well-built young man.

Your impression is it was Sergt. Wessels? --- It may be that I am making a mistake but I took it to be Sergt. Wessels. But if I should see the gentleman today again, I would be able to say "That is the gentleman".

Anyway, you say that you saw this man speaking to Tsolo? where did they speak? ---In front of the charge office.

EXAMINATION CONTINUED: Do you say Vessels was the first European who arrived? ---Yes.

And did Tsolo speak to Vessels?---Yes, he did.

Did you hear what was said? --- I heard the European asking Tsolo what he wanted. He said he wanted to be locked up, and the crowd that is there, because they have no passes. This European then said to him, "I have no place for a lot of people like that". He was also asked by this European whether he had any other complaint, and then something about money was said. Tsolo also said that the wages that are received by the Non-Europeans, was a very small wage. Tsolo then said it would be better if they should receive £8 per week. I do not know whether that amounts to £30 per month.

Anything else? --- This European then asked Tsolo, "You are a Pan-Africanist;" in the event of a Non-European getting the majority, whether they will chase the Europeans away or what are they going to do with the Europeans". Tsolo then said to him amongst his followers there are no Non-Europeans and there are no Europeans. They are all Africans - they are as one; there is no difference. The last words used by Tsolo was, "What the Non-European eats, the European also eats". At that stage the European turned round and walked towards the charge office and also left.

Is Sergt. Vessels the only European member of the Police that Tsolo spoke to as far as you know?--- At the time when I was present, yes.

You were not present with any other conversation?

---No; I was not.

Do you know Head Const. Heyl? --- I do know him.

Did you see him around there? ---Yes; he was there. He was going in and out of the charge office.

Your sergeant in charge of the Police Station, did he not arrive with Head Constable Heyl? ---He got to the charge office, not where we were at the time.

But did you see the two of them arriving together? ---Not together. I was also busy at the time.

Can you be sure of this: Weren't Head Const. Heyl and Sergt. Grebler the first European members of the Police that arrived there? ---It can happen that they came together behind the Police Station but not at the place where I was at the time.

You did not see Head Const. Heyl and Tsolo together; you did not hear them speak? ---No; I did not see them.

Why did you leave at 1 o'clock? ---I went off duty, then.

Do you know Col. Pienaar? ---I do.

Do you know whether he had arrived yet when you left? ---I never saw him.

THE CHAIRMAN: When did you leave? --- At 1 o'clock.

When did you leave the Police Station grounds? --- My relief comes at a quarter to one and then we check, and after checking I leave, when he takes over. It may have been 1 o'clock or just a little after that I left the Police grounds; I am not sure.

EXAMINATION CONTINUED: Not before 1? ---No.

Evidence-in-Chief  
Cross-examination  
By the Chairman

Were you working inside? ---I was working inside the charge office.

Was there a noise outside? --- There was.

What was the mood of the crowd when you left?  
--- They were singing "Afrika!"

Is that all? --- That is all.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. KENNEDY: When you left at 1 o'clock, or just after, to go off duty, from which door did you leave the charge office? --- I went out at the front of the charge office, towards the small gate.

Was there a crowd outside? --- A big crowd.

Did you have to go through the crowd? ---Yes.

Did you walk through the crowd? ---I did.

All by yourself? --- All by myself.

Did you come to any harm? ---None whatsoever.

Nobody molested you? ---No.

NO FURTHER QUESTIONS.

MR. CLAASSEN: NO RE-EXAMINATION

BY THE CHAIRMAN: I wanted to ask you about this discussion that Tsolo had with one of the European members of the staff. Do you know whether Tsolo at any time tried to get the people to stand away from the fence? ---Yes, I do.

Do you know whether he did that out of his own or whether he did that because he was requested by somebody else? --- This white man said to Tsolo, "Do you see the people there, they are lying on the fence and there might be a case against them". After

him having said that, Tsolo on his own went to these people and told them to stand back from the fence. This European then pointed out some people that were on the roof and said to Tsolo, "Do you see those people on top of that roof there? If anything, any accident should happen, you will be held responsible". Tsolo just did this with his hands (indicates).

A sort of sideways sweep of his right hand? ---  
Yes. Then they got off the roof.

Another thing I wanted to ask you is this: At any stage during that day, did you think or believe that a senior official would be coming to Sharpeville to talk to the people there? ---It never entered my mind.

You never heard anybody discussing it at the Police Station? ---No.

Did you hear any discussion that a senior Police Officer might come with reinforcements and that they would then talk to the crowd about the question of passes? ---No.

During the time that you were near to this person you have described as Sergt. Vessels and Tsolo, while they were talking, did you perhaps hear them mention this question, talk about it that somebody would arrive later who would be able to talk to them? --- No.

In what language did Tsolo and this European talk? ---In English.

Do you understand English? ---I do.

MR. GLASSER (THROUGH THE CHAIRMAN): Did you hear anything mentioned on that day about the people moving to the football grounds? ---I just heard this

W. WOODS  
BY THE CHAIRMAN  
W. MINOTOMI  
Cross-examination

European say to Tsolo, "Let your people move over to the open space of ground there" pointing towards it. That is all I heard. I saw Tsolo pointing with his arm like this and the people moved away in the direction as pointed by him. He then put down his hand and came back, and I saw the crowd moving back again.

MR. KENTRIDGE ( THROUGH THE CHAIRMAN ): Did you hear this white officer tell Tsolo what the people should do in the open ground? ---No.

Perhaps this man said something about the open ground that you did not hear? ---Maybe; it can happen.

Perhaps he said they must wait in the open ground? ---I don't know.

Otherwise why should they go to the open ground? ---I don't know. It may happen; I don't know.

THE CHAIRMAN: Mr. Kentridge, I don't now know what your impression is, and that of the other practitioners, but I seem to think he probably has Luit. Visser in mind.

MR. KENTRIDGE: Well, I have little doubt of that, with respect, Sir.

THE CHAIRMAN: You see, he is at Hospital Hill and if it can be regarded as common cause that he had Luit. Visser in mind where he identifies Sergt. Wessels, it could perhaps be noted; otherwise I would like to ask him to identify the person he refers to. I think it would be better to have him identified.

MR. KENTRIDGE: That is a point, Sir. Perhaps we could ask this Witness whether this officer wore spectacles? ---I am not sure.

Was he wearing a hat? --- Yes, he had a hat on.

Well, for what it is worth, Sir, we are reasonably satisfied that it was Luit. Visser.

THE VOORSITTER: Mr. Claassen, wat voel u?

MNR. CLAASSEN: Edelagbare, ek weet nie.

Die posisie is, daar was twee persone. Volgens die getuienis wat voor u gels is, die eerste persoon wat daar gekom het wat met Tselo gepraat het, is hoofkonstabel Heyl en dis het 'n sekere reëlas gegee van wat daar plaasgevind het. Dit kan wees of dit beter sou wees. ....

THE CHAIRMAN: Well, Sergt., will you stand down for a moment and perhaps you could point out the person you identify as Sergt. Wessels? ---Yes.

MALACHIA MINOTONG, under former oath:

(through Interpreter):

CROSS-EXAMINATION BY MR. KENTRIDGE CONTINUED:

Did you find your notes? ---Yes, I have.

May I see them (handed to Mr. Kentridge). Is this torn out of a note book? --- This happened to be on a Sunday, when I got the information. I tore it out of this book.

Where was this? ---I got it in the office.

Why did it take you so long? --- When I got there, the sergeant with whom I work, was not in. There was another sergeant and we were looking for it until we found it; that's why.

Who else spoke? - - About what?



At that meeting? --- There were some other discussions - nothing in connection with this.

About what? --- They had a few drinks there and they said they were glad that the Pan-Africanists had found a large number of people to be their followers.

Can I see the rest of your notes? --- That is all there is.

What did you tear it out of? ---I tore it out of this book, here.

Is that the book you had with you at the time - can I just see this book? --- That is not the one.

That is the one which you said you tore this paper out of? ---I tore this page out of this book.

But if you look at it, you will see that is a green book; now, to tear a page out of this book - you see the little holes left and there is no such thing on here? ---I have other leaves ...

I can tell you another thing; this has a red margin on it, and the paper in that book hasn't? --- I want this gentleman to understand what I say, and that is this: I had this book with me but this page was not torn out of this book. I had loose pages that I tore out of the other book that I usually carry along with me. I put into this book loose pages. If you want to see that book, I will go and fetch it for you.

I have no doubt that there will be a book with this page torn out of it. Let us place on record - the book you produced in Court is a green (?) book; the pages have no margin; this page is not out of such a book and it has a margin. Correct? ---I am trying to explain this ...

Just first say yes, or no; have I put it correctly? --- (The Interpreter: I am in a difficulty. I don't know whether I should convey the answer given by the witness).

THE CHAIRMAN: Answer this question first: That page on which you say you recorded what took place at this meeting on the 10th January, does that page or does it not come out of the book that you produced a minute ago? --- This page is a loose page that I tore out of another book and I put it in this book as a loose page.

This page, in fact, is different from the pages that you have in this book that you have produced now? ---It is different. If the counsel wants me to go and fetch the book out of which I tore this sheet, I will do so.

CROSS-EXAMINATION CONTINUED: You took notes at the time? ---I did.

As the man was speaking? ---Yes; I was told by him, too, that I could take it down.

You took down as much as you could of what he said? ---Yes; what I have written on here.

You see, my learned <sup>and</sup> friend and I in other proceedings have heard literally dozens of Special Branch men give evidence from notes they had taken and what they do is put down the name of the speaker, and then they try and take as many notes as they can of what he says? ---I am listening, yes.

The way you have it, is in the form of a report written afterwards. These are not the notes you made at the time? --- Well, could you tell me where they are,

then?

Well, read them; read it to his Lordship? ---

"I found the members of the Pan-Africanist Congress holding a private meeting at No. 8171 Sharpeville Location. I went in and found that there were about thirty members, of the Pan-Africanists. Some of the members were as follows: Job Tsolo; Michael Tsolo; Johannes Manyake, known by that name; David Namodebe. Job Tsolo, who was the Chairman, said 'We are ready to destroy white domination against the black people in Africa. The only weapon is to fight. There is no freedom without bloodshed' and that there are eighty (inaudible) who are ready to destroy the (inaudible) and that we intend to ask for forty from those eighty so that they could face each other and say that the P.A.C. is the only organisation in Sharpeville".

That is the end? --- That is the end.

A three hour meeting. That is your full note.

Do you expect his Lordship to take you seriously? --- I never said that this man spoke for three hours. I said he spoke and afterwards he sat down.

Just listen to the question; you were there for three hours, and these are all the notes you took? --- I did not say that the three hours that I was there, people spoke about what I put down - they spoke, thereafter they had some drinks and they spoke about their own things.

How many people spoke? --- The man who spoke mostly was the chairman.

Did the chairman speak more than once? --- The chairman spoke mostly and what he spoke about is what is written down here. After that, he only spoke to the

congregation and he said he was pleased that they had come there, and so forth.

Were there other speakers? --- The only man who spoke was this chairman. There were others, too, but they spoke about their chums being there and all that; that they were happy.

And you took no note of who was speaking? --- They were only speaking to their mates, their comrades and so on and that they were pleased.

Now, Malachia, don't trifle with me. When a man starts to speak, you don't know what he is going to say, do you? Correct? --- I hear what you say.

So what a Special Branch man does - and I can show you hundreds of examples - he puts down the name of the speaker first? --- Yes.

And then, as he speaks, you make a note of what he says and if it is unimportant, you just leave your notes? --- Well, I don't know what the learned counsel wants. I have written down here what was said when he spoke.

THE CHAIRMAN: Yes, I know; but the point that is being made, is this: It appears to be in the form of a report which you drew up some time after Teolo spoke? --- No; this was not drawn up afterwards, as a report. He also said that I could write, and I wrote.

CROSS-EXAMINATION CONTINUED: I will tell you something else, Malachia. We have seen, my learned friend and I, literally hundreds of notes made by the Special Branch at meetings, and they have to carry note books, and they have to make their notes in their

note books? --- On the Reef, when we attend meetings, we have these little notes with us and we do write. But here we still have a small branch and this happened to be on a Sunday. If it had happened to have been on a week-day, I would have asked Mr. Vessels to give me one of these note books, if he had any of these note books. I am telling the truth. Even now, if we should go to the offices, now, we will find that they haven't any of these note books.

How would you have asked Sergt. Vessels for one? --- I am replying to the question put to me by you, that is this, that you have seen hundreds of Special Branch notes, where they make notes in their note books.

I will put to you another point about the Special Branch. Most of the meetings attended by the Special Branch are on Sundays? --- Yes; that is correct. But here at Sharpeville there was no public meeting.

What does this mean about "eighty cars"; do you know? --- I don't know what you are referring to.

In your note you speak about "eighty cars"? --- I don't know which cars - I have mentioned about eighty cars; I said "Here are eighty cars that have come to destroy the Congress".

This morning, you said Teale spoke "We are ready to free South Africa; we are ready to destroy white domination; there is no freedom without bloodshed"? --- I never said "free Africa". I never used those words.

You also said that much more was said, but you can't remember what else. I only said that about eighty cars, and I don't know what more.

You said this morning that "much more was said"?

---I agree I said that.

(Notes taken at meeting by Malachia Minotong, Exhibit "YYY").

I want to put it to you that although we don't know what was said at that meeting, we are going to suggest that this document, here, is unlike any notes that the Special Branch detectives normally take at meetings? --- On the Reef we are notified of meetings that are going to be held. Then we take those note books with us to write down what is being said. But here we were not notified of any meeting that was going to be held; that is why.

We don't claim to know very much about the Pan-African Congress, but according to their pamphlets, they claim to be a non-violent organisation? ---Yes.

According to what you took down and what Tsolo said, he seemed to have been inciting people to bloodshed? ---Yes, I am listening.

Is that how you understood it? --- That is what I heard him say, yes, when he spoke.

And he did that, knowing you were there, taking notes? ---He knew and he said I could write down what he was saying.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. LOHN: You have been in the Service for quite a number of years - in the Special Branch? ---I am in my ninth year.

And you know Sharpeville fairly well? ---It is not that I knew it very well, but I do know it.

Do you know that there are a number of Basuto

living there and working in Vereeniging? From Basutoland? ---I know that there are Basutos but I do not know where they come from.

Don't you know any Basuto who come from Basutoland? --- I know those as members of the Police from Basutoland, yes, who are Police, as I am.

Did you at that meeting that you attended see any Basutos there present, Basutos from Basutoland? ---I can only give this answer, that there were Basutos but I do not know from where; whether they were from Basutoland, I don't know.

Do you know their names? ---One of them, yes.

Don't you know where he comes from? --- The meeting was at his home. The language that he spoke was Sesuto.

You must distinguish between Sesuto and Basuto? --- That is what I have just said. I said he is a Basuto and he spoke in Sesuto but I do not know where he comes from.

I still don't quite follow what the distinction is, because a large number of Bantu in the Union are called Basuto? Or Sesuto? --- Sesuto is the language; Basuto is the singular of Basuto - Basuto is the plural.

What is the Suto group, then? ---I have seen on papers written, "Southern Suto's" and "Northern Suto's". I don't know where they come from.

What is the name of the man in whose house this meeting was held? --- Manuel Teketai.

NO FURTHER QUESTIONS

M. MINTONS  
Re-examination

RE-EXAMINED BY MR. CLASSEN: Malachuk, when you go to a meeting, and you are about to take notes, what are you interested in writing down? --- May I explain it this way. If I go to a Pan-Africanist meeting, I write down what is said there; or if I go to a meeting of the A.N.C., I also write down. I do not attend other meetings.

At these meetings, do you write down everything that is said? ---It all depends what kind of a meeting it is.

Are you interested in the persons who are present, who you know are leaders? ---Yes; if it is a meeting of the Congress and I know the people that are there, I take some of their names down. If I don't know them, I don't do it.

- ADJOURNED: 5.10 p.m. -  
to 2nd JUNE, 1960 at  
9.45 a.m.

THE CHAIRMAN: Do you are quite satisfied,

now, that that was the gentleman?

MR. CLASSEN: I am.

MR. MINTONS, sworn, states (through interpreter)

EXAMINED BY MR. CLASSEN: Now, you reside

at No. 14, Matshos Street, Sophiatown, Johannesburg? --- I do.

And are you a teacher on the staff of the Sophiatown Community School? ---I am.

Do you belong to any of the political organizations, the P.A.C. or the A.N.C.? --- No.

Did you take part in the procession which went from Sophiatown to the Vanderbijlpark Police



THURSDAY, 2nd JUNE, 1960  
at 9.45 a.m.

**THE CHAIRMAN:** Sergt. Nkosi, yesterday when you gave evidence you referred to the fact that a European Police officer spoke to Taelo. In the course of your evidence you identified him as Sergt. Vessels. Now, there is reason to believe that you might possibly be mistaken in referring to him as Sergt. Vessels. Now, have you since seen the officer who you had in mind?

**MOSES NKOSI:** I see him now. This is the gentleman.

**THE CHAIRMAN:** That is Luit. Visser.

**MOSES NKOSI:** I did not know the gentleman. I saw him walking about and I heard the name "Vessels" being mentioned and I thought that was the name.

**THE CHAIRMAN:** So you are quite satisfied, now, that that was the gentleman?

**MOSES NKOSI:** I am.

**ERNST FOOR, sworn, states (through Interpreter:**

**EXAMINED BY MR. CLAASSEN:** Ernst, you reside at No. 14, Matthews Street, Beyhaleng Location? --- I do.

And are you a teacher on the staff of the Beyhaleng Community School? --- I am.

Do you belong to any of the political organisations, the P.A.C. or the A.N.C.? --- No.

Did you take part in the procession which went from Beyhaleng Location to the Vanderbijlpark Police

Station on the 21st March? ---I did.

Did you join in this procession willingly? ---

No.

Will you tell his Lordship why you joined them?  
---I was woken up that morning. We were told to stand close to the hostel at the Registration Offices side. After a while, we were taken to town, to the Police Station. There we were made to stand for a while. After that, the Manager of the Bantu people spoke. I was a little too far to hear what was being said.

THE CHAIRMAN: Who was this Manager? ---It was a European - Mr. Knoetze. When he was speaking, he had someone interpreting for him. The man who acted as interpreter, is called Sidwell. While we were standing there, another youngster spoke. Because I was too far, I could not hear what was being said.

EXAMINATION CONTINUED: Was it a European youngster? ---No; it was a Non-European youngster.

Also from inside the Police gates? ---Yes.

That was not Sidwell? ---No. After a while, I saw the people dispersing.

THE CHAIRMAN: Did you see Sidwell that morning at all? --- Do you mean before we went to the Police Station?

At any time? ---I saw him at the Police Station when he spoke.

EXAMINATION CONTINUED: I thought you said he interpreted for Mr. Knoetze? ---Yes.

Was that the first time that you saw him? ---

Yes. Did the people start running away? ---Yes, I did.

ERNEST POOR  
Assistant-in-Chief

Did you see Sidwell being taken into the Police Station? ---No. I did not.

Do you know Capt. Cawood? ---I do not know the Police very well there.

Do you know that a high ranking Police official arrived later on? --- I saw a European there when the Manager spoke, one of the members of the Police.

When Mr. Kneetse addressed you, was that soon after you arrived there or when you had been there for some time? --- We were there for a short while before he spoke.

Did you hear anything to the effect that the crowd were asking a Police official to release Sidwell Khasa, or their leader? ---No. I did not hear that.

Just get back to this procession. You marched over the Golden Highway towards the Vanderbijlpark Police Station? ---Yes; we did.

Did the Police make any attempt to stop this procession? --- That I did not see, that the Police made any attempt to stop them.

From the time that you joined this crowd, did you hear any member of the Police addressing the crowd? ---No.

Did you see no Police on your way to the Police Station that morning? --- There were Europeans but they were dressed in uniform. Whether they were Police, I do not know.

They did not try to stop you? ---No.

You said after you had been at the Police Station some time the people started running away? ---Yes, I did.

ERNEST POOR  
Evidence-in-Chief

Do you know why? --- I do not know why.

How close to the fence were you? --- I would say about as far from here to where the old market was, this open space across the street.

About 100 yards? --- Maybe; I am not sure.

THE CHAIRMAN: Well, let me understand this from you; were you standing right at the back of the crowd, or in the middle? --- Right at the back.

Did you at any stage become aware of tear gas being used by the Police? --- Something smelt like tear gas, and it came into my eyes, too.

EXAMINATION CONTINUED: Is that all you know about it? --- Yes.

Do you know whether the Police charged the crowd there with batons? --- I do not know whether the Police did, because when the people started dispersing, I ran away myself.

What happened after the people started running away? --- They went back to the location.

Did you see any acts of violence then? --- No.

THE CHAIRMAN: Just describe to me in your own words, as you went back to the location, what happened to anybody else or you, that you saw yourself? --- What I saw is that on our way back to our homes, we crossed the Golden Highway. After having crossed the Golden Highway, I stood for a while. A motor car passed. It had a load of bananas on. There this car was stopped by some youngsters. After this vehicle was stopped, I saw a Non-European getting off the back of this vehicle. I think he is the one who worked with this vehicle. I saw the youngsters taking some bananas from this

ERNEST POOR  
Witness-in-Chief  
Cross-examination

vehicle. Another vehicle came past, one of these petrol  
carries that goes about delivering petrol. I saw some  
stones being thrown at this vehicle as it passed - this  
petrol vehicle.

These youngsters, did they before this form part  
of the crowd that went to the Police Station? --- Yes.  
When I say youngsters, from ten years up to eighteen.

You said that you were not willing to go with  
these people to the Police Station? --- That is correct.

Were there others in the same position as you?  
--- I heard people speaking, saying that they did not  
want to go.

Why did you not go back home? --- The reason why  
I went with this procession is that when I was waken up  
it was said if I do not go, they would come and see me  
in the evening. Why they were going to come and see me  
in the evening, I did not know. I heard shots.

Once you had joined the crowd, you could quietly  
have disappeared again, unseen? --- I did not see that  
I would have had the opportunity to do so.

These people who compelled you to join the  
procession were they with you all the time or did they  
leave you afterwards? --- That I cannot say. I do not  
know. There were a number of people.

THE CHAINMAN: You were not going to take any  
chances? --- I was not going to take any chances.

MR. CLAASSEN: NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. KENNEDY: You weren't  
at Sharpsville at any stage on that day? --- No.

BY THE CHAINMAN: Did you at any stage hear

why these people were marching to the Police Station?

--- What I heard was that they were going to surrender themselves because they had no passes.

As you moved along with the crowd, did you notice whether they carried any weapons in the form of sticks or any other implements which might be used? ---No; I did not see anything like that.

As you walked along with these people, you told me you heard that they were going to surrender themselves for arrest. Did you hear them saying anything else about their attitude towards the Police or what they were going to do if they were not arrested? --- No.

You did not hear anybody suggest that they might use violence against the Police or the Police Station, or anything like that? ---No.

Did you at any time hear shots being fired? --- On my way back to the location, I heard shots.

Do you know who fired them? --- That I cannot say.

Did you see any person being hit? --- Yes, but I was a little distance away. It was a youngster who was shot, and he died.

Did you see who was firing at that time? --- We were standing at that time, and where I was standing, a Police vehicle came along. I then heard the report of a firearm and thereafter this youngster was shot, and he died.

Do you know his name? --- He used to be one of the scholars at our school but he was finished; he had already made his Std. VI.

Do you know what his name was? ---I know his surname. I have forgotten his name - Sotama.

At that time, were people standing about in the

HENRY POOR  
BY THE CHAIRMAN.  
GEELBOOI MOFOKENG  
HOOGAANWAL

vicinity of the spot where the road from the town to Dophaleng crosses the Golden Highway? ---There was a little group standing there but the majority of the people had already returned to the location.

The Police officer, was he a man in uniform? ---  
The one who fired?

Yes? --- Those that were in the car, that I saw, were all addressed in uniform.

The person who fired, did he fire from the car or did he fire from outside? ---He fired from inside the car.

I have had evidence here before me that in that vicinity a Bantu was shot/while he was in the act of advancing on a car which contained Police; and that he was shot because it was feared that he might throw stones? --- I don't know about that.

You did not see any incident of that nature? ---  
No.

When did you first become aware of the fact that on the 21st March, that is the Monday, there would be a procession to the Police Station? --- I did not hear. The first time I heard was the morning when I was woken up and told that we were going.

GEELBOOI MOFOKENG, beWig, verklaar (deur talk):

VERHOOR DEUR MNR. CLAASSEN: I think the last time you gave evidence you told us you were also at the Police Station at Sharpeville during the shooting? --- I have said so, yes.

You were there fairly early that morning? ---Yes.

While you were there, did you hear anything said

by anybody that somebody would address the people later on that day? --- I heard people speaking about it.

You did not see or hear anybody addressing the crowd? --- No. I heard the people speaking amongst themselves but I did not hear anyone addressing the crowd.

What did they say? ---It was said amongst the crowd that they were waiting for a high official that would come and address the crowd.

Did they say when he was to address the crowd? ---No; the time was not mentioned.

THE CHAIRMAN:  
When did you hear this?---It was still in the morning. I think it was at about half-past-eleven.

Do you remember the aeroplanes? ---Yes, I do.

Were you there before the aeroplanes came, or some time after? ---I was there before the aeroplanes. When they came, I was already there.

Did you hear the people speaking amongst themselves before the aeroplanes came, or after? --- That was before the aeroplanes arrived.

EXAMINATION CONTINUED: Did you gather from what they were saying at what particular place people were to be addressed by this official? --- The people spoke amongst themselves there where we were, at the Police Station, but there was no mention made as to where this high official would address the crowd.

THE CHAIRMAN: But didn't you hear mention of football ground? --- There was some mention made about the football ground, but they did not go there.

What was said about the football ground? ---



DEELBOOI MOFOKENG  
WITNESSE-AS-CHIEF  
By the Chairman  
DAVID KHOALI  
(17 jaar oud)

I just heard it being said that it was that they had to go to the football ground, although I did not know who the person was who had said they had to go there.

For what purpose? --- I do not know for what purpose.

EXAMINATION CONTINUED: Were the people prepared to go to the football ground? --- I do not know whether they were prepared to go or not, but I do know that they did not go.

NO FURTHER QUESTIONS.

MR. KENTRIDGE: NO QUESTIONS.

BY THE CHAIRMAN: Did you ever hear either a European Policeman or a Non-European Policeman telling the crowd that you can wait there until later in the day, or until 2 o'clock, so that you can be addressed by some high official? --- That I did not hear.

Are you sure of that? --- I am; I did not hear that.

---

DAVID KHOALI, beëdig, verklaar (deur tolk):  
(Regte aan getuie verduidelik).  
(17 jaar oud).

VERHOOR DEUR MR. OLAASSEN: Op die 21e Maart van hierdie jaar - jy weet, toe die skietery plaasgevind het by Sharpeville? --- Ek weet, ja.

Hoe laat het jy daardie more opgestaan? --- Half-see, toe ek op pad werk-toe was.

Waar werk jy? --- Ek werk vir Consolidated Mills.

Het jy by die werk aangekom? --- Nee, ek het nie.

Wat het gebeur? --- Ek het opgestaan en ek is

toe na die busse-toe, en toe ek daar kom, was daar geen bus nie. Ek is toe terug huis-toe. Ek het by die huis gebly tot ongeveer 8-uur daardie oggend, toe is ek weer terug om te gaan kyk of daar nie busse is nie. Ek het weer gevind dat daar nie busse is nie.

**DIE VOORSITTER:** Na watter bushalte het jy gegaan?  
--- Daar by die busstop, by die rooi stene.

Is dit in Seciso-straat - kom jy Seciso-straat; is dit in die hoofstraat van die dorp, wat uitgaan Vereniging-toe? ---Ja.

**VERHOOR HERVAT:** Ja, en toe? --- Toe ek nou daar omdraai, toe sien ek nense daar by die Polisiestasie en toe gaan ek ook daarheen. Ek het daar gebly totdat die skietery plaasgevind het. Ek het gesien dat daar van die groot lories daar ingaan.

'n klein hekkie  
Daar is twee hekke, /en 'n groot hek? ---Dit is reg.

Aan watter kant het jy gestaan; aan die klein hekkie se kant, of aan die groot hek se kant? --- Aan die groot hek se kant.

Hoe ver van die groot hek het jy gestaan? --- Aan die linkerkant van die groot hek.

As jy nou na die Polisiestasie kyk, was die hek aan jou linkerkant, of aan jou regterkant? --- Op my regterhand.

Hoe ver was dit van die draad af? --- Ek was by die draad gewes, maar net agter die nense wat teen die draad gestaan het.

Hoeveel nense sou ontrent voor jou gestaan het? --- Ek sal nie die getal kan sê nie. Ek kan net sê hulle was baie. Daar was jy toe jy die wande opgebou het? ---

Wat voor jon gestaan het? — Ja, wat voor my gestaan het.

Kon jy sien wat aangaan binne die stasie? —

Ja.

Vertel ons eers, waarom het jy gegaan na die Polisie-stasie? — Ek het gehoor dat daar gepraat was van passe.

DIE VOORSITTER: Wat het jy gehoor — waar het jy dit gehoor? — Ek het die mense daar by die Polisie-stasie gehoor praat van passe toe dink ek, "Wel, ek het ook 'n pas aan my; laat ek gaan en gaan hoor wat omtrent die passe".

VERHOOR HERVAT: Het jy te enige tyd gehoor dat die mense daar sou toegesprek word deur 'n Polisie-beampte of een of ander hoogerplaatse beampte? — Ek het dit nie gehoor nie, maar ek het wel gehoor hulle sê ons moet 'n rukkie daar wag.

Wie het dit gesê? — Mr. Tsole het so gesê.

Het jy gesien toe die vliegtuig oorgevlieg het?

— Ja, ek het.

Was dit voor daardie tyd dat hy dit gesê het? —

Dit was voordat die vliegtuig daar aangekom het, dat hy so gesê het.

DIE VOORSITTER:

/Het hy net gesê julle moet 'n bietjie wag, of het

hy gesê waarom julle moet wag? — Dit mag wees dat hy

gesê het waarom, maar ek het dit nie gehoor nie. Ek het net gehoor hy sê ons moet 'n rukkie wag.

VERHOOR HERVAT: Jy het 'n keëlvand opgedoen in jou regterarm? — In my regterarm, en regterbeen.

Waar was jy toe jy die wande opgedoen het? —

Net na-aan die Polisieostasie, nadat ek die teergedeelte van die pad oorgegaan het.

Ek vermoed jy het weggehardloop toe jy die skietery hoor? --- Ek het, ja.

Watter kant het jy gehardloop? --- Ek het na die library se kant-toe gehardloop, daar na Resistens se kant-toe - na die biblioteek se kant-toe.

GEEN VERDERE VRAE NIE.

KRUISVERHOOR DEUR MVR. KENTRIDGE: Dawid, at the time when the Police shot, were you attacking the Police in any way? ---No.

When you were shot, were you already running away? --- I did run away when the shooting started, and while I was running away, I was shot; I was not standing. I was running away.

When did you come out of hospital? --- On the 11th May.

Is your wound still troubling you? --- The leg is all right, but the arm is still painful.

Where are you now? --- Cinderella.

Prison? ---Yes.

Is that where the bandage was put on you? ---Yes.

When was that bandage put on you? --- Last week, if not Tuesday then it is Wednesday.

Has it not been changed since then? ---No, it has not been changed since.

THE CHAIRMAN: Who is the doctor who visits you in gaol? ---He does come there to hospital.

CROSS-EXAMINATION CONTINUED: Does he attend to

your wounds? --- No doctor has ever looked at me.

THE CHAIRMAN: In which hospital were you? --- Vereeniging.

You did not go to Baragwanath? --- I was not at Baragwanath.

What is the trouble with your hand? --- The arm is put in plaster of Paris and it is slightly bent; it has not yet returned to position.

Is it in plaster now? --- No; that has been taken off.

CROSS-EXAMINATION CONTINUED: Well, then ...

THE CHAIRMAN: When you got to Seciso Street, the second time, to go and look for a bus, you say you found a crowd of people in Seciso Street? --- There were many people at the bus stop, yes.

Did you see Police there at all? --- Not then.

Didn't you see any Police in Seciso Street? --- I only saw the Police at the Police Station, not in Seciso Street.

Were you the only one who left from Seciso Street to go to the Police Station, or did all the people who were in Seciso Street come to the Police Station at Sharpeville? --- All the people in Seciso Street were going to the Police Station. I was not the only one.

Do you know why they were going to the Police Station? --- No; except that it had been spoken about passes.

Did anybody mention there that they must go to the Police Station at Sharpeville because somebody would address them there - I am speaking about Seciso Street,

DAVID HOALE  
OFFICE - INVESTIGATION  
J. H. HANCOCK  
EVIDENCE IN CHIEF

before you get to Sharpeville? --- No.

What did they say; what were they going to do at the Police Station? --- There was no explanation given as to why they were going there; there were just people going to the Police Station.

MR. KENTRIDGE: NO FURTHER QUESTIONS.

THE CHAIRMAN: If you have any trouble with your arm, you must report it at once to the authorities and tell them that you require attention? ---Yes.

AGNES MATSHOAHOLE, sworn, states (through Interpreter):  
(Indemnity explained).

EXAMINED BY MR. CLASSEN: Agnes, how old are you?

--- Twentytwo.

Where do you live? --- At Sharpeville.

Are you married? ---I am.

On the 21st March of this year, did you go to the Police Station? --- I did.

At what time did you go? ---Half-past-one.

Did you go to the Police Station straight from your home? ---I did.

Why did you go there? ---I went there to hear what was going to be said about the passes.

How did you know that somebody was going to say something about passes? ---I got to know on Saturday, before the 21st, that on the 21st there was going to be something spoken about the passes.

Did you hear who was going to say something about passes?---No.

Did you hear when they were going to say something about passes? ---Yes; at about 2 o'clock.

Did you hear that on the Saturday? ---No; that I heard on Monday, the 21st.

Who told you that? --- I heard a lot of people who had returned from the Police Station that morning.

Did they tell you that? ---Yes, they did.

THE CHAIRMAN: About what time was this; can you remember? --- These people - it was about 11 o'clock; they were in the street and I heard them say that the Europeans had said that they had to go to the Police Station and someone would speak to them at 2 o'clock.

EXAMINATION CONTINUED: Did they say where they were when the Europeans said that? --- They were in the big street of the location when that was being said.

Do I understand you correctly, now, that the Europeans spoke to those people in the big street? ---

THE CHAIRMAN: I think her evidence was that the people said that Europeans had said that they must gather at 2 o'clock.

MR. CLAASSEN: But when I put her the question where those people were when the Europeans said - I am not quite sure what she means? --- The people, when they said that, were in the big street that morning, where the Europeans were.

Is this correct, that these people that you heard speaking, heard this from the Europeans in the big street? --- At that time, the Europeans were in the big street with their vehicles, and there they told the people that they should go there and then they will be spoken to.

THE CHAIRMAN: I am not quite sure yet. Is this what you gathered from the people, the men? --- That is what I gathered from what I heard the people saying.

Did you see this in Seeiso Street; did you see the vehicles themselves? --- I saw the vehicles in this big street, at the time when the Basutos were on their way to the Police Station.

EXAMINATION CONTINUED:  
/Coming from where? --- They were leaving from where they were in the street after they were told by the Europeans to go there.

THE CHAIRMAN: Is this now Seeiso Street?---Yes.

That is the main street which goes into Verreniging? ---Yes.

Where were you when you heard this? ---I was at home.

Is your home near to Seeiso Street? ---Yes.  
Then, while being at home, I heard that they said there were Europeans. I went out and saw them myself in the street.

And then you heard the people saying they must go to the Police Station because they will be addressed there? ---Yes.

Do you know today what the time was when you heard this? --- Something to half-past-eleven.

Do you remember the aircraft which flew over?--- I do.

EXAMINATION CONTINUED: Do you know why this that you have been telling us about, did that happen before the aircraft flew over, or after the aircraft flew over? --- When I heard this, that people had to go to the Police Station and there they would be



A. MATHURANOLE  
~~Evidence-in-Chief~~  
~~Cross-Examination~~

addressed, that was before the aeroplanes had arrived.

Can you tell me how long before the aeroplanes?

--- About twenty minutes afterwards.

If I understood you correctly, you only went to the Police Station when? --- At half-past one.

You were there when the shooting took place? --- Yes.

How long had you been at the Police Station before the shooting started? --- Maybe fifteen minutes.

Also just a short while? --- Just a short while.

EXAMINATION CONTINUED: Did you receive an injury?

---Yes. People fell on me, and I got injured in my back.

No bullet wound? ---No; I was not shot.

NO FURTHER QUESTIONS.

CROSS-EXAMINED BY MR. KENTRIDGE: Did you go to the Police Station to fight with the Police? ---No.

Did you see anyone attacking the Police? ---No.

Did you hear anyone telling other people to attack the Police? ---No.

THE CHAIRMAN: Where were you standing when the firing started? --- I was standing next to the fence - at the fence; in front of the fence.

On which side? Do you know the clinic? --- On the clinic side.

CROSS-EXAMINATION CONTINUED: Do you know why the Police shot? ---I don't know.

THE CHAIRMAN: Did you see any stones being thrown by anybody? ---I saw no stones being thrown.

Did you see anybody being arrested shortly before

A. MATSHOAHOLE  
CROSS-EXAMINATION  
P. SAAMAN  
HOOGSCHERRE

the shooting? ---Yes, I did!

What happened to the people outside; did you see any reaction on their part in relation to what was happening to these people who were arrested? --- The crowd that was standing outside at the time of the arrest of these people, did nothing because they did not know why these people were being arrested.

CROSS-EXAMINED BY MR. LOUW: You said that the Europeans were in the big street and that at that time you heard from the people that there would be a meeting at 2 o'clock and that the Basuto's were moving to the Police Station. What do you mean by that? Who are the Basuto's? Do you mean the Bantu people? ---I mean the Bantu people, when I say the Basuto's.

PIETER MACHIEL SAAMAN, beëdig, verklaar:

VERHOOR DEUR MNR. CLAASSEN: U is 'n konstabel in die Suid-Afrikaanse Polisie gestasioneer te sentraal? --- Dit is reg.

Spesjerd? ---Univorm-afdeling. Ek werk in private klere maar ek val nog onder die univorm-afdeling.

Op die 21e Maart hierdie jaar, het jy onder bevel van hoofkonstabel Hales gegaan na Sharpeville? --- Dit is reg.

In watter voertuig het jy gegaan? ---In 'n oprit-trek, een van hierdie Polisie-oprit-treke.

Die voertuig met draad buitkant beskerm? ---Ja.

Het julle regstreeks gegaan na die Polisie-stasie, toe julle ingekom het? ---Nee.

Waarheen het julle eers gegaan? --- Ek het eers

stilgehou onder net soos jy die drif deur is na die  
Munisipale kantore. Daar het ek eers stilgehou met die  
ander Polisie wat daar gewes het.

Wie was daar in bevel gewees? --- Ek weet nie  
wie daar in bevel was nie.

Jy praat nou van die hoofstraat vanaf Vereeniging  
na Sharpeville? ---Ja.

Wanneer jy by die Munisipale kantore verbygaan? ---  
Ja.

Hoe ver was julle omtrent deur die hek gewees by  
die Munisipale kantore verby toe jy daar kom met die ander  
Polisie? --- Dit is nie ver nie; dit is seker ongeveer  
100 treë.

Wat het daar aangegaan? --- Sover 'n mens voor  
kon sien, was daar net skares Bantoes vorentoe gewees,  
verderean.

Watter tyd was dit omtrent? --- Dit was hier naby  
9 en 10-uur die oggend gewees het.

Vertel ons verder wat jy daar gesien het? ---  
Lateraan het ek gemerk dat die Bantoes terugdraai en in  
die rigting van die Polisie-stasie beweeg.

Wat was die houding van die Bantoes terwyl hulle  
nog daar was? ---Hulle het daar gestaan en skree en ons  
gevloek en uitgejou, en toe het hulle naderhand omdraai.

Kan jy die rede sien waarom hulle omdraai? --- Ek  
kon nie. Het jy hom eerste in hand gesien? ---Ja.

Het jy toe daar gebly? ---Nee; hoofkonstabel  
Malan het aan my gesê dat hy bevel gekry het om Polisie-  
stasie-toe te gaan.

Is jy saam met hom na die Polisie-stasie? ---Ja.

hom ingeneen het? ---Nee.

Wet jy nie waarom hy hom geneem het nie? ---Nee.

Waar was jy toe hy - waar was hy toe jy bygekem het? ---Nog by die hek.

Was hy al deur die hek, of was hy nog buitekant?

--- Ek sou eë in die hek, tussen die twee hakke.

Waarom het jy dit nodig geag om te gaan help? ---

Siende dat hy terugpluk toe kol. Spangler hom aan die arm neem. Ek het toe ook gegaan en hom aan sy arm gevat. Hy het toe in geloop en ons het hom toe aan die persoon oerhandig, en ek is vandaar weer terug.

En wat het kol. Spangler daarna gedoen? --- Ek weet nie. Ek het toe omgedraai en ek het met 'n Bantoe loop praat.

Waar? --- Dit is 'n paar treë van die hek af. As jy Wes kyk, aan jou linkerhand.

Was hy aan die buitekant van die draad? ---Hy was aan die buitekant.

Hoekom het jy met hom gepraat? ---Hy het die paal so geruk en toe het ek na hom geloop en gesê hy moet dit nie doen nie.

Wet jy nie wat verder daar by die hek aangegaan het tot na die skietery nie? ---Nee.

Is daar enigiets anders wat jy opgemerk het voordat die skietery begin het? ---Ja. Ek het toe weggestap ek met die Bantoe gepraat het, en nadat hulle - het toe vir jy gesê ek moet huis-toe gaan.

Watter woorde het hy gebruik gesê, "Fuck off, you Dutch bastards" "Fuck you and your Police

at many Policemen there.

hom ingeneem het? ---Nee.

Weet jy nie waarom hy hom geneem het nie? ---Nee.

Waar was jy toe hy - waar was hy toe jy bygekom het? ---Nog by die hek.

Was hy al deur die hek, of was hy nog buitekant? --- Ek sou sê in die hek, tussen die twee hekke.

Waarom het jy dit nodig gegag om te gaan help? --- Siende dat hy terugpluk toe kol. Spengler hom aan die arm neem. Ek het toe ook gegaan en hom aan sy arm gevat. Hy het toe in geloop en ons het hom toe aan die persoon oerhandig, en ek is vandaar weer terug.

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Is daar enigiets anders wat jy opgemerk het voordat die skietery begin het? ---Ja. Ek het toe weggestap nadat ek met die Bantoe gepraat het, en nadat hulle - die Bantoe het toe vir sy gesê ek moet huis-toe gaan, en so aan.

Watter woorde het hy gebruik? ---Hy het vir my gesê, "Fuck off, you Dutch bastard; go home. We will burn you and your Police Station today".

Was jy bewus van enige klippe wat daar gegooi was?

— Ek was.

Wie laat was dit toe die klippe gegooi is? — Ek het daar gestaan en toe het die Bantoes teruggestaan. 'n Bantoevrou het my toe op my bors gespoeg. Ek het toe omgedraai en teruggestap. Toe het ek gehoor twee skote sal; dit het vir my geklink dit is van die skare af. Toe voel ek 'n brand teen my hand. Ek het omgedraai. Toe ek omdraai, het een van die Bantoes, 'n jong Bantoe wat by die draad gestaan het, teen die draad, my met 'n klip teen my linkerarm gegooi. Die Bantoe het toe weer 'n ander klip geneem om my te gooi. Ek het toe my .38 revolver waarmee ek bewapen was, my diensrevolver, geneem, en een skoot geskiet op die Bantoe.

Was jy die eerste persoon wat geskiet het? —

— Nee; ek was nie.

Was daar toe al geskiet gewees? — Daar was toe al geskiet.

Die klip wat jou in die arm getref het, is dit die eerste klip wat oor gekom het? — Dit is die eerste wat ek agtergekom het van die skietery, toe ek omdraai, toe my my gooi. Toe het ek gesien van die ander kant kom nog klippe oor.

Van watter koers het die twee skote gekom het jy van praat? — Van die Bantoes se kant af, van die skare se kant af.

Hulle het nou Suid, Wes, Noord - orals gestaan?

— Dit was aan die Westekant. Ek vermoed so, want dit het vir my so gegaan.

Het voor die skietery, het jy gesien wat daar by die hek aangegaan? — Daar het 'n klomp Bantoes deur die

Ek gestorm en ek het gesien hulle val daar, en toe het ek  
my aandag bepaal by waar hierdie persoon is.

Wie het geval? --- Ek het net die Bantoes gesien;  
ek het nie ander persone - hoofkonstabel Kalan was nog  
daar tussen hulle gewees, en verder weet ek nie.

Was jy in privaat geklee, daardie dag? --- Ek was.

Wat het jy op jou kop gehad? --- Ek het 'n sakdoek  
op my kop gehad.

Watter kleur - 'n wit sakdoek? --- Dit is 'n wit  
sakdoek met sulke blou lyntjies op.

Na die skietery, wat het julle gedoen? --- Ek het  
toe gegaan en een van die offisiere het vir my gesê ek  
moet die klippe optel wat gegoel is na ons. Ek het toe  
'n paar klippe opgetel, en buitekant het ek van die  
stakke en 'n kaphyl opgetel.

Wat van die gewondes wat daar gels het? --- Ek  
is toe uit. Ek het tussen hulle deur gestap. Een  
van die Bantoes, van die verwondes, het my toe gevra ek  
moethou help dat hy kan regop sit want hy het op sy neus  
gels. Toe het ek hom gevat en teen die draad gesit dat  
hy kan op sit. Hy het toe vir my water gevra en ek  
het toe van die Bantookonstabelle gevra om in te gaan en  
water te gaan haal en aan die wat water wil hê, dit te gee.

Het jy gesien of hy dit gedoen het? --- Ja; daar  
het 'n Bantookonstabel gekom met water.

En die ander Polisie, wat het hulle gedoen in  
verband met die gewondes? --- Ek het gesien dat verskeie  
Polisiemannne, 'n paar blankes en nie-blanke Polisie-  
beamptes het ook daar van die gewondes gehelp.

Is dit nadat jy die verwondes gehelp het, dat jy  
die bevel gekry het om die klippe op te tel, en

die stokke? ---Ja. Dit was daarna gewees.

Het jy self die stokke buite opgetel, of het iemand jou gehelp? --- Daar was 'n paar Polisiebesoeples wat opgetel het.

En die klippe binnekant het jy nie opgetel nie? --- Ander Polisiebesoeples, en ek het ook opgetel, op die grasperk.

Het julle klippe van buitekant ingebring? --- Niks wat ek gesien het nie.

GEEN VERDERE VRAE NIE.

CROSS-EXAMINED BY MR. KENTRIDGE: When did you first make a statement in connection with these events? --- Ek weet nie. Dit was daarna dat ek 'n verklaring gemaak het.

DIE VOORSITTER: Het jy meer as een verklaring gemaak? ---Ja.

Wanneer het jy die eerste een gemaak? --- Ek dink dit was twee dae na die skietery.

CROSS-EXAMINATION CONTINUED: In that statement, did you state what you said now, in Court? --- Ja. Ek het daarvan melding gemaak - miskien nie alles nie, want hulle het gesê hulle wil net 'n kort verklarinkie van my hê.

Did you say that you had fired your revolver? --- Ja.

Did you say how many shots you had fired? ---Ja, ek dink so.

How many did you fire? --- Ses.

You emptied your revolver? ---Ja.

Did you explain that you had shot at someone who



had thrown a stone at you? ---Ja.

Did you say what he had said to you? Did you state in your statement what had been said to you by a person in the crowd? ---Ja.

Then you made a more recent statement? ---Ja.

Did you put additional information in that? ---  
Ja, ek reken so.

What were you asked about in your second statement that was not in your first statement? --- Aan my is gesê dat my eerste verklaring reg is en dat hulle graag 'n verklaring van my wil hê.

How is it that you were not in uniform? --- Ek werk nie in univorm nie. Soos by daardie geleentheid sou ek in univorm gewees het, maar die oggend moes ek aan diens kom, 8-uur. Ek werk in privaatklere. As ons na opstande gaan en so aan, trek ek gewoonlik univorm aan.

Are you in the C.I.D.? ---Nee.

What work do you do in private clothes? --- Ek is op die Art. 29 staf. Dit is al die "loafers" optel en so aan en as ek daarmee klaar is, diefstalle uit motors en diefstalle uit handsakke.

You pick up the loafers - that is your job? ---  
Ja.

What is a loafer? --- Ek sou sê dit is 'n persoon wat heeldag in die dorp rondgesien word, wat aanhang by plekke, wat nie werk nie en wat ook nie wil werk nie.

Why don't you wear the uniform to do that? ---  
Nee, as jy in univorm dit moet gaan doen, diefstalle uit motorkarre en diefstalle uit handsakke - jy moet baie gelukkig wees as jy een wil vang want hulle kom

jou te gou agter. Dit is te opmerklik om univorm aan te trek.

So you are one of these people who arrests people and has them endorsed out of the town because they are loafers. That is your job, is it? ---Nee. My werk is net om hulle in te bring voor die houe, en die houe besluit wat om met hulle te doen - nie ek nie.

You found yourself in Sharpeville this day. Were you under the command of Head Const. Malan? ---Ja.

Where do you carry your revolver - in your pocket? --- Nee; ek dra dit aan my sy, in 'n "holster".

Did Col. Spengler ask you to help him? ---Nee.

What were you doing down at the gate with him? --- Ek het gesien die Bantoes was baie opstandig gewese, daar, geskree en so aan, en ek het gereken dit is my plig om my hoof te gaan help.

Who is your head? ---Kol. Spengler.

Why is he your head; what has he got to do with you, and what have you got to do with him? --- Ek is 'n polisiebeampte net sowel as kol. Spengler 'n Polisie-beampte is.

Were you not under any sort of control of command; weren't you there under head constable Malan? --- Ja, maar op so'n plek neem die hoogste rang, die offisier, son ek af ...

Who was the senior officer there? --- Na dit het kol. Pienaar gekom; ek reken hy was toe gewees.

Did Col. Spengler ask you to help him? ---Nee.

He did not tell us here that he did? --- Ek weet nie wat hy vertel het nie.

There were a great many Policemen there, including

C.I.D. man? --- Daar was baie.

Do you think he required your assistance? --- Nee, ek ag dit my plig om enige persoon te help as ek reken ek kan hom help.

What were you helping him to do? --- Ek het die Bantoe by hom oorgee, want ek het gesien hy pluk terug. Toe vat ek hom aan sy arm en ek het hom toe aan 'n ander persoon oorgegee, wat hom ingeneem het.

Was he being arrested? --- Dit kan ek nie sê nie. Ek weet nie of k'ol. Spengler aan hom gesê het hy arresteer hom nie.

If he was not arrested, what right did you have to pull him in? What offence had he committed? --- Ek het hom nie gepluk nie. Ek het hom net aan sy arm geneem.

What right have you got to take anyone by his arm? Is that how you usually behave? --- Nee.

Why did you take him by his arm? --- Ek het gereken kol, Spengler wil hom inhê, en ek het hom gevat.

Col. Spengler says here he was not arresting him. Do you know better? --- Ek weet miskien nie beter nie; maar ek het hom aan sy arm gevat, en dit is wat ek gedoen het.

You see, we are going to find out here what on earth you thought you were doing down there at the gate, and you are not helping us very much. Were you arresting him? --- Ek het hom nie arresteer nie.

What right did you have to take him by the arm? --- Ek wen hom inbring, want ek het gesien dit is ...

What right, then, did you have to bring him in? --- Ek weet nie wat u wil hê ek moet sê nie.

What right did you have to bring him in; to take him by the arm, and bring him in? Naturally, as a Policeman you know that if for instance you think the answer to a question might expose you to say a charge of assault, you have the right not to answer the question. But I will repeat my question. What right did you have to take this man by the arm and to bring him in? Now, if you don't want to answer the question, then you may plead privilege; but if you are willing to answer the question, kindly do so? ---  
Ek het gesien dat dit kol. Spengler se bedoeling was om die persoon in te kry - ek weet nie waarvoor dit is, of dit miskien is omdat hy opreerig was en die skare opgestoek het of wat nie; en ek reken stellig as jy 'n persoon vat en hy wil nie loop nie, moet jy hom neem. Jy kan nie aan hom sê "Man, asseblief, toe kom" nie en hy ruk terug nie. Dan moet jy hom neem aan sy arm en hom vat.

DIE VOORSITZER: Het jy gewest vir welke deel kol. Spengler hom wou hê? --- Ek het gereken dit is vir die doel om hom te ondervra, want kol. Spengler het al voorheen gesê, het ek gehoor, hulle wil van die hantoes ondervra om uit te vind wat is die moelikhed.

CROSS-EXAMINATION CONTINUED: Was he being arrested, or not? --- Ek weet nie. Ek het nie gehoor dat enige persoon gesê het dat hy hom arresteer nie.

I am asking you, what right did you have to take him by the arm and take him inside? --- Ek het hom nie gevat om hom te ondervra nie. Capt. Thron. And did

this  
Is/the way you treat Vereeniging loafers?---  
Ek is nie hier in Vereeniging gestansier nie.

Where are you stationed? --- Ek is op Sentraal,

Johannesburg gestasioneer.

Where did you take this man? --- Ek het hom 'n paar treë verder geneem en aan 'n persoon in privaatklere - hy het 'n wit hemp aangehad - ek ken die persoon nie; dit is 'n Polisiehoofte, maar ek weet nie wie hy is nie. Aan hom het ek hom toe oerhandig, en ek het daarna omdraai.

You had done your duty then; correct? ---Ja.

What were you then going to do? --- Toe het ek gegaan na die Bantoe wat die paal geruk het.

At this stage, were the Police lined up or not? ---Ja.

Why weren't you in the line? --- Ek kan nie sê dit is nie, maar ek dink 'n kaptein het aan my gesê ek moet uitval en daar hier se resistans, nie in die lyn staan nie. Hy wou net univormmense daar gehad het.

Which captain was that? --- Ek weet nie wat ...

**DIE VOORSITTER:** Het enige man behalwe 'n univormman in die lyn gestaan? ---Nie wat ek gesien het nie.

**CROSS-EXAMINATION CONTINUED:** The Captain said he only wanted univormed men in the line? ---Ja.

Which captain? --- Ek weet nie.

Was he wearing an overall, or an ordinary uniform? --- Univorm.

Then it must have been Capt. Theron. And did he tell you to fall out of the line? ---Ja.

This line was then facing the fence? ---Ja.

Did the men then have their rifles and stem guns

ready? ---Ja; halle het dit in die hande gehad.

Were there men in the line who only had revolvers?

--- Ek is nie seker nie. Daar was persone wat net net  
revolvers bewaars was.

Did they have them in their hands? In their  
holsters? --- In die holsters.

Why did you think that line was drawn up? ---

Op daardie oomblik was die Bantoes baie opstandig.

Why did you think the line was drawn up? --- Ek

was besig om u te antwoord -- en ek het gereken, ek  
weet nie waarvoor dit daar was nie, maar ek dink hel.  
Pienaar was iets probeer het om die Bantoes weg te kry  
van die Polisie-stasie af.

Do you think there was any danger to the Police?

--- Ons lewens was definitief in gevaar.

That is what I am asking; do you think

those men were standing there in order to defend  
themselves and to defend the Police Station? --- Dit is  
wat dit moes gewees het.

Then, did you see a man pulling at a pole? ---

Nee, hy het dit nie uitgetrek nie.

Did you see him holding ...? --- Ek het gesien

dat 'n Bantoe een van die pale staan en ruk.

DIE VOORSITTER: Dit is net links - as jy

Wes kyk ..

Is dit 'n hekpaal, of een van die ysterpaal? ---

Gehelingspaal.

CROSS-EXAMINATION CONTINUED: Do you remember

which one it was? --- Ek weet nie die hoeveelste een  
dit is links van die hek nie, maar dit was naby die hek.

Left of the gate, as you faced the gate? ---Ja.

And near the gate? --- Dit was 'n heel ontjie weg; ek sou se amper in die middel, na die hoekpaal-tee.

Was he doing this in full view of everyone - was he doing it openly? ---Ja; hy het voor gestaan, teë teen die draad gestaan.

What was he doing to this pole? --- Dit het vir my voorgekom asof hy dit wil uitpluk.

Tell us how; did he have it with both hands? --- Ja, met sy hand so om die draad, dit gepluk.

As though he wanted to pull it out of the ground? --- Dit het my so voorgekom.

Do you know with what object? What was the point of pulling that pole out of the ground? --- Ek weet nie. Dit kan miskien net wees dat hy probeer het om die draad te beskadig of om die draad plat te kry.

It is rather hard to pull that pole out of the ground, isn't it? --- Dit is nogal taamlik; maar as jy krag gebruik, sal jy dit kan regkry.

So, what did you do when you saw this; did you walk up towards him? ---Ja. Ek het tot by hom geloop.

You are a constable, are you? --- Ek is.

How long have you been a constable? --- Sewe jaar.

You weren't even in uniform then? ---Nee, ek was nie.

You seem to have taken a great deal upon yourself.

Who told you to go and talk to that man? ---Niemand het vir my gesê nie. Ek het self gesien ...

In this special squad of yours which picks up loafers, that - but you wear private clothes, are you

not subject to any sort of discipline? --- Wel ...

Don't you have sergeants or head constables, or officers? --- Ek het.

Well, aren't you subject to their control? --- Ek

If Capt. Theron told you to stand out of the line, take it you have to obey his orders? --- Dit is wat ek gedoen het.

I take it there was a Lieut.-Col. of the uniformed branch; there was a full colonel of the C.I.D., a Lieut.-Col. of the C.I.D., there were at least two uniformed captains; there was at least one captain of the C.I.D., there was one lieutenant of the C.I.D., there were several uniformed lieutenants, sergeants and head constables. I am asking you, don't you think you were making rather a great deal upon yourself in going up to this man at the fence? --- Nee. Ek het net my plig gedoen.

Do you think that is your duty? It is your view of your duty that I am so interested in. Why was that your duty? --- Ek kan nie my offisiere kort-kort gaan ontigval daarvoor nie. Ek kan self eggen na die man toe en hom in ordentlikheid vra, "Man, meet nie die pale nie pluk nie; jy beskuldig die ding".

You don't think anyone else could see that? --- Ek kan van die ander persone gewees het.

Did it not occur to you that perhaps Col. Theron did not want anyone to go to the fence and have anything to do with the crowd; that he wanted to keep the Police and the crowd apart? Did that not occur to you? --- Nee.



Supposing the crowd at that moment had attacked the Police Station, you would have been between the guns and the crowd? --- Dit is reg.

Do you think that luit.- Col. Pienaar wanted you there? --- Ek weet nie. Ek was nie die enigste persoon daar voor nie. Daar was ander persone ook.

Why do you think Capt. Theron sent you back out of the line? --- Hy het my nie teruggestuur nie. Hy het gesê ek moet net ...

Fall out? ---Ja.

Who else was in front of the line? --- Nadat ons opgelyn het, het ek vir hoofkonstabel Malan daar gesien.

Yes, and Capt. Theron himself? --- Ek ken hêr nie.

And luit.-Col. Spengler? --- Wel, Spengler was daar gewes, en ek dink daar was nog een persoon in privaatklere gewes.

Do you know that after Col. Pienaar arrived, Col. Spengler referred to him before he went down to the gate to see about anybody else. He asked Col. Pienaar if it was in order. You don't know that? ---Nee.

But you did not bother to do that? You did not bother to ask any of your superiors whether there was any objection to your going to the fence? --- Ek glo nie dit was nodig om te vra nie.

Col. Spengler, you see, thought there was; but of course, he is only a luit. Colonel. Are you seriously asking the Commissioner to believe that having been told to fall out you, Const. Saanan, took it upon yourself to walk forward to the fence between the line of Police and the fence, to tell a man not to pull at that

Supposing the crowd at that moment had attacked the Police Station, you would have been between the guns and the crowd? --- Dit is reg.

Do you think that luit.- Col. Piennar wanted you there? --- Ek weet nie. Ek was nie die enigste persoon daar voor nie. Daar was ander persone ook.

Why do you think Capt. Theron sent you back out of the line? --- Hy het my nie teruggestuur nie. Hy het gesê ek moet net ...

Fall out? --- Ja.

Who else was in front of the line? --- Nadat ons opgehoor het, het ek vir hoofkornstabel Malan daar gesien.

Yes, and Capt. Theron himself? --- Ek kan hê nie.

And luit.-Col. Spengler? --- Wel, Spengler was daar gewes, en ek dink daar was nog een persoon in privaatklere gewes.

Do you know that after Col. Piennar arrived, Col. Spengler referred to him before he went down to the gate to see about anybody else. He asked Col. Piennar if it was in order. You don't know that? --- Nee.

But you did not bother to do that? You did not bother to ask any of your superiors whether there was any objection to your going to the fence? --- Ek glo nie dit was nodig om te vra nie.

Col. Spengler, you see, thought there was; but of course, he is only a luit. Colonel. Are you seriously asking the Commissioner to believe that having been told to fall out you, Genst. Saayman, took it upon yourself to walk forward to the fence between the line of Police and the fence, to tell a man not to pull at that

pole? --- Dit is presies wat ek gesê het.

What did you say to this man? --- Ek het aan hom gesê, "Man, moet nie die paal so pluk nie; waarvoor pluk jy die paal so?"

In Afrikaans? --- Ek het met hom Afrikaans gepraat.

In the way you have said it now? --- Soes ek dit nou gesê het.

You mean in a quiet, polite tone of voice? ---Ja.

Is that the tone of voice in which you normally speak to people with whom you have to deal? ---Ja.

For instance, like when you have to arrest loafers; is that how you speak to them? ---Ja; ek praat gewoonlik so.

Well, that's very nice indeed; and he did not stop? ---Ja; hy het gestop.

Well, that's all right. I see. Although he swore at you, he did stop? ---Ja.

Why? Did you swear at him? ---Nee.

Fell out your revolver? ---My revolver was in die holster gewees.

So he took your point that he was damaging the fence, and he stopped? ---Ja; hy het teraggestaan.

And he stood back? ---Ja.

And you walked away? ---Ja.

Did you turn your back? --- Ek het.

And did you walk towards the line of Police again? ---Ja; na die punt van die Polisie-toe.

When were you spat at? ---Het nêrens ek met die hantoe gepraat het, by die draad.

By a woman standing at the wire? ---Ja.

Then you turned round and walked back? ---Ja.

Didn't you ask her not to spit at you? ---Nee.

You did not speak to her?---Nee.

Looking back at it from this period of time, perhaps from a rather detached point of view, there would seem to be something of a contrast between this man's obedience to your request and the language which he used? --- Ek ...

You say he did exactly what you said, but he swore at you in these most insulting terms?--- Dit is korrek.

In English?---In Engels.

Did it not strike you as strange? ---Nee.

Very well. As you were walking back, you say a stone was thrown at you. Where did you feel it? --- Nee, dit was nie terwyl ek teruggeloop het nie.

When was it? --- Ek het twee skote gehoor val van die skare se kant, en toe het my hand gebrand, toe het ek 'n wenjjie hier aan my hand gekry. Toe het ek ongedraai. Toe ek omraai, het hulleklippe gegee en toe het van die Polisie geskiet.

You turned round when? When you felt this burn on your hand, were you facing away from the fence?

---Ja.

You were still walking back? ---Ja.

Were you through the Police line? ---Nee; ek was nog veer halle gewas.

And you felt this, so you turned round? ---Ja.

And what did you see as you turned round? ---  
Ek het gesien dat hulle met klippe goei en ek het gesien  
dat die een jong Bantoesman met 'n klip na my goei, Ek  
het probeer wegspring, maar hy het my nog in die agter  
getref.

Did you see him throw it? ---Ja.

Was he standing at the fence? ---Ja.

Where about, at the fence? --- Ongeveer ses  
treë van die hek af, aan die linkerkant, as jy na die  
hek kyk, Wes kyk.

You saw him throw the stone? ---Ja.

And you tried to jump out of the way? ---Ja.  
Maar hy was te gou gewees.

By that time I take it you were standing in  
the line of Policemen. You were more or less level  
with the Policemen? ---Nee; ek was nog voor gewees.

You were in front? ---Ja.

And you turned round? ---Ja.

And you drew your revolver? ---Ja. Toe hy  
die tweede klip na my wou goei, het ek my revolver  
uitgetrek.

I don't follow; which was the second one?  
The first one hit your hand.

THE CHAIRMAN: That was not my impression,  
that the witness said that. Wat het jou op die hand  
getreff? --- Ek weet gladnie; ek het nie gesien wat  
dit was nie.

CROSS-EXAMINATION CONTINUED: Then there was  
a stone that hit you at the side? --- Ja.

And you saw that this man threw the stone? ---

Ja.

Did you suffer injury from that? --- Dit was net  
blou gewes hier in my sy - soek klein skrapie gewes.

You tried to get out of the way - just very  
slightly? ---Ja.

And then you saw that he was holding another  
stone? --- Ja.

How was he standing? ---Hy het na my-toe gekyk  
en die klip gevat van die linkerhand na sy regterhand,  
en toe hy dit oerbring, het ek ...

Was he at the fence? ---Ja.

Well, at that time I take it the shooting had not  
begun? ---Ja.

The shooting had begun? ---Ja.

Who was shooting? --- Van die Polisie.

Do you mean the Police with rifles? ---Ja.

And sten guns? ---Ja.

And this man was standing there to throw a stone  
at you? --- Dit is korrek.

Are you serious? --- Ek vertel dit soos dit gebeur  
het; ek kan dit nie anders vertel nie.

At any rate, he was not hit by any of the rifle  
or sten gun firing and you drew out your revolver? --- Dit  
is reg.

And what did you do? --- Ek het een skoot op hom  
gekiek.

Did you shoot straight at him? ---Ja. Hy was baie  
naby my.

And you went on firing with your revolver? ---  
Dit is reg.

Did you hit him? --- Ek kan nie se nie. Ek vermoed

ek het hem raakgeskiet, maar ek kan nie sê nie.

What happened to him? ---Hy het geval.

At the fence? ---Ja; by het net so teraggeval.

Where did he lie - do you mean just outside the fence? ---Ja.

What part of the fence was this; do you say just near the gate? ---Ja. Ongeveer ses treë weg van die hek af.

On the left-hand side of the gate? ---Ja; na die Suidelike kant-toe.

But by that time, of course - when did - until he stood there to throw the second stone, you had not drawn your revolver? ---Nee. Dit was nog in my holster.

So the position is that the Police had started to fire in the line, but this man was standing there and he was about to throw a stone at you, so you drew your revolver and you shot him? --- Dit is korrek.

By this time, then, the shooting had been going on for some seconds, I take it. Can you then tell me, after you shot this man, what the crowd was doing? --- Nadat het hulle nog klippe gegooi en geskree, en toe val hulle terug; dit het my veergaken, toe hulle met die stengewere begin skiet - hulle het eers gestem - toe het ek 'n paar rewelverskote gehoor, toe hoor ek die .30's, en daarna het ek gehoor dat hulle met die stengewere begin skiet.

And they fell back? ---Ja; hulle het eers gestem, en toe het 'n klomp van hulle eers vasgestok en toe hoor ek weer 'n stengewer skiet, toe het hulle weggehardloop.

And you went on firing with your revolver? --- Nee, ek het nog op een persoon geskiet, na een persoon

geeskiet. who was running in the face of the firing, you

Why? ---Hy het 'n stok in sy hand gehad, en hy het gestorm en hoofkonstabel Malan was nie ver vandaar nie. Ek het gereken hy gaan vir hoofkonstabel Malan met die stok slaan. If some of them were going to come forward? ---Ja.

Do you mean he was rushing up at the fence from outside? --- Dit is korrek.

In the face of all this shooting? ---Ja.

Where was head constable Malan? --- Op daardie oomblik het ek hom gesien net binnekant die hek, by die hek.

You thought this man was coming to hit ...? --- Ja; hy was al byna by hom gewees.

Was Head Const. Malan looking at this man? --- Nee. Hy het voorgedraai en hy het teruggeken.

So you shot this man with your revolver? --- Ek het na hom geskiet.

You did aim at him? ---Ja.

You turned and aimed at him? ---Ja.

And you shot - you shot one round at him? ---Ja.

Why did you fire your next round? --- Toe die Bantoes nou terugval en dit is weer of hulle wil terugkom, 'n klomp van hulle, het ek vier skote geskiet maar ek het hulle in die grond geskiet, veer my. Ek het toe weer gelaai maar toe het ek net my revolver gehou en daarna hoor ek 'n fluitjie blaas en hulle skree ons moet stop.

So the firing started and this man was going to throw a stone at you. You pulled out your revolver and you shot him? ---Ja.

After that, a little way away, you saw a man with



a stick who was running in the face of the firing, you thought to hit Head Const. Malan, and you shot him? --- Dit is korrek.

The crowd had then fallen back, but it looked to you as if some of them were going to come forward? ---Ja.

So you fired four shots into the ground? ---Ja.

And then you reloaded your revolver? --- Dit is korrek.

But you did not fire again? ---Nee.

You looked around to see if there was any need to fire; is that right? ---Ja. Ek het rondgekyk maar ek het niks gesien nie.

But you saw no reason to fire and shortly after that, the shooting stopped. You heard a whistle and then the shooting stopped? ---Ja.

About how long after the whistle did the shooting stop? --- Onstrent onmiddellik het die groot manskop ophou toe die fluitjie blaas, en ek dink - ek weet nie was dit nie, maar hy het gesê "Stop! Stop!" en toe het hulle ophou met skiet.

All this time, were you still in front of the line? ---Ja.

You did not get shot from behind? ---Nee. Het nadat ek my tweede skoot geskiet het, het ek gesien dat hulle oor my kop skiet en ek het toe op my knie gaan sit sodat hulle oor my kan skiet.

When you were first hit, or when something contacted your hand, it had nothing to do with the firing by the Police? --- Dit is ek seker van, want ek was skyns na die Polisie gekoer. Die Polisie was half skyns aan my linkerhand, en dit was op my regter-

hand gewees.

So the point is that although the Police had started shooting, you can be sure that it was not a Police bullet which hit your right hand? --- Dit was definitief nie.

**DIE VOORSITTER:** Hoe het u gestaan? --- Die lyn was op so (beduie); ek het met die Rantoe hier geprent, en ek het so waggestap. --- Dit is korrek.

Was u met u regterkant, of met u linkerkant na die Polisie-linie? --- Ek was met my linkerkant na hulle gakeer.

Het ander woorde, jy het Suid gekyk? --- Ja; skyns Suid.

Waar is jou hand beseer? --- Aan my regterhand.

Jy wys op die bokant van die polsgewrig? --- Ja.

Is dit die merk wat daar is? --- Ja; die merkie hier.

**CROSS-EXAMINATION CONTINUED:** You were wearing a shirt and you had a handkerchief on your head? --- Dit is korrek.

A number of people saw you at the Police Station and we have had no Policeman yet who said you were standing there in front of the line when the shooting started? --- Wel, dit is waar ek gewes het.

We haven't had anyone who says that just before the shooting they saw you go up and talk to a man at the fence? --- Is hulle daareer uitgevoer in die Hof?

I am saying, people have been asked to say what they saw. They saw Col. Spangler at the gate. They did not see you go forward to do anything there at the

fence? --- Wel, ek kan net sê dat ek daar gewees het. Dan ook 'n ding, daar is baie dinge wat gebeur het wat ander persone nie gesien het nie en wat ander persone wel gesien het, wat baie duursamekkaar gewees het daardie dag, daar.

The picture you give is that after the shooting had started, there were people still standing there, throwing stones at you? --- Dit is korrek.

And that even after the shooting had started, there was at least one man who was rushing forward with a stick to hit someone who was standing close to the fence? --- Dit is korrek.

Const. Malan was of course not just standing. I suppose like you he was trying to get back behind the line? --- Ja, ek sê mos hy het ongedraai, net daardie slag.

But you thought that this man might reach him before he got out of range of the stick? --- Hy sou hom definitief ook bereik het.

This man with the stick, did you see much of him? Did you see him clearly? --- Ek het hoedare gesien, maar ...

What happened to him, you don't know? --- Hy het geval.

Did you get a good view of the man who was throwing the stones at you? --- Ja.

Where was he after the shooting; where did you find him? --- Hy het net buitekant die draad geleë, ongeveer 'n tree vanwaar hy gestaan het toe hy gegaai het.

DIE VOORSITTER: Het jy hom weer gesien na die skietery? --- Ja.

**CROSS-EXAMINATION CONTINUED:** About how far from the fence was he lying? —Hy was net - ek dink hy was twee treë weg van die draad af. //

You see, no-one else has given any evidence about that. In fact, the evidence we have had here is that there was no-body closer than three or four yards from the fence? — Dit is meentlik dat ek 'n feut kan maak, dat dit vir my gelyk het na twee treë en 'n ander man se mee, dit is drie of 3½ treë.

What was this man wearing? —Hy het 'n khaki oerjas aangehad en ek dink hy het 'n wit hempie aangehad, hierdie net die nek so (beduie).

Did he have a hat on? —Nee.

Was it the man you had spoken to? —Nee; dit was nie die persoon nie.

Well, then, can we leave it at that, that you here are saying that after the shooting had been done, the crowd or people in the crowd made a rush at the fence? —Ja.

With what object, do you think? — Ek sou se hulle was om aanval en vernoeer. Dit is wat hulle bedoeling was.

Not to commit suicide? —Nee; om ons te vernoeer.

Of course, you see we have had evidence that as soon as the shooting started - some people have given evidence that as soon as the shooting started, people turned to run away. I take it that not everyone came rushing, remained to throw stones or wave sticks after the shooting started. Some, I take it, were running away? — Dit is korrek. Nie almal het gestoen nie.

But you say that in spite of the fact that some

were running away, some were pressing forward and it looked to you as though they were going to attack the Police? ---Ja.

In spite of the shooting? --- Dit is korrek.

Did you think they were coming to jump over the fence? --- Dit het vir my so gelyk.

You see, no-one apparently ever jumped over the fence before that, according to the evidence we have had. You did not see anyone jump over the fence? ---Nee.

But although there were people running away, these people came forward in the face of all the fire, you thought to come over the fence and attack the Police? --- Dit het my so voorgekom.

That is all you have to say? --- Wat kan ek anders? Dit is wat ek dink.

You know, there was a long time before the Police lined up when the crowd was standing at the fence? --- Dit is korrek.

They did not jump over the fence? --- Ek het gesien dat hulle een slag ingekom het ...

Just a moment; they did not jump over the fence? ---Nee.

They did not come through the gate? --- Daar het een slag by die Suidelike hekkie, die klein hekkie, 'n paar ingekom tot op die stoep. Ee het ek gesien dat 'n jong Bantoe ...

Let's be serious, Const. Saajan. They did not come through the gate to attack the Police? --- Nee.

It was only when the firing had started, that they did this foolhardy thing? --- Dit is korrek.

I don't really think there is any point in taking it further. Just let's go back to your state of mind when you first shot at this man with the stone in his hand. Did you shoot him to stop him throwing a stone at you? ---Ja.

Is that legitimate? ---Ja; want hy kon my doodgegoel het net daardie klip.

That is what you felt? ---Ja.

Can we take it that is the only reason why you fired? ---Ja daardie persoon, ja.

The fire power of your revolver, I take it, was not required in the line? I take it the rifles and stem guns could have managed without you? --- Ek weet nie. Een revolver is maar 'n klein dingetjie, maar dit help. As jy altes byskaar sit, kan help dit.

It helps to do what? ---Om jou te verdedig - almal, in die Polisie-stasie.

Why do you think Capt. Thorne sent you out of the line? --- Ek het geen idee nie.

You don't think it might have been because he did not want anyone just - (inaudible); possibly he thought there should be a proper uniformed force, who would listen to orders and only shoot on orders? That would not take matters into his own hands? --- Ek weet nie wat hy gedink het nie.

I don't know whether as a constable carrying out your particular task you have to be aware of standing orders on the use of firearms? ---Ja.

What do they say about the use of firearms? ---  
Hulle sê jy mag van jou vuurwapen gebruik maak wanneer

How is that? --- Ek het dit toe nie my hand gekom.

jou Polisieestasie aangeval word, wanneer jou lewe in gevaar is, wanneer 'n ander persoon se lewe in gevaar is.

And if you were, say, walking along the street and you saw a boy about to throw a stone at you, would you shoot him? --- As ek nie kan wegkom nie, sal ek hom skiet.

**DIE VOORSITTER:**

/Hoe ver was jy van hom gewees? --- Ons was by mekaar, seker nie meer as vyf treë vannaëkaar af nie.

**CROSS-EXAMINATION CONTINUED:** You were about five yards from him? --- Ja; ongeveer.

The principle is, if you can't get away, you shoot? --- Ek sal dit doen. Ek het dit gedoen.

You shot him before he could throw the second stone? --- Dit is reg.

Before he had thrown the second stone, you had time to take your revolver out of the holster and to shoot? --- Toe hy die eerste keer goei, toe haal ek my revolver uit. Toe hy die klip optel toe dink ek daar is geen ander opsie vir my nie, ek gaan hom skiet.

When did you take the revolver out - you say after the first stone hit you? --- Ja.

And did you point it at him? --- Nee; ek het dit net uitgehaal. Maar terselfdertyd dat ek my revolver uitgehaal het, het hy die klip in sy regterhand gevat en opgelig. Ek het nie gekorrel of mis nie. Ek het net my revolver gevat en hom geskiet.

At pointblank range? --- Ja.

Where did you hit him? --- Ek weet nie.

How is that? --- Ek het dit net na sy bors gehou.

Where did you hit him? --- Ek west nie.

Did you see blood? --- Nee.

You saw nothing; he just fell? --- Ja.

Wasn't there people standing behind him? --- Ja.

Did he fall on them? --- Ek het net gesien hy val terug, toe kom die ander klippe oor toe kyk ek na daardie rigting.

Yes, but I am asking about the man you shot; there must have been other people standing around him?

--- Ja, by die draad - hulle het teenekaar gestaan.

You were facing each other? --- Ja.

No-one else next to him had a stone? --- Nie wat ek opgemerk het nie.

You were within range of a stick, were you, because <sup>you could</sup> they/hit you with a stick at that time? --- Nee; tenny hulle gegooi het, sou hulle my daren nie kon raakgehaal het waar ek gestaan het nie.

There were people who could have thrown stones at you if they had wanted to, and if they had had stones? --- Ja.

When you went outside and saw this man on the pavement, did you see a stone near him? --- Ja. Daar was klippe gewees.

Did you pick it up? --- Nee.

Could you tell us, now, why you were still standing there? Why did you not get back behind the line of Policemen? --- Nee, Ek het nie juis gesien waarom moet ek weggaan nie. Ek het - nadat ek my tweede skoot geskiet het, het ek gaan sit.

I am talking about the first time when you



turned round and you saw a man throwing a stone. You said you tried to get out of the way. How; by running back? ---  
Nee. Ek het probeer wegspring, maar ek kon nie.

In what way; what did you try and do? --- Ek  
het teruggestaan.

You just stepped back? ---Ja.

Well, why did you not step back another two or three paces and you would have been behind the line of armed men? --- Hulle lewens was net so in gevaar as myne.

That is what you thought from this stone? --- Ek wil nie agter ander mense gaan skuil nie. Ek skuil agter myself.

Do you know any of these policemen there who were badly injured by stones? ---Ja; ek weet van party - nie ernstig nie, maar wat besonder is.

Anyone wounded so seriously that he had to have medical treatment? ---Nee; ek weet nie van enige persoon wat mediese behandeling ontvang nie.

Do you know what happened to the Policemen; what sort of injuries did they have - scratches? ---Ja, ek het een persoon gesien, dink ek, wat hier op sy bors 'n effens stukenderige merkje gehad het.

How did you happen to see that - through his shirt? ---Nee, ek praat nou van na die skietery, in die binneplaas.

He took off his shirt? ---Ja.

And you all had a look at that. You see, let's be serious about this. None of the Policemen there were seriously injured by stones. Correct? --- Dit is korrek.

They were standing there in a line. Correct? ---

Dit is korrek.

Close to the fence? ---Ja.

Quite close together? --- Ja, naby nannekaari

And none of them suffered any serious injuries?

---Hee.

There were very few who were hit at all? --- Daar was net 'n paar wat nankgegoel is.

You don't seriously suggest that the throwing of stones from the crowd was such a serious danger that the Police had to open fire on the crowd to stop it? --- As dit nie op daardie oomblik gedoen was nie, glo ek sou daar nie meer Polisie vandag gewees het om dit te vertel nie.

Really? --- Ek glo dit.

That is what you believe? ---Ja.

And it may be that if there were people who took a somewhat different view from you on the Police side, there would not be 70 Africans killed and 180 wounded? --- Is ons nie geskiet het nie ...

If you had not shot, there would have been a lot of people alive today who are now dead? --- Ek daar sou baie dood gewees het, wat nou lewendig is.

What would these people have done if you had not shot?--- As hulle oor daardie draie gekom het, en hulle sou dit gedoen het want daar was 'n kloapie in die hek, sou ons nie ons vuurwapens kon gebruik het nie.

You say there were some in the gateway? ---Ja.

Inside? ---Ja; nadat hulle gedruk het van agter, het hulle ingekom by die hek, ingestom.

How many? --- Ek weet nie; dit was nie baie gewees nie, maar dit was 'n heel klompel

How far did they get in? --- Nee, hulle het teruggedaal, weer. Ek het toe ook nie gekyk nie.

They dropped back when the shooting started? ---  
Ja.

They were not the brave ones. They were not the ones who came there to commit suicide. They were the closest to the Police, weren't they? ---Ja.

They did not have a fence between them and the Police; correct? --- Dit is korrek.

They dropped back? ---Ja.

They were not shot? --- Ek kan nie sê of van hulle geskiet is nie.

You did not see any bodies inside, did you? --- Ek het niks gesien binnekant nie.

You say if there had been no shooting, the Police would have been killed. Do you then suggest that people would have come over the wire? ---Ja.

You had not seen them doing it before the shooting? ---Nee.

They had plenty of time before the shooting, did they not? ---Ja.

At any rate, you feel that these stones were a danger? ---Hulle was.

Do you know how many rounds the Police fired? --- Nee.

This man you saw with the stone I take it had people behind him and people next to him? --- Dit is korrek.

Quite a lot? ---Ja.

Women also? ---Ja.

Children? --- Ek het nie kinders gesien.

engewing gesien nie.

These other people around him, weren't throwing stones at you? ---Nee; hulle het nie klippe na my gegooi nie.

However, not your shooting but the shooting in general, was aimed at the crowd, whether a man had a stone in his hand or not; of course, the bullet might well have hit him? ---Ja.

What officer told you to pick up stones? --- Ek weet nie. Dit was 'n offisier in univern. Ek het h'm nie gekon nie.

Do you know why? --- Dit moet gebruik word as getuieis.

You mean to try and collect some evidence to justify the shooting? --- Wel, dit is so.

One can understand that. I can understand the importance of that. However, you also went outside. Were you told to pick up sticks? --- Ja.

Who told you to do that? --- Ek is nie seker nie, maar ek dink hoofkonstabel Malan en 'n luitenant was daar gewees. Hulle het vir my gesê "Tel dit maar op".

Where did you go to pick up sticks? --- Dit was buitekant die draad.

You know this fence runs on the west side, and there on the south, that would be on the left as you face the fence from inside, there is a big street with an island in the middle? --- Dit is korrek.

Did you go to that corner? ---Ja.

Is that where you picked up the sticks? ---Ja.

engewing gesien nie.

These other people around him, weren't throwing stones at you? ---Nee; hulle het nie klippe na my gegooi nie.

However, not your shooting but the shooting in general, was aimed at the crowd, whether a man had a stone in his hand or not; of course, the bullet might well have hit him? ---Ja.

What officer told you to pick up stones? --- Ek weet nie. Dit was 'n offisier in uniform. Ek het h'm nie gekom nie.

Do you know why? --- Dit moet gebruik word as getuie.

You mean to try and collect some evidence to justify the shooting? --- Wel, dit is so.

One can understand that. I can understand the importance of that. However, you also went outside. Were you told to pick up sticks? --- Ja.

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You know this fence runs on the West side, and there on the South, that would be on the left as you face the fence from inside, there is a big street with an island in the middle? --- Dit is korrek.

Did you go to that corner? ---Ja.

Is that where you picked up the sticks? ---Ja.

Voor, hier naby die hek, en in daardie straat het ek 'n paartjies opgetel. En dan anderkant-toe, het ek die kapyl met die skerp horing opgetel.

I wonder. I would like to show you a photograph, Exh. "J". You see, here is the Police Station, here is the Police gate, this is the West side, that is the South side. Now, this is the South-West corner. Now, this is the corner of Zwane Street and the street running on the West of the Police Station. Can you there show us where you picked up the sticks? --- Ek het hier opgetel.

You mean that is more or less in front of the fence on the West side, just near the Southern corner? ---Ja.

And here in the street? ---Hier op die hoek het ek die kapyl met die horing opgetel.

You mean just in the street, at the intersection? ---Ja.

You picked up an axe? ---Ja; 'n soort van 'n byl.

And were there also sticks there - whether you picked them up or not? ---Ja; daar het ek ook twee stokke opgetel.

You picked up sticks at that intersection? ---Ja.

And apart from those you picked up, were there many sticks lying about, that perhaps other people picked up? --- Daar was nog stokke rond gewees wat ander persone opgetel het.

In that intersection? ---Ja; hier rond; hier voor, aan die voorkant, aan die Westkant, en daar by daardie interseksie.

You mean actually in the street? ---Ja, in die straat.

Where did you find this axe? --- In die groot straat met die eilandjie in. Dit loop net hier ...

Actually in the big street with the island? --- Ja.

Could you tell us in what part of it? --- Dit is ongeveer hierlangs.

In the middle? ---Ja.

Really in the middle of the intersection? --- Ja; ongeveer hier na die hoek se kant-toe.

Was it lying next to a body? --- Dit het naby 'n persoon gelê maar soos ek sê - dit het 'n entjie van hom af gelê.

Now, I just want to show you - there are some photographs here of that corner. Just have a look, for instance, at "PP". If you look at that, and you look at "OO" and if the Secretary will turn the page back, there are other photographs of that intersection on which one cannot see sticks or other weapons. What do you say about that? Did the Police perhaps pick them up before the photographs were taken? You can turn back the next page, also - "JJ", for that matter. What is the position there? Do you suggest that the Police picked them up before the photographs were taken? ---Ja, dit moet wees.

Because these photographs which show - this is the intersection; there is Zwane Street. These photographs show the intersection where you picked up the sticks and saw sticks and the axe? ---Ja.

So your explanation is that the Police must have

picked up the sticks and other weapons before the photographs were taken? --- Dit is moentlik.

At any rate, that is the only suggestion you have, because you had - you/agree that these photographs don't show sticks or other weapons. You can look at them if you like. You could not perhaps by looking through these photographs - I wonder if looking through these photographs you can show us more or less where you found the axe? --- Ek sal nie meer presies kan sê nie, maar ek sal naestonby kan sê. Dit is ongeveer hier.

About where this man is lying on the kerb on the righthand side of Kmh. "LL". Was it on the kerb, or on the street? --- In die pad.

On the left, here? --- Ongeveer daar.

But the point is that if you had not picked it up, it would have been seen on this photograph? --- Dit is moentlik.

Must it not have been so? --- Ja; ek kan nie presies die plek altyds nie.

There are other photographs of the same corner. If the photographs had been taken before you picked up the axe, it would have been seen on this photograph? --- Ja.

That is on either "LL" or "HM" or "HN". Is that right? --- Dit is moentlik, ja.

So you say it is possible, but I take it that must have been more or less the scene that you saw when you first walked out - apart from the sticks and axe? --- Ja.

And if the axe had still been there, it would have appeared on the photograph? --- Ja; ek reken so.



**DIE VOORSITTEER:** Weet u wanneer die ambulansse aangekom het - die eerste? --- Dit was net kort na die skietery; dit was nie lank nie.

Die bymekaarmaak van stieke en dies meer waarna u verwys, wanneer is dit voltooi? Voor die ambulansse aangekom het, of daarna? --- Ek dink dit was voor die ambulansse gekom het, maar ek is nie seker of hulle daarna nog opgetel het nie.

Wat jousself betref? --- Voor die ambulansse daar aangekom het, het ek van hulle opgetel.

**CROSS-EXAMINATION CONTINUED:** I think I ought to tell you in fairness that the photographer who took those photographs has explained to the Court that he took them before any of the Policemen had come out of the fence after the shooting. Do you follow me? ---Ja.

Consequently, if that photographer is telling the truth - and I shall submit that he was - it must follow that your story about having seen sticks and an axe at that intersection, is false, and I must put it to you that when it comes to arguing to the Commissioner, we shall submit to him that your evidence of having seen and picked up sticks and an axe in that intersection, is false. Do you understand me? --- Ek verstaan. Maar wat ek hier gesê het, is die waarheid.

And, of course - the Commissioner will have to decide that? ---Ja, ek verstaan.

We've got some other photographs here; perhaps you could help us. Have a look at this photograph, Exh. "L" and Exh. "K". Then, will you also have a look at "O" and "P". Perhaps looking at those exhibits you can tell us which is the pole that the man was trying to pull up.

DIE VOORSITTER: Miskien as u na Bewysstuk "A" kyk ...

MR. KENTRIDGE: I would rather, with great respect, that he did not look at Exh. "A" for the moment, Sir.

THE CHAIRMAN: That shows a confined portion of the fence, you see, Mr. Kentridge.

MR. KENTRIDGE: Yes. I think in Exh. "O" - Exhs. "L" and "M" only show two of the poles.

THE CHAIRMAN: Yes, well, he has mentioned, if I am not mistaken, midway between the gate and the South-Western corner. I don't know if that photograph goes so far.

MR. KENTRIDGE: Exh. "O" is the one which shows the further section.

DIE VOORSITTER: Kan u volgens daardie foto's vasstel watter paal dit mag gewees het? ---Nee, ek is bevrees ek sal nie met sekerheid kan sê watter paal dit is nie.

CROSS-EXAMINATION CONTINUED: Can you see on any of those photographs which it was - you mean you can't say which it was; it might be one of these? --- Dit moet een van hulle wees, maar ek kan nie presies sê nie.

It might have been one of those very close to the fence, perhaps the second from the fence - Exh. "M"? Just have a look at Exh. "M" which gives a good view of the fence. The pole is on the inside of the fence? ---Ja.

The fence is on the outside of each pole.  
Correct? ---Ja.

Now, perhaps in view of that, could you just explain to me how this man was trying to pull out the

pele and where is he holding it?— Hy het sy hande so  
on die paal gehad, so deur (beduie).

Do you mean through the wire? —Ja.

Do you mean he was putting his fingers through —  
he could not put through his whole hand? —Ja, on die  
paal.

You speak as though he was grasping it in his  
hand. He could not do that, could he? —Ja.

You can't get your hand through that mesh? —  
Ja, ek sal my hand deur deurstek; nie sy hele hand  
nie, maar soos die draad on die paal kom — die paal is  
aan die binneste. Hy kan nie net aan die draad vat  
en so op vat (beduie).

Perhaps we will have a demonstration from you  
outside a little later. It is a rather odd sort of  
description which you give, but perhaps you will be  
able to explain it. You say that he put his hands  
through the wire?— Ek is nie sy hele hand nie.

His fingers? —Ja. Hy het on die paal gevat, so.

Near the top? —Ja; naby bo.

And he was pulling upwards? — So. (Beduie).

You mean he was shaking it? —Ja.

And he had it grasped with both hands? —Ja.

Did you make a return of the number of rounds  
of ammunition you had fired? — Ja.

To whom? — Aan die opeorders, in die verklaring.

In your statement to the detectives? —Ja.

Did you not have to report to your station  
commander? —Ja.

**DIE VOORSITTER:** Het jy weer patrone ontvang vir die rewelwer? ---Nee, nog nie weer nie.

Die wat jy afgeskiet het, is nie vervang nie? --- Nog nie.

**CROSS-EXAMINATION CONTINUED:** Do you have a certain number of rounds issued to you for your revolver? ---Ja.

How many? --- Twaalf.

So now you only have six? ---Nee, op die oomblik het ek niks van die Staat nie.

Have you got some of your own? ---Ja; ek het 'n klempie van my eie nog.

You are allowed to buy your own ammunition? --- Ja.

And carry it about with you and use it in a service revolver? ---Ja, jy kan dit doen.

There is no rule against it? ---Nee.

In fact, is it often done, do you think, that people have their own ammunition? ---Ja; want ek dra gewoonlik nooit net twaalf patrone by my nie. Ek dra gewoonlik ...

No, I am asking you apart from yourself. As a Policeman you know that it is often done, that the Police supply their own ammunition? ---Ja.

For rifles, also? --- Ja.

You come from Central, Johannesburg? ---Ja.

And who was - is Head Const. Malan from there, also? ---Hy is ook vandees.

Did you report to him the number of rounds you

had fired? ---Nee, ek glo nie.

You don't think so? ---Nee.

Did he not have to make an official return of the number of rounds fired? ---Nee; ek weet nie of hy dit woen doen, of wie woen dit doen nie. Maar elke persoon, as jy geskiet het, jou rewolwer gebruik het, dan gaan jy en jy sit net 'n verklaring in vir wat jy dit gebruik het.

And you did that? ---Ja.

To the Head Const. Balan? ---Nee.

Only to the Detective? ---Nee; op my stasie ook.

Did you do that at your station? ---Ja.

And you showed that you had fired six rounds from your revolver? ---Ja. By die stasie het ek aangevra vir twaalf patrone.

Because you fired twelve? ---Nee.

Why did you apply, then, for twelve? --- Ek het ses van my patrone - 'n heel paar van my patrone verkeer, die dag, en toe het ek aangevra vir twaalf.

How many rounds did you say you had fired? --- Ses. Ek het aangevra vir twaalf.

What does it mean when you ask for twelve - that you fired twelve? ---Nee, dit is nie juis nodig dat jy hulle woen geskiet het nie.

**DIE VOORSITTER:** Waar wat het jou verklaring gesê; wat staan daarin? --- Ek het gesê dat ek twaalf patrone gebruik het op Sharpeville.

**CROSS-EXAMINATION CONTINUED:** Surely you would not tell a lie in order to steal six rounds from the Government? ---Nee.

Particularly when you can buy them yourself? ---

Reg.

How much does a revolver cartridge cost? ---

Ek dink hulle is 5/6d. vir twaalf.

Half a dozen is 2/9d. Well, you are certainly not going to defraud the Government of 2/9d., are you? ---Nee.

I suggest you claimed twelve rounds because you had fired twelve rounds? ---Nee; ek het net ses skote geskiet, die dag.

I am suggesting, unless you want to contradict me, that you would not have said that you had used twelve rounds that day simply in order to get another six rounds from the Government that you were not entitled to? ---Ses ek n reeds gesê het, ek het daardie patrone verloor daaron het ek saangevra vir twaalf en nie vir ses nie.

Where did you lose them? --- Ek weet nie. Dit was by Sharpeville Polisie-stasie. Ek weet nie of iemand hulle vasgehou het, en of ek hulle verloor het nie.

Where did you carry your rounds? --- Ek het dit in my sak gehad, die dag.

How many rounds did you have with you that day? --- Ek het gehad - ek dink ek het dertig gehad.

Did you count them afterwards? ---Nee.

How did you know that you had lost some? --- Ek het hulle neergevit op die vanstertank.

Where? ---In ons slaapplek, waar ons gaan sit het.

Where is that? ---By Sharpeville Polisie-stasie.

Toe sien ek daar is van my patrone weg.

How many? --- Ek dink daar was twaalf weg.

DIE VOORSITTER: As u nou sê twaalf is vermis - hoeveel was daar op die vensterbank? --- Ek het 30 gehad die oggend; ek het ses geskiet. Dit wil sê, ek moes nog 24 gehad het. Toe ek weer kom, toe het ek - ek dink daar was net twaalf oor gevees.

CROSS-EXAMINATION CONTINUED: It is a rather odd place to keep revolver bullets, is it not? On your windowsill? ---Nee; dit is die plek waar ons slaap.

Do you suggest that another Policeman stole them? --- Dit is moontlik.

A very odd sort of Police Force, Mr. Saaman, according to you. So in fact you were missing 18? --- Ja; daar was agttien kort gevees.

So why do you say that you used twelve? --- Ek kan nie meer as 12 kry van die Polisie nie.

The point is that even if you had fired say 15 rounds that day, you could only have said that you had used 12? ---Nee; dan kan ek meer kry.

Only 12? ---Nee; meer. As ek aanvra daarvoor, vir my eie, dan behoort hulle my - ek het dit tog nie gehad nie. Maar dan behoort hulle jou terug te gee wat jy gebruik het van jou eie. Dit is jou eie.

Do the Authorities know that you carry your own ammunition about? --- Ek reken so.

But you say that you told them that you had used 12? ---Ja.

Was that a lie? ---Hulle is verbruik; hulle

is weg.

F. M. BAATMAN  
DEPUTY SHERIFF

Was that a lie, that you had used 12? --- Wel,  
goed het dat ek  
as ek/12 geshiet het, sou ek se dit sou nie 'n die  
jaarheid wees nie.

Are you now saying that you told a lie in order  
to get an extra 2/9d. worth of ammunition out of the  
Police? --- Nee. Hulle patrone is/verbruik, en ek het  
aangevra vir twaalf.

But this lie that you have now admitted you told,  
what was the object of that lie? --- Ek was net twaalf  
patrone teruggedra het van hulle.

The object of that lie you say was to get an  
extra six? --- Nee dit se, as 'n wil.

If that is true - you have said it yourself -  
in that case you apparently lie very easily? --- Nee.

Isn't possibly what really happened that you  
fired twelve and that you now find it rather difficult  
to justify having fired twelve rounds? --- Nee. As ek  
twaalf skote geshiet het, kan ek dit net goed het.

I take it you realized the importance of these  
reports you were making? Surely you realized that a  
great many people had been killed and wounded and it  
was necessary for the authorities to make a most  
complete investigation; surely you realized that?  
Did it not strike you as a very serious and tragic  
occurrence at Sharpsville that day? --- Ja.

Did you not think the Authorities would want to  
investigate, know exactly what had happened? --- Ja.

Don't you think it was important for them to  
know exactly how many rounds had been fired? --- Ja.  
Dit het ek aan hulle gesê in 'n belligerente vertelling.



hoeveel rondes ek geskiet het.

When? --- Die verklaring wat ek aan die speurders gemaak het.

When did you make that one? --- Dit was op die 9e Mei.

I am talking of the report that you made two days after the shooting. Did you not think that was false? --- Ja.

Why did you mislead the authorities? --- Nee, ek glo nie ek het daarin gesit dat ek twaalf geskiet het nie. Ek het geen - ek het ses geskiet.

The statement you made two days afterwards? --- Ja; net op my stasie waar ek patrone aanvra, daar het ek gevra vir twaalf patrone - die aanvraag; dit is nie hier nie.

So what was the other statement you made two days afterwards? --- Ek het aan iemand wat dit - ek dink

DIE VOORSITTER: Waar is die verklaring wat jy gemaak het, gemaak? --- In verband met wat?

Wel, in verband met wat gebeur het? --- Maar ek meen, wanneer? Kyk, ek het twee gemaak.

Die heel eerste een. Ek praat nou nie van die aanvraag vir die uitreiking van patrone nie. Ek praat van die verklaring oor wat gebeur het by Sharpeville. Waar het jy jou eerste verklaring gemaak? --- By Sharpeville Polisiekantore.

CROSS-EXAMINATION CONTINUED: And to whom did you make it at Sharpeville? --- Ek is nie seker nie. Ek dink dit is 'n speurder wat daar gekom het en verklarings gemaak het van ons, maar ek weet nie wie hy is nie.

- ADJOURNED: 12.55 p.m. -

- RESUMED: 2.15 p.m. -

PETER MACHIEL SAAMAN, still under oath:

CROSS-EXAMINATION BY MR. KENTRIDGE CONTINUED:

Const. Saaman, during the adjournment I made enquiries of Capt. v.d. Bergh who is in charge of the Police investigations in connection with Sharpeville, and he tells me that he has no statement made by you after the shooting; and in fact, as far as the information at his disposal goes, your name appears on the ammunition return from the Central Station as having fired twelve revolver shots; but he informs us that he did not have any statement made by you prior to the statement you made on the 9th May; and he also informs us that all statements made by members of the Police who were there, came into his possession. Have you anything to say to that? --- Ek het een gewaske veer dit - ek dink dit was die 2de Maart; ek het dit aan 'n spoorder gegee in hulle kantoor op Sharpeville.

That is the sort of statement which, according to Capt. v.d. Bergh, would have come to him if it were made. We have had many people here who made statements within the first two or three days? ---Ja; insinneer u dan dat ek 'n leuen vertel in verband met die verklaring? ---

It is not for me to make an insinuation. All I am telling you is that there is no such thing and I am asking you now whether you still say that you made a statement? ---Ja.

Well, I won't make any insinuation but I will tell you that when it comes to argument I will have to

suggest to his Lordship that you are not telling the truth and that you did not make a statement? ---In daardie geval, sal ek eers na die persoon moet gaan wat dit geneem het. Ek weet nie wie hy is nie, maar ek sal hom kan ken.

You would like it? ---Ja.

It is a C.I.D. man? ---Ja.

**DIE VOORSITTER:** Is dit 'n persoon gewees wat vanandere ook verklarings geneem het, of net van jou? ---Nee, hy het van andere ook verklarings geneem, daar. Lateraan het kapt. v.d. Bergh vir my gesê dat hy nie 'n verklaring van my het nie en dat hy graag daardie een verklaring wil hê. Dit is op die 9e, die Maandag, - ek het toe vir kapt. v.d. Bergh gevolglik 'n verklaring op daardie dag laat kry.

**CROSS-EXAMINATION CONTINUED:** You see, Capt. v.d. Bergh has had assisting him some very experienced men, detectives. There is Det. Sergt. Lorn. The names of the others are, I think, Pohlsson and Coetzee. And if a statement had been made, I would suggest it would have come from one of these and then to Capt. v.d. Bergh? ---Ja; ek sal nou nie verder daaroor praat nie, maar om te weet wat ek gedoen het - ek kan sê ek het dit gedoen.

And did you sign the statement? --- Ek het dit geteken.

Did you make an oath? ---Ja. Maar dit is nie sers. Coetzee of Mnr. Pohlsson of sers. Lorn of kapt. v.d. Bergh nie. Dit is 'n ander persoon - hierdie persone kan ek almal.

You say you did make that statement and that you said in it you only fired six shots

Very well, then. Just let us get it clear where you carried your ammunition when you were firing? Just in your pocket? ---Ja.

What pocket? ---In die broeksak.

The lefthand trouser pocket? ---Ja.

All your ammunition? ---Ja.

Thirty rounds? --- Daar was ses in my revolver.

And 24 in your pocket? ---Ja.

DIE VOORSITTER: Dra jy hulle eenvoudig los, of in 'n pakkie of ...? ---Ja; hulle het ek los gehad.

Dra jy dit in jou broeksak, of in jou handjie-sak? ---In my broeksak.

CROSS-EXAMINATION CONTINUED: Is that normal practice? ---Ja. Gewoonlik, as ek uitgaan na so'n plek-toe, waar 'n mens vermoedelik in die moeilikheid kan kom, dan neem ek my klein sakkie saam en dan sit ek dit aan my hand aan my linkerkant; dan sit ek my patrone daarin. Maar die oggend het ek ses nou nie uitgemaak nie en toe het ek somer daar 'n klomp patrone gevat. Ek was nie weer terug huis-toe gewes nie.

When did you ...? --- Ek het in die kantoor in 'n kassie 'n plek waar ek die patrone aangehou het.

Just a box? ---Ja.

Did you just take a handful? --- Nee; ek het almal gevat wat daar gewes het.

All in that box? ---Ja.

Was it a full box? ---Nee, dit was in so'n kassie.

And you just put them in your pocket? ---Ja.

When did you count them? --- Ek het dit getel

toe ek dit daarin gesit het, entrent drie dae voor dit.  
Vrydag het ek hulle getel.

When you put them in the box? ---Ja.

And did you have - was that your own ammunition?  
--- Nee. Daar was van die - ses was van die waerne ek  
uitgereik is.

I don't follow; you had a box in your office,  
there, of which six had been issued to you and 24 were  
your own? ---Nee; agttien van my eie.

You said six of your own - you said six with  
which you had been issued, and you already had six in  
your revolver? ---Ja.

How many were there in the box? --- 24.

You counted these in? --- Die ses in die revolver -  
nee, teemas net hulle was daar dertig.

I don't follow you. You said you were not  
expecting to go on duty, you picked this up at the office.  
If you had known you were going on duty, what would you  
have done? --- As ek gewone diens doen, wat ek met my  
revolver en ses patrone en dan wat ek soos in die kantoor  
- ek dra dit nie met my huistoe nie; dan wat ek in die  
kantoor 'n paar patrone en steek dit in my sak.

This day you did not have this little bag? ---Nee.

Where was that? --- Dit was by die huis gewees.

Do you usually keep it with cartridges in it? ---

Ja.

So you have some at home? ---Ja.

What do you have at home, in your little bag? ---

.38 patrone.

Yes, but how many? --- Ek weet nie.

How many? --- Ek het hulle nie getel nie. Daar was net 'n paar gewere.

Years, or issues? ---Nee, my eie.

You say normally you would have taken that, and not the issued ones? --- Nee, kyk, ses wat aan my uitgereik is, het ek in my revolver gehad en die ander ses is by daardie 24 gesit - dit is deurskaar.

Do you normally carry your revolver loaded, when you go on duty? ---Ja.

So are there always six rounds in your revolver? --- Altyd.

On this day that you were at Sharpeville, I take it that this whole event must have been quite a shock to you? ---Nee meen ek?

When people started throwing stones and shooting? --- Ek was al voorheen in sulste gewere.

Did you get a fright? --- Ek was bang daardie dag, ja.

Do you remember whether you said anything while you were firing your revolver - perhaps saying anything, or shouting something? ---Nee; ek het niks gesê of omgietu nie.

You could not perhaps have shouted "Skiet" or something like that? ---Nee.

Did you hear anyone else say it? ---Ja; ek het gesê "Skiet!"

Who was it? --- Ek weet nie.

Was that before the shooting, or when it had already started? --- Daar het reeds skote geval.

So there were already shots - fired by the

Police? — Dear die Polisie, ja.

And youthen heard someone shout "Skiet!"? — Ja.

Was it not rather noisy at the time? — Dit was, maar ek het gehoor, definitief, iemand skree "Skiet!"

Do you know who it was? — Nee; ek weet nie wie dit was nie.

Did it come from your right? — Ja.

Some Witness has said that someone shouted "skiet!" before the shooting began? — Nee, ek sal nie sê — ek het gehoor iemand skree "Skiet!" maar ek sal nie sê dit sal voor die skietery begin het nie. Ek sal sê daar was reeds 'n paar skote geskiet voordat ek gehoor het "Skiet!"

You are sure you did not shout "Skiet!"? — Nee; ek het nie geskree nie.

Are you quite sure that you did not fire the first shot? — Ek is seker, ja.

You say you have been in disturbances before? — Ja.

And you used your revolver before? — Ja, ek het my revolver tevore gebruik.

I mean, to shoot at human beings? — Ja.

You ever shot anybody? — Ek het al na persone geskiet.

Did you ever hit anybody? — Ja.

Kill anybody? — Nee.

Under what circumstances did you shoot previously? (Not admitted).

You say you have shot people before? — Ja.

You have always made a report about it? ---Ja.

Always had to say the number of rounds you had fired? --- Ja.

You have always given it incorrectly in the past? ---Nee.

This was the first time you slipped up? --- Ek sal nog nie sê ek het egge-"ally" nie. Ek het aangevra vir twaalf patrone.

What I mean is, if I can use the expression, I think you will agree, this is the first time that you told a lie about the number of rounds you had used? --- Ek het nie gesê ek het hulle gevra nie.

You said you used them? ---Ja, wel, ek het aangevra vir twaalf patrone.

You said you had used them, which was incorrect. On all previous occasions when you have fired your gun, have you correctly stated the number of rounds you fired in your report? ---Ja.

And you realize the importance of a correct statement to that effect? ---Ja, waar dit die saak betraf.

NO FURTHER QUESTIONS.

HERVERHOOR: GEE VRAE NIE.

DIE VOORSITTER: Ek voel dit is net reg dat jy 'n geleentheid moet kry in verband met die kwessie of jy 'n verklaring voorgeen gegee het al dan nie. Die sitting sal verdrag word vanmiddag maar as daar aanvaarbare getuigenis is - kapt. v.d. Bergh sal jou behulpsaam <sup>wees</sup> indien daar 'n perseem is wat jou verklaring gegee het, en kapt. v.d. Bergh sal dan van hom vernem wat die



P.M. DABINAH  
E. ROTTER  
Evidence-in-Chief

posisie is. Kapt. v.d. Bergh sal in daardie verband navraag doen. Die getuie mag meentlik nie op sy eie dit regkry en in die tyd die persone op te spoor nie, alhoewel ek dink dit behoort nie moeilik te wees nie. Daar sal vernedelik alom 'n paar persone gewees het wat verklarings gegee het, as u net kan ondersoek instel. Dan sal dit miskien nodig wees vir jou en in verband daarmee weer teruggeroep te word wanneer dit sitting weer hervat word? ---Ja.

MAGGIE ROTTER, sworn, states (through Interpreter):

EXAMINED BY MR. CLAASSEN: Where do you live?

---I live at Sharpville.

On the 21st March this year, were you at the Police Station during the shooting? --- Yes, I was.

When did you go there? ---I went there in the morning.

At what time did you leave your house? ---In the morning, at half-past-one.

Did you go by yourself? ---Yes; I did.

THE CHAIRMAN: You say half-past one in the morning; was it in the daytime, or at night? ---I left my home at half-past-one.

Where was the sun? ---I did not look at the sun.

How did you find the time of half-past-one; did you look at a watch?---I looked at the time at my home.

Did you notice that day that there were a lot of aeroplanes which flew over? --- Yes.

Where were you then? --- It was just after I had

arrived at the Police Station.

**EXAMINATION CONTINUED:** Why did you go to the Police Station? --- I had heard that it had been said that there was going to be a discussion about passes, and that is why I went.

Discussion between whom? --- On Monday at the location everybody spoke about these passes that were going to be discussed at the Police Station.

Did you hear, was there going to be any particular person to speak about the passes? --- No. What I heard was that it was Europeans from town, here, that were going to speak.

Did they give any time when this discussion was to take place? --- The people that spoke in the yard said this was going to be at 2 o'clock.

Who were these people? --- It is the Europeans in the yard who said that the people outside the yard had to be told that this was going to be at 2 o'clock, the speaking about passes.

Where were you when you heard this, that there was going to be a discussion about passes? --- I was at home.

Is it then that you heard that the discussion was going to be at 2 o'clock? --- No. I heard while I was still at home that there was going to be a discussion at the Police Station about passes. After having arrived at the police station, I heard that this was going to be at 2 o'clock.

Who told you this at the Police Station? --- It was some Non-Europeans who had been speaking to the Europeans inside the yard, that said that.

Did you know these people? ---Yes.

Non-European? --- The one that spoke to the Europeans, is Mr. Tselo.

And did he tell the people that he had spoken to the Europeans? ---Yes; he told the people.

Did you see him speak to the Europeans? ---No; I did not see him speak to the Europeans.

Did you see the Europeans? --- There were many Europeans. Not very many, but there were many.

And did Tselo tell you this before the Europeans came over, or after? ---I think it was after the aeroplanes had already arrived.

Did you yourself hear it from Tselo, or did you hear others say that they had heard it from Tselo? --- I heard him personally saying it.

Did you sustain any bullet wounds? ---Yes.

DIE VOORSITTER: Waar was jy geskiet? --- The left knee.

Was jy in die hospitaal? ---Ja.

Baragwanath? ---Ja.

Is jy nou ontlaas? ---Ja.

Waar was jy toe jy geskiet was? --- Dit is toe die skietery plaasvind, toe ek vlug, toe ek weghardloop dat ek die skoot gekry het.

Ja, maar watter kant van die Polisie-stasie? --- Aan die groothek se kant.

CROSS-EXAMINED BY MR. PLENUM: You mentioned in your evidence that the people inside the yard said the people outside the yard must be told that there would be an address at 2 o'clock. When you talk about the yard,

is that the Police station fence at Sharpeville Police Station? --- When I say the yard, I refer to the yard of the Police Station.

You say you were running away when you were shot. Did you run immediately the shooting started? --- Yes; I did.

About how far had you already run when the bullet struck you? --- I ran about as far as from here to where the two streets intersect - this one running down and the other - on the corner (50 yards).

At any rate, a long distance as far as you are concerned? --- Not very far, but I was a distance away from where the shooting was started.

And can I take it that you did not go there to attack the Police and were not attacking the Police when the shooting started? --- No.

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MR. KENTRIDGE: Mr. Chairman, I am still trying to get in touch with the "Star" photographer to try and fix the times at which he took some of the photographs. If I can establish that, I was going to suggest that the photographs would just be put in marked with those times, if my learned friend is agreeable.

THE CHAIRMAN: Yes, well, that can be done at a subsequent stage.

The question arises, when we adjourned last time it was indicated that evidence would be taken on the 1st and if necessary on the 2nd, and that argument would then take place on the 6th and following days. I then assumed that by that time or at least some time before the 6th, the record or at least most of the record would be

available for argument. It now appears that that will not be so, and my own view is this, that there is a fairly sharp conflict of fact in relation to some of the principal events which I will have to consider, and I would necessarily look to the legal practitioners to give me every assistance available.

I think probably you would prefer to do so on a full record.

MR. KENTRIDGE: Yes. As far as possible I think both my learned friends and myself would prefer that.

THE CHAIRMAN: I should imagine, Mr. Classen, in addition to all other difficulties he may have, would, of course, not have a record of his cross-examination of witnesses who gave evidence. So I feel that nothing is to be gained, or very little is to be gained by hurrying the matter for the sake of concluding it two or three days earlier - certainly not at this stage, where we have been busy at it since the 11th April. So, for my part I would certainly be quite prepared to grant a further extension so that argument should commence on the 13th.

MR. KENTRIDGE: Mr. Chairman, that would in fact be of very great assistance for us in preparing proper argument, and in the long run we hope it will be of assistance to you, Mr. Chairman. And I understand from my learned friend Mr. Classen that he, too, would certainly find such an extension useful to him. One bears in mind, of course, that he would <sup>have to</sup> also be addressing you on certain aspects which haven't concerned us.

DEE VOORSITTER: Mr. Classen, wat voel u onder die omstandighede; is daar enige voordeel te behaal deur die oopdragging aan te haast?

**MHR. GLAASSEN:** Edelgare, dit sal my in werklikheid goed pas, want soos u terug aangehaal het, het ek nie die voordeel van notas van my eie kruisverhoor nie, en die getuiskap<sup>is</sup> baie van dieselfde aard en dit is moeilik om dit in gedagte te hou. Indien ek u sou wou toespreek sonder die notas, sou ek u nie die volle hulp kan gee wat ek andersins graag sou wou doen nie.

**DIE VOORSITTER:** Mr. Louw, is daar wat u betref enige beswaar wat geopper kan word teen 'n verdagting na die ljet

**MHR. LOUW:** Nee, Edelgare.

**MR. KENTRIDGE:** Mr. Chairman, before you actually adjourn the Court, there is just one small thing I would like to raise.

I think, Mr. Chairman, that you might recall that it was put to Lait. Col. Pienaar ~~that~~ after the shooting he had said to a journalist whose name is Henry Scoop, United Press, showing him damage to his car, "If they do this sort of thing, they must learn the hard way". Now, Col. Pienaar denies that, you may remember, Sir. We have called no evidence on that point and you may have wondered why that is so. The position is that we obtained a memorandum at a consultation with Mr. Scoop and we have, here, the memorandum. You will know, Sir, that he was subpoenaed to appear on a certain date but he left for overseas in circumstances which there is no need for us to canvass.

The position is that we have sent him a cable asking him whether he could return to give evidence, and we got the answer that he can't return.

Now, I don't know, Mr. Chairman, whether if from the Commission an airmail letter were sent to him

enclosing this memorandum and asking him whether he is prepared to sign it or swear to it, it might bring some reaction from him. Of course the value of it, not cross-examined, would not be as great as cross-examined evidence, but in view of the fact that it was put to Maj. Gen. Piccaer, we thought it would be proper, before the evidence closed, to hand in this memorandum so that you, Sir, could decide whether it was worthwhile to ask the Secretary to send an airmail letter or a cable to Mr. Seep asking him whether he is prepared to confirm this, or whether he is even prepared to swear to this Memorandum.

This memorandum is unsigned. It was dictated by Goguel - my learned friend and myself - after we had had a consultation with Mr. Seep. It was, I think, the day after that that he left for overseas before he saw what had actually been typed and before he had had an opportunity to sign it.

**THE CHAIRMAN:** Well, if you will firstly submit the memorandum, I will consider it. Up to now, of course, all the evidence that I have accepted has been evidence given in the ordinary manner on oath. I think I indicated at the start that circumstances might make it necessary to accept evidence other than evidence given on oath in Court; then I naturally will want to satisfy myself first of all that the evidence cannot be given by the witness himself, and good grounds exist why he cannot, and that it is right that I should receive the evidence in some other form.

Have you discussed the matter with Mr. Glascock?

**MR. KENTRIDGE:** No, I haven't, Sir. We have

got a copy of the Memorandum for him. The position is that we made enquiries from his employers, United Press. We obtained his address from them. We sent a cable asking if he could come out, perhaps even for a day.

THE CHAIRMAN: Well, I caused a subpoena to be issued and according to the Return which was sent to me, that subpoena was served personally on him and subsequently I understood that he had left the country.

MR. KENTRIDGE: We asked him - we sent a cable asking him if he could come back to give this evidence and we have had no reply and it would appear that he can't come. But we have his address and, of course, the address of his former employers in South Africa, United Press. And it may be, when you see this Memorandum, Sir, that you might consider it worthwhile to see if it can be substantiated at least by a signature or an affidavit; but we really raise it, Mr. Chairman, because we feel that we owe an explanation of why this was put to Luit. Col. Pienaar. It might in itself be considered quite important evidence, and consequently we should like to hand in this memorandum to the Secretary at the close and to give him the address of this Mr. Zeeep in Europe, and also of his employers in Johannesburg; so that if you deem it necessary, you could take action through the Secretary; but I don't think we can help any further than this.

THE CHAIRMAN: Well, the enquiry will then be adjourned, now, until Monday, 13th June, at 9.45 a.m.

ADJOURNED: 2.50 p.m.

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ANNA SLABBERT



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