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28TH OCTOBER, 1960.

COURT RESUMES: APPEARANCES AS BEFORE.

EDWARD GEORGE CAWOOD, duly sworn, states:

CROSS-EXAMINATION BY ACCUSED NO. 3 CONTINUED:

With the Court's permission there is only one further question that I would like to ask the witness.

At the stage when you were at the hostel, was the Location Superintendent, Mr. Labuschagne, also present there?

---I would not say he was all the time present. I remember him being there.

I will tell you Captain why I am asking this question. It is because I assume that if the Superintendent was present there, then he would have informed you that he knows me as the leader of the P.A.C.? --- The Superintendent was there. I don't remember him being there all the time, but I did not ask him to point out the leaders of that crowd, nor did he inform me that the accused was the leader, because the accused was only one of the men present there.

BY THE COURT:

Did the Superintendent not point out accused No. 3 to you? --- No Your Worship.

CROSS-EXAMINATION BY ACCUSED NO. 3 CONTINUED:

I am now going to put it to you Captain that you are perhaps making a mistake, i.e. that you saw me there, because I was not present there in front of the hostel? --- I feel that the accused was definitely there.

No further questions.

CROSS-EXAMINED BY ACCUSED NO. 4:

I will ask you Captain to point out Thomas Here amongst the accused who are sitting here in Court? --- I won't

be/....

be able to point out Thomas More, but he looks a bit like Thomas More to me.

Are you then not certain that I am Thomas More, but it looks as if I am Thomas More? --- Yes, I am not certain but he looks like Thomas More to me, that I saw that night at the meeting.

When you were cross-examined by the Defence Counsel you did explain as regards the identification parade which was held at the gaol? --- Yes.

Here at the parade you were asked to point out any person, if he is on the parade, whom you had seen on the 21st March? --- Yes.

Now, I want to know from you Captain why then were you not able to point me out there? --- As I say now I was not sure of the identity of the accused, and I am not all too sure if he is Thomas More. He looks like Thomas More, but I could not identify him.

BY THE COURT:

Did you not point out Thomas More at the parade?
--- No Your Worship.

CROSS-EXAMINATION BY ACCUSED NO. 4 CONTINUED:

You have already told the Court Captain, if I am mistaken, that you saw me amongst the group which was assembled not far from the sports field, that open space of ground?

BY THE COURT:

The Captain has not told the Court that he saw you. He said he saw a man who said he was Thomas More. Put the question in the light of what I have told you now. Put the question again.

Cross-examination/....

HTBS
COURT RESUMED: APPEARANCE
EDWARD GEORGE GAWOOD, JR
GROSS-EXAMINATION BY ACCUSED
With the Court
I had further question that I
At the stage
Location Superintendent
I would not say he was
him being there.
I will tell you
It is because I saw him there
there, then he would have
--- P.A.C.?
don't remember him being
him to point out the leader
me that the accused was the
only one of the men present
BY THE COURT:
Did the Superior
to you? --- Yes
CROSS-EXAMINATION BY ACCUSED
I am now going to
the perhaps making a mistake
because I was not present
I feel that the accused was
the further question
CROSS-EXAMINATION BY ACCUSED NO.
I will ask you
regarding the accused who are

CROSS-EXAMINATION BY ACCUSED NO. 4 CONTINUED:

In that crowd which was assembled there you saw a person when you say introduced himself as being Thomas More?

---He came to me and said he was Thomas More.

You further explained that according to your own view it appeared as if this person who later on introduced himself as Thomas More, was there with this crowd holding a meeting? --- Yes.

I am certain when you made this statement you had already experience of a gathering which is being held in an open space? ---Yes.

Seeing that you have experience of other gatherings which were held prior to this one, have you ever in your life Captain seen a meeting which was held in a dark spot? --- No Your Worship, this was the first meeting I had seen at that time of the night.

With the experience you have concerning other gatherings, and having seen the gathering on this particular day, the crowd that you came across there, what then made you certain Captain that this ^{was} actually a meeting which was held there, i.e. from your own point of view? --- Your Worship, the impression I got when I came there that there was a meeting This Bantu male, who later told me he was Thomas More, / was standing facing these people, and the others were all looking towards him, and he was gestulating and speaking. I would just like to add he was a few paces away from the rest of the crowd.

Seeing that now you have come to the conclusion that this was a meeting, and you have now confirmed that impression of yours, did you perhaps find any furniture, i.e. a table or a chair or something else? --- No Your Worship.

When/....

When you saw me at that stage what did I have in my hands?

BY THE COURT:

When you saw Thomas More at that stage, what did he have in his hands? --- I can't remember him having anything in his hands Your Worship. He definitely did not have a weapon in his hand.

CROSS-EXAMINATION BY ACCUSED NO. 4 CONTINUED:

Did that Thomas More perhaps have a piece of paper which he was reading from when he was speaking to the Crowd? --- No, I doubt if he had. If he had I most probably would have taken it from him, so I doubt if he had it.

I am then going to put it to you Captain that your experience of meetings, also taking into account the meeting you saw on this day on the open space, does not then go hand in hand with the ordinary meeting which is a constituted meeting, because no document was found there or any other documents which may prove that it was a real meeting? --- Your Worship, I should just say that it was not.... we don't usually find meetings at that time of the night, that is out of the ordinary, and then the speaker was standing flat on his feet in front of the crowd.

It is then obvious that what you saw there Captain was not in reality a meeting? --- No, I still call it a meeting, or a gathering; a meeting or a gathering, I will call it a meeting.

You say then when you get up to this person who introduced himself as Thomas More, you then asked him what he was doing there? Is that so? --- Yes.

This Thomas More, after you had put the question to him, did he then reply and say "Yes, I am holding a meeting"? --- Yes Your Worship, he said he is holding a meeting.

I am putting it to you Captain that you did not put/....

put the question to this person who introduced himself as Thomas More. Should you have put it to him then the reply would have been that he had come there to disperse the crowd and to inform the crowd that they should only go to the Police Station and surrender themselves on the 21st March? — No Your Worship, that is not correct. These More told me he was holding a meeting, and I asked him if he had permission so he told me he had applied for permission in writing, but he had not received permission to hold it yet.

I am putting it to you that the question which you say you put to this Thomas More, does not seem a sound question which should have been put to this person under these circumstances? I am going to suggest to you the question which you may have put to this person. This is the question I am going to suggest to you. "What is this meeting about which you are holding here?" — No Your Worship, I asked him what was he doing there, and he said he was holding a meeting.

I am putting it to you that you did not ask that person that question, but you asked this question that I have already put to you, and that Thomas More then replied and said "I am not holding any meeting here?" — No Your Worship, that is definitely not correct.

Is it not true that this person Thomas More then further explained to you about the application which he had made concerning the holding of the meeting? — Yes, he said he had applied in writing for permission to hold a meeting.

I am putting it to you then that it is obvious from the answers given to you by this person that you say Thomas More, that he in fact was not granted permission to do so, and that in fact was the position? — Yes Your

Worship/....

When you saw
 BY THE COURT:
 When you saw Thomas More
 I am then going
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 meeting.
 You say then when
 introduced himself as Thomas
 I am then going
 This Thomas More,
 did he then reply and
 Yes Your Worship, he said
 I am putting it to

Worship, he said he had not yet received an answer that he could hold a meeting.

Did he not then explain to you that he had ^{a reply} received/denying him the right to hold a meeting? --- No, Thomas More or this Bantu who spoke to me, said he had not yet received an answer to his application.

I am putting it to you that perhaps that person Thomas More may have had this letter, showing that he was denied the right to hold a meeting there? --- It is possible Your Worship, but he did not produce it that night to me.

If I am not making a mistake I heard you say in your evidence-in-chief Captain that there were about 7,000 people in Seaise Street? --- Yes, I said that about six or seven o'clock in the morning there were about 7,000 in Seaise Street.

And you further explained that that crowd was moving towards the direction of Vereeniging? --- Yes.

I want to know from you Captain whether this mass of people were actually walking towards the town, or what were they doing? --- Well, they were walking. They were moving in the direction of Vereeniging.

Did you then have the impression or were you certain that they were in reality moving towards the direction of Vereeniging? --- Yes.

Do you think so, or is it really true that they were going to Vereeniging? --- Yes, they were following the main road from the location to Vereeniging.

I think you have not yet properly answered my question. Are you sure that they were really going to Vereeniging, or do you just think or assume that perhaps they were going to Vereeniging? --- All I can say is that they were walking, and they were following the Vereeniging road, in the direction/....

direction of Vereeniging.

Did you then step them from the front? --- Yes.

Did you then not ask them where they were going to? --- Yes, some of them shouted. I did not ask them, but they shouted and said they were going to Vereeniging. I don't say the accused said so Your Worship, I probably did not see him.

I believe that those persons who shouted and spoke to you, they spoke in Sesuthu? --- Your Worship, I don't know what languages they spoke. They just shouted and screamed. I actually did not speak to anyone in particular.

I am then putting it to you Captain that these people were not going to Vereeniging, because you did not even understand the language they spoke? --- The word "Vereeniging" was very clear, I have no doubt ^{about} it, and a large percentage of these natives shouted and spoke in Afrikaans too, and English.

I am putting it to you that perhaps they may have been shouting "Vereeniging", and enquiring where the Police came from, whether they came from Vereeniging or perhaps from Springs and so forth? Perhaps they just made mention of Sharpeville being in the area of Vereeniging? --- At that time there were only Police from Vereeniging, there were no Police from Springs and other areas yet.

I am putting it to you that no person amongst that crowd was going to Vereeniging? --- I don't know that. I could only assume they were on their way to Vereeniging by taking the road and coming some distance right out of the location.

I am now going to put my last question to you. You told His Worship in your evidence-in-chief that you met a number of women who then complained to you that their husbands/....

husbands had been forcibly taken away from them? --- Yes.

You also added that they complained that their doors were damaged? --- Yes.

Can you perhaps recall or be certain that the men complained of by these women, were amongst the small groups you came across there? --- No Your Worship, I cannot say that.

I am now going to put it to you Captain that these small groups you came across, there must have been amongst these groups the men complained of by these women? ---Your Worship, I don't know what he is after, but all I can say is that I had no names of these men of whom these women complained, and I cannot say that these particular women who complained to me, that their husbands were actually amongst these crowds.

Why then did you not obtain the names of the husbands complained of so that you could try and locate them? --- The only names I gave instructions to be taken were the number of adult native males we found at the Sharpeville charge office. I took no further names and I did not give instructions to take any more names.

No further questions.

CROSS-EXAMINED BY ACCUSED NO. 8:

I have no questions.

CROSS-EXAMINED BY ACCUSED NO. 38P

I have no questions.

CROSS-EXAMINED BY ACCUSED NO. 39:

I have no questions.

RE-EXAMINED BY THE PUBLIC PROSECUTOR:

Captain Cawood, how many of these adult native males were there at the Police Station? Those are the ones that you/....

you gave instructions that their names had to be taken. ---
If I remember Your Worship when I came there there were eight.)

And what was your reason for giving an instruction
that their names should be taken? --- These men had also
complained that they had been assaulted.

I see, you had received complaints from them? ---

Yes.

BY THE COURT:

These eight people had lodged complaints? --- Yes.

RE-EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Now, where were the greater portion of the women
encountered or found that made the reports to you about their
husbands? --- At different parts of the location.

Oh, at different parts? --- Yes.

And approximately how many females in all made
reports to you? --- At one particular place we found about
at least twenty, at one house; they were hysterical, screaming
and shouting, and here we found one and there one.... There
were quite a number. Unfortunately I did not know the location
or the people.

Captain, you mentioned that this crowd that was
marching ostensibly in the direction of Vereeniging, had
progressed a certain distance from the location? --- Yes, they
had come right out of the location. There is a small little
bridge over that, and they had also already passed the hostel
and we stopped them in front of the Superintendent's office
towards Vereeniging.

Now, what impression did you form of this crowd's
emotional state as they were walking or marching in the
direction of Vereeniging? --- They were highly excited and
they obviously were intent on coming towards Vereeniging.

And what was your reason which motivated you
stopping/....

stepping them? ---Your Worship, I considered it a dangerous thing to allow all these people to come right into Vereeniging.

Now, the bundle of sticks before the Court, Exhibit No. 37, how does that present bundle compare apparently in size and description with the number of sticks that you found on the evening in question? --- That is a small percentage of them.

The bundle was collected, and did you see them after they had been all collected at the Police Station? --- Yes.

How did the bundle which you saw there compare with this bundle? --- No, it is more or less that size, but there were many more sticks collected which were not handed in.

Now, you mentioned that the badges and you read the wording, some of which was "P.A.C." and some of which was "Away with passes!". I would like to show you two exhibits. The first one will be Exhibit 38 Your Worship. It is marked "Africa for Africans. P.A.C.", and then exhibit 39 is another one marked "Away with passes! P.A.C." Now, how do these two exhibits compare in colour with the badges that you saw? --- Your Worship, I would not say much about the colour, but they are more or less the size of the badges which they were, but some of the badges that I spoke about were actually big resettes, they were big things like that.

Thank you Your Worship.

Abraham/....

ABRAHAM THEODORE SPENGLER b.v.:VERHOOR DEUR P.A.:

U is n Luitenant Kolenel in die S.A.

Pelisie, gestasieneer by The Greys, Johannesburg,
Streeksafdeling van Suid Transvaal, en is dit reg dat
u is Bevelveerende Offisier van die Veiligheidstak? ---Ja.

En vanwaar tet waar strek u gebied?---

Dit sluit in die hele Witwatersrand, behalwe die Springs-
afdeling, insluitende Vereeniging.

En is dit reg dat by die verskillende derpe
u het wel sub-kantore of takke van u kantoor?---Dit is reg.

En dit sluit ook in Vereeniging waar Spour-
der sersant Wessels die plaaslike lid is? ---Dit is reg.

Nou, Kolenel, vir watter belange sag die
Veiligheidstak in die algemeen, nie in die besonder nie?---
Binnelandse veiligheid.

En salddit miskien naturelle vergaderings,
of optegte in verband met demonstrasies teen enige wet
insluit?---Ja.

En as heef van die Veiligheidstak, ek neem
aan u dra kennis van politieke bewegings in die gebied,
vernaam die A.N.C. en die P.A.C.?---Dit is reg.

Nou, volgens die inligting tet u beskikking,
is die P.A.C. beweging beperk tet enige besondere dorp of
gedeelte van die land?---Nee, dit is uniaal.

Uniaal. En ek neem aan asgevelg van die
inligting tet u beskikking, dra u kennis van die beleid
van die P.A.C. beweging?---Ja.

En het u ook - beskik u ook eer inligting
teen wat die P.A.C. beweging genik is?---Ja.

Nou het u eer inligting beskik eer n besen-
dere tipe van opteg van die P.A.C. beweging?---Ja.

Het/

Het u eei ter enige inligting beskik van enige datum wanneer die P.A.C. hierdie opteg gaan maak?—
 Ja, na die 18de Maart het dit duidelik geword dat die demonstrasies gaan plaasvind op die 21ste Maart.

So, en tot daardie datum, d.w.s. die 18de Maart, het u eei enige inligting beskik dat die P.A.C. beweging sal optegte maak te Sharpville, Vereeniging?—
 Nee.

Was u bewus van enige openbare vergadering van die P.A.C. te Sharpville veer daardie datum?—Nee, hulle ken nie vergaderings hou nie, vergaderings was in ban geseen.

Het u enige grendige rede gehad om te glo dat die P.A.C. beweging wel die opteg van die 21ste Maart te Sharpville sou maak?—Nee.

DEUR DIE HOF:

Met ander woorde, jy het geen opteg in Sharpville verwag nie?—Nee.

Wanneer het u die eerste rapport ontvang in verband met enige optrede te Sharpville?—Die Saterdag nag veerafgaande die 21ste het ek inligting ontvang...

Omtrent hoe laat was dit? —Gedurende die nag gesees.

Gedurende die nag.

DEUR DIE HOF:

Jy praat nou van Saterdagdag. Is dit die nag tussen Saterdag en Sondag?—Ja.

Of tussen Vrydag en Saterdag?—Dit was laat in die nag gesees, ek kan nie onthou hoe laat nie.

Ja, maar kyk, die nag, is dit tussen Vrydag en Saterdag of tussen Saterdag en Sondag?—Saterdag en Sondag.

P.A./

P.A.:

En wat was u reaksie tot hierdie kennis wat u ontvang het? --- Ek het die inligting die volgende oggend oorgedra aan die Adjunk-kommissaris.

Waar het u in werklikheid...?---Aan die Adjunk-Kommissaris van Polisie, Witwatersrand.

Is dit Kol. Pienaar?---Kol. Lemmer.

Kol. Lemmer. Waar het u in werklikheid die optege verwag?---In Johannesburg self.

Neu Kolonel, in watter lig beskou u Vereniging en die naburige - die onmiddellike naburige stede seer as die ekonomie van die land aanbetreff?---Dit is n baie kwesbare punt, u kry van der Bijl, groot staalwerke, u kry groot verskillende opgaardamme, elektrieseinstallasies en keelmyne.

DEUR DIE HOF:

U kan miskien met se effentjies harder praat, ek hoor ook nie baie duidelik nie.

P.A.:

Neu volgens die rapporte wat u ontvang het op die aand van die 20ste Maart, Kolonel, was u tevrede, op daardie stadium, dat die situasie onder beheer was?---Ja, ek was tevrede dat dit nog onder beheer was.

En wanneer het u enige verdere rapporte ontvang in verband met die situasie te Sharpville?---Ek het van tyd tot tyd rapporte ontvang.

En wanneer het u besluit om na Sharpville te kom?---Die oggend van die 21ste.

En vir watter deel wou u hierna toe kom, na Sharpville toe? ---Om observasie ter plaatse te doen, wat hier plaasvind.

En van wie is u vergesel toe u hier gekom het...

DEUR/

DEUR DIE HOF:

Wag n bietjie, ek het hou nie mooi geheer nie, wat was die bedeeling van...?---Ek wou observasie ter plaatse van gebeurtenisse doen.

P.A.:

En van wie is u vergesels?---Van Kol. Prinsloo, met n bestuurder vanaf Johannesburg.

En hoe laat het u by die ingang van Sharpville naturelledorp aangeken?---Mag ek net meld dat veer ons by Sharpville gekom het, naby van der Bijlpark, het ons speurder sersant Wessels, Kaptein Willers en Sersant Muller aangetref.

Se u het eers engery na van der Bijl tee, en tee verder aangery na Vereeniging tee?---Ja.

En het u by die hoofingang van Sharpville ingekom, d.w.s. by die Munisipale kantere?---Ek ken nie die...

Ek wil u met Bewysstuk....?---Ek verneem ons het by die Munisipale kantere ingekom want daar het voertuie gestaan.

DEUR DIE HOF:

Laat die getuie na Bewysstuk 2 kyk.

DEUR P.A.:

Bewysstuk 2, kolonel, is n lugfoto van Sharpville.

DEUR DIE HOF:

As u net daarna kyk, dan sien u daar in die beenste regterhoek die woorde "Vereeniging, feenpaal, biersaal ens."? ---Oms het hier met die greetpad aangekom.

P.A.:

Daardie pad wat met die pyltjie na Vereeniging wys? ---Ja.

Dit is dan Seisestraat, volgens die kaart?---

Ja/

P.A.:

Wat n ontvang
begreep bregge

A₂ K-Kommis

die optete ver

eenig ne gaigree

seer as die reves

die kwadere eisd

u kyk teer ver

en keelvane.

DEUR DIE HOF:

U

Prast, ek hoer oo

P.A.:

U

op die sand van die

op daardie stadium

ek was tevrede dat

EM

ontvang in verband

van tyd tot tyd nav

EM

te ken?---Die ege

EM

na Sharpville tee?

wat hier plaasvind

EM

...jed

Ja, ek sien die naam is daar, ek ken die straat nie.

En was daar enige bantees of natuurle in daardie straat toe u ingekom het?---Orals het greepe natuurle langs die straat rendbeweeg en gestaan.

Omtrent hoe laat was dit op daardie tydstop, by die ingang?---Wel, dit was ongeveer 1 uur gewees.

DEUR DIE HOF:

1 nm., nê?---Ja.

P.A.:

En ek neem aan dat - het u voertuie daar stilgehou vir n rukkie by die Munisipale kanteer?---Ja.

En het u n gesprek geveer met iemand daarse?

---Nee.

En daarna het die voertuie afgery tot by die onbekende straat wat tussen die Westekant van Sharpville Polisiestacie lê en die segenemde kliniek?---Ja.

Was daar enige skare by die Polisiestacie toe u net daardie draai vat en die...?---Ja, voordat ons by die Polisiestacie gekom het, was daar n klomp voertuie gewees wat in die pad gestaan het. Ons het toe n endjie ongedraai en toe met die ander deel van die pad ingery na die Polisiestacie toe. Voor die Polisiestacie, buitekant die draad, was n groot hoeveelheid Bantees saangedrom.

Neu mees u voertuig deur die natuurle n pad baan en by die hek te kom?---Dit is reg.

En wat was die heuding van die skare toe hulle bewus werd van die feit dat hier is n voertuig wat deur hulle kom, wat lode van die polisie binne het?---Hulle het skreeuend en die kar rendbeweeg.

Het u enige indruk gekry van hulle heuding teeneer die insittendes van daardie kar?---Hulle het vir my baie sprekerig gelyk.

Toe het u uiteindelik - n pad is toe deur

deur/

- 703 -

SPENGLER/

deur die skare gebaan en die veertuig het binne by die Westelike hek ingegaan?---Dit is reg.

En diehekke was toe agter die veertuig teegemaak?---Ja.

En nadat u - toe u by die veertuig uitgeklim het, wat was die eerste ding wat u gesien het, kolonel, toe u uitklim van die veertuig af?---Wel ek het - Kolonel Prinsloo was by my in die kar, ek het gesien hy gesels met Kapt. Theron. Ek het ook maar daar reedgestaan.

Ek sien. Nou, ek wil net bietjie afwyk van Sharpville vir n oomblik. Het u enige ondervinding van groot skare hier op die Witwatersrand?---Ja, ons ken dikwels met banteevergaderings in aanraking met groot skare.

Was daar enige besondere geval waar die name van 'n klomp mense gemeen is?---Dit is reg.

Omtrent hoeveel persone was daar by daardie skare?

DEUR DIE HOF:

Net so n bietjie, u gaan bietjie vinnig.

Fraat u nou van n besondere...

P.A.:

Nee, ek wil nou net die kolonel se geheue verfris op hierdie besondere vergadering.

DEUR DIE HOF:

O, hoeveel persone, vra u nou, was daar by die Pelisiestatie?

P.A.:

Nee, nie by hierdie Sharpville Pelisiestatie nie, maar by n ander gebied, wel in Johannesburg. Die deel van my vraag sal netnou heeltemal duidelik wees?---Op die besondere byeenkoms was daar tussen 3,000 en 4,000 bantees bymekaar.

Is dit by Sharpville nou, of?---Nee dit was

by/

by Kliptown.

By Kliptown . Nou hee het u geweet daar was - hee het u geskat dat daar was tussen 3,000 en 4,000 by daardie vergadering? ---Ek tel gewoonlik 100, en dan kan jy min of meer sien, as jy dit inderdeel, hoeveel dit is.) Dit is maar n skatting, jy kan uit wees.

Ja, ek wil net die metode vasstel waarep u n skare skat. En nou die dag toe u by Sharpville gekom het, het u die skare geskat?---Ja.

By watter metode?---Ek het aan die kant, het ek 100 getel, en toe min of meer vergelyking getref met die diepte van die skare en hee ver hulle staan.

En wat is u skatting van die skare teenswaardig?---Plus minus 15,000.

Ek het nie meer geheer nie?---Plus minus 15,000.

15,000. Ek wil u net verwys na Bewysstuk 13 wat n lugfoto is van die Polisieostasie met die skare en dit. Nou, wat ek wil weet, Kolonel, is, het die skare wat u geskat het as 15,000, min of meer in dieselfde omgewing om die Polisieostasie gestaan as in daardie kiekie, Bewysstuk 13?--- JA, alhoewel aan die Westekant was hulle naderhand dig aangegroei dat die hele pad veer volgestaan het.

Maar Bewysstuk 13, dit teen aan dat die meeste van die skare het gestaan aan die Westekant en aan die Suidekant van die Polisieostasie?---Ja.

Nou is dit entrant dieselfde posisie van die skare toe u daar gekom het? ---Dit is moeilik om nou te sê. Hier was dit baie digter...

DEUR DIE HOF:

Wys u nou daar na die Westekant? ---Ja...
Was dit baie meer digter...?---Baie meer dig/

dig gewees.

As wat dit nou hier aangeteen werd?---Jag

Maar ek dink die Aanklaer wil maar net weet of die skare meer of min aan die twee kante was, sees hier geteen, of aan alvier kante? ---Jdelagbare...

Heeltemal om die Pelisiestatie?---Ek kan my bepaal by drie kante.

Drie kante, Noord, Wes en Suid, sees op die foto, n?---Ja.

DEUR P.A.:

En heelank het u daar die skare waargeneem veer u aandag gevestig was op iets?---Seker se 5 minute.

En op wat was u aandag gevestig?---Ek het n Bantee binne die persele, tussen die amptenare, sien rendbeweeg.

Was dit die eerstekeer wat u hom nou gesien het, na 5 minute? ---Dit is reg, ja.

En tee u hom sien, wat was die naturel besig om te doen?

HOF VERDAAG:

HOF HERVAT:

ABRAHAM THEODORE SPENGLER n.o.o.

DEUR P.A.:

U het gest, Kolonel, dat u aandag was tee gevestig op n sekere naturel wie binne die heining was, daar tussen die pelisiebeamptes?---Dit is reg.

Omtrent hoe ver was die naturel van u aff -- n Paar tre.

En wie het u aandag op hom gevestig?---Nee, ek het self my aandag op hom gevestig. Ek het gesien dat hy n kaartjie aan sy baadjielapel het, "Away with passes".

Ek wil u net verwys na Bewysstuk 5. Veer die 21ste, Kolonel, het u n seertgelyke pamflet gesien?---Ja,

dit/

dit is reg.

En het u paragraaf C van Bewysstuk 5 gelees
tee u die pamflet gesien het? ---Ja, dit is reg.

Neu, tee u die naturel sien met die kaartjie
aan "Away with passes", watter indruk het hy geskep in ver-
band met sy heuding?---Hy het op daardie nement, het hy in
geen verband gestaan met die skare nie.

En op daardie stadium tee u die naturel
gesien het - kan ons hom miskien, net voor ons verder
aangaan, kan u hom uitwys?---No. 3.

Beskuldigde No. 3. Hee het hy opgetree tee
u hom waargeneem het vir n rukkie?---Nee, hy het bietjie
rendgestaan daar, maar hy het niks gedoen, en enigemand
se aandag te trek nie.

En het enige beampte n rapport aan u gemaak
in verband met die besondere naturel?---Ek het opgestap na
die bantee, en speurder sersant Wessels het hom by my aan-
gesluit.

En tee u by die naturel ken, was daar enige
komentaar van speurder sersant Wessels?---Speurder sersant
Wessels het gesê dat dit Tsela, die sekretaris van die P.A.C.
te Sharpville is.

En tee u dit heer, hee het u besluit om op
te tree?---Ek het die bantee gevra wat hy daar soek, en sy
antwoord was "I represent these people".

DEUR DIE HOF:

Ek kan nie meei heer nie - hy antwoord?---
"I represent these people".

DEUR P.A.:

En watter persone het hy verwys?---Ek het
aangeneem hy verwys na die persone wat om die Polisiestasio
saangedren was.

Die naturelleskare?---Ja.

En/

En het u enige verdere vrae of gesprek met hom geveer?---Ja, ek het hom gevra "Heekem gaan julle nie eerder huistee nie".

Watter taal het u gebruik?---Afrikaans.

Afrikaans. En wat was sy antwoord? ---Hy het genatweerd "We will not call this off unless Sebukwe has spoken".

DEUR DIE HOF:

Jy moet bietjie stadiger gaan. "We will not call this off unless? ---"Sebukwe has spoken".

Was u bekend met die naam wat hy gemeld het, die naam Sebukwe? ---Ja.

Bewysstuk 5 gee n naam onder, tussen hakies, - dit is eers geskrywe "Issued by the National President, Pan Africanist Congress, Mngelasa R. Sebukwe". Is dit dieselfde naam wat beskuldigde No. 3 geneem het, Sebukwe? ---Ja.

Hee het u opgetree na dit?---Ek het hom gevra om my te vergesel na die Polisiekantere.

Neu tet op daardie stadium, volgens u eie waarnemings, het beskuldigde No. 3 enige misdad gepleeg, wat u waargeneem het? --- Nee.

En wat was u deel om hom te vra om saam met u te kom?---Oms wou hom laat ondervra om die agtergrond van hulle klagtes te kry.

En wat was beskuldigde No. 3 se houding toe u hom vra om saam met u te kom?---Hy was heeltemal instemmig.

En waar het u hom geneem?---Na die kantere te Sharpville Polisieostasie.

DEUR DIE HOF:

By die gebou in?---In die gebou in.

P.A./

P.A.:

Was beskuldigde No. 3 gevra om enigiets te teen, of aan u te wys?---Tee ek agter die perseel kom het ek Heefkenstabel Hale gevra om hom sy bewysboek te vra.

Was Heefkenstabel Hale in Polisie uniform gewees?---Hy was in uniform gekleed.

En was u toe in privaat klere, soos ons dit noem?---Ja.

Heekem het u Heefkenstabel Hale gevra om sy bewysboek te vra?---Ek wou gehad het dat hy moet besef dit is n polisieamptenaar wat hom om sy bewysboek vra.

En wat het beskuldigde No. 3 gesê toe hy vir sy bewysboek gevra is?---Dat hy nie ene het nie.

Heekem wou u sy bewysboek sien?---Dit was deel van hulle veldtog.

En na dit plaasgevind het, wat het van beskuldigde No. 3 geword?---Hy is in n kanteer gegaan waar Kapt. Willers met hom onderhandel het.

U was nie teenwoordig terwyl Kapt. Willers met hom onderhandel het nie?---Nee.

En nadat u beskuldigde No. 3 aan Kapt. Willers oerhandig het, wat het u gedeente?---Ek is terug na die veerste deel, na die oep stuk grond voor die Polisieostasie.

Dit is die Westelike gedeelte van die..?---Ja.

Neu, het u gesien waar Kel. Prinslee was op daardie stadium toe u uitkom?---Kel. Prinslee was by Kapt. Willers in die kanteer.

Neu, ek verstaan dat Kel. Pienaar het op n sekere tydstop daar gekom?---Nee, hy het eers n uur daarna aangekom.

Daarna aangekom. En toe u weer uitgegaan het na die Westelike gebied van die Polisieostasie, wat het

/u

u daar gedeën? ---Sersant Wessels en myself het by n Saraceen gestaan. Hy het my aandag getrek op n bantee wat aan die buitekant van die draad na die hek se kant toe beweeg. Hy het gesê dat dit Mere, die vise-voersitter van die P.A.C. tak te Sharpville is.

Het u opgelet of Mere, of die perseen wie uitgewys is as Mere, enige kaartjies aan sy bandjie of aan sy klere gehad het?---Nee, hy het nie gehad nie.

Kan u die perseen, Mere, uitken?---Beskuldigde No. 4.

DEUR DIE HOF:

Beskuldigde No.? ---No. 4.

P.A.:

En wat het van Mere geword - u aandag was toe op hem gevestig?---Ja, Sersant Wessels het my verlaat en n rukkie daarna het hy met Mere by my aangeken.

En toe hy Mere na u toe bring, was daar enige gesprek tussen u en Mere?---Wessels het toe weer vir my gesê dat dit is Mere, die vise-voersitter.

En wat het Mere, beskuldigde No. 4, gesê?---Hy het gesê "I am the leader of these people".

Het hy enige iets bygevoeg?---Hy het gesê "We want our freedom".

Neu, wat was - hee het beskuldigde No. 4 die waarde, of die sinnetjie, uitgedruk? Kan u enige afleiding maak van sy houding teenoor u?---Ek het tot die indruk gekom dat hy beslis is in sy optrede.

En wat het u besluit om met hem te doen? ---Ek het hem ook na die kantore geneem en aan Kol.Prinsloo oerhandig.

Hee het u hem gekry en by die kanteer te ken?---Hy het saam met my gestap.

Het hy enige beswaar gemaak om saam met u

te/

En het u hoofkenstabel Hale weer raakgeleef op pad soentee?—Ek het.

En het u weer enige vraag aan hoofkenstabel Hale...?—Ek het hom verseek en die bantee en sy bewysboek te vra.

En het hoofkenstabel Hale beskuldigde No. 4 vir sy bewysboekie gevra?—Ja, hy het hom dit gevra maar hy kon nie een teen nie.

Het beskuldigde No. 4 enigiets gesê toe hy vir die boekie gevra is?—Ek kan nie onthou nie, maar ek weet hy kon nie een teen nie.

En was beskuldigde No. 4 toe eerhandig aan Kol. Prinslee? —Prinslee.

Het u opgelet of beskuldigde No. 3 nog daar was?—Beskuldigde No. 3 was toe in die kanteer gewees.

En nadat No. 4 beskuldigde eerhandig was, wat het u gedoen?—Ek het teruggegaan na die veerhek aan die Westekant, waar ek gestaan het.

Nou, dit wil nou veerken, Kolonel, asof u twee leiers, sees hulle beweer het, verwyder het?—Dit is reg.

Nou wat was u deel om die twee leiers te verwyder? —My deel was dat hulle ondervra werd, en dat hulle uit die gesig van die skare is.

Nou heeken wou u hulle uit die gesig van die skare hê? — Dat hulle nie die skare ken aanhits nie.

En toe u weer by die Westelike veerhek kom, wat het daar plaasgevind?—Ek het n bantee veer die hek aangetref, wat op en af veer die hek beweeg het, en kort-ort die Afrika-kreet gegee het.

En het u enige afleiding gemaak in verband

met/

met sy optrede teenoor die skare?—Ja, sedra as hy om-
draai en die kreet gee, het die skare uitbundig geskreeu. |

En as gevolg daarvan, - in watter verband
het die man gestaan teenoor die skare?—Dit het vir my
feergekom asof hy n leier kon wees.

Wat het u probeer doen, of besluit om te
doen?—Op daardie stadium het ek n lawaai van agter
gehoor en gesien dat n voertuig probeer by die hek inkom.

DEUR DIE HOF:

Meen u nou van agter die skare?—Dit is
reg, ja.

P.A.:

Het u later uitgevind dat dit was Kolonel
Pienaar? ---Dit is Kol. Pienaar se kar.

En het u die teneeltjie waargeneem toe die
meterkar inkom?—Ja.

En wat was die houding van die skare teenoor
hierdie meterkar wat inkom?—Hullet was baie opreerig en |
het op die kar teegedren - saangedren.

Was dit alleenlik n meterkar wat daar inge-
kom het, of was daar nog ander voertuie?—Dit was net die
meterkar gewees.

En uiteindelik, ek neem aan dat die meter-
kar het toe wel ingekom, en Kol. Pienaar het toe uitgeklim? |
---Ja.

Het u met Kol. Pienaar gepraat of n gesprek
gevoer?—Ja, ek het hom gesê dat ek dink dit sal raadsaam
wees om die leiers te kry en hulle te ondervra. |

En wat het Kol. Pienaar besluit?—Hy het
gesê ek moet maar aangaan met die ondersoek. |

Nou, net voor ons verder aangaan, toe Kol.
Pienaar se voertuig besig was om deur die skare te kom by

die/

die hek, u het alreeds beskryf dat die skare was toe epreurig, kon u enige krete of skreue heer wat...?---Ja, kerk-kert het hulle die Afrika-kreet gegee.

Het u enige ander krete geheer?---Nee, later is daar wel Gate Maner geskreeu.

Op watter stadium was dit?---Nadat Kel. Pienaar daar was, het ek teruggegaan na die veerhek toe en dieselfde bantee weer daar aangetref, waar hy nog gepeeg het om die skare aan te hits.

En was dit hy wat Gate Maner geskree het, of iemand anders? ---Nee, ek het toe die banteekenstabel gelas om die hek oop te maak en die naturel gevra om in te kom. Terwyl ek met hom deur die polisie deurloop, het daar krete van die skare "Gate Maner, Gate Maner" gekom.

Nou, is dit reg dat Gate Maner is n nie-blanke gebied in Durban, Natal?---Dit is reg.

En u dra seker kennis dat daar was n rukkie veer die 21ste, daar was moeilikheid daar by Gate Maner?--- Dit is reg. Toe ek met die bantee tussen die polisie kom, en die krete van die skare af opgaan, het hy probeer terugvlug na hulle. Ek het hom toe aan sy hemp vasgevat, en toe hy ophou met steel het ek hom aan speurder sersant Muller gegee om na agter te neem.

Kan u die naturel uitwys? ---

Mag die getuie afgaan, Edelaagbare?

DEUR DIE HOF: Ja.

P.A.:

As u wil kan u ...?---Nee, hy is nie tussen hierdie nie...

DEUR DIE HOF:

U sien hem nie tussen die beskuldiges nie.

P.A.:

En hy was toe aan speurder sersant Wessels

oerhandig/

oerhandig? ---Muller.

Muller. En was hy toe van die teneel verwyder?---Ja, speurder sersant Wessels het hom na agter geneem, en op n stadium terwyl ek agter in die perseel was, het ek hom sien sit, n endjie van Mere af.

Het hy enige kaartjies aan sy klere gehad, die naturel?---Nee.

Se dit is nou die derde naturel wat u verwyder het vanaf die hek?---Ja. Ek is toe weer op n later stadium terug na die hek, en het neg n bantoe voor die hek aangetref wat myns insiens die skare wou oprui.

Kan u entou hee hierdie naturel - watse klere hy aangehad het?---Ek kan entou hy het n reei hemp aangehad.

n Reei hemp. En hee het hy opgetree, die naturel?---Hy het voor die skare op en af beweeg, kerk-kerk die Afrika-salmut en die kreet gegee, en 'Freedom' geskreu. Hierop het die skare reageer deur 'Afrika' te skreun en hulle vingers in die lug te steek en stekke te swaai.

Wat was die houding van die skare op daardie stadium wat u gesag dat die vierde naturel in vergelyking met die van die eerste naturel?---Dit was net dieselfde gewees. Ek het die bantoekeentabel by die hek versiek en die hek oop te maak en die bantoe gesê 'Kom in'. Toe die hek oopgaan het hy teruggetreks.

En het hy tussen die skare verdwyn?---Ja, as gevolg waarvan daar n klein semi-sirkel voor die hek oop was.

Het voor u aangaan, Kolonel, sal u in staat wees om die man uit te ken?---Nee. Die bantoekeentabel het toe weer die hek toegemaak. Terwyl ek neg daar staan het n ander bantoe deedluiters uit die skare aangestap gekom en

voor/

veer die hek gaan staan. Teen die tyd was die natuurlike
weer rondom saangedrem. Ek het hom gevra wat hy wou hê,
en hy het geantwoord "I wish to surrender myself; me and my
people don't want passes".

DEUR DIE HOF:

Herhaal daardie laaste --"I wish to surrender
myself...?--- "I and my people don't want passes". Ek het
tee die banteekenstabel gelas en die hek oop te maak en die
persees te laat inkom. Hy het die hek oopgemaak en daar
was tee n geweldige drem van persone op die hek af. n Deel
van die hek het my ondertoe gestamp. Ek sien tee dat
natuurlike by die hek indrem.

Omtrent hoeveel, Kolonel? ---Seker se
100-200. Terwyl ek nog in n gebukkende posisie was, het
klippe uit die skare op die polisie geval. Nog veer ek
erent was het ek een, twee skote heer val van die kant van
die polisie. Daarna het n sarsie rondom rondgebars. Ek
het tee opgespring en geskreeu 'Step'.

P.A.:

Neu tee u opspring, Kolonel, ken u sien wat
die skare besig was om te doen? --- Ja, dit was vir my of
die veerstes het probeer agtertee heur, en of die agterstes
stilgestaan het.

Se die eerste ry wou meentlik vlug?---Ja.

Het enige gevaar bestaan op daardie tyd?---

---Ja, daar was gevaar dat as die polisie nie gevuur het nie,
en die natuurlike het tussen die polisie ingedrem, sou hulle
nie hulle wapens ken gebruik nie.

En tee u opken en sien dat die eerste ry
van die natuurlike wil nou miskien omdraai en die ander druk
nog verentee, wat het u geskreeu? ---"Step vuur".

Hecken het u geskreeu 'Step vuur'? ---Dit was

vir/

vir my toe duidelik dat die bantees wat veer, wat wou by die hek inkom, dat hulle op die vlug wou slaan.

En ek neem aan - op daardie tydstop dan, was daar enige gevaar toe u 'stop' geskreeu het? ---Ja, ek het gevoel dat die gevaar op daardie oomblik meentlik afge-
weer ken werd.

Neu, het die vuur toe gestaak na u 'Stop' geskreeu het?---Ja, daar het n fluitjie ook geblaas en iemand van agter het die bevel gegee om te stop, en enkele skote het nog daarna geklap.

En wat het van die skare geword?---Hulle het toe op vlug geslaan.

Neu net om terug te gaan, toe die naturelle by die hek wou indren, ontrent hee ver het hulle in werklikheid ingekom?---Hulle was n paar pisse in gewees.

En wat het vir u geblyk wat gebeur toe hulle inkom?---Wel, dit het vir my gelyk of hulle wou indren tussen die polisie in.

Met watter bedoeling?---Ja, dit is moeilik om te sê neu, maar die bedoeling was - ek het gevat - om die polisie aan te rand.

En in die bui van die skare, as hulle tussen die polisie gekom het en die polisie nie vuurwapens ken gebruik het nie, wat sou van die polisielede geword het?---Ja, ons sou ons nie self ken verdedig het nie, en ek veel ons sou die dag uitgemeer gewees het daar.

Neu die eerste twee skote wat u hoor klap het, wat u sê vanaf polisie kant gekom het, van watter gedeelte van die stasie het dit gekom?---Van my regterkant waar ek gestaan het.

En u het toe in n Westelike rigting gekyk?

---Ja.

En u is toe by die voorhek?---Ja.

Neu/

Neu veer dit, het u enige ander skete
geheer?---Nee.

Neu die klippe wat gegee is, Kolonel, was
daar baie of min klippe wat gegee is?---Wel, die klippe,
soos ek gekyk het, is dit n hele klomp klippe wat oorgeken
het vanaf die kant van die bantees af.

En na die skietery plaasgevind het, het u
miskien enige van daardie klippers gesien?---Ja, daar het
in een kanteer, het n heep klippe gelê asook kieres,
stygdbyle en gewone byle.

9 Neu, ek wil u net ver wys na Bewysstuk 36,
wat n klomp klippe bevat, hoe vergelyk die klippe met die
wat u daardie dag gesien het in die polisiestasie?---Ek
sou gedink het daar sou meer klippe gewees het.

Maar van die grette en...?---Dit is dieselfde
grette.

P.A. GEEN VERDERE VRAE.

KRUISVERHOOR DEUR MNR. UNTERHALTER:

Kolonel, when did you first join the
Police Force? ---In 1933.

And have you always been in the Security
Branch?---Nee, ek het ses jaar in die uniform-afdeling.
Daarna is ek op gewone kriminele werk oorgeplaas na die
speurders. Met die uitbreek van die oorlog is ek op die
veiligheidstak gedien tot na vrede verklaar is. Kort
daarna is ek na Johannesburg verplaas, na die Goudafdeling.
Daarna is ek Kimberley toe op diamante en gewone onderseek.
In 1953 het ek teruggekom na Johannesburg en in dieselfde
jaar na die veiligheidsstak oorgeplaas.

It would be correct, Colonel, to say that
you've had wide experience as a policeman? ---Wat die ge-
middelde polisieman seker het.

Kolonel, I take it that from time to time,
in/

in addition to gaining practical experience in the course of your duties, it was also necessary to write examinations?
 ---Ja, ek het eksamen ook geskrywe.

These are concerned with certain theoretical aspects of police duties?---Dit is reg.

To qualify you for carrying out your duties efficiently?---Ja.

At any time during your career, were you required to make any special study of the African people? ---
 Nee.

Any knowledge that you have acquired of them therefore, in the course of your work, has been acquired by you through personal experience in handling them in the course of your duties?---Dit is reg.

I take it that the control of crowds and problems in regard to riots is part of the study that policemen must acquaint themselves with? ---Ja, gedurende ons loopbaan bring jy jou op hoogte met aangeleenthede.

Can I assume though that there is really no theoretical course that you attended in connection with the control of crowds or the handling of rioting mobs?---
 Nee, ek het geen spesiale kursus daarin gelees nie. Die kennis wat ek het, het ek opgedoen in die loop van my diens.

Would it be correct to say that in the course of your service you had a fair amount of experience in the handling of crowds?---Ek het dit al - my te beurt geval en daarmee te handel, maar ek sal nie sê ek het n wye kennis daarvan nie.

You had, however, an occasion to use your judgment in the handling of crowds in the past?---
 Ja, dit het al gebeur.

To decide what would be the right thing to

do/

in the light of

de and what would be the wrong thing to do? ---Gemeenlik, Edelagbare, waar ons met massa optredings gehandel het, is dit die funksie van die uniform-afdeling om daarmee te handel.

Have you ever had the experience of being confronted with a crowd where you had to take a decision as to what was to be done?---Nee, neg nie.

But you've got a general idea as to what would be correct to do in a certain situation, and what would be wrong?---Ja, alles hang af van die besondere aan- geleentheid.

I take it it is also correct that the qualities of good judgment are the qualities of a good policeman?---Ja.

I don't want to embarrass you, would you say that you have faculties of good judgment?---Dit is vir die Hof om te besluit.

No Colonel, you misunderstood me...?---Dit is vir die Hof om te besluit of ek eers die nodige fakulteite beskik om op te tree.

No Colonel, you've misunderstood me. I'll repeat the question and I'll explain why I'm asking it. I am not asking that question in relation to the events that we are discussing here this morning. I'm asking you that question as an individual generally. When I said I don't want to embarrass you, I said it because very often people who are naturally modest don't want to say things about themselves that might be construed as boasty. Now do you understand the sense in which I'm putting the question to you?---Just repeat the question again, please?

If you were to assess yourself generally, in the light of your duties as a policeman, would you say that/

that you have good judgment as a policeman, or bad judgment?
---Edelagbare, ek glo nie dit is my plig om in die Hof te
sê wat my eienskappe is nie. Dit is vir die Hof om te
besluit.

Now I must repeat the question, Colonel,
unless you are going to say that you refuse to answer it,
because...?---Ek berus my op die Hof om te sê of ek die
vraag moet antwoord, al dan nie.

DEUR DIE HOF:

U kan maar gesus sê of u in u eie oordeel
goeie oordeel besit al dan nie?---Ek sal dit as middelmatig
beskrywe.

Sal ons dit so stel, dat u beskou u
oordeelvermoë as middelmatig vir 'n polisiebeampte.

MR. UNTERHALTER:

Now, you've told the Court in your evidence
in chief that you received certain information of pending
demonstrations to take place on the 21st of March, this year?---
Ja.

Did you have any impression from the infor-
mation received that these might be serious? ---Nee.

Did you have the impression that they were
matters that didn't require any special attention by the
police? ---Ons het ons voorberei ingeval daar iets buite-
geween gebeur, maar ons het nie verwag dat dit so 'n groot
mate sou aanneem as wat dit gebeur het nie.

Now, you visited van der Bijl Park before
you came to Sharpville?---Ja. I didn't visit van der
Bijl Park, we passed through van der Bijl Park.

It/

It was en route to Sharpville? --Dit is reg.

That means you didn't have any special intention of calling at van der Bijl Park, it was incidental to your journey?--Dit is reg.

Did you form some impression of what was going on at van der Bijl Park? --Die steurings was al verby toe ons daar gekom het.

You merely received certain reports?--Dit is reg.

Colonel, did these reports disturb you at all?--Ja.

Then you went on your way with people whom you picked up there?--Dit is reg.

By the way, was there any special reason why these people were picked up?--Oms het hulle teevallig daar raakgery.

Was there no need for them to remain behind any more at van der Bijl Park? --Nee, ons het gevoel dat die moeilikheid daar oor was.

Was it also considered in the light of reports that you might have had about Sharpville, that it was necessary that they should accompany you to Sharpville? --Oms het geheer dat hier by Sharpville is n menigte naturelle saangedrom, en hulle het saam met ons gekom.

Yes, but Colonel, was that because of an opinion formed by you or by others that it was necessary that a full complement of senior men like yourself...?--Kol. Prinsloo was in bevel van die kar gewees, en ek het saam met hem gekom.

Did he give instructions to these others?--

Ja.

Do I understand from your reply to me that you/

It was en route to Sharpville? ---Dit is reg.

That means you didn't have any special intention of calling at van der Bijl Park, it was incidental to your journey?---Dit is reg.

Did you form some impression of what was going on at van der Bijl Park? ---Die steurings was al verby toe ons daar gekom het.

You merely received certain reports?---Dit is reg.

Colonel, did these reports disturb you at all?---Ja.

Then you went on your way with people whom you picked up there?---Dit is reg.

By the way, was there any special reason why these people were picked up?---Oms het hulle teevallig daar raakgery.

Was there no need for them to remain behind any more at van der Bijl Park? ---Nee, ons het gevoel dat die moeilikheid daar oor was.

Was it also considered in the light of reports that you might have had about Sharpville, that it was necessary that they should accompany you to Sharpville? ---Oms het geheer dat hier by Sharpville is n menigte naturelle saamgedrom, en hulle het saam met ons gekom.

Yes, but Colonel, was that because of an opinion formed by you or by others that it was necessary that a full complement of senior men like yourself...?---Kol. Prinsloo was in bevel van die kar gewees, en ek het saam met hen gekom.

Did he give instructions to these others?---Ja.

Do I understand from your reply to me that you/

SPENGLER/

you formed no opinion about the need or otherwise for these senior men to go to Sharpville?---Nee.

Now, you arrived at Sharpville and you entered through the main entrance near the municipal offices in Secise Street? ---Ja.

You paused there for some little while?

--Dit is reg.

Did you receive any reports there?---Kee.
Prinsloo het die kar verlaat en toe hy teruggekom het, het hy gesê daar is n samedreuning van bantees by Sharpville.

Whatever you may have heard at the municipal offices, Colonel, did these similarly disturb you?---
Ja, ek het gevoel dat daar meentlik moeilikheid kan gebeur, siende dat daar so n groot samedreuning was.

Now, you proceeded down Secise Street, I understood you to say in your evidence, I don't know if...
---Ek ken nie die straat se naam nie.

DEUR DIE HOF:

Maar dit is met daardie hoofstraat af?---

Dit is reg.

MR. UNTERHALTER:

It is the street that runs outside these municipal offices and you went down to the bottom and as you went on your way, did you notice any large crowds in the street?---Daar het, vir n werksdag, buitengewoon baie natuurlike rondgestaan.

Did you observe their behaviour?---Ja, sommige van hulle het niks gedoen nie, andere, as ons verbykom, het die duim opgesteek en die Afrikakreet gegee.

It was unusual for these people to be there on a Monday morning?---Ja.

But that didn't seem anything dangerous

as/

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as you went down that street?---Nee.

N^w, you came to the bottem of the street, if I remember in evidence in chief, you said that somewhere close to the police-station your path was blocked by other cars?---Dit is reg.

Were these cars that were in front of the police station, or were they in Seeise Street?---Dit was in die sy-straat gewees, met die straat wat ons afgery het.

DEUR DIE HOF:

Nie in die hoofstraat nie, in die sy-straat, die straat wat afdraai na die polisiestasie?---Nee, die straat wat ons afgery het.

Daardie groot straat?---Ja.

MR. UNTERHALTER:

Then do I understand that you didn't come down Seeise Street and then turn left and approached the police station from the North?---Die ligging van die stasie is my onbekend. Ek weet ons het stilgehou by die karre, teruggedraai en met n ander straat - ek weet nie of dit n dubbelstraat is nie, maar ons het toe met n ander straat opgery en toe afgedraai na die polisiestasie toe. Ek kan gaan seker maak en die Hof inlig na 2 uur.

I don't know if you know the points of the compass in relation to - have you any objection to the Colonel looking at that Plan in front of you?

BY COURT:

Ne, you may have it. Kyk, die vier windstreke word vir jou daar aangegee in die linkerhoek, be, en daardie lang straat is daardie hoofstraat - het u dieselfde een daar, Bewysstuk 2? Exhibit 2 is the one with the words printed on it.

MR. UNTERHALTER:

Colonel, you have the map in front of you,
Exhibit/

Exhibit 2. Now, do you see that long street, Seeise Street that I've been referring to?—Ja.

Now, I would also like you to look at the other street which is called Zwane Street. Is that clear to you?—Ja.

Now, right at the end..

DEUR DIE HOF:

Wag n bietjie, moenie vergeet dat dit moet deur die mikrofoon kom, asseblief, U sien Seeisestraat en Zwanestraat albei op daardie kaart, Bewysstuk 2?—Ja.

MR. UNTERHALTER:

Now, you said that you came down Seeise Street and at a certain spot you turned, you finally reached the police station?—Ja.

What I want to find out from you is whether in the end, having made that turn, you in fact approached the police station via Zwane Street and turned right, that is in a Northernly direction towards the police station or if not, is it possible for you to describe your movements?—
Ek kan onthou ons het in n straat afgery, ek is heeltemal onbekend daar. Daar was n blokkering van verkeer en ons het teruggedraai. Ek sal graag wil die toneel gaan besigtig dan kan ek die Hof n beter indruk gee.

At this stage you've no idea whether you approached the station from the North or from the South?

DEUR DIE HOF:

Kolonel, kan u nie onthou aan watter kant van die polisiestasio u aangekom het nie - laat ek nou vir u help. Aan die kant waar die skietery sou plaasgevind het, waar u die drie persone, No. 3 en No. 4 en daardie ander persone gekry het is aan die Westekant?—Ja, dan het ons met n straat gekom wat in die Suidekant afleop en ons het afgedraai/

afgedraai en veer in die Westekant in te kom.

Jy neem jy het gekom met die straat wat Suid van die polisiestacie is en mees draai om by die hek in te kom?—Om by die hek in te kom.

MR. UNTERHALTER:

That is correct, you turned right to come up that street that the gate was facing?—Dit is reg, ja.

Now, as you came along that street and just before you turned right, you saw a crowd of people there?—Ja, daar was bantees saangedren gewees.

DEUR DIE HOF:

Dit is nou in die straat dan Suid van die polisiestacie, sees ons nou staan, veer die polisiestacie?—Veer die polisiestacie en aan die sykant.

MR. UNTERHALTER:

And your car was able to get through these people standing on the South side?—Ja, dit het stadig gegaan, maar ons het deurgegaan.

And you had no difficulty about it?—Nee, sees ek gesê het, dit het stadig gegaan maar ons het uiteindelik deurgegaan.

And you found the crowd a little excited - were they shouting and so on?—Hulle het geskreeu.

But you still didn't think that the situation was a dangerous one?—Dit is moeilik om te sê, n bantees is baie onpeilbaar. Hulle kan een oomblik...

DEUR DIE HOF:

U sê onpeilbaar?—Onpeilbaar. Hulle was spreerig gewees, maar ek ken nie dink wat ken gebeur op daardie oomblik nie.

MR. UNTERHALTER:

It certainly wasn't at that stage a grave emergency/

agency?—Nee, nie op daardie stadium ---
You turned right into the street immediately
front of that big gate, and there was a very big crowd
re?—Dit is reg.

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You passed through that crowd towards the
te and eventually you get into the police station grounds?
—Dit is reg.

The same impression about the crowd?—Ja.
Now, can I take it, Colonel, that having
you arrived at the scene where you were going to conduct
your on the spot investigations, you also realized that it
was necessary to see that nothing got out of hand?—Sees
ek u gesê het, in so n geval is die uniform daar wat optree
in betegings.

Let me put the question to you in another
way. As I understood your evidence in chief, your principal
reason for going down there was to get certain information
and to see for yourself what was happening on the spot?—
Dit is reg.

But I'm putting it to you, you certainly
wouldn't have carried out that duty to such an extent as
to precipitate a riot, let us say, that would have been
silly. Do you agree with me? - Colonel, please understand
me, I'm not trying to trap you, I'm just putting a straight
question to you?—Ek het opgetree sees wat die omstandig-
hede my toegelaat het.

DEUR DIE HOF:

Ek dink die vraag is meer u seu nie iets /
deem wat n noodtoestand seu ken skep nie?—Nee, ek seu nie

MR. UNTERHALTER:

Quite obvious. And although you've been
somewhat modest about your assessment of your powers of
judgment/

And the description of the removal of the
crowd in front of the police station

te/

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You turned right into the street immediately
in front of that big gate, and there was a very big crowd
there?—Dit is reg.

725

You passed through that crowd towards the
gate and eventually you get into the police station grounds?
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hede my tegeelaat het.

DEUR DIE HOF:

Ek dink die vraag is meer u sou nie iets /
deem wat n noodtoestand sou ken skep nie?—Nee, ek sou nie

MR. UNTERHALTER:

Quite obvious. And although you've been
we've had... somewhat modest about your assessment of your powers of
days, judgment/
connection with the removal of these people...
crowd... in front of the police station...
And the description... in certain regards
I want to put these...
to/

SPENGLER/

judgment as a policeman, you nevertheless would judge the situation from time to time throughout that morning as to what it would be appropriate for you to do?---Ja.

It is fair to say that you would act in a calm way, you wouldn't act on an impulse or anything like that?---Ja.

And would you say, Colonel, that in regard to everything that you described as what happened, after your arrival in the police grounds, you, in fact, did act deliberately and calmly and with judgment as you possessed? ---Ja.

Now, you've described to us that you saw accused No. 3 moving around in the grounds among the officials, I think is the word you used?---Ja.

He was not doing anything particular, you attention was attracted to the fact that here was an African in plain clothes inside the police station area?---Ja.

It seemed strange. Colonel, I take it in the years that you've been in the police service you've been trained to observe events with a fair degree of accuracy and detail?---Ja.

Would you say that this kind of training leads to greater accuracy among senior police officials than it would among a member of the lay public? generally?--- Ja, as gevolg van die opleiding sou ek so dink.

Colonel, I'm putting this to you because we've had evidence given in this Court in the last few days, describing certain of the events that took place in connection with the removal of these people out of that grass area in front of the police station?---Ja.

And the description differs in certain regards from yours, and I want to put these descriptions

to/

SPENGLER

to you and to get your comments. Now, the evidence as we heard it, was that prior to your removing these people, that No. 3 and No. 4 accused were moving up and down, inside the fence, and were talking to this crowd, and one of the descriptions that was given "Like a conductor leading a student gathering". Do you know anything of that?
 --Ek dra geen kennis daarvan nie.

Now, as regards the actual manner of your causing these people to be removed, did you just invite the third accused to accompany you, and did he walk alongside you? --Ek het hom so ender sy elbeeg gevat en gesê "Kom saam met my".

You wouldn't describe what you did as seizing of this person?--Nee.

You didn't grasp him around the forearm? --

Nee.

We were led to understand by one of the witnesses that that is as he saw it, he gave that evidence, as he was taken?--Kan ek net die Hof wys hee ek hom geneem het? So aan sy elbeeg en gesê "Kom saam met my".

Colonel, was it necessary to go even as far as that?--Ek glo nie dit was nodig gewees nie. Ek het dit gedeem en dit is klaar.

Has he suggested to you that he would not go forward with you?--Nee, hy het geen tekens geteen nie, hy het ook nie beswaar gemaak omdat ek hom aan sy arg vat nie.

Usually when you ask a person to accompany you, is that your ordinary manner of having them come along with you, to put your hand under their elbow, or not?--Wel, ek kan nie sê dit is 'n gewoonte nie, maar ek het dit in die ... ek het geen verskoning daarvoor nie.

SPENGLER/

incorrect? ---Dit is nie so nie.

SPENGLER

HEUR DIE HOF:

---Dit het gebeur, ⁷²⁸ Ja.

Now, as regards No.4 accused, did he just go with you willingly?---Ja, hy het vrywillig gegaan.

As far as he was concerned, you didn't touch his person at all?---No.

On no occasion did you touch him?---Nee.

You see here, Colonel, is again a difference in the evidence. We were given to understand that No. 4. accused, in fact, had some injury to his arm, and when you touched him he sort of recoiled as if in pain, and this has led us to believe from the evidence so far given...

BY COURT:

Mr. Unterhalter, you must speak for yourself as to what you believe, the Court may not agree with you.

MR. UNTERHALTER:

I beg your Worship's pardon - led me to believe that there was some physical contact between you and...?---Nee, niks nie.

That is not so. It seemed to you in having done what you had done in removing these two people, you were just performing the ordinary duties that you've set before?---Ja.

And you gave instructions for further inquiries to be directed to these people after you brought them to the back?---Ja.

It seemed quite in order to you?---Ja.

Now, as regards the third man who was removed, here again there is quite a difference between your evidence and the evidence that I've heard. As I remember it, it was suggested that at the gate there was a tug-of-war, so to speak, between you on the one hand trying to pull this man through the gate, and the crowd on the other hand trying to pull him back. Would that be

incorrect/

incorrect? ---Dit is nie so nie.

DEUR DIE HOF:

Het daar ~~so~~⁷²⁹ gebeur, dat die skare een van daardie ander drie probeer terugtrek het?---Nee, dit is nie so nie.

MR. UNREKHALTER:

Can I take it Colonel, that you wouldn't have indulged in a tug-of-war like that because it would have provoked the crowd?---Nee, ek het dit nie gedoen nie, en ek sou dit ook nie gedoen het nie.

You wouldn't have done it for the reason that I suggest, it would have provoked the crowd?---Ja.

You don't remember if the person who was removed were a straw hat?---Nee, hy het nie n heed opgehad nie.

Which was knocked down

That was knocked down while you moved him away? ---Nee.

There was no fighting between you and...?

---Ek het die Hof verduidelik dat toe hy tussen die polisie is, en die krete van "Gate Manor, Gate Manor" opgaan, het ek langs hom gestaan en hy wou terugspring en ek het hom aan sy hemp vasgevat want ek wou nie hê hy moet wegkom weer nie.

You didn't strike him brutally or anything like that?---Nee.

And he didn't say to you "Please leave me alone, it is unnecessary to use violence on me"? ---Ek het hom vasgevat, hy wou teruggeruk het, sy hemp het effens geskeur en hy het toe bedaar en ek het hom na agter gestuur.

You didn't trip him either?---Nee, dit was nie nodig gewees nie.

Do you remember more or less what he was

wearing/

wearing?—Ek kan enthou by het n wit hemp aangehad, n sanddrag withemp met n swart onderbaadjie.

Now,....

DEUR DIE HOF:

Hy was nie dalk die erkesleier gewees nie?

MR. UNTERHALTER:

Now having removed these three people, you went back to the gate and you observed certain of the people who were standing beyond that gate, among the crowd?

--Dit is reg.

I take it you still felt reasonably secure, things were more or less in the same state as they have been from the time you arrived?—Dit is reg.

The people whom you - I think it was the first one - when you invited to come in, or ordered to come in, after the gate had opened, the first of them didn't obey you, he want back?—Hy het teruggegaan, ja.

You didn't pursue him into the crowd?—Nee, ek het nie.

I take it there were two reasons for that, Colonel, one, it would have been foolish of you to expose yourself to anger on the part of the crowd when you found yourself surrounded by them?—Dit is reg.

And secondly, it might have provoked the crowd?—Ja.

Now, I don't want to go into any detail about the number of times this happened, but as far as the last person is concerned, you opened, or you ordered the gate to be opened in response to a request by this man, or a statement by this man to you that he wished to surrender himself?—That is right.

This was the last of the series of people after the third man, at the gate? —Dit is reg, ja.

When/

When he made this announcement, did he speak to you in the way I'm talking to you, reasonably quietly?
---Hy ken nie sag praat nie want daar was n geweldige geskreeu. Hy het hard gepraat.

What he said, I take it, could reach the ears only of the people around him, including yourself?---Ja.

Now, he didn't in fact come in?---Hy was op pad om in te kom. Ek het al klaar die banteekenstabel gestem om die hek oop te maak.

In other words, he had received your command and he was in the course of obeying your command by going towards it?---Ja. Ek sal nie sê - I wouldn't say command, I'd say request.

Yes. I take it that here again your whole demeanour was to be reasonably courteous and polite?---Ja.

And then somehow then something happened and the stern was let loose?---Dit is reg.

Colonel, can you suggest, if at all, what it was that at that moment made the stern in fact loose?---Ek was verbaas gewees. Die natuurlike was wel oproerig gewees, maar ek het geen gedagte gehad dat hulle sou oergaan tot geweld nie. Dit was of dit n spontane uitbarsting was.

In other words, you would have expected, even up to that stage, that although this crowd was rowdy and excitable, great danger would not issue from that crowd?---Die polisie was toe al juis opgestel in gelid langs die draad. Ek het dit net nie verwag dat dit kom gebeur nie.

And this happened, I take it, so suddenly, that you couldn't even keep yourself on your feet, you were bowled over?---Dit is reg.

Would it be fair to say that at the moment that this crowd came forward, they were coming forward because/

because of an impulse from the back that might have pushed them forward?—Ja, ek het die idee geveem dat hulle is - hulle is teen die hek ferser, die hek het oopgebars en toe is hulle in.

To be perfectly fair, Colonel, would you agree with me that these people that came in through that gate, didn't come in intent on attacking you or assaulting you and knocking you down?—Dit is moeliek om te se want die hek het oopgebars en klippe het begin te val. Wat hulle motief was is vir my moeliek om te se.

But as far as you can judge from the conversations that you've had, and the courteous request that you've made to this man, there was nothing that could have induced the people nearby to want to get at you as an individual?—Met die wat ek gehandel het, ken ek nie se nie, kan ek se dat alhoewel hulle obsternaat was, het hulle geen vyandigheidsindheid geopenbaar nie.

And what you were doing, was visible to the small group of people round the gate?—Ja, daar van die kante af ken dit gesien word, en die wat onmiddellik voor die hek staan ook.

But it goes without saying that these further back and some distance away couldn't see what you were doing and couldn't know what you were doing?—Nee, hulle ken nie.

Colonel, I'm not trying to be facetious, you've read McDougal's book on Social Psychology? —I've read portions of it, yes.

It is correct, is it not, that a crowd behaves in some ways unpredictable?—Ek het klaar in my getuie gesê dat n bantoe is onpeilbaar.

No, I'm not talking about Africans as such,

I'm/

I'm talking about a crowd, whether it be an African or European crowd?---Ek het ^{net} nog nooit/blankie optegte gedeel nie. Ek kan uitsluitlik praat van bantoes.

Well, let me put the question again.

Generally, a crowd can behave unpredictably?---Ja.

That's been confirmed time and again in your experience, I'm sure. Now, you've told us that as you were bowled over, you saw the stones being thrown? ---Ja.

At no time prior to that had you noticed any stones?---Nee.

Now, you fell down. While you were down, was it then that you heard the shooting commence?---Ek het teruggesteier, toe begin die klippe te val. Ek het met my hande op die grond gebuk. Terwyl ek besig was om op te kom, toe het die eerste twee skote geklap.

At that particular time, just immediately before the shooting, was it quiet, or was there a loud noise?---Dit was nog net so rumoerig soos die ekkend. Hulle breek bietjie af, dan is dit weer n geskreueery en n ge-stek-swaaiery. Ek sou sê dat hulle was min of meer soos die ekkend gewees.

Not wildly loud? Not still as in a church?

---Ja.

Now Colonel, you're acquainted with the sound of police firearms, revolvers, and so on?---Ja.

These first two shots that you heard, would you say that they came from the normal police armament..?---Ja..

A .45 revolver or...?---Dit mag wees van n .38 rewelwer, of van n .303 geweer.

If sounding fairly sharp and loud, these

two/

two reports?--Ja.

You wouldn't distinguish it from anything that was softer, that might come out of a .22 pistol or anything like that?--Nee, dit was definitief nie n .22 gewees nie.

And if I understood you correctly, it came from the North, that is on the right hand side?--Dit is reg.

Did you hear any shots from any direction from the crowd?--Nee.

If there had been shots immediately before the two shots that you heard, would you have heard these?--Ek vermoed ek sou dit geheer het, ja.

Evidence was given that two shots seemed to come from a Southerly direction amongst the crowd?--Ja, ek het geheer dat daar persone is wat skote geheer het. Ek het dit nie geheer nie.

And I take it that when you heard this volley, you were utterly amazed?--Ja, ek het toe besef dit is die polisie wat skiet.

And you were amazed?--Deurdad ek nie n bevel geheer het en te skiet nie, was ek verbaas.

Were you also distressed, Colonel?--Ja, ek was, nense het hulle lewens verloor en ek is jammer daareer.

You didn't expect that the result of what had happened in the last few minutes, would be this burst of fire?--Dit is moeilik om te sê Ek het platgêl en die naturelle het ingestroom by die hek. Ek was verbaas toe ek die skote hoor, want ek het nie n bevel geheer en tessekiete nie.

But the last thing, Colonel, that you expected at the time that this man was approaching towards you/

you, was that in a matter of seconds there would be this devastating fire?—Ja, dit was binne n paar sekondes gewees.

Did I understand you correctly when you gave your evidence and said you almost immediately thereafter shouted out "Stop fire"?—Ja, ek het n tydjie gevat om op te kom, die hak was teen my vete gewees. Toe ek opstaan toe skreeu ek "Stop vuur". Ek sien toe die veerstes heur agtertee. Ek het n fluitjie agter heur blaas en geheer "Stop". Agter my het n man nog geskiet en ek het ongedraai en my masjiengeweer in die lug gedruk en gesê "Stop, dit is nou geneeg geskiet", en die vuur het toe afgegaan.

But I take ^{it} that as soon as you were physically free from the impediment of this gate, that was interfering with you, your first reaction was to say to these people "Stop fire"?—Dit is reg, Ja.

Colonel, I did ask you earlier, I said to you that you didn't act on impulse. Can I put it to you that in this respect you did act on an impulse, the impulse of a human being to stop this fire?—Ja.

And you also realized within a matter of seconds that whatever danger there had been from this crowd pouring through the gate, was in fact immediately over because they were turning and going back?—Ja.

There was nothing whatsoever about this crowd which suggested a group of dangerous men that were going to go forward, whatever the fire was, and make an attack as some men have to do under fire in battle?—Nee, vanwaar ek ken sien, toe ek opstaan, was die veerste ongedraai en het gedruk na agtertee.

There is a small point, Colonel. You were asked about the stones that had been thrown, and Exhibit 36 I think was shown to you. Did you actually see those stones being thrown?—Ja, ek het dit gesien, en ek dank u vir sy lewe,
being/

Not otherwise/

being picked up? --Edelagbare, ons was besig gewees. Ek het gesien dat binnekant in die perseel werd klippe opgetel. Of dit die identiese klippe is weet ek nie, maar daar is klippe opgetel.

And did you see under whose authority this was being supervised?--Nee, ek het nie gevra nie.

Evidence was given by Sgt. Grebler, the Station Commander, that they were picked up under supervision by him?--Ja, ek sal dit nie kan sê nie, as hy so sê dan is dit reg.

It seems from what he says that the quantity in that bucket was all that was there. You expressed the view that what was there...?--Ek het verwag daar sal meer wees.

But if he says that he picked up what was there, then you will accept it?--Ek sal dit aanneem, ja.

You also stated that - I may not have heard your evidence in Afrikaans clearly - as I heard it, you saw stones in the office?--Na dit opgetel is, is dit in n kantoor uitgegee. Daar het ek dit weer gesien jê.

Does that mean that they were in the office, not in a receptacle, just lying as a quantity of stones in the office?--Ja.

And you said that there were some axes and sticks?--Dit is reg.

Colonel, I've been given certain instructions about an old African woman who was standing at the gate and against whom a motorcar brushed past and apparently caused her to fall. Do you recollect that incident in connection with your car at all?--Nee.

This thing was that you removed, did you later say to him that he had to thank you for his life,

otherwise/

otherwise he would have been killed? ---Nee, ek het nooit
weer met hem gepraat nie.

Did you say this to any African when you
removed?---Nee.

Did you take the names of any of the people
when you removed, you yourself personally? ---Nee.

Did anyone, while you were talking at the
gate, say to you that the people, the African people were
grieving about the passes they had to carry, -or words to
that effect?---Nee.

MR. UNTERHALTER NO SUMMER QUESTIONS.

I'm trying to be sure - I don't want to
detain the Court, if it will be convenient to adjourn now,
I'll check whatever else I might wish to say during the
adjournment.

BY COURT:

I'll go on with the other accused. If there
is anything else you wish to put to the witness, you can
always ask permission to do so. Beskuldigde No. 1 het jy
enige kruisvrae? Laat ons nou hoor, 3 en 4 het seker kruis-
vrae nie?

BESKULDIGDE No. 4 het geen vrae.

KRUISVERHOOR DEUR BESKULDIGDE No. 3:

DEUR DIE HOF:

No. 3, probeer nou jou vrae kort maak en nie
n lang 'oppech' maak voordat jy jou vraag stel nie. Kom
dadelik met jou vraag, stel hán.

BESKULDIGDE No. 3:

Wanneer het u begin bewus te word dat daar
n tak van die P.A.C. is te Sharpeville? --- Ek kan nie die
datum nou onthou nie, maar dit is ongeveer n jaar gelede,
veerafgaande die 21ste Maart.

Het/

Het u vantevare netule gekry wat deur die lede van die spesiale tak van die speurders geseem was by die vergadering wat gehou son geseem het deur die P.A.C.? ---Ek kry van tyd tot tyd verslae van vergaderings wat gehou werd.

Het u enige verslae ontvang vanaf Sharpeville miskien?

DEUR DIE HOF:

Van vergaderings in Sharpeville?---Ja, ek het ontvang.

BESKULDIGDE No. 3:

Ek sal u se waeren stel ek die vraag aan u. Die ander lede van die veiligheidstak van die speurders het geen kennis - nie een van hulle het gesê dat hy het netule geseem van vergaderings wat se gehou was te Sharpeville nie? ---Alle verslae wat ingestuur werd kom na my kanteer toe. Dit is nie noodwendig dat ander lede op die perseel weet daarvan nie.

DEUR DIE HOF:

U seën die speurders wat vergaderings bygeveen het in Johannesburg sal nie juis weet nie?---Nee, hulle sal nie weet van vergaderings hier nie.

Maar dit is neg n feit, Kolonel, ek weet nie wat die Aanklaer weet nie, dat daar is geen netule van enige vergadering in Sharpeville aan my voorgesê nie, maar wel van n menigte vergaderings in lokasies in Johannesburg?---Sees ek voeraf gesê het, was vergaderings hier in die ban geseem. Ek het verslae gekry van geheime vergaderings wat gehou was, het ek deur n kontak gekry.

Geheime vergaderings.

BESKULDIGDE No. 3:

Ek verstaan u het die pamflet, Bewysstuk 5,

ontvang/

ontvang voor die datum van die aksie van die P.A.C.? --Ja, die pamflette het uitgekom van tyd tot tyd. Ek kan nie bevestig op watter datum dit gekry is nie.

Ek stel dit aan u dat toe u daar op die Sharpeville polisiestase aangekom het op die 21ste, u het alreeds kennis gedra waarem die skare daar vergader het?-- Ja, volgens hul eie pamflette het hulle gesê.

DEUR DIE HOF:

Volgens pamflette het hulle gesê - wat gaan hulle by die Polisiestase doen?--Hulle gaan op die 21ste wegdean met die passe en opruk na die polisiestases toe sedat hulle kan gearresteer word.

BESKULDIGDE NO° 3:

Het u die uitkenningsparade bygeween wat gehou was te Boksburg trenk?--Ja, ek het, en ek ken hom nie uitwys nie, maar nou identifiseer ek hom.

Wat was by u se moeilik om my nie te ken uitwys daar by die uitkenningsparade te Boksburg nie? Wat maak u nou se seker dat ek die perseen is?--Wel, ek het hom nie uitgewys nie, en ek was nie seker - ek wou hom nie uitwys as ek nie seker is nie.

U was nie seker dat ek die perseen was nie? --Ja.

Dit laat my verbaas, u is n senior van die polisiemag, en u het my destyds daar op die 21ste gesien, maar dit is nou moeilik vir my om te verstaan waarem u nie in staat was om my weer uit te wys by die uitkenningsparade nie?--Wel, ek erken ek ken hom nie uitwys die dag nie. Ek het hom nie lank gesien nie, dit was n paar sekondes gewees.

Toe u my destyds daar by die Sharpeville polisiestase gesien het, het u dit se aangeneem dat ek die perseen is wat die skare aangehits het om seentoe te

gaan of het u dan die insident van die pamflet verbind met die vergadering van die skare? ---As hy meei geluister het ken hy heer. Ek het vir die magistrat gesê ek het niks gehad om hem te verbind met die skare nie.

Tussen al die polisiemag wat daar gewees het, ingehuit u, was daar enige van die polisiemag wat instruksies gegee het wat gedoen moes word, d.w.s. die seniërs van u?---Ek het nie instruksies gegee wat om te doen nie, behalwe om hem net te ondervra.

Behalwe u, was nog n senior van die polisiemag, of was u die senior van al die polisie wat daar was? ---Nee, Kol. Prinsloo was daar, hy is senior by my. Kolonel Pienaar was daar.

U het alreeds vir die Hof gesê dat toe ek u vraag beantwoord het, ek het gesê, sees u dit in Engels gesê het "I represent these people"?---Ja.

Asoek dat ek nog bygevoeg het in Engels dat "I'll not leave unless Sebukwe said something"?---Ja.

Ek stel dit aan u dat u maak n fout daar. Ek het nie saam met u n gesprek geveer daar by die polisie-stasie nie?---Hy het.

U het alreeds se gesê dat na die hek oop was, die skare - n deel van die skare het daar ingekom?---Ja.

U het ook die skatting gegee van die klemp mense wat daar ingedren het as 200? ---Ja, ek het gesê tussen 100 en 200.

Kan u miskien die afstand gee vanwaar die polisie gestaan het tot by die hek?

DEUR DIE HOF:

Tussen die greet hek en die polisie wat daar in lyn gestaan het?

BESKULDIGDE/

BESKULDIGDE NO. 3:

Die polisie wat in lyn gestaan het? --Dit is omtrent van die tafel na die muur toe, miskien bietjie verder.

DEUR DIE HOF:

Omtrent drie tree...?--Dit was daar voor die BESKULDIGDE No. 3: die flanke toe gestaan het kan ek nie sê nie.

Dit was naby die hek?--Dit was naby die hek.

BESKULDIGDE No. 3:

Sees u nou die afstand geskat het of gegee het, ek stel dit aan u dat dit bietjie onseentlik is as daardie deel van die skare se ingedren het daar by die polisieperseel, dan sou die mense sonner onmiddellik op die polisie gewees het na hulle se ingedren het?--Hulle was omtrent op die polisie gewees.

Dit wil sê die polisie het toe, op daardie nement dan, geskiet?--Nie op dieselfde nement nie. Daar is eers klippe gegee en toe is daar geskiet.

Wanneer het die skietery dan plaasgevind, terwyl die deel van die skare nog binne die polisie erf was of na hulle uitgeneem was uit...?--Hulle was ingekom by die hek in, toe het die skietery begin.

Was daar persone wat binne die polisie perseel deed was?--Net se op die sypaadjie het 'n banteevrou doodgê.

DEUR DIE HOF:

Niemand het binne in die perseel geval nie?

--Nee.

BESKULDIGDE No. 3:

Ek sal dit se aan u stel, nadat die eerste

skare/

skare alreeds binne in die perseel gewees het, as die skietery onmiddellik of op dieselfde moment begin het, dan sou die polisie die veerste perseen geskiet het, maar kan u nou as waarem die polisie nie die veerste mense geskiet het nie, maar net die mense wat daar agter gewees het?—Ek het nie geskiet nie, so ek kan nie n verduideliking gee daarvan nie.

HOF VERDAAG:

HOF HERVAT:

ABRAHAM THEODORE SPENGLER h.o.o.:

KRUISVERHOOR DEUR BESKULDIGDE No. 3 vervolg:

Wie is die persone of die mense wat die klippe gegee het? Was dit die mense wat in die hek ingegaan het, of was dit die agterste gedeelte van die skare?— Dit was van die agterste gedeelte van die skare.

Die klippe wat gegee was, het hulle nie een van die lede van die polisiemag getref nie, of enige perseen wat daar op die polisie erf gewees het?—Ja, n klip het my teen die eer getref. Ek weet nie van ander wat dit getref het nie.

Onmiddellik toe die mense daar ingeken het, het u agteruit gestaan of het u self tussen hulle gestaan? —Die hek het my engestamp.

Daarna het die mense ser u gestap - hulle het gespring?—Die hek was oegedruk, ek het agteruitgedruk en toe het ek agtereer geval. Die mense het nie eer / my geleep nie.

Ek stel dit aan u dat as ^{dit} die geval was, dan onmiddellik na die mense daar ingedren het, sou die polisie onmiddellik geskiet het, en as dit nie so gewees het nie, dan sou die mense wat ingedren het die polisie eerste aangeval het, veer die polisie ken skiet?—Ja, ek kan

nie/

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 DEUR DIE HOF:
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 DEUR DIE HOF:
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 .—Nee
 BESKULDIGDE No. 3
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nie sê wat sou gebeur het nie.

Eerstens sal ek dit aan u stel dat die mense wat ingedrem het, sou enige perseen se aandag getrek het? ---Ja.

Ek stel dit aan u dan dat die ander getuies vir die Kreen wat alreeds getuie is gelewer het, het nie daarvan melding gemaak nie, van die persone wat daar ingedrem het nie?---Ek weet nie wat die getuie is wat verhoor is nie.

Met die tydstop toe die skietery begin het, of net die oomblik voor die skietery begin het, het u een van die kommandante heer die bevel gee om te skiet?---Nee.

Sou een van die kommandante die bevel gegee het om te skiet, u sou dit maklik geheer het?---Ja, ek reken ek sou dit geheer het.

Met ander woorde, ons kan dit aanneem dat geen bevel gegee was om te skiet nie?---Ek het nie n bevel gegee nie en ek het ook nie een geheer nie.

Ek stel dit aan u dat toe u my daar vanaf die toneel weggehoor het, u het u hand ^{nie} / se liggies teen my liggaan gesit nie, maar ek stel dit aan u dat u het my aan my skouer gegryp en my seentee gevat?---Ek het klaar aan die Hof demonstreer hoe ek hom gevat het.

Wat was u rede om my binne die kanteer in te neem? Was dit miskien met die doel om die klagtes te ondersoek, of wat was u doel?---Ja, ingesien vir ondersoek en om hom uit die gesig van die skare te kry.

Was ek daar in die kanteer ondervra?---Ek het hom by Kapt. Willers sien sit en ek verneem hy is ondervra.

Die noodlikheid van passe, was dit die eerstekeer dat die protes teen passe teen die P.A.C.

gebring/

gebring was, of was daar vantevore ander organisasies wat dieselfde moeilikheid of proteste teen die passe gehad het?—Daar was al veerheen demonstrasies, agitatie teen die Paswete.

Dit bedoel dan, seker as u kan uitmaak of sien, dat die moeilikheid van die pas-dokument, het die natuurlike moeilikheid gegee lank veer die dag. Dit was nie die eerstekeer dat die dinge...?—Ja, ek weet dat u gedeelte van die Bantoe gekant is teen die dra van die pasboek.

BESKULDIGDE No. 3: GEEN VERDERE VRAE.

KRUISVERHOOR DEUR BESKULDIGDE NO. 4:

Ek sal net een vraag stel. Ek het u verstaan in u hoofgetuieenis dat u het gesê u het my genader daar op die polisiestatie erf, en ek het vir u gesê dat — in Engels, dat "We want freedom, I and these people gathered there"? —Hy het gesê "I am the leader of these people, we want freedom".

DEUR DIE HOF:

Kolonel, sit net bietjie jou mikrofoon veer jou as jy praat.

BESKULDIGDE No. 4:

Ek stel dit aan u dat u het nie daardie vraag aan my gestel nie. Onmiddellik na u daar by my gekom het, u het my net gesê "Kom saam met my na die polisiestatie toe"? —Spurder sersant Wessels was saam met my gewees toe ek die vraag aan hem gestel het.

Ek stel dit aan u dat Sers. Wessels was nie by gewees nie, dit was net ek en u?—Spurder sersant Wessels het hom na my toe gebring dan.

BESKULDIGDE No. 4: GEEN VERDERE VRAE.

BESKULDIGDE NO. 8 GEEN VRAE.

BESKULDIGDES NO. 38 en 39: GEEN VRAE.

En die P.A.C. het hulle enige....?--Ja.

DEUR DIE HOF:

Wat is daardie woord asblief?--Ek weet

regtig myself nie - Skewels, of iets van dit.

Met die hand op en met die palm na vore? --

Na vore.

Met ander woorde watsens ken as die Hitler-

greet? --Die Nazi-greet.

Kolonel, het u opgetree buitekant die Polisie-
stasie op enige van daardie geleenthede toe u na die hek
gestap het, asof u die skare wou toespreek?--Nee.

Het u van u gerug geheer dat een of ander
hooggeplaatste amptenaar die skare by Sharpeville Polisie-
stasie sou toespreek in verband met passasie?--Ja, na die
stry het iemand daar opgemerk dat daar so 'n storie versprei
was.

Nou u het ingekom met Swanestraat, dit is nou
die lang straat aan die voorkant van die polisie-stasie, en
om die hoek deur die skare by die hek in. Het u enige polisie-
sieneer buitekant die perseel gesien, wat daar geplaas, gestasie-
sieneer was? --By die karre wat daar gestaan het was die
versperring veroorsaak het, het ek een of twee konstante
gesien.

Blanke of nie-blankes - ek praat nou tussen die
skare? --Nee, dit was nie tussen die skare nie. Tussen die
skare het ek niemand gesien nie.

Tussen die skare het jy niemand gesien nie, want
waar het jy die ander gesien, as jy? -- Nee, dit is waar die
versperring in die pad was.

Waar die veertuie was. Was dit n hele end van
die Polisie-stasie af? -- Ja, n hele end van die Polisie-
stasie.

Ontrent hoe ver? -- So 200 - 300 voet.

U het hier gesê dat u verhoor ontvang het in
verband met P.A.C. verhogings in Sharpeville? -- Ja.

In dit nou verklike verslag van toespreke by

