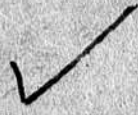


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1,995.

A. Mabuza.

2ND DECEMBER, 1960.

COURT RESUMES : APPEARANCES AS BEFORE.

BY THE PUBLIC PROSECUTOR:

Your Worship, I have completed my examination of this witness. I think Your Worship will have inferred that the Crown is seeking to proceed in terms of Section 286 of the Code.

BY THE COURT:

Should you not just formally in terms of that Section then put it to the witness what you contend? You see, the party wanting to prove a previous statement, or a previous inconsistent statement, can do so after the party, or the Judge, or the Judicial Officer, has asked the witness whether he has or has not previously made a statement, with which his evidence in these proceedings is inconsistent, and he must be given sufficient particulars of the alleged previous statement made, so as to designate the occasion when it was made. I don't know that you formally have put that to him?

BY THE PUBLIC PROSECUTOR:

No, I have not.

BY THE COURT:

You showed him a document which he said he did not sign and he said he never made a statement.

BY THE PUBLIC PROSECUTOR:

Yes, that is my difficulty Sir. I thought perhaps it might be advisable if I led something further on it.

BY THE COURT:

I think he ought to be given say the time and the place, and it must be formally put to him that that statement

is/....



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is inconsistent with his evidence today. Then you may prove it.

ALFRED MABUYA, duly sworn, states: (Witness speaks Zulu).

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Now, do you remember yesterday you were being asked whether or not you had made any statements to the Police? --- Yes.

Well, I have in my possession a statement which was made at Reitz on the 30th March, 1960, at approximately 11.35 a.m. --- I don't know about the statement.

BY THE COURT:

You do not know about any such statement made at that time at Reitz? --- I do not. I was drunk.

Does he mean he was drunk at that time and on that date? --- I don't remember making a statement at all, but I remember that I was drunk on the day that I was arrested.

You see, the Prosecutor contends that you made a statement apparently at that place and time that he has mentioned, which is contradictory to your evidence in the witness box. --- Yes.

BY THE COURT : TO THE PUBLIC PROSECUTOR:

Mr. Prosecutor, I think that statement had better be exhibited, so that he can see it.

BY THE COURT : TO THE WITNESS:

Please have a look at that statement? It was shown to you yesterday, the same document.

I am not going to look at the contents meanwhile, Gentlemen. I will just mark <sup>it</sup> with an Exhibit number. It will be Exhibit No. 73.

BY THE WITNESS:

I don't know anything about this statement, Sir,  
and/....



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A. Mabuya.

and I am illiterate.

BY THE COURT:

Well, I am not going to look at the contents, but it has got a signature on it. Alfred Mabuya. Can you or can you not write your name, or write anything? Now, just be careful Alfred. Think well before you answer. ---I cannot write my name.

BY THE COURT:

Cross-examination Mr. Unterhalter?

It has occurred to me that if the Prosecutor wants to prove a statement inconsistent with the evidence, you might want to cross-examine now as you please, or after such proof and has been made/that statement is properly before the Court, or you might even cross-examine now and ask for his recall.

BY MR. UNTERHALTER:

Yes, perhaps that would be preferable. I only have one question to put now.

BY THE COURT:

Very well. You will leave it open then? I am quite prepared to be of help in these peculiar circumstances.

CROSS-EXAMINED BY MR. UNTERHALTER:

You said that at a certain stage you were outside the Police Station? --- That is correct.

When you were outside the Police Station were you waiting for anything to be said, or anything to happen? --- I wanted to know from the Police why I had to go to the Police Station. I was told, as I have said, that I had to go to the Police Station.

Yes, you have already told us that. What I want to know is that while you were waiting outside the Police Station

in/....



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in the street, were you expecting anything to happen, or anything to be said to you by anybody? — I thought that something would be said at the Police Station in view of the fact that the Police told me to go to the station.

Did you perhaps hear from any other people standing outside the Police Station with you, that something might be said at the Police Station by members of the Police? — No, I did not.

You did not hear anything said at the Police Station by the Police? — No, I did not. I was a bit too far away.

You did not at any stage perhaps hear that an announcement was to be made about reference books? — I did not.

Thank you, Your Worship.

NO CROSS-EXAMINATION BY ACCUSED NOS. 1, 3, 4, AND 8.

CROSS-EXAMINED BY ACCUSED NO. 38:

Did you say that you were at the Police Station until the Police fired the shots? — I was there.

Were you standing at the same spot all the time when you were there? — Yes, I was with others and we stood at the same place all the time.

As far as the crowd was concerned, did they move about, did they pass each other and move in all directions? — I did not take notice of that.

When you were there, did you see anybody with stones or with sticks in their possession? — I did not.

What was the attitude of the crowd? How did they appear to you? Were they annoyed or were they a pleasant crowd? — They were a pleasant crowd.

Until such time as the Police fired the shots? —

Yes/.....



Yes, until such time as the Police fired.

NO CROSS-EXAMINATION BY ACCUSED NO. 39.

NO RE-EXAMINATION BY THE PUBLIC PROSECUTOR.

BY THE COURT:

Tell me Alfred, this Policeman near the hostel who told you to go to the Police Station, was he a European or a non-European? ---A European Policeman.

What colour uniform did he wear? --- Uniforms are all the same, but this man wore shorts.

He wore shorts? ---Yes.

Short trousers? ---Yes.

Khaki coloured? Look at the Constable sitting there, Constable Grové. Was it that colour or a black uniform? ---I am not certain but I think it was a uniform similar to the usual Police uniform, i.e. khaki.

Are you sure it was a Policeman, a European Policeman wearing short trousers in uniform? ---Yes, I am.

Now, when you were in the crowd at the Police Station, how far were you from the fence? --- I can only say that I was in the street near the island. There were too many Bantus ahead of me, and I therefore could not estimate the distance.

You stood far from the fence then? ---Yes.

With many people ahead of you? ---Yes.

Well, did you at any stage see any one or perhaps more than one person - Bantus I am talking about now - acting as leaders or people who addressed the gathering? --- No.

Now, you must stand down. You can sit at the back, but you are not discharged yet from attending Court, and I

want/....



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J.H. Grové.

want you to stay here and you will be told before the day is out whether you have to be back or not, and if you have to be back when you have to be back.

BY THE PUBLIC PROSECUTOR:

Tuesday is the day Sir that I have in mind.

BY THE COURT:

Very well, you can go now if you wish to, but your subpoena which ordered you to come to Court still stands and it is extended for you to come to Court on Tuesday of next week, which is the 6th December. The Prosecutor will endorse the subpoena before you leave. If you do not come you are disobeying that subpoena, which is the Court's order.

JAN HENDRIK GROVÉ, beëdig, verklaar: (Herroep).

KRUISVERHOOR DEUR MNR. ONTFRHALTER VERVOIG:

Constable, you have had an opportunity of looking through your note-books since I questioned you yesterday? — Dit is reg.

And in the books you have found an entry dated the 1st April? — Dit is korrek.

And this records that you took a certain number of people who had been detained in connection with this charge of public violence from Vereeniging to the Boksburg gaol? — Dit is reg. Die inskrywing is gemaak om 12.30 n.m. op die 1ste April 1960. Dit lees: "Ek vertrek na Boksburg met agt verhoorafwagende prisoniere". Die name daarvan weet ek nie. Die Hofrekord sal dit bewys.

DEUR DIE HOF:

So jou boekie toon nie die name van jou prisoniers aan/....



aan nie? --- Nee, Edelagbare.

KRUISVERHOOR DEUR MNR. UNTERHALTER VERVOLG:

That appears at what page of that particular book?

--- Op bladsy 59.

And quite apart from what you have noted in the book, you have an independent recollection that it concerns some or other of the accused in this trial or people who may have been connected with this trial and have subsequently been discharged? --- Dit is reg.

I take it that as a matter of routine any person who had at any stage been arrested in connection with this case, was in the first instance held in the Boksburg gaol? --- Dit is korrek.

BY MR. UNTERHALTER:

Your Worship, it was for the purpose of answering those questions that the witness has been recalled, but I have in my possession a photograph of a portion of Zwane Street and the crowd east of the Police Station, and I wonder if the Court would permit me to put it to the witness?

BY THE COURT:

Yes, you may do so.

CROSS-EXAMINATION BY MR. UNTERHALTER CONTINUED:

I show you a photograph, Exhibit 74, which appears to have been taken along Zwane Street east of the Police Station. Would you confirm that that picture shows the Police Station looking west along Zwane Street towards it? --- Dit is korrek.

And that high wall in the background is actually the wall of the clinic? Would that be correct? The wall of the clinic, or the communal hall, some building west of the Police Station? --- Dit moet een van die Munisipale geboue

wees/....



wees. Ek kan nie sê watter een nie.

DEUR DIE HOF:

Maar lyk dit of dit iewers van oos van die Polisie-stasie af is? — Dit lyk of dit aan die oostekant van die Poliestasie geneem is daardie; dit is reg.

CROSS-EXAMINATION BY MR. UNTERHALTER CONTINUED:

You see some Policemen in the foreground, and one or two of them are sitting down? — Dit is korrek.

And some distance from those Police you see groups of African people? — Dit is korrek.

Did you see any scenes similar to that during the time that you were on duty in that area? Not exactly the same, but something similar to that? — Ja, ek het dit gesien.

NO CROSS-EXAMINATION BY ACCUSED NOS. 1, 3, 4, 8, 38 AND 39.HERVERHOOR DEUR DIE PUBLIEKE AANKLAER:

Omtrent hoe laat was dit mnr. Grové wat u 'n soortgelyke toneel gesien het? — Die oggend ongeveer rondom tien-uur toe ons onthyt geniet het in die hoofstraat, naby die poskantoor.

Die tipe toneel, het dit altyd so gebly? — Nee, dit het nie.

BY THE COURT:

Gentlemen, in connection with the Constable escorting the prisoners, I can't take judicial cognizance of certain practices I know of in the Magistrate's Office, which I am going to put to the witness. It may help me further and it may not.

Konstabel Grové, as jy gevangenes hier wegneem, verhoorafwagende gevangenes, moet jy nie in die Hofboek teken

dat/....



2,003.

J.H. Grové.  
J. Nyepisi.

dat jy die lasbriewe ontvang het nie, of doen iemand anders dit? ---Nee, iemand anders doen dit.

O, ek sien, jy is net die bestuurder? ---Ek is net die bestuurder.

Die Hofordonnans of iemand teken <sup>vir</sup> die lasbriewe?

--- Ja.

En hy sou vir daardie agt geteken hetop die late November in die Hofboek? --- Hulle name moet almal verskyn in die Hofboek.

Hulle behoort daar te staan? --- Hulle moet daar wees.

Op die late November, of nee, die 1ste April?

--- Die 1ste April, eksklus Edelagbare.

BY THE COURT:

I don't know in which Criminal Record Book it will be if you want to follow it up Mr. Unterhalter, but it will be in some Criminal Record Book, from which you could see who actually the eight prisoners were.

JAN NYEPISI, duly sworn, states: (Witness speaks Sesuthu.)

EXAMINED BY THE PUBLIC PROSECUTOR:

Do you live in Sharpeville Native Township? ---

That is correct.

How long have you been living there? ---I arrived there in the year 1949.

BY THE COURT:

In Sharpeville? ---Yes, Your Worship.

Examination/....



EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

And where were you working in March this year? — I was employed by the milk company.

And did you ever work at a place called African Cables? — Yes, even at present I am employed by that firm.

When did you start working there? — I started working there on the 23rd January this year.

Do you know any of the accused?

BY THE COURT:

Tell him the accused are sitting on the righthand side, and not on the lefthand side.

Do you know any of these men sitting here, any of these people? — Yes, I know one. That one. (Witness points out accused No. 24).

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Where do you know him from? — I know him from the location.

Now, do you remember the day that the shooting took place in Sharpeville during March? — Yes, I do.

That was on a Monday? — Yes.

And do you know where the Police Station is in Sharpeville? — Yes.

Were you present at the Police Station when the shooting took place on that day? — No.

Now, the day before that was a Sunday? — Yes.

On Sunday night did you go to bed at your usual time? — Yes.

And who else lived in the house with you? — I have hired myself a room at the place of Simon Magele.

It is just you there? You have got no wife and children with you? — Yes, it is I alone who live there; I have/....



have no family.

BY THE COURT:

In that room? --- Yes.

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Now, after you had gone to sleep on the Sunday night, did anything waken you up? --- Yes.

What was it that woke you up? --- People came there and knocked on the door.

Approximately what time was that? --- It was something to eleven p.m.

Were you already in bed? --- Yes, I was already in bed.

And did you get up and open the door? --- Yes, I got up and opened the door.

And what did you see outside the door? --- I found people who were knocking on my door prior to my getting up and opening the door.

Approximately how many people were outside your door? --- Although I did not see them all, the people who were standing outside my door, but I estimate that there were approximately ten.

Did you know any of them? --- I did not know even a single one of them.

And will you be able to point out any of them again? --- I will not be able to point them out, seeing that it was dark outside there. There are no lights, we are not provided with lights.

Did they speak to you? --- Yes.

What was said to you? --- They said I should come out and accompany them.

Did they say why you should come out and accompany them/....



them? — They said we should go along waking up people.

And did you ask them what the purpose was of coming along and waking you up and asking you to accompany them? — They said I would hear in front where we are going to.

Did you have a reference book with you on that night? — No, they said I should leave it behind.

And did you accompany them? — Yes, I accompanied them.

Did you want to go with them? — I did not want to accompany them, but I then realized that perhaps if I resisted accompanying them they may perhaps induce me in some way or another.

And did you go with them? — Yes.

And as you walked along with them did you see what was taking place at other houses? — They kept on waking up people, and amongst those that they woke up they brought them out.

Did you hear what they said to the other people that they woke up, how they got them to come out? — I and others remained in the street, while the others entered the yards and woke up people.

So you did not hear what took place or what was said when they woke up the other people? Is that correct? — No, I could not hear because from the distance I was standing I heard them knocking and I assume that they then spoke to the owners of the houses.

How were you dressed? — I was wearing a pair of trousers, a shirt and a blanket.

Now, what do you usually sleep in? — When I go to bed I usually sleep in my underpants only.

BY THE COURT:

You don't usually sleep in your trousers? — No.

And/....



And your shirt? --- I take it off.

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

When did you put your shirt and trousers on that night? --- As they were standing outside the door. I then returned and dressed myself, and then closed the door from outside and walked away with them.

Did you see any weapons amongst these people who had wakened you up? --- I did not see any of them having anything in their hands, but I do not know because these people were wearing blankets. Perhaps they had something under their blankets.

Did you have a sore foot that night at all? --- Yes, I had a sore foot that night. An iron fell on my foot at work.

And did it cause you any difficulty when you walked, having that sore foot? --- Yes.

And in view of the fact that you had this sore foot, were you able to keep up with these people whom you were going along with? --- Your Worship, I was to a certain extent able to keep pace with the people I was walking with, although I was a few paces away from them, behind them. I eventually requested them to give me permission to go back home, seeing that my foot was becoming more painful.

And what was their attitude when you asked permission to go home? --- In fact I requested them to tell me where they were going to. I did not request them to give me permission to return home.

And were you told? --- They then told me to proceed to the Police Station seeing that I was limping, and they would find me there eventually.

And where did you go to? --- I walked up to the Police Station and I reached it eventually.

By/....



BY THE COURT:

Did you go to the Police Station? ---Yes, I went to the Police Station.

Can you tell me about <sup>what</sup> time you got there, still in the night time or when? --- It was already at night time. I estimate it to have been approximately at half past eleven.

COURT ADJOURNS.

COURT RESUMES:

JAN NYEPISI, under his former oath, continues:

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Now, you have said that you went to the Police Station, and at the Police Station did you find a lot of people? --- In all the people who there at the Police Station were fifteen.

And did they tell you why they had come there? --- They did not talk to us. They were talking to the Police.

Did you overhear what was said? --- They told the Police what.....

Just a minute. Did you overhear what was said to the Police? --- Yes.

Now, the following day, on the 21st March, 1960, i.e. the day that the shooting took place, did you leave to go to work? ---I was working nightshift on that day.

So you did not go to work on the Monday? Is that correct? --- During the day I was at home, and I only went to work in the evening.

BY THE COURT:

That is on Monday? During the day you were at home? ---Yes, I was supposed to go on duty in the evening, in the evening of the Monday.

Yes/....



Yes well, we last saw you at the Police Station. When did you leave the Police Station, how did you get away from there? On Sunday night you were going about with people, and ultimately you got permission from the others and you went to the Police Station, i.e. they told you to go there. When did you leave the Police Station? --- We returned still late at night from the Police Station.

You went home? --- The European Police said they had already intervened in the trouble, so we should go home,

NO CROSS-EXAMINATION BY MR. UNTERHALTER.

NO CROSS-EXAMINATION BY ACCUSED NOS. 1, 3, 4, 8, 38 AND 39.

BY THE COURT:

You say you were working for African Cables at that time? Is that right? --- Yes, I am working at African Cables.

You have been working there since January? --- Yes, the 23rd January.

Are any of your co-employees amongst the accused? or do you not know? --- Your Worship, I have not yet begun to know all the co-employees.

I suppose there are very many? --- We have very many. I only know the people who work with me in that particular section.

JAN MOTSEI, duly sworn, states: (Witness speaks Sesuthu).

EXAMINED BY THE PUBLIC PROSECUTOR:

Do you live in Sharpeville Native Township? --- Yes.

And do you live nextdoor to the last witness, Jan

Nyepisi? --- Yes.

And/....



And do you work at South African Farm Implements?

--- Yes.

Now, do you remember the day that the shooting took place at Sharpeville Police Station? ---Yes.

That was a Monday? ---Yes.

Where were you when the shooting took place at the Police Station? --- I was not present.

Where exactly were you? At work or in the location? ---I was at work.

What time had you left to go to work? --- I left at 3 p.m. for work on that day.

BY THE COURT:

On the Monday? --- Yes.

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

And what route did you take to get to your place of employment? Through the main street, i.e. Seeiso Street, or through some other route? ---I followed the route which takes me past the Brick and Tile firm, and I do not follow Seeiso Street.

You don't follow Seeiso Street? --- No, I did not take Seeiso Street. I did not take the Seeiso Street route, to work, but I followed a different route.

BY THE COURT:

Not Seeiso Street? --- Not Seeiso Street.

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Did your route take you through any of the main streets of Sharpeville? --- I do not go through the location, but I go on the outskirts of the location to proceed to work.

Was there any reason why you took a different route on this occasion? --- That is the route I often use.

BY THE COURT:

He has not said that he took a different route.

Did/....



Did you go to work that day by the usual route or a different route, that Monday? --- I followed the usual route which I take on the other days.

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

That was a Monday morning? ---Yes.

BY THE COURT:

Did I understand him to say that he was going to work at 3 p.m. or was it a.m.

BY MR. UNTERHALTER:

† heard him say 3 p.m.

BY THE COURT:

Three o'clock in the afternoon or three o'clock in the morning? ---No, I left at 3 p.m. in the afternoon, and not in the morning.

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

And what did you do during the morning of that day before you left? --- I left at 6 in the morning and proceeded to work. Even on other days I often leave my home at 6 for work. When I said three o'clock, that is the time I returned from work on the day of the shooting.

BY THE COURT:

Oh, you returned at 3 p.m.? On that Monday now?

---Yes.

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

So you returned at 3 p.m. on the Monday that the shooting took place from work? ---Yes.

What time had you left to go to work? --- I left before six in the morning.

Before six a.m., in the morning? ---Yes.

Now, the day just prior to this was Sunday? Is that correct? ---Yes.

Did/....



Did you sleep in your house on that Sunday night?

--- Yes.

Have you a wife and children? ---Yes.

Do they occupy the same house as you do? ---Yes.

Now, after you had gone to bed did anything disturb you during the night? --- Yes.

What was it? --- People came there and knocked.

Approximately what time was this? --- It was between ten and half past ten.

Were you already in bed? ---Yes, we were already in bed.

And did you go to the door? ---Yes, when they knocked I went to the door.

And what did you find outside the door? ---I found about five persons outside who were knocking on the door. I then asked them what they wanted.

Did you know any of them? --- No, It did not take me long to look at them.

Will you be able to recognise any of them should you see any of them again? --- No, I did not take particular notice of them, so that I would be able to recognise them again.

You asked them what they wanted, and what did they say? ---They said I should leave my pass on the table and that we should go to the Police Station.

Did you ask why at all? ---I did not ask why.

Did you go with them? ---Immediately I came <sup>out</sup> ~~along~~ of the gate I then walked alone, and told them that they would find me at the Police Station, seeing that I had some sore feet.

What did you do with your pass? --- I left it at home.

And/....



And where did you go to once you got outside your house? --- I went to the Police Station.

Did you notice any of your neighbours outside when you got out of the house? --- It was at night, and I did not look to see who were there, or whether my neighbours were also present.

Did you notice what was happening at the other houses in the immediate vicinity of your house when you came out? --- No.

Now, why did you go to the Police Station? --- I went there after having heard and being told that I should go there.

Did you enquire why you should go to the Police Station, or did you just go blindly to the Police Station? --- I then thought to myself that I would perhaps hear there at the Police Station for what reason I am wanted there.

And when you got to the Police Station were there any other people there? --- Yes, I found people there on my arrival.

Did anybody tell you why you had to go there? --- Nobody told me for what reason I should go there.

And how did you set about trying to find out for what purpose you had come to the Police Station? --- I was under the impression that I would be told on arriving there, but I was not told; the Police did not even tell me on my arrival there.

Did you make any enquiries there? That is what I am trying to find out. --- No, I did not make any enquiries.

So what exactly did you do when you arrived at the Police Station? --- On my arrival at the Police Station I sat down.

Whereabouts? --- I and others were seated on a bench/....



beabh. The Police were also present in that particular room there in the Police Station building where we were seated.

Approximately how many of you were there? --- We were quite a number. It can exceed ten.

And how long did you sit there? --- I still recollect that we left there at 2 a.m., or it was a little after 2 a.m.

What was it that caused you to leave? --- The Police said we should leave.

And where did you go to? --- I went home.

Were there any further incidents during the night at all, or what was left of it? --- There is no incident which I know of which happened that night.

Now, on your way home did you notice anything happening in the streets at all? ---No,

Now, before this particular day when you were told to go to the Police Station, had you ever received any letters, circular letters or pamphlets, pushed under the door or in your post box? ---Yes, I had prior to this day obtained a circular document.

Approximately how long prior to this day? --- I cannot remember how long it was before this day, but it was not very long.

And how did you receive this? Did you just find it under your door, or was it handed to you? In what manner did you get hold of it? ---I found it in my post box which I have there.

Did you read it? --- I did not read it. I cannot read.

What did you do with it? --- The children had it and they showed it to me.

And what did you do? ---The children read the

circular/....



circular, but I cannot recollect what the contents were.

And what happened to that circular? — I do not know whether they tore it or what happened to it.

Now, do you normally carry your reference book or pass as it is commonly called on your person when you go out?  
— Yes.

Now, why did you comply with this strange request "Go to the Police Station and leave your book on the table, your pass book"? — I thought perhaps that was something they had obtained from the Police Station, which said that we should leave our passes at home and go over to the Police Station.

NO CROSS-EXAMINATION BY MR. UNTERHALTER:

NO CROSS-EXAMINATION BY ACCUSED NOS. 1, 3, 4, 8, 38 AND 39.

BY THE COURT:

Were you ever going to go to the Police Station in order to tell the Police "Arrest me, I have got no reference book"? — No, nothing of that was said to me.

Is your house somewhere on the outskirts of the location, the outer perimeter? — Yes, it is in the vicinity of the dam.

So that you just have to pass a house or two and you are in the open, and you can get to Vereeniging, without going through the location threats? — Yes, that is the position.

Is that the dam opposite the open ground near the hostels and Municipal offices, or is it some other dam? — Yes, but towards its ending point.

Joseph/....



JOSEPH SALANYANE, duly sworn, states: (Witness speaks Sesuthu).

EXAMINED BY THE PUBLIC PROSECUTOR:

Do you live at Sharpeville Native Township? ---

That is correct.

How long have you been living there? ---I have

lived there for approximately seven years, although I am not certain.

And have you a wife and children who live with

you? --- Yes.

And where do you work? ---I am employed at the

chain factory.

Is that the McKinnon Chain Factory? ---Yes,

McKinnon Chain Factory.

Now, do you remember the day that there was

shooting at the Sharpeville Police Station? --- Yes, I do remember.

That took place on a Monday? --- Yes, it was on a

Monday.

Were you present at the Police Station when the

shooting took place? --- No, I was not present.

Now, the day prior to that day was a Sunday? ---

Yes.

On the Sunday night did you go to bed in your own

house? --- That is correct.

And after you had gone to bed did anything disturb

you? ---Yes.

What was it? --- People who arrived there and

knocked.

Where did they knock? --- They knocked on the

windows as well as on the door.

Was anything broken? --- Nothing was broken.

And/....



And when you heard the knocking what did you do?

--- I woke up and opened.

The door? ---I got up and opened the door.

And what did you see outside? --- I saw many people there.

Did anybody speak to you? --- Yes, he spoke and said "Leave your pass and greet your children and accompany us".

Did you know any of these people? ---I did not know a single one of them.

Will you be able to point out any of them should you see them again? --- No, I will not be able to know them.

Did you say anything to them when they addressed this request to you? ---I only asked a question and said "If you say I must greet my children, where are we going to?"

Did you get any reply? ---I did not get any reply.

And what did you do? --- After having dressed myself I then left and proceeded to the Police Station.

What did you do with your pass when you left? --- When I went to the Police Station I had my pass on my person.

Did you leave straight from your house to go to the Police Station? --- I did not go to any other place. From my home I proceeded straight to the Police Station.

But what happened when you left your house? Where were these people outside? ---At the stage when I left they had already left my premises, and they had proceeded to other yards.

Could you see what they were doing at the other yards? --- I heard them knocking in the same manner as they had knocked at my house.

Why did you go to the Police Station? --- I left for the Police Station with the fright I had, after having been told/....



told that I should greet my family, and so I thought it wise that they should bury me there and kill me there at the Police Station.

BY THE COURT:

You thought it wise that they should? --- That they should bury me there at the Police Station.

Bury you? --- Bury me.

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

I think you added something "and kill me at the Police Station?" --- And kill me at the Police Station.

Who did you think was going to do this awful thing to you? --- I was very much frightened when they said these words to me "Greet your children".

What was their attitude like, all these people, when they said to you "Greet your children and leave your pass"? --- At that stage they were standing outside my house, and they did not enter, so I cannot say. I do not know.

Now, how did you get past these people to get to the Police Station? --- I went past them as they proceeded in a different direction, all along knocking on the doors, and then I proceeded to the Police Station.

Did you notice whether these people were carrying any weapons? --- I did not notice anything.

And when you got to the Police Station, did you speak to anybody there? --- Yes, we spoke to the Police whom we found there.

Were there any other people at the Police Station, other than Police? --- Yes, the people who ran away from their homes and came to the Police Station; they were there.

And how long did you stay at the Police Station? --- I remained there until three o'clock or half past three, when we were then released by the Police and told to return to

our/....



our homes.

How had you gone to the Police Station? Did you walk, or run, or trot, or go by bicycle? --- I was running, on foot.

And were you able to get home safely after the Police had released you as you put it? --- I arrived safely. Nothing befell me on the way.

And the following day, the Monday, was that one of the days that you were scheduled to go to work? --- Yes.

Did you leave your house to go to work? --- Yes.

What time did you set off from your house? --- I left at six o'clock in the morning.

And how do you usually get to your work, on foot to a bus stop, or by bicycle, or with a lift in a friend's car? --- I usually go to work by bicycle.

When you set off to go to work, did you get to work? --- Yes, I did arrive at work.

Did you notice anything happening in the township on your way to work? --- Your Worship, I took the route, i.e. I followed the main street of the location, going in the direction of Vereeniging, and in that street I saw people stopping other people. It was then that I turned back and took a different route.

And did you hear about the shooting later on when you returned from work? --- Yes.

Can you read? --- I cannot read.

Now, before this day can you tell the Court whether you ever received any circular letters or pamphlets? --- No, I never received such documents.

Do you know any of the accused persons? --- No, I know none of the accused.

No/...



J. Salanyane.  
A. Mabote.

NO CROSS-EXAMINATION BY MR. UNTERHALTER.

NO CROSS-EXAMINATION BE ACCUSED NOS. 1, 3, 4, 8, 38 AND 39.

BY THE COURT:

Who was going to bury you or kill you at the Police Station? --- Your Worship, when these people came there and said "Greet your children", it was then my impression that I should go over to the Police Station so that I could get protection.

Oh, you went to the Police for protection. Did any of these people tell you to go to the Police Station? --- No.

Did you tell these people you were going to the Police Station? --- No, I did not tell them that I was going to the Police Station. I did not meet them.

They said you must leave your pass, greet your children and "accompany us". Did they say where you just go with them? --- They did not tell me where I should go with them.

I see. On your own you decided it was better to go to the Police for protection? --- Yes, Your Worship.

AMEL MABOTE, duly sworn, states: (Witness speaks Sesuthu).

EXAMINED BY THE PUBLIC PROSECUTOR:

Have you ever been in Court before as a spectator?

--- Yes.

Now, do you live in Sharpeville Native Township?

--- Yes.

Have you a wife and children? --- Yes.

Are/....



Are your children grownup already or are they young? --- Some are grownup, and some are still under age.

Do you go to church at all? --- Yes, I do attend church but not on many occasions.

Do you remember the day that there was shooting in Sharpeville at the Police Station? --- Yes, I do remember.

That was on a Monday sometime in March? --- Yes.

The day just before that was a Sunday, was it not?

Yes.

Now, on the Sunday night after you had gone to bed, did anything disturb you? --- Yes.

Now, what was it? --- First of all there were people who came there during the day, the same day during the day, but I did not notice them very much. Thereafter I then remained on my guard. When I went to bed I did not fall asleep.

Well, let's deal with these people that came there during the day. Did they come in the morning or the afternoon on the Sunday? --- It was nearing midday when they came there.

And approximately how many of them were there that came there? --- Although I may not be correct about the number, I think there were four or five.

And whereabouts were you when they arrived? Were you outside the house or inside? --- I was outside in the stable, in the horse stable.

Could you see them approaching the house along the street, or was the first intimation you had when they came to the entrance to the stable? --- They never entered my house. They spoke whilst being outside the premises in the street.

What did they say to you? --- While they were standing outside these people said "During this evening there

NO CROSS-EXAMINATION  
BY THE COURT  
Police Station  
I should go over  
Protection  
Oh  
any of these people  
No  
Police Station  
to the Police Station  
They  
children and "see"  
with them?  
I followed them  
I see I  
to the Police Station  
stopping other people  
took a different look  
EXAMINED BY THE COURT  
Have you  
whether you ever  
Yes  
No, I never  
How do  
Yes  
I know none of the  
Have you



would be some announcement, and should any person hear that announcement then he should leave his pass at home and come out and go to the Police Station.

Did you ask them at all what this was all about?  
 --- They told me further that the discussion would centre around the question of the passes, and that is why people are requested to go over to the Police Station.

And that is why the people are requested to go over to the Police Station? --- Yes, they spoke while in the street there. They were not replying to any question which I put to them, but that was a further explanation they had.

And did you then carry on with what you were doing in the stable? --- Nothing further was said by these people after they had told me that, because they were not standing in one place and they then moved off, moved away.

Now, then I think we come to the stage that night when something disturbed you. What was it that disturbed you during the night? --- As these people had already said during the day that there would be this loud announcement which would be made in the evening of the same day, and which will require a person to leave his pass and proceed to the Police, and when they came round the same night I heard them then make that loud announcement outside in the street, and it was then that I woke up.

What form did the announcement take? What I want to know is was it..... I am sorry! --- I heard the words "Wake up, wake up!", which were said in a loud tone, a loud voice. Then as a result of the discussion I had had during the day I then woke up.

And what did you do after you had woken up? --- I then went to the Police Station.

On your way to the Police Station did you notice anything/....



anything taking place in the street? ---No, nothing.

And what did you do with your reference book or your pass when you went to the Police Station? ---I left it at home.

Why? --- As a result of this invitation, which said we should leave our reference books or passes at home.

And when you got to the Police Station were there any other people there other than Police Officers and Constables? ---Yes, there were other people except the Police Officers and Constables.

What did you do when you got to the Police Station? ---I stood there for a little while in the hope that I would see these people or hear some other talk there.

And was any of that forthcoming? --- I did not see any people talking there, until the stage when we were called by the Police to come inside.

What time was this approximately? --- It was approximately twelve midnight when we arrived at the Police Station.

And what happened after the Police called you in? --- The Police then asked us what I have already told the Court. They asked us how did it come about that we came to the Police Station. We then gave the same explanation which I have already given to the Court.

And thereafter? --- Thereafter our names, as well as our addresses where we live, were taken down or were written down.

And then were you allowed to go home, or what happened after that? --- Yes, thereafter we were then released and told to go home.

Now, the following day, i.e. the Sunday morning, or rather the Monday morning, where did you go to? --- On

Monday/....



Monday morning, i.e. the 21st March, at about 10 a.m. I then was of the intention of proceeding to the same place in order to see what was happening.

You mean to the Police Station? ---Yes.

Did you in fact get there? --- I got near to the vicinity of the Police Station. As a result of the large crowd of people I found there I could not get nearer the Police Station. In one of the street that is between east and west, that is where I remained.

What time was that roughly that you arrived there?

--- It could have been about half past ten in the morning.

Were you there when any aeroplanes came over that part of the Police Station? ---When I left my home it was at that stage that I saw the aeroplanes flying about.

What were the people all doing there outside the Police Station? --- Some were singing and some were saying "Africa!" That is all I heard.

And how long did you wait there? ---While I was standing there in the vicinity of the Police Station, I was not there for a very long time when I then saw people who were coming from the direction of the Police Station leaving the scene, who then said they were waiting for some big official or a big European who was supposed to come there at about two o'clock.

Now, these people who told you that, were they Whites or non-Whites? --- Those were my blood brothers who told me that.

And what did you do after that? --- One could make enquiries from any of them who were returning. I did not know...

What did you do after you heard that? ---I then returned to my home.

Now/....



Now, do you take an occasional beer at all? ---  
Ever since I was born I have never taken beer, or I never  
drank beer.

Now, the time before you went to the Police Station -  
you said you were there in the vicinity of about ten - where  
were you before that time? --- I was at home.

And did you go straight from your home to the  
Police Station? --- There is no other place I went to with the  
exeption of the Police Station.

No, I don't disbelieve you, I just want to find out  
your movements. ---Yes, there is no other place I went to; I  
went to the Police Station.

Now, you said you had gone to the Police Station  
for a specific purpose, and then you eventually left the  
Police Station and went home. What I want to know is why did  
you go home? --- At the time when I left I had heard  
nothing, because that discussion which I have mentioned was  
supposed to be taking place at two o'clock.

Were you going to come back at two? --- No, I  
would not have had any chance of returning to the Police  
Station, because I had to attend to my own personal affairs.

Can you read and write? ---Not very much.

This was a weekend when you had this adventure,  
and did you ever receive any circular letters or pamphlets at  
your house before that? --- With the exeption of what I have  
already told the Court there is nothing that I received.

CROSS-EXAMINED BY MR. UNTERHAUER:

You told His Worship that you got to the neigh-  
bourhood of the Police Station on Monday the 21st March,  
roundabout half past ten, and there was a sufficiently large  
crowd to prevent your coming nearer to the Police Station? ---  
Yes/....



Yes, I hope you did hear me say that.

For how long did you remain in the neighbourhood of the Police Station, until you finally went home after hearing that there was to be an announcement about two o'clock? --- I was not there for a very long time. You have asked me how long I was there. I have already said that as the time mentioned was two o'clock, I left before that time.

Now, what I want to know from the witness is this. You got there at about half past ten, and you left sometime afterwards. Now, would it have been eleven, half past eleven, twelve o'clock, half past twelve? Give us the time approximately when you left the crowd and went home? --- I think I left there before twelve, although I cannot estimate the time before that.

Now, you told us that while you were there you heard the crowd singing and saying "Africa!"? --- Yes, those were my words.

During the time that you were in that crowd, from half past ten until you went home, would you say that on the whole the crowd was a peaceful and a friendly crowd?

BY THE COURT:

Now listen old man, do you understand the questions in English? --- Yes, as the question is put I do understand it.

But you had better make sure what the Interpreter says too and then answer.

CROSS-EXAMINATION BY MR. UNTERHALTER CONTINUED:

You have told us that while you were in that crowd from half past ten until the time that you went home, you heard the crowd singing and saying "Africa!" Now, would you say, during the period you were there, this crowd was a friendly and a peaceful crowd? --- Yes, as far as I could make out they appeared/....



appeared to be a peaceful crowd.

NO CROSS-EXAMINATION BY ACCUSED NOS. 1, 3, 4, 8, 38 AND 39.

NO RE-EXAMINATION BY THE PUBLIC PROSECUTOR:

BY THE COURT:

Now, in the daytime when those people came to you when you were in the stable, it was bright light like now, was it not? --- Yes, that is so.

And when they came in the night it was dark? --- Yes.

Now, I can understand that you cannot identify people when you see them in the night time, but could you not identify those you saw in the daytime? ---Yes Your Worship, I do still find it difficult to identify persons whom I saw during the day, because the duration of seeing these people was very short, it did not take long. So unless one has a conversation with a particular individual, one are able at a later stage to recognise that person.

You saw them for a short time only? ---Yes.

And how close were you when you and they spoke to each other? From you to where? --- As far as the motor-car outside there.

That is a distance of about 40 yards. Was it in the usual rather loud tone that you people use sometimes? --- Yes, they were talking in a loud tone so that even a person perhaps in the street could hear them.

Were they speaking loudly so that everybody in the street could hear? Is that right? They were not talking to you individually, but talking loudly for everybody to hear? --- Yes, that is the impression I got.

And/....



And they were strangers to you? They were not people you knew already? ---Yes, they were strangers to me.

Well, I can understand now why you say you can't identify them. Thank you very much.

EDWIN MOAHLOLI, duly sworn, states: (Witness speaks Sesuthu).

BY THE PUBLIC PROSECUTOR:

The name of this witness Sir does not appear in any particulars to the charge sheet. If my learned friend wants to voice any objection I will give him an opportunity to do so.

BY MR. UNTERHALTER:

I will just hear what he says first.

EXAMINED BY THE PUBLIC PROSECUTOR:

Are you employed as a bus driver by the Vaal Transport Company, Vereeniging? --- That is correct.

And do you live in Sharpeville? --- Yes.

Have you got a wife and children? ---Yes.

Now, do you remember the day that the shooting took place, on the Monday it was at the Police Station at Sharpeville? ---That is correct.

On the Friday, i.e. the 18th, whilst you were driving your bus..... From where you sit is it possible to overhear conversations taking place in the back of the bus? Yes, I do hear although I cannot hear everything that is being said.

Now, on this particular Friday did you overhear any snatches of conversation as to what might take place in the nearfuture? --- Yes, I heard people just talking there and saying on Monday there will be no work.

By/....



BY MR. UNTERHALTER:

Your Worship, I was about to intervene. The reporting of this particular conversation... Oh, it will not be led?

BY THE PUBLIC PROSECUTOR:

I am afraid I have no intention of giving the contents of the conversation.

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

I just want to know, did you overhear snatches of conversation on that particular day in the bus? — Yes, I did overhear them whilst they were conversing.

And did any of the snatches of the conversation that you overheard concern you as a bus driver at all? — No, that did not concern me as a bus driver.

Now, as a result of what you had overheard did you have any discussion with or make any reports to anybody? — I did not have any discussions with any person.

Do you know Mr. Jeffery? — No, I do not know him.

Who is your immediate White supervisor or superior in the Company? — On that particular day our immediate supervisor was Mr. Uys.

Mr.? — Uys.

And were you present at any discussions that other bus drivers might have had with any of the White personnel who are concerned with the running of the buses? — I was not present, but we did make enquiries as to whether we should report for work and proceed as usual to our work on Monday, and they said yes we should.

Were you one of the people who wanted to know whether you should report for work on the Monday? — Yes, I was one of that group which made enquiries as to whether they should report on Monday.

Now/....



Now, why did you and your group want to know whether you should report for work on Monday? --- It was because of what we had already heard, the rumour that we had heard that on Monday ....

Yes, I don't want to know what the rumour was, but where did you hear the rumour? --- In the line as I am working the bus.

On your bus route you had heard a rumour, and as a result of that rumour you and a group approached the employers to know whether you should report for work on Monday? Is that correct? --- Yes.

But what had the rumour to do with you personally as a bus driver? --- Because in the mornings we are the people who convey people to work.

And did you receive certain instructions regarding the 21st March, the Monday? --- No, I received no instructions, but we were told that we should go to work as usual.

Now, what time does the first bus usually pull away from Sharpeville on a Monday morning? --- The first bus which is only there for the convenience of bring the drivers to town, and which is being driven by a European, leaves at 4 a.m., but ordinary passengers can also board that bus.

Anyway, did you go on duty on Monday the 21st March and drive a bus? --- On the Monday of the 21st March I got up and proceeded to the bus stop as usual in order to board a bus to go to work, and on my way I then met people who were returning from the bus stop, and who then made a report to me to the effect that....

Yes, I don't want to know the report. They made reports to you. What time was this approximately? --- It was ten to four. I got up and proceeded with Sidwell to the bus-stop in order to board a bus to proceed to work, and on my way

to/....



to the bus stop I met people who were returning from the bus stop and they made reports to me.

BY THE COURT:

Yes now, it will be very clear to me if you tell me you intended <sup>to board</sup> that first bus or some later bus? Then I will understand your evidence? --- I intended to board the first bus.

To board the first bus, to go to work? --- Yes.

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Is that the bus stop in Seeiso Street that you went to? --- Yes, right at the top of Seeiso Street where the buses come.

And when you heard these reports what did you do? --- I then returned to my home and went to bed.

Well, why did you do that? What was worrying you? --- Because there was no bus, and secondly there were many people there in the streets.

Why did you not go up to the bus stop and wait for a bus? --- There was no bus. I did not go to the bus stop because there was no bus.

And how long did you stay at home? --- I went to <sup>and</sup> bed <sup>at</sup> about 8 a.m. I got up and proceeded to the Police Station. Then I told them that there was no bus to convey me to work in the morning, but a bus was then sent at a later stage to fetch us.

And did you drive a bus that day? --- I did not drive a bus that day. All the buses were not there.

Where did this bus that fetched you take you to? --- I did not see any bus. No bus arrived.

No, but you just told me now that you were at the Police Station and a bus was sent to fetch you?

By/....



BY THE COURT:

No, the person told him there was no bus to take him in.

BY THE PUBLIC PROSECUTOR:

Well, Your Worship, I must submit with respect that I did hear him say that.

BY MR. UNTERHALTER:

I heard it likewise, Your Worship.

BY THE PUBLIC PROSECUTOR:

It is of no consequence Sir, I won't press the point.

BY THE COURT:

No, I don't want to misshaprevidence. Please have it corrected if I am under a misapprehension. I heard no such evidence.

Did you say a bus was sent to fetch you? when you had gone to the Police Station? --- I told them that there was no bus in the morning, andthat is the reason why I did not come to work.

And is that all that happened? That is all I heard, and that is all I have got recorded, Mr. Prosecutor.

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Now, where did you go to from the Police Station?  
---I returned to my home.

How did you get to your home? --- I returned on foot.

And did you stay there the rest of the day? ---  
I remained there for the whole day.

NO CROSS-EXAMINATION BY MR. UNTERHALTER.

NO CROSS-EXAMINATION BY ACCUSED NOS. 1, 3, 4, 8, 38 AND 39.

COURT ADJOURNS.



COURT RESUMES:

ZAPHENIA MAPHIKE, duly sworn, states: (Witness speaks Sesuthu).

EXAMINED BY THE PUBLIC PROSECUTOR:

Are you employed as a bus driver by the Vaal Transport Corporation at Vereeniging? --- That is correct.

Is that the bus service that operates between Sharpeville Native Township and Vereeniging city? --- Yes.

And do you live in Sharpeville township? --- Yes.

Do your wife and children live with you? --- Yes.

Now, do you remember the day of the shooting at Sharpeville Police Station? --- Yes.

And can you recall that that took place on a Monday? --- Yes.

Now, on the Sunday just prior to that Monday, were you on duty driving your bus to and fro? --- That is correct.

And were you able to overhear any parts of conversations that took place at the back of you amongst the passengers? --- A conversation like what?

Well, did you overheard any parts of any conversations? It might have been about football pools for all I know?

--- Yes, I did.

Did any of these pieces of conversation that you heard affect you as a bus driver? --- No, I did not hear such a conversation.

Were you at all a member of a group who had discussions with some of the White personnel of the Vaal Transport Company in regard to work on Monday? --- I was not present. I was told by those who were present.

Now, had you had any of the experiences similar to the experiences which that group might have had and that motivated them in going to make representations to the supervisors/....



supervisors of the bus service? --- No.

Were you at all concerned about the representations which this group made to the representatives of the Company? --- No.

Now, prior to this....

BY THE COURT:

Were you concerned about anything concerning your work at all on the Monday, the day of the alleged shooting? --- No, I was not concerned in any affair concerning my work.

You did not feel concerned, you did not feel worried? --- Feeling concerned about my work, or concerning just the particular Monday?

About being able to work on that Monday? --- No, I never felt concerned that I would not work. I only felt concerned that I would as normal go to work!

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Prior to this day had you ever received any circular letters or pamphlets at your house? --- No, I never received any.

Now, on this Sunday night just prior to this particular Monday that the shooting took place, did you sleep in your house? --- Yes.

What time did you come off duty on that particular day, the Sunday? --- I went off duty at 8 p.m.

And did you go straight home? --- Yes.

Did anything disturb you from that time on until the following morning? --- Yes.

What was it that disturbed you? --- People who came there to my home.

What time did they come to your home? --- I estimate that the time should have been about three o'clock.

Was that in the afternoon or the early hours of the/....



the morning? --- Three o'clock in the early hours.

And how did these people make their presence known?

--- By knocking.

At the door? --- Yes.

And did you open the door? --- I opened the door.

How many people were outside? --- I am not certain how many there were, but there were more than three.

Did you know any of them? --- No.

Will you be able to point out any again should you see them? --- No, I do not believe so.

Now, what did these people want with you? --- These people wanted me to leave my pass and come out and accompany them.

Did you make any enquiries from them why you should follow this procedure? --- Yes, I did.

What did you ask? --- I asked them "Where are you taking me to?"

Was there any reply? --- Yes.

What did they reply? --- They said they are taking me with them, because they know that if we, the employees of the bus service, do go to work, then all the people will obviously go to work.

Did they say why they wanted to prevent you from carrying out your duties and driving your bus? --- No, they did not tell me. They only told me that we are supposed to go to the Police Station without our passes.

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

Did you go with them? --- Yes, I did go.

Why did you go with them? --- Because they promised me and said that if I do not want trouble then I should come along with them.

Did/....



Did they give you any indication of what trouble you could expect? ---No, they did not indicate what kind of trouble I would encounter.

And what was it that you expected in your mind? What was the nature of the trouble that you thought you might get? --- That perhaps they may assault me or burn my house, or do any other harm to me.

Did you see any weapons amongst the persons there?

--- No.

What made you think they might burn your house?

--- It is because of the things I had already heard which happened at Evaton prior to this occasion.

Are you referring now to that bus boycott which took place in Evaton sometime ago? --- Yes, I am referring to that incident.

Is Evaton very far from Vereeniging? --- It is approximately 17 miles from Vereeniging.

So you went with these people? Where did you go to? ---We proceeded upwards towards the end of the location near a group of trees there on the outskirts.

And what did these people do as you proceeded along up the street? --- They did nothing.

And when you reached this group of trees, what took place there? --- I was then asked or they stopped me there. I was not assaulted, nothing was done to me.

Were you left there? --- Yes, after some time, when it was about light, or beginning to be morning....

BY THE COURT:

Did you remain there at first? --- I remained there but I was not the only one.

That is just the point.

Examination/....



EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Did you remain there? ---Yes.

And was there anybody else with you? --- Yes.

How many people were with you? --- I cannot remember the number of the people who were there, but I recollect that it was my co-drivers who were there.

Your what? ---My co-drivers.

Your co-drivers, your colleagues from the bus company? --- Yes.

And how long did you and your colleagues remain there? --- We did not remain there for long, because immediately these people had left we also left.

So do I follow your evidence correctly that they took you there, and then after a while they left you, or almost immediately you had been taken to this spot where the trees are? ---Yes.

Whereabouts are these trees? Are they somewhere in the Sharpeville Township, or on the outskirts, or some distance away? --- They are outside the location, these trees.

How far from the outskirts of the township? --- I cannot say how far they are from the last houses.

How were you taken there, by foot or some sort of transport? --- On foot. We went on foot.

And was any instruction given to you before this group that had brought you there left you? --- Instructions like what?

Well, I am asking you? I don't know, I was not there. ---After these people had realised that it was now after the hours that the buses should have started running, they then told us that we could leave.

And where did you go to when you were allowed to leave? ---I went to one of my fellow drivers.

To/....



To his house? --- Yes.

Why did you not go to the bus company to get a bus? --- I went to this person to seek some advice.

What is his name? --- His name is Kepolo Ngeina.

What advice did you want from him? ---I wanted him to advise me as to what to do, seeing that I did not go to work and I was unable to get to work.

And when you arrived at his house was he present?

--- Yes, he was at home.

And did you put your problem to him? --- Yes.

And after you had got the advice from him what did you do? --- I then went to the Police Station.

Were there any other bus drivers at the Police Station when you arrived there? --- Yes.

And how long did you stay at the Police Station?

--- I do not remember, but we did not remain there for a long time.

And why did you go to the Police Station? --- To report.

From the Police Station where did you go to? --- I then returned to the location.

To your home or some other place in the location?

--- To another place because we were drinking.

Were you at the Police Station when the shooting took place? --- No.

You only heard about it later? ---Yes.

Were you scheduled to go on duty on the Monday morning as a bus driver? --- Yes.

And which bus would you have taken, the first one to leave from the township or some other shift? --- The bus which was supposed to start at the depot, from the depot to the location.

By/....



BY THE COURT:

You would have caught a bus from the location to come in to the depot? Is that right? --- Yes.

EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Where is the depot? ---At Duncanville.

And would that bus contain the other drivers who would be going to the depot to get their transport for the day, their buses for the day? --- Yes.

Did you drive any buses at all on that day? --- No, I did not drive any buses.

NO CROSS-EXAMINATION BY MR. UNTERHALTER.

NO CROSS-EXAMINATION BY ACCUSED NOS. 1, 3, 4, 8, 38 AND 39.

BY THE COURT:

What time did you get away from the Police Station? --- I cannot remember exactly, but it was before 8 o'clock.

It was before 8 a.m. still. Why did you not then go to work? --- I was afraid.

Afraid of what? --- That perhaps I may meet with trouble on the way. That perhaps I may have no means of transport.

And it is not so far for you to have walked even? This location is two miles from the town, and it is not many hundreds of miles. Can't you walk two miles to come and report to your boss "Here I am Sir, ready to work"? --- I can walk two miles, but from Sharpeville to the depot it is more than two miles.

To the depot? --- Yes.

You could have get out of Sharpeville very soon, and then into Vereeniging. Perhaps onto the depot may be another... I don't know how many miles. Has not your Company get/....



got an office in Vereeniging? ---No, there is none.

So from 8 a.m. you just decided to go drinking instead of going to work? Is that right? --- Yes.

And seeing it was an enforced holiday you thought you would enjoy it? --- Yes.

Well, I must say you stay away from your work very easily. You may have been prevented by these people who were with you until they left you from getting to your employer, and after that if you had gone to a little bit of trouble you would have gone and done a day's work, or at least reported to your employer and shown your willingness. Were you now really frightened, or did you decide to have a holiday? --- I was really frightened.

Truly frightened. You may stand down, thank you.

EDWIN DETHEDO, duly sworn, states: (Witness speaks Sesuthu).

EXAMINED BY THE PUBLIC PROSECUTOR:

Are you a Detective Constable in the South African Police stationed at Sharpeville, Vereeniging? --- Yes.

Now I want to show you Exhibit 3. Just take the pieces out. Those are pieces of a reference book? --- Yes.

Do you recognise them? --- It belonged to one Stefaans Leppe.

Do you recognise the pieces? ---Yes!

Where do you recognise them from? --- I picked it up at the bus stop in Sharpeville.

Can you remember the date? --- The 18th March this year.

Were there any other pieces of reference books at

this/....

BY THE COURT: EXAMINATION BY THE PUBLIC PROSECUTOR: Q. Where is the office? A. I do not know. Q. Did you go to work? A. No, I did not go to work. Q. Did you go drinking? A. Yes, I went to the depot. Q. Did you see any other people? A. I saw some people there. Q. Did you see any reference books? A. I saw some pieces of a reference book. Q. Did you pick them up? A. Yes, I picked them up at the bus stop. Q. Can you remember the date? A. Yes, it was the 18th March. Q. Were there any other reference books? A. No, there were no other reference books.



this same bus stop? --- Yes, and some were burnt.

Were they still smouldering or was there something on the reference books from which you make that deduction? --- They had been burnt.

Now, had you chanced to come across this, or you had gone there as a result of any information you had received?

--- I went there on a report received.

BY MR. UNTERHALTER:

Your Worship, may the cross-examination of this witness be reserved? I have just learnt that he was a witness of the Inquiry, and it may be that reading the Inquiry evidence may make my cross-examination a little more useful than might otherwise be the case.

THE COURT:

Before anybody else decides on cross-examination I want to ask you one question. Where did you find these? You say at a busstop. I don't know whether it is on the ground, or in a wastepaper basket, or even under the bushes. That is what I want to know. --- On the ground next to the road.

On the ground next to the road. ---Yes.

Next to Seeise Street, or is that bus stop off Seeise Street? --- It is next to Seeise Street.

Is it really at the bus stop in Seeise Street, or somewhere on the bus terminus which is a piece of open ground next to Seeise Street? ---At the bus stop itself, and not at the terminus.

At the bus stop in the street? --- These pieces are lying about next to the road on the ground.

CROSS-EXAMINATION BY ACCUSED NO. 1.

Cross-examined/.....



CROSS-EXAMINED BY ACCUSED NO. 3:

Were you on duty at the time when you found these pieces of reference books? --- Yes.

Did you know that you would find reference books that were burnt or had been burnt? --- I did not know.

BY THE COURT:

Did you expect... or you get information to find something like that? --- I had information to that effect.

CROSS-EXAMINATION BY ACCUSED NO. 3 CONTINUED:

I would like the man to come to Court who gave this witness the information.

BY THE COURT:

No, I am sorry, the Police are privileged from disclosing, unless in very special circumstances, the sources of their information. Now, if you can advance reasons why it should be disclosed, namely, the only reason I can think of, the only applicable circumstances if it is really going to prove the innocence of the accused; then you can advance the argument and I will listen to it.

BY ACCUSED NO. 3:

I have some other reasons why I require it.

BY THE COURT:

What are they?

BY ACCUSED NO. 3:

I want to know why would this man go and report the burning of passes?

BY THE COURT:

Is there any other reason that you want to know?

BY ACCUSED NO. 3:

And if he had suffered no less himself.

BY THE COURT:

Is there any other reason you want to know?  
By/....



BY ACCUSED NO. 3:

And I don't know anything about the burning of passes and the tearing of passes. I have a suspicion that some other people burnt the passes, and they now put the blame on us. This man should come to Court and tell the Court who burnt these passes.

BY THE COURT:

Yes, it would be very nice for me to have that evidence. I am sure the Prosecutor is listening. Perhaps he is going to bring that evidence, I don't know, but this does not entitle the Court to rule that this witness must disclose to anybody the identity of his informer.

CROSS-EXAMINATION BY ACCUSED NO. 3 CONTINUED:

Do you know of anybody or the person who burnt this particular pass? --- No.

NO CROSS-EXAMINATION BY ACCUSED NOS. 4, 8, 38 AND 39.

BY THE COURT:

The witness can stand down. Mr. Unterhalter you will have to intimate to us as soon as you are ready to cross-examine this witness. --- As Your Worship pleases.

(Witness stands down until later).

PIET KOK, beëdig, verklaar:

VERHOOR DEUR DIE PUBLIEKE AANKLAER:

Is jy 'n Sersant in the Municipale Polisie van Vereeniging? --- Jg.

Op die 19de Mei hierdie jaar, hier by die Vereeniging treuk, die nuwe een wat hulle heu, het jy 'n uitkenningsparade bygeween/....



bygewoon? --- Ja.

En toe jy daar op die parade kom waar die mense staan, het die man in bevel van die parade 'n vraag aan jou gevra? --- Nee, hy het my nie gevra nie.

Wat het jy daar by die parade gedoen? --- Ek het gaan uitwys.

Wat het jy uitgewys? --- Ek het een man uitgewys.

Jy het 'n man uitgewys. Sal jy vandag daardie man weer kan uitwys as hy teenwoordig is, as hy hier is? --- Ja, ek sal hom uitwys.

Sal jy net afstaan en deur die mense in die Hof kyk en sien of daardie perseen hier is? --- Ja. (Getuie wys beskuldigde nr. 7 uit, d.i. Albert Matlala).

Neu, heken het jy nr. 7 beskuldigde, Albert, uitgewys daar op die parade? --- Want hy was daar in my Ma se huis .

Hy het by jou Ma se huis gekom? Jy sê jy het Albert Matlala uitgewys as die perseen wie by jou Ma se huis gekom het? --- Ja.

Waar is jou Ma se huis? --- 196.

Sharpeville? --- Sharpeville.

Neu, kan jy onthou die dag van die skietery daar Sharpeville Polisiestasie? --- Ja.

Dit was op 'n Maandag? --- Ja.

Neu, wanneer het hierdie man by jou Ma se huis gekom? --- Dit was twaalfuur in die aand.

Twaalfuur in die aand. Hee lank veer die skietery plaasgevind het? --- Dit was die Sondag.

Die Sondag net veer die skietery plaasgevind het?

Ja.

Slaap jy daar by jou Ma se huis? --- Ja.

Neu, hee het jy wakker geword daardie aand? Wat



het jou wakkermaak? --- Hulle het die vensters gebreek en geklep.

Vensters gebreek? Hee is die vensters gebreek?

--- Hulle is stukkend geslaan.

Stukkend geslaan. En het jy toe opgestaan en die deur oopgemaak en te kyk wat gebeur? ---Ja, toe kom hulle in.

Toe kom wat in? --- Toe kom die "boys" in.

Heeveel "boys" was daar? ---Die huis was vol.

Vol? ---Ja.

Wel, ek weet nou nie hee greet die huis is nie.

Kan jy sê was daar meer as tien of minder as tien "boys" wat daar ingekom het? ---Hulle sal meer as tien gewees het.

Het hulle enige goed in hulle hande gehad? --- Ek ken nie gesien het nie.

Was dit daardie selfde aand wat jy nr. 7 gesien het? ---Ja.

Was hy een van die "boys" wat daar ingekom het?

--- Ja.

Het hy met jou gepraat? ---Hy het nie met my gepraat nie, hy het saam met een gepraat. Hy het gesê "Hier by 'n Polisieman oek".

En wat het hy nog gesê? Wat het hulle daar in jou huis kom soek? Wat het nr. 7 nog gesê? --- Toe het hy stilgebly.

Het hy nimmer met jou gepraat nie, d.i. nr. 7? --- Nee.

Heeken het hierdie mense daar by jou huis ingekom?

--- Hulle het daar gesê hulle soek hulle land.

Hulle soek? --- Hulle soek hulle land.

Ja, maar wat kom hulle soek hulle land in jou huis voor?

---Dit weet ek nie.

Het/....



Het jy by hulle probeer uitvind heeken seek hulle hulle land daar in jou huis? — Hulle het my nie kans gegee en met hulle te praat nie.

Wat het hulle daar gemaak? — Hulle het net gesê ek moet opstaan.

En nadat jy opgestaan het wat gebeur tee? — Tee trek ek my skeene aan en tee trek hulle my uit.

Tee trek hulle jou uit? — Ja.

Bedeel jy dat hulle jou uit die huis uitgetrek het, of dat hulle jou skeene weer uitgetrek het? Ek is nou nie seker nie. — Nee, tee hulle in die middeldeur kom, tee staan hulle neg. Tee vra die een „Is hulle nou almal uit?“ Tee sê die een hy weet nie. Dit is die tyd wat ek gesit het op die russteel, en tee het hulle my in die huis laat staan.

BY MR. UNTERHALTER:

Your Worship, I did not get that last phrase, „die tyd tee ek....“, I don't know what it was he was saying.

VERHOOR DEUR DIE PUBLIEKE AANKLAER VERVOLG:

Kan jy net stadig herhaal wat jy nou net vir die Hof vertel het? — Ja. Kyk, die tyd tee hulle sê ek moet my skeene aantrek?

Ja? — Tee gee hulle my nie kans nie, en tee trek hulle my uit. In die middeldeur, in die veerhuis se middeldeur, tee staan hulle daar. Tee vra die ander een „Is hulle nou almal uit?“. Tee sê die een hulle weet nie. Tee sit ek op die russteel, en tee laat staan hulle my daar in die huis. Tee het hulle my nie gesien nie.

Het hulle jou getrek?

DEUR DIE HOF:

Hoe het hulle jou uitgetrek uit die huis uit? — Met my hand.

By die hand.

Verheer/....



VERHOOR DEUR DIE PUBLIEKE AANKLAER VERVOLG:

Wat wou hulle met jou maak? Heekem trek hulle jou uit? Wat wou hulle met jou maak? --- Hulle het gesê ons moet die land gaan seek.

Jy moet ook die land gaan seek? --- Ja.

Het hulle uiteindelik jou geles daar in die huis en geleep? --- Ja, hulla het nie, en tee sit ek maar.

En het jy daar gebly sit of wat was die volgende ding wat jy gedeen het? --- Tee hulle weg is tee hardloop ek kanteer tee.

Na die Munisipale kanteer tee? --- Ja.

En wat het jy daar gaan maak? Heekem het jy seentee gehardloop? --- Ek het gesien die mense kom daar en hulle trek my sommer uitmekaar uit.

So wou jy 'n rappert gaan maak het eer wat by jou huis plaasgevind het? --- Ja.

En tee jy by die Munisipale kantere kom, het jy jou rappert gemaak? --- Ja, by die Superintendent.

Is dit die kantere hier onder by die groot biersaal? --- Ja.

En nadat jy jou rappert gemaak het het jy daar gebly of het jy weer huistee gegaan? --- Ek het daar gebly.

Tot die volgende egiend? --- Ja.

Was jy daar in die egiend by die Munisipale kantere tee daar moeilikheid was in die straat daar? --- Ja, ek was daar.

Wat was die moeilikheid wat daar plaasgevind het of wat daar gebeur het? --- So 'n bietjie na agtuur het hulle daar veer die hestel van die "location" af gekom. Veer die hestel, tee keer die Polisie hulle terug.

Jy sê hulla het van die "location" af gekom na die hestel tee? --- Ja.



Wie is hulle? — Wat in die "location" bly.

Ja, maar wie is hulle? Is dit perde of geeste of mense? — Nee mense.

Mense? — Ja.

En wat was die moeilikheid wat daar by die hestel plaasgevind het? — Daar het hulle begin skree „Onse land! Onse land!”

Hulle skree „Onse land! Onse land!”, en wat neg? — Dit is al.

En wat het van hulle gewerd daar? — En toe daarvandaan het die Baas saam met hulle gepraat, en weer terug; saam met hulle nee gepraat, en terug "location" se kant toe.

Watter Baas het met hulle gepraat? — Die Polisie.

Is dit 'n Offisier of 'n Sersant? — Ja, dit is 'n Offisier.

Het jy geheer wat daardie Offisier vir hulle gesê het? — Nee, ek het net gesien hy praat met hulle. Ek was 'n bietjie agter.

Eksklus teg? — Ek was agter.

Jy was agter? — Ja.

Maar ken jy heer wat hy aan hulle gesê het? — Nee, ek sal nie kan heer nie.

En nadat hierdie Offisier met hulle gepraat het, wat het die skare gemaak, die mense? — Diemense het maar net geskree.

Net geskree? — Ja.

En het jy daar gebly, en toe het hulle traangas gebruik? — Ja.

En toe het die Polisie hulle "batens" gebruik en hulle weg te jaag? Was jy neg daar? — Nee, daardie skeet wat ek toe naby die "location" al, na hulle my Kleinbaas gegee het met 'n klip.

Maar/....



Maar kyk, jy was daar toe hulle diëttraangas gegee het? — Ja.

En daarna, waarheen het jy gegaan? — Ons het maar in die groot straat gebly.

Jy het daar in die groot straat gebly? — Ja.

Daar by die Munisipale kantore, of het jy ook saam met die Polisie opgegaan? — Ek was ook saam met die Polisie.

Het die Polisie hulle "batens" of knuppels gebruik om die mense weg te jaag? — Nee, nie wat ek gesien het nie.

Nie wat jy gesien het nie.

DEUR DIE HOF:

Weet jy wat 'n "batens" is? — Ja, ek weet.

'n Polisie-stek? — Ja.

VERHOOR DEUR DIE PUBLIEKE AANKLAER VERVOLG:

Was jy in 'n Polisie-voertuig of het jy te voet gegaan? — Ons was te voet.

In Secisestraat? — Ja.

En hoe ver op in Secisestraat het jy gegaan? — Ons het gegaan tot in die helfte.

En wat het daar gebeur? — En daar het ons gesit.

En wat het julle gedeen toe julle gesit het? —

Ons het net daar gesit.

Heekem het julle nie verder aangegaan nie? — Die Offisier het nog nêr gepraat met die wat naby daar gewees het.

Wat was tussen die Polisie en die anderkant van die straat in die rigting wat julle gegaan het? — Die straat was oop.

Met wie het die Offisier gepraat? — Hy het met die mense gepraat.

Watter mense? — Die mense wat daar in die

"location"/...



"locatich" bly.

Waar was hulle? ---Hulle was net bekant.

Net bekant die Polisie? ---Ja, net bekant die Polisie.

En wat het die Offisier vir die mense gesê? ---  
Hy het gesê hulle moet alles laat staan, en hulle moet na hulle huise toe gaan.

Hulle moet alles laat staan en huistoe gaan. Het die mense huistoe gegaan? --- Nee, hulle het nie huistoe gegaan nie.

Wat het van die mense geword? ---Toe lateraan toe gaan hulle Polisiestatie toe.

Heeken gaan hulle toe Polisiestatie toe? --- Daar was glo een gevang, en toe seek hulle daardie een wat gevang is en in die "van" gesit is.

Sal jy daardie man kan uitwys? --- Nee, hem kan ek nie uitwys nie.

Weet jy wie daardie man gevang het? Het jy gesien?

--- Ja.

Ken jy die naam van die perseen wie hem gevang het?

---Ja.

Wie is dit? ---Dit is Daniel Ntsamae.

Het jy enige ander mense gesien wat gevang is? ---

Nee, dit is netdaardie een wat ek gesien het voor die hestel.

Neu, wat het daardie man wat gevang is te doen gehad met die mense wat gegaan het na die Polisiestatie toe?

--- Ek weet nie. Daarvan weet ek nie.

Maar heeken het die mense na die Polisiestatie gegaan? --- Hulle het gegaan na die een wat gevang is.

Het jy melding gemaak van klippe daar? --- Die klippe het hulle by die kar gegee. Hulle het een kar gegee



en die "van".

Was enige persone besonder deur die klippe? Het enige persone seergekry toe die klippe gegee is? —Dit was net die Kleinbaas.

Net 'n Kleinbaas? —Ja.

DEUR DIE HOF:

'n Kleinbaas het seergekry? —Ja, 'n Polisieman.

'n Polisieman.

VERHOOR DEUR DIE PUBLIEKE AANKLAER VERVOLG:

En jy sê hierdie mense het toe na die Polisiestasie gegaan? —Ja.

En wat maak julle toe? —Toe gaan ons eek naderhand met die "vans" seentoe.

Na die Polisiestasie? —Ja.

Was jy daar toe die Polisiegeskiet het? —Ek was. Ek was nie by die Polisiestasie nie, ek wat 'n ent van die Polisiestasie af. Ek was by die "vans".

Jy was by die "vans"? —Ja.

In watter straat was dit? —Dit was in die groot straat wat regveer die Polisiestasie verbygaan.

Daardie een se naam is Zwanestraat? Die een met die eiland in die middel? —Ja.

Was daar 'n ander klemp Polisie "vans" daar waar jy was? —Ja, hulle was al daar.

BY MR. UNTERHALTER:

Your Worship, here again I must ask the Court's leave to reserve my cross-examination. The reason is this. As Your Worship knows there are no particulars given on this charge, and in relation to the implication of accused No. 7 I have no instructions on this aspect of the case at all.

The/....



The witness I believe gave some evidence at the Inquiry likewise, which I should like to read as well.

NO CROSS-EXAMINATION BY ACCUSED NOS. 1, 3, 4, 8, 38 AND 39.

BY THE COURT:

Mr. Unterhalter, in the particular circumstances I will allow you to cross-examine later, and you can intimate to us when you are ready.

(This witness stands down until later).

CASE REMANDED TO 5TH DECEMBER, 1960.



2,052.

5TH DECEMBER, 1960.

COURT RESUMES:

BY THE PUBLIC PROSECUTOR:

Your Worship, accused No. 74, Moses Meei, is not present. I ask leave to call Dr. Lambinea, the District Surgeon.

LAMBERTUS LAMBINON, duly sworn, states:

Deeter, you are a registered medical practitioner and District Surgeon at Vereeniging? --- Yes.

And today, approximately half an hour ago, did you examine accused No. 74, Moses Meei? --- Yes.

Did you find him lying in his bed at home? --- Yes.

And what injuries did he have to himself, to his person? --- He had several stitched wounds on the head and on both arms, and the sockets of his eyes were swollen.

What is his condition generally Deeter? --- I think generally he is not in a condition to be here.

And how long do you think it will be before accused No. 74 is in a fit state to attend Court? --- At least three days.

The wounds that you saw, are they consistent with having been inflicted by either a knife or an axe? --- Yes, by a knife or some sharp instrument.

NO CROSS-EXAMINATION BY MR. UNTERHALTER.

NO CROSS-EXAMINATION BY ACCUSED NOS. 1, 3, 4, 8, 38 AND 39.

BY THE COURT:

Now, I don't know how many of the accused actually had/....



2,053.

had the opportunity of seeing this man - I can't tell them they must go and see him, but if there are any of his neighbours amongst the accused then I would request that that neighbour should take a message from the Court to him, and tell him that the proceedings have on account of his illness been put off until Thursday morning, the 8th December, 1960, at 9.30 a.m., and unless there is a really good cause to the contrary he must be here to stand his trial. From the evidence before me it seems that he has been involved in some fight or another, and can I just appeal to you people to try and stay out of these matters? Just do your best to stay out of these matters, so that we can get on with the case. Arrange your activities outside Court hours in such a manner that as far as possible you remain out of trouble.

CASE REMANDED TO 8TH DECEMBER, 1960.