5. Stre 326: 323. 2 (68232) Com Vol 43 2919- <del>2323</del> 2935

## 9th of March, 1951.

COURT RESUMES: APPEARANCES AS BEFORE, EXECPT THAT CERTAIN OF THE ACCUSED ARE NOT PRESENT.

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# BY THE P.P.:

MY THE P.P.:

Your Worship, all the accused are present with the exception of accussd No. 2, Thaddea Ntoampe, accused No. 3, Michael or Nyakana Tsolo, and accused No.8, Emmanuel Teketsi. These three accused are not present this morning the rest of the accused are all present. BY MR. UNTERHALTER:

Your Worship, all my clients are present, with the Mr. Robinson Am exception of accused No. 2. BY THE P.P.:

Your Worship, I propose to deal with accused No.8 first of all. I was handed a medical certificate by accused No.38, Stefaans Lepee, which I hand in. That will be Exhibit No. 111.

### BY THE COURTL

That is in respect of Emmanuel Teketsi, i.e. accuse That certificate reads that Emmanuel Teketsi is in hospital, i.e. the Queens Hospital, in Maseru, with a Pott's fracture of the right leg. Will somebody explain to me? BY THE P.P.:

Your Worship, I telehponed the District Surgeon, Dr. Lambinon, and he explained to me that a Pott's fracture is a fracture just above the nakle involving the tibia and the fibula. Dr. Lambinon expressed the opinion that it is usual with a Pett's fracute to be out of action for a month. I don't know of course when the man broke his leg. any/ ... BY/ ...

## BY THE COURT:

as to the ampauluate of accome with Now, the doctor did not perhaps explain to you that If a person had this in plaster of Paris, he could come along, or hobble along on crutches?

### BY THE P.P.: LONG NO. 361

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NoSir, not at that stage. I have no further information about accused No. 8, Your Worship. Now, regarding No. 2 accused, I had better explain matters in sequence. This morning my colleague, Mr. Robinson, received a message through the instructing attorney in his case that there was a motorcar which had broken down, and in it were six persons involved in both the Vanderbijlpark and the Sharpeville trials. Mr. Robinson ascertained that four of those persons were his accused, which left two who might have been involved in this trial. I have subsequently received a message from Mr. Robinson to the effect that accused No.2, i.e. Thaddea Ntoampe, is at Excelsior in the Union. I am not sure where exactly it is, but I think it is in the Free State. He is apparently making his way to the seat of this Court, and it is unlikely that he will arrive before this afternoon. I have no information at all about accused No.3, i.e. Nyakane Tsolo, who may or may not be somebody in the car with Thaddea Ntoamper that was not ascertained. Perhaps my learned friend might be able to throw more light on the matter. is there are him also that you

BY MR. UNTERHALTER: Your Worship I have no instructions in regard to or Powers I have two approactions to make, The accused No.2.

BY THE COURT: You have no further information in regard to him. May I ask if any of his co-accused have any information as to the whereabouts of any of these three? Have any of the accused any/...

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Y THE P.P.:

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BY MR. ONTENHALTER:

- Your Torebig

accused No. 2.

BY THE COURT:

You have no

May I sek if any of his the whereabouts of any

ny information as to the whereabouts of accused No.2, Thaddea toampe, and Nyakana Tsolo and Emmanuel Teketsi? Y THE INTERPRETER:

All the accused state that they have no information. up. The other splitestions/ is far BY COURT TO ACCUSED No. 38:

Accused No. 38, how did you get hold of this medical certificate in regard to accused No. 8? --- I obtained that medical certificate from Emmanuel Teketsi, accused No. 8.

Where? -- At the Maseru Hospital in Basutoland.

I see. Were you there with him? --- Yes.

Did you see him in hospital?---Yes.

Was his leg in plaster of Paris or what?---Yes, cation is

his leg was in plaster.

Finally Si

BY COURTA

When was that? -- It was on the 25th of last month. It was then that ge got injured.

Oh, on the 25th of February accused No. 8 got injured. Now accused No. 38, did you not perhaps hear from him as to how long he expected to be unable to walk?---No, that he did not explain to me, i.e. how long it would take him Mr. Prosecutor, de you suggest this issue to take to walk again.

And if I postpone this case, can you let him know what the new dates is? Will you do so?- - Yes.

All right, you may stand down now. application

Mr. Prosecutor is there anything else that you y case it is just merely to see whether want to place before me? BY THE P.P.:

Your Worship, I have two applications to make. The first one is for the issue of a warrant of arrest for all three of these persons. The second application is that the issue hearing until temperow, when the Court will of the warrants of arrest be deferred until to-morrow.

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BY THE INTERPRETER:

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BY COURT TO ACCUSED No.

Accused No. 3

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Mr. Prosecut

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BY THE P. P. :

Your Worshi

Tiret one is for the i

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BY THE COURT:

Well, can I put it this way? To be issued on the

10th of March, 1961, if still necessary?

BY THE P.P.:

Yes, Your Worship. The other applications/ is for

the estreatment of the bail of these three persons, and that this application be postponed until tomorrow, or that the

hearing of the application be postponed until tomorrow.

Finally Sir, I apply for a remand until tomorrow.

BY COURT: The way to charact, I went you here. If a man

In other words, the practical effect of your appli-

cation is that we postpone the hearing until tomorrow?

BY THE P.P. the Court has started. He must see that he provides

niment of That is so, transport which will bring him hors in

CBY MR. UNTERHALTER: Sejection on any of you as the what you may

I have no objection to that.

(The undefended accused have no objection to the hearing being

postponed until tomorrow).

BY THE COURT TO P.P.:

Mr. Prosecutor, do you suggest this issue to take

place only tomorrow because accused Nos. 2 and 3 may genuinely

be on the way? --- Yes Sir. I envisage tomorrow making a further

application in regard to accused No. 8 for a longer period.

BY COURT:

Yes, in any case it is just merely to see whether

these people turn up. There can be no question of a hearing tomorrow in view of the medical certificate in regard to

accused No. 8?--- That is so.

What I propose to do is simply postpone the

hearing until tomorrow, when the Court will consider these

two/...

BY THE COURT:

BY THE P.P.:

Yell, can I p

Yes, Your Worth the bette eatrestment of the bette this application be post nearing of the application for BY COURT:

In other word cation is that we postron BY THE P.P.:

That is so.

LBY MR. UNTURHALITE.

I have no object the secure of postponed until tomorror

BY THE COURT TO P.P.:

place only comorrow been be on the way?---Yer Strapplication in recard to

BY COURT:

Yes, in any

these people turn up. I tomorrow in view of the accused No. 8?---That

hearing until tomorrow

two applications, and to extend the bail of the accused before ne tuntil tomorrow morning at 9.30 a.m.

BY COURT TO THE ACCUSED:

The hearing is postponed until tomorrow morning at 9.30 a.m. Now there is apparently some difficulty about persons not coming to Court on their bail. On the information before me at least two persons are in default. They may be on the way, and I don't want to hear tomorrow morning that any of you are "on the way to Court", I want you here. If a man is on bail he undertakes to be here at the time named by the Court, and not to have some other affairs keeping him busy until after the Court has started. He must see that he provides himself with efficient transport which will bring him here in time. There is no restriction on any of you as th what you may do inbetween hearings, but it is advisable, in view of this short postponement, that you don't go about, so that you cannot be here tomorrow morning.

COURT ADJOURNS UNTIL 10.3.1961.

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TO P.P. .

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DURT RESUMES: APPEARANCES AS BEFORE.

Y THE P.P.: " post ties than in reserve to accessed No. 2 15

Your Worship, the accused who were present yesterday re all present, with the addition of one person, i.e. accused 0.2, Thaddea Ntoampe.

BY THE COURT: We work to be the meanage was been asset

That means the absentees are accused Nos. 3 and8. Mr. Unterhalter, I propose to deal with the absence of accused No. 2 yesterday, i.e. your client.

BY MR. UNTERHALTER:

As Your Worship pleases ition yesterday that you was

Your Worship, I have been instructed that he left Basutoland at half past five in the afternoon of Wednesday, the 8th of March, in company with certain other persons concerned in anoter case, and they arrived in Excelsior at half past seven that evening and the car broke down. They were unable to proceed with the journey and the reported to the Police Station there and asked the Police to convey a message, which apparently they did, because Your Worship were told yesterday that they were at Excelsior. He arrived here yesterday morning of early yesterday afternoon whe the Court had already adjourned: Worehip's leave to lead evidence?

BY THE COURT: TO P.P.:

Mr. Prosecutor, is there any reason to doubt that so far as the Corwn is concerned? --- No, Your Worship.

Well, that disposes of his absence.

BY MR. UNTERHALTER:

I want to apologize in any event, Your Worship.

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COURT TO THE ACCURETE

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COURT RESUMES: APPEAR

BY THE P.P.;

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BY THE COURT:

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Mr. Unterna

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BY MR. UNTERHALTER:

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Basutoland at half of

the 8th of March, in

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BY THE COURT: TO P.P.

Mr. Prose

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Well, tha

BY MR. UNTERHALTER:

I want to

Y THE COURT: . . . . . . . Nymbors Trully - District of Mary The position then in regard to accused No. 8 is the ame. You have got a medical certificate which you are accep-

ting, I take it Mr. Prosecutor? The listing waaroor u boskik in

BY THE P.P. : be smaldiagde Nr. 17 - The salighing webseld at Well Your Worship, a telex message was sent away

yesterday by the Police, putting certain questions, and until that domes back I cannot accept or reject that medical certifi-

cate as such.

BY THE COURTS a rede on te glo dat bierdie inlighting betroubsar I did understand the position yesterday that you were

not disputing the fact that the man's leg was broken?

BYNTHE P.P.: MOOR DEVE BESKULDIGBSE Wes. 1,4,8,39 en 39 mie. Well, according to that certificate, Sir, but I ...

BY COURT:

And according to a statement made by one of the Year Worship, I apply for a margarit of agreet in

to the accused No. 3 to be idead, or the application for accused, i.e. No. 38.

BY THE P.P.:

Yes Sir. Well, might I put it this way Sir, that I

accept it until such time as I have information which can lead me to think otherwise. In respect of accused No. 3 I

ask Your Worship's leave to lead evidence? There is another expplication which I would like to

BY COURT:

It is for hen amendment or the increase of bail in respect of all the accused and the imposition of neghan mounts.

THE P.P. CALLS:

their reporting water to not stand at the ion is that the present amount which stable WYNAND JACOBUS WESSELS b.v.:

VERHOOR DEUR DIE P.A.:

Sersant, is u in die Suid-Afrikaanse Polisie en

op die Veiligheidstaf te Vereeniging?---Ja.

Beskik u oor enige inligting in verband met

beskuldigde/...

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BY THE COURT:

The position t

You have got a mod · emea

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BY THE P.P.:

yesterday by the Police,

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BY THE COURT:

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BY THE P.P.:

Well, secordi

DY COURT:

And according

accused, i.e. Mo. 38.

BY THE P.P.

Yes Bir. Well

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lead me to think otherw ack Your Worship's leav

BY COURT:

Very well.

THE P.P. CALLS:

WYMAND JACOBUS WESSELS

VERHOOR DEUR DIE P.A.:

Sersant, is

op die Veiligheidstaf

Beskik u oo

skuldigde Nr. 3, d.w.s. Nyakane Tsolo?--Edelagbare, ja. En die inligting kom dit vanuit n bron waareer-u il openbaar nie?---Ja.

Sersant, wat is die inligting waaroor u beskik in erband met beskuldigde Nr. 3? -- Die inligting waaroor ek beskik is dat Nyakane Taelo voortvlugtend is en tans in Basoetoeland verkeer. Dat hy nie van voornemens is om sy verhoor te staan nie, en dat hy die land wil verlaat.

DEUR DIE HOF:

Het u rede om te glo dat hierdie inligting betroubaar A total to make at 230, 1.e. atco. Then the vegeta

is?---Ja.

the rest of the accused. I am applying for an increase to GEEN KRUISVERHOOR DEUR MNR. UNTERHALTER.

tel smount of \$20. GEEN KRUISVERHOOR DEUR BESKULDIGDSE Nrs. 1,4,8,39 en 39 nie. In addition Lam antiny for send times to be

Impassed in respect of saled and assely, total par day hatwand

BY THE P.P. C seven and eight at the Sharpeville Fallestetion

Your Worship, I apply for a warrant of arrest in respect of accused No. 3 to be issued, or the application for the issue to be granted, and I also apply for the estreatment of the bail of accused No. 3, which is an amount of £30. I have not got the Bail Bond available at the moment, but I shall have it shortly. The to address me or place anything before me

There is another papplication which I would like to make, Sir. It is for the amendment or the increase of bail in respect of all the accused and the imposition of sertain conditions in regard to their reporting which do not stand at the moment. My suggestion is that the present amount which stands at £30, i.e. R60 that that be increased by R40.

What is the stritude insofar as you end your

BY THE COURT: Are all the accused on the same amount of bail? applications for increases in bail and additional conditions

BY/..

BY THE P.P.:

No Sir, Nos.

830. I am sorry, Sir.

accused No. 2 in or 250 BY THE COURT:

Well. we can

I am dealing with just it stands fixed at £30. 830 what total figure?

BY THE P.F.:

to the rest of of £10. imposed in respect of the hours of seven und e except on the days on wh report here and remain h BY THE COURT:

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That is the

evidence before Your Wor HY THE COURT:

clients are concerned, applications for increas

eing inserted?

Y MR. UNTERHALTER: THE STEEL OF SOME TRAINED BEINDERS TO SEE THE STEEL OF SOME TRAINED BEINDERS TO SEE THE SECOND I oppose it, Your Worship, i.e. both applications Y THE COURT:

Well then Mr. Prosecutor, you must place something pefore me on which I can decide these applications. So far I have only got an application. were set forth wight it the contact of the case when there

# COURT ADJOURNS. lounder I submit that they should not have to cultur because

COURT RESUMES: to absent hangelf. I submit with the greaters of respect, bir

BY THE P.P. In our any elementary principle be unfair to say in Your Worship, I do not propose to lead any evidence as I did have in midn to. I would merely mention to Your Worship that there have been a number of these types of trials throughout the country and according to newspaper reports, there have been people who have left the jurisdiction of the Court, and I ask Your Worship to bear that in mind in support of my applications in respect of the amposition of conditions and the increase of bail in this particular case. BY MR. UNTERHALTER: thinks that the plot now thickers leading

Your Worship, mysubmission is that nothing has been made out that could persuade Your Worship at this stage to exercise a discretion to accede to the Prosecutor's request. I may say that through a very lengthy trial - I understand from the statistics compiled yesterday, it is 54 days of evidence actually being taken to the accused whom I represent have attended punctully on every occasion, and with the exception of No. 2, whose explanation I submit Your Worship will accept, they have not been guilty of any breach of any of the conditions of bail. It would appear, Your Worship, that

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being inserted?

BY MR. UNTERHALIEFO

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BY THE COURT:

Well then its.

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COURT RESUMES:

BY THE P.P.:

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y learned friend is fearful of something happening by reason
f the behaviour of one of the accused, and I would make the
ery simple submission to Your Worship that whatever the reason
for that may be - and I don't want to traverse it - surely all
the others should not be tarred with whatever brush tars him.
They are fortuituously joined together in this trial for reasons
that were set forth right at the outset of the case when there
was an argument on joinder, and by reason of that fortuitous
joinder I submit that they should not have to suffer because
one of the accused has decided for reasons best known to himself
to absent himself. I submit with the greaters of respect, Sir
that it would on any elementary principle be unfair to say in
respect of these people that they should be punished because
one person has acted in the way that he has done.
Your Worship, in regard to the single argument that

my learned friend advances to the Court that it would appear that in other trials thingslike this have happened, it is a matter of some comment that if and when these came to the attention of my learned friend, he did not then deem it necessary to make an application to Your Worship. It may be of course that he things that the plot now thickens because it has come somewhat closer home, but Your Worship, my submission is it has not come so closely home that these other people who have observed religiously every condition that they are supposed to observe, should be put in the position which my learned friend suggests that they be put. I might add that if anyone is of the mind to abscond, the deterrent that he suggests is hardly one that in any event would be effective for a man who has made such a plan, and that being so, Your Worship, I submit that they should be permitted to remain on the same conditions as before, by reason of the fact that each one of them, regarded unless it is a formal one?--- Wa Sir, it will have to heas/..

Long the /+

py learned friend is fearful of the of the perty simple submission to Your for that may be - and I don't with a there should not be tarmed the others should not be tarmed that were set forth right with a that were set forth right on joinder I submit that the they and to absent himself. I submit with that it would on any elements that it would on any elements one person has acted in the western one person has acted in the work of the work of

my learned friend advances to that the other trials matter of some samm attention of my learned necessary to make an applicat of course that a thinks that it has come somewhat closer is it has not come so close! have observed religiously et to observe, should be put friend suggests that they is of the mind to abscond, hardly one that in any ever has made such a plan, and that they should be permit as before, by reason of th

as an individual, has done nothing that should excite suspicion in the mind of Your Worship, that he will dishonour what he has thus far honoured, and I therefore ask Your Worship, that insofar as the people whom I represent are concerned, the application is not acceded to.

BY THE COURT TO P.P.:

, and what was his intimation again, how come Mr. Laudin, is there not perhaps room for differentiation between different accused in regard to your application? I have evidence before me, or there is information now before Alex to to see him not to do se? me, that accused Nos. 2 and 3 must have gone to Basutoland some-Sit, he you will romember that there are all Air how. No. 2 has come bac and No. 3. has not. So that I have evidence that two of the accused had gone to Basutoland. The that is quite a large increase in the bail and enough to evidence against these two suggests that they are both members tion, should they be able to rules that uncount, plus the of the Pan Africanists Congress. That is your suggestion, is it not that they report twice a day. not?---Yes. And the other increase from \$10 to £20 which you

But there is evidence, or there is very little evidence in regard to quite a number of Mr. Unterhalter's clients which does not prove directly so far that they are adtive members or actually enrolled members of the Pan Africanist Congress?--
I concede that, Your Worship.

I have suggestions in cross-examination and so forth that for instance one accused is a teacher I think it was said, and so on. I have other information too. Is there no reason for differentiation?---I concede Sir that there is a lot of substance in my learned friend's argument, but what is disturbing is that this has come so much nearer home and it is likely to be an injectious or contagious thing, and there is to be a langthy remand now, Sir.

There must be one on account of the man with the broken leg. I must take that into account. There is not going to be a postponement from today until tomorrow, I take it, unless it is a formal one?---Ne Sir, it will have to be a

lengthy/..

as an individual, has done nothi in the mind of Your Worship, the was thus far honogred, and I the neofar as the people whom I re-.of behavior is not sevened to. BY THE COURT TO P. F.:

Mr. Laudin. is there Hation between different accus I have evidence before to, or t me. that accused Hos. 2 and 3 m now. No.2 has come bac and No. enuose all to owt fall sonebive evidence against thems to suga of the Pan Africanists "on read not?---Yes.

But there is evident dence in regard to quite a numb which does not prove directly or actually enrolled manbers of 1 concede that, Your Worship. I have surer hiched

that for instance or a sured and so on. I have other inter for differentiation? --- I come of abbatance in my learned frie Une is that this ten cort of Mkely to be an infectious o o be a langthy remand now, Sit Theire must be obeon

the broken leg. I must take the ruing to be a postportal troi M--- Pend farror s et di eselm sajourrment of just over five weeks in this case. BY/..

lengthy remand.

Have you got information yet as to when accused No.8 is likely to be agle to attend Court? --- No, that information has not been received yet, Your Worship.

You consulted the District Surgeon yesterday about that sort of injury, and what was his intimation again, how long might it take?--Approximately a month.

Now, if a person does want to evade justice is an increase from £30 to £50 going to induce him not to do so?---I think so Sir, as you will remember that these are all Africans who have not been working for a considerable time. I consider that that is quite a large increase in the bail and enough to deter tehm, should they be able to raise that amount, plus the fact that they report twice a day.

And the other increase from £10 to £20 which you suggest, is that going to really make any difference? --- I think so Sir. I think if I were asked to find an increase in £10 bail I would have difficulty...

You would have difficulty, but if you want to run away you will run away for £10 as easily as fro £20, i.e. if you really want to run away! --- It might have some consideration Sir, because I might have to borrow the money and I might be weighed by other ties too Sir. I think it does have a deterrent effect.

Another matter, before I must then give a ruling on all these matters is have you got the Bail Bond of accused No. 3 or the office copy of it? -- Yes, I have it, Your Worship. (Bail bond is handed to the Court).

What I want this for is I see somebody else has deposited, Ellen Molapo. Is there such a person here perhaps? en not going to so into great detail, but there has like

there

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has not been received yet, Your
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way you will we way from I vou really we tion Sir, because the beauted by other the deterrent of so.

Another Estimates have no all these matter have no. 3 or the office care of (Bail bond is harded to see

deposited, Ellen Moleco. I

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Discussion.

## BY INTERPRETER:

Your Worship, accused No. 4 states it is somebody in Johannesburg. He knows her.

### BY THE COURT:

I see. I wanted to see that because I always think it is fair in a case of this nature to hear the depositor.

Mr.Unterhalter, as far as you are concerned, do your clients all live in Sharpeville, or do some of them perhaps not live in Sharpeville?

### BY MR. UNTERHALTER:

I believe they all live in Sharpeville, Your Worship.
BY THE COURT:

roused No. 8, postpone the bearing for another

Well, can we make sure that all the accused live in Sharpeville or not. That includes the undefended men as well.

## BY MR. UNTERHALTER:

All the accused live in Sharpeville Your Worship, except No.52 who does not live in Sharpeville, i.e. George Qotzwa. He lives at the sewerage farm of the Municipality apparentaly. I understand from Sergeant Wessels it is not far from Sharpeville.

### BY THE COURT TO ACCUSED No.4:

Accused No. 4, I see Ellen Molapo incidentally was also the depositor of your bail, so presumably you know the person and you know where to get hold of her?---Yes, Your Worship

remail to account the 2, the order for the issue of a warrant

# BY THE COURT:

I have considered the position that has arisen. I am not going to go into great detail, but there has been an adjournment of just over five weeks in this case. Now, up to

badl/...

INTERPRETER:

Your Worship, cocused

in Johannesburg. He Engage . ".

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rees. I wented to se

t is fair in a case of this nat

Mr. Unterhelter, a f

your clients all live a Sharper

not live in Sharpeville?

BY MR. UNTERHALTER:

I believe they all 1

BY THE COURT:

we make su

in Sharpeville or not. That inc

as well.

BY MR. UNTERHALTER:

All the accused liv

except No.52 who does not live

Cotzwa. He lives at the sewers

apparentay. I understand from

far from Sharpeville.

BY THE COURT TO ACCUSED NO.4:

Accused No. 4, I se

also the depositor of your bal

person and you know where to

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AY THE COURT:

I have considered.

n not going to so into great

ajournment of just over fiv

the adjournment the accused have attended Court regularly, but during the adjournment some of them, certainly accused Nos. 2 and 3, have visited Basutoland. Now, I understand you all to be Basutus because the language you speak is Southern Sesotho, and there was nothing in your Bail Bonds to prevent any such visits, but when I came back yesterday there was trouble about getting on with the hearing of the case. The matter was postponed until this morning, and now we find that there is one man, accused No. 8, in Basutuland with a broken leg, and accused No. 3 is alleged to be in Basutuland but certainly not here, and apparently he is evading standing his trial. Accused No. 2 was in Basutuland but he has come back. Now, be that as it may, there is an unnecessary delay in the further hearing of this case.

At this stage the Court must, on account of the position of accused No. 8, postpone the hearing for another lengthy period. I want to make sure as far as possible that when the Court comes on again, the Court will be able to proceed with the hearing as expeditiously as possible, and on account of that position I am going to impose an additional condition on you who are on bail, which will tend to ensure your prompt attendance here.

How, in all the circumstances the order of the Court is as follows in regard to all the applications before me. Firstly, the further hearing of the case is postponed to the 10th of April, 1961, at 9.30 a.m. and presumably it will be in this Court room, or otherwise in the adjoining one. In regard to accused No. 2, the order for the issue of a warrant of arrest which was granted yesterday is cancelled. In fact, the warrant has not been issued, and he is still on bail. In regard to accused No. 3, a warrant for his apprehension will be issued immediately, and the question of the estreatment of his bail/...

the adjournment the account of during the adjournment of the adjournment of the post of the adjournment of the all to be Basinture to the Bouthern Sesothno, and there was trouble about attiff there was trouble about attiff there is one man, come and the there is one man, come and the proken leg, and accessed No. 3 his trial. Accused No. 2 was fack. Now, be that as it men in the further hearing of the first as it men in the further hearing of the first attractions.

position of accused Mc. C, I lengthy period. I want to when the Court come of with the hearing as expecting that position I am wing you who are on hail, which attendance here.

Mow, in all the Court is an follow in the next prince of the Court in the Loth of April, of Ly in this Court room, or at regard to accused No. 2, of arrest which was strengthe warrant has not been regard to accused No. 3, regard to accused No. 3, regard to accused No. 3, and the same immediately, and the same immediately, and

bail will stand over until the 10th April, 1961, to enable the depositor, Ellen Molapo, to be heard if she so desires. Accused No. 4 has had his bail deposited by the same person, and I don't know if he is prepared to communicate with her and tell her what I have said, so that if she wants to be heard she can be heard. Accused No.8. The question of the issue of a warrant for his apprehension will stand over until the 10th April, 1961.

Now, the application in general for the increase in the amount of the bail of the other accused I am not granting at this stage, which does not mean that it may not be granted in future if there are different facets placed before me. So the existing bail, insofar as the amount is concerned, will stand.

Now, it is only in respect of accused No. 2, who is before me, 1, 4,3, and 39, that I am at this stage ordering that an additional condition of their Bail Bond will be that they must report twice daily, i.e. at 8 a.m. and at 8 p.m. to the Charge Office Sergeant at Sharpeville Police Station, and one day when accused No. 8 is before me I may be inclined to insert a similar condition on his Bail Bond, but obviously i it is impossible for him now to report; he cannot walk from Basutoland twice daily. On the other accused I am not going to impose that condition. There is no information before me suggesting that they are inclined to go to Basutoland, but it Ten he can recent as **建筑** is something which can be imposed if hecessary and if further bays we constitut to reporting at evidence is placed before me. .m. inviend of b p.m.)

Now, I repeat that the case comes on again on the 10th April, 1961. The issue of the warrant in respect of accused No. 2, which I ordered yesterday, will not take place.

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bail will star were the control of the depositor, when the color of th

Now, the coloration of the camount the stange and camount the existing bail, insolar as stand.

now, it is only in is before me, 1, 4,3, and 39, that an additional condition they must report twice drill, the Charge Office Ser cut at and one day when accused No. to insert a similar condition " " " (finacqmi et ti Reautoland twice dail: to impose that condition. suggesting that they is something which can be in evidence is placed longer m TERLINE T , FOM 10th April, 1961. accused Mo. 2, which I orde

A warrant willbe issued immediately for the arrest of accused No. 3, and the depositor of his bail can, if she wishes to, be heard on the 10th of April in regard to the estreatment. I hope accused No.8 will be here by the 10th April, and the question of the issue of a warrant will stand over. I assume the Police will meanwhile try to get full information. Now, in respect of accused Nos. 1,2,4, 38 and 39, there is the additional condition that they report to the Police Station twice daily, i.e. at 8 a.m. and 8 p.m. That will include days on which the hearing takes place, because those hours are outside the hours of session of the Court.

### BY THE INTERPRETER:

Your Worship, accused No. 39 says that he has some difficulty about reporting in the evening at 8 p.m., and asks whether the Court could not make an order that he reports between 6 and 7 p.m., because after 8 p.m. he is busy with his studies. He states, however, that he will have no difficulty in reporting in the morning at 8 a.m.

### BY THE COURT:

BY THE INTERPRETER:

Is that the only difficulty he has in regard to reporting at 8 p.m.?

He states he can report at 7 p.m. but not at 8 p.m. (Accused Nos. 1,2,4, and 38 have no objection to reporting at 7 p.m. instead of 8 p.m.)

### BY THE COURT:

I will alter my order then to read that the accused should report daily at 8 a.m. and 7 p.m. in respect of these five accused.

COURT ADJOURNS UNTIL 10.4.1961.