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ON RESUMING: 2.5.1961.

MR. UNTERHALTER CALLS:

SUTHU.

BUILY MOTAURG

EXAMINED BY MR. UNTERHALTERS

here in Court? --- Yes, I'm related to Image.

Which one is that? --- Accused No. 22.

BY COURT:

D. 22.

MR. UNTERHALTER:

You remember the day of the shooting in Sharpeville last year, the 21st of March? --- Yes, I do.

Did anything happen to your son, Isaac? --- Yes, he was injured.

How did you come to see that he was injured? --- I saw him arrive home, dragging himself. His one thing was injured.

Did he come by any vehicle, or did he come on foot?

You didn't see any police van or anything like that deposit him there? -- No.

and then, when he came to the house, what did you deter-I ran to the gate of my premises and stopped a taxi to take accused to. 22 aways

And he want off to the hospital, did he?--Yes.

MR. UNTERNALTER NO PURTHER QUESTIONS.

ACQUAIN No. 1.4.8.38 and 39 NO QUESTIONS.

CROSS-HEAMINED BY P.P.

no you live in the same house as Isaac, No. 22 accused? -- Tes, we live in the same house. And on the night before the shooting, did he stay

at/..

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MENTAL STREET, STR.

del -- thenings

at home - did he sleep in the house? --- Yes.

And did he go to work on the morning of the Monday? The same day that you noticed he was injured?---He did not go to work.

So he never left the house to go go work that day?

De you know why he didn't go to work? -- The bases were not conveying people as usual.

How was that - how did you find that out? -- Because
I saw many people not going to work. They had to remain there
at the location.

And did you then tell Issae "Well, you'd better stay at home, the buses are not running"? --- All of us had remained at home.

What time - did he ever leave the house? --- He did not leave the house.

But where was he when you noticed that he had an injury? — When he returned during the daytime.

So he went out sometime during the day? --- Yes, during the daytime, approximately 1 p.m.

Is that the first time that he left the house that day? --- Yes.

You see, the accused has teld the Court that he left the house early in the norming to go to the Bus Step to catch a bus? That can't be correct?——I do not know.

P.P. NO PURTURE QUESTIONS.

MR. UNTERHALTER NO RE-EXAMINATION.

BY THE COURTS

You say you don't know whether your son left the house early in the morning in order to go to the buses to go to work? — You, I do not know because I'm a shirtly person/...

at home - did he s And did he The same day that yo to works

So he nev

But where injury? — Then he So he went during the day time Is that th

day? --- Tes.

You see, to
the house early in
estch a bus? That
P.P. NO FURTHIES OUT
MR. UNTERHALTER NO

Ten say you house early in the set out of the county to the research

person, I'm always in bed.

Were you in bed that morning?—Yes, I was in bed.

And all you know is that he certainly was still in
the house at a time when he should have been at work?——
(Before reply) Is that right? Was your sen still in the
house at a time he should have been at work?——When I get
up he was still there.

Was that when he should already, in the ordinary course, have been away? — Yes, that is correct.

And did you ask him "Isaac, why aren't you going to work today"? --- Yes, when I saw him being present at home I did ask him?

Can you remember what he said? -- I do not remember because it is a long time.

Yes. How did you then know that the buses were not operating?---We usually heard the sound of the buses.

And on this dorning you hadn't heard any buses going past? --- Yes.

mi you perhaps know before that morning that the buses wouldn't ge? -- No.

Did you know before that Monday morning that people wouldn't go to work that day? --- No.

Yes, thank you.

MR. UNTERHALTER CALLS ACCUSED No. 19:

ADAM SARVANE S.S.:

EXAMINED BY MR. UNTERHALTERS

You were present at the Pelice Station at Sharpeville on the flat of March of last year, were you not?-- Yes, that is correct,

And were you wounded during the shooting? e- Yes,

Now, will you tell His Worship where were you at the

time/

person, I'm alw at hawere you And all a to especient (Marore reply) house at a time ILLIE BOW of GU Was that sole dad L' watt des bib

Can you because it ima

going past? buses wouldness to me

Did you k weuldn't go to we You, then

發展 贝克里 MR. UNTERHALTER C

ADAM SAKWAWE #2# DESCRIPTION OF THE PARTY OF THE

CATAL NATE on the 21st of Man

is correct. And were

Street and the unnamed street, that is in the vicinity of Zwane Street. Yes, and when the sheeting started, what did you

time when you were shot? -- I was at the corner of Zwane

do? --- I ran away.

In which direction did you run? -- I crossed Ewane Street, ran in the direction of the location, BY COURT:

In the direction of?--- In the location, after I cressed Zwane Street. MR. UNTERHALTER:

Is that in the direction towards the shops or away from the shops? --- Away from the shops,

And did you seek safety semewhere? -- I then sought safety in a garage of private premises.

And were you later taken by car to Verceniging hospital and then to Baraguanath hospital? -- That is correct.

And upon your discharge from the hospital, were you arrested?---Yes.

You were then sent to the Bekeburg Geel? -- Yes, New, during the time that you stood outside the Police Station, did you shout or raise your hand or make common course with the crowd in any way? -- No. I did not do anything except standing.

MR. UNTERHALTER NO PURTURED QUESTIONS. ACCUSED None 1, 4, 8, 38, 39 NO QUESTIONS.

CHOSS-REALINED BY 2.2.

Were you working that day? - I was not working on this days

You mean you were not in employment that day, that is how I understand your replif? --- I was in employment but I did not go to work on this Monday.

Now, will

time when you were Street and the un

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MR. UNTERHALTER:

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MR. UNTERHALTER NO F

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te like went

this days of the common you how I understand your not go to work on the

Why didn't you go to work? -- There were no buses.

Did you set out to go to work? -- Yes, I did.

What time? -- I left at 7.45.

Do you get your bus at the terminus in Secise Street?

Did you see any of the other accused in the vicinity of the bus terminus or in the street on that merning? --- I did not?

Bid you see any of the other accused here teday, on that day at all? --- No. I did not.

When did you go to the Police Station?-- It was between 11 and 11.30.

Why did you go there? --- I heard that the Europeans was going to speak at 2 o'elock in the afternoon.

Where were you when you heard that rumour?--- It was after I'd returned home.

Did you hear that remour at your house?--- You, while I was busy turning soil in my garden, I heard that remour.

You heard that remour? --- Whilst I was busy in my garden, turning the soil.

Were people going past in the street, or dis semeone come and give you that message expressly?——It was just a number of people who were passing there near my house, talking amongst themselves.

And after you'd got to the Police Station, were you there when any Saracons arrived?—You, I was there.

Have a look at this picture, Ethibit 115. Is that what the scene looked like when the Saracens arrived, whilst you were there?—— This which appears on the photograph, I did not see. From the side on which I was standing I could not see the Saracens clearly.

MY COURT:

You did not see this scene?--- I did not.

P.P./ ...

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You did

P.P.

What did you see of the Saracons? Just them coming along between the crowd and turning into the Police Station? ---Yes.

And/you heard the previous day, or prior to this day, that there was going to be seme demonstration on this Monday? -- I did not hear that there was going to be demonstrations. I only heard from people conversing among themselves that on Monday there would be no going to work. Wel will not be being to work.

Did you hear why the people were not going to work, when they were discussing that? -- I did not hear why we would not be going to work because I did not have so much interest in following up the matter.

And was that the reason why you didn't go to work, because of these remours that you heard? -- No, it was not because of that reason.

Way didn't you go to work?- There were no buses at the Bus Stop.

Whereabouts de you work? -- Gas Expansion Engineering. Was there any reason why you couldn't walk through to town?--- You, the reason being that whilst I was standing at the Bus Stop. I saw a large number of pelies who were - who blockeded the way, and there were no people passing there.

BY COURT:

Just put that again. You could not go to work whilet I was standing at the Bus Step I saw a large crowd of police who were standing and blockeded the way. Pueple could not pass there. P.P.:

> had you try an alternative route?-I did not. BY/a.

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to town?---Yes, the reat the Bus Step, I saw

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BY COURT:

Were there police only in the way? Only policemen standing in your way? -- There were also private citisens who were walking in that street.

What did you reply to the other question whether you tried some by-way? -- I did not try the alternative reute.

P.P.

Why not? -- It is because I did not see any people going to work, nor did I see may individual taking a different reute.

Did you look upon this as an excuse ...

BY COURTS

It seems to me, according to you, that the good old days when a man welked, had gone. You must have a vehicle? Chake's impis didn't have vehicles, they were on their feet? --- Yes, that is what we are accustomed to ...

Chaku's impis had feet, and that is all they used. They had no vehicles and they went many hundreds of miles. All right, Mr. Presecutors

P.P.

Did you regard this as an excuse to avoid going to work, or were you afraid to go to work? --- Afraid of what?

I'm asking you. I'm giving you two you regard it as an excuse not to go to work, or were you afraid to go to work? -- There were two reasons. There was no transport to take me to work, secondly, I had a fear that a others remain at home, what would if I go alone to work a then happens

What would happen to your -- Because other people were not going to work, it may have happened that I would be assaulted.

P. P. : BY COURTS and you eleng between there standing in your who were wellting t that the Mast did y you tried some byofferend from poor . bluew eradt tales to under way not? It seems to lav nan a nadv azah : Chaka's impis didn --- Yes, that is the the Bus Quales's in They had no vehicle All right, Mr., Proent .att Track

going to nork, nor while they were there would not the you le niwellat atrauco ya at the land of you re-NOT STOR NO. "ALON " I'm seking there... nyou regard it as an afraid to go to war ne transpert to tel or or energy of I the then happens couls What would 2.4.8 were not going to be assaulted.

You lose pay when you don't go to tork, is that correct? - Yes, I'm not paid for not having gone to work. And the less of pay would be a great hardship to you?---Yes

So then strictly speaking, the fact that there was no transport for you, was not really an obstacle. You could easily have managed to get to work somehow, had you wanted to, for that reason alone?-- Yes, if I wanted, but then, under these circumstances, I could not,

You could have got to work if you wanted to, so the fact that there was no transport wasn't an obstacle, by itself, preventing you from going to work?--- I wanted to go to work. I did want to

But you were afraid to go to work?---Yes,

You were afraid that you might be assaulted by others who didn't want you to go to work? --- I did not know the persons who did not want others to go to work. Then I thought to myself that if I alone go to work, what would then be said about me.

Did you see any people being prevented from going to work by others?-- I did not see.

Were any threats made to you as to what would happen to you if you went to work? --- There were no threats,

Then how did you arrive at this nameless fear? How did it come to beset you? -- Whilst I was still standing at the Bis Step, I saw police, a considerable of I was standing. I then asked myself the question "Why do the people not go past the policemen".

Were no people going past the police? --- No. Did they come back, after they'd reached where the police were in the street?--Yes, they kept on streeming back.

> And did you speak to any of them? - I did not speak/...

correct? - Tes.

you?--Yes.

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speak to any of them. I then returned home.

You hadn't heard the day previously that this was going to happen, did you? — No. I only heard that on Monday there would be no going to work, but I did not fellow that up very much with particular interest.

What time was it that you heard this man was going to address you at the Pelice Station? -- I think it was approximately 10.30, because I was at home when these people walked past my premises.

And was the time mentioned when this man was going to address people at the Police Station? — No, at the time they walked past my premises no mention was made of time. I only heard the time the first time when I was at the Police Station, that the time would be 2 o'clock.

Who told you that? ——I just heard that from people who were conversing among themselves, saying "Yes, it is 2 o'clock when this man is coming to address the people".

Did you know what the crowd had gathered there for? ____ I did not know.

Did you make any inquiries to find out why they had gathered there? — There was no necessity for me to make inquiries, because I'd already heard that the European would be arriving there at 2 o'clock to speak to the crowd".

About what? --- There they did not explain to me.

And you didn't bother to find out?--- No. I did not
bother myself so very much?

Why were you so interested to come and listen to a Baropean come and discuss something that you did not know what it was all about? — Because I did not know what was going to be discussed, that was why I was interested to remain there, to listen what the Baropean was going to say.

Did you see No. 4 accused being arrested that day?

—At that stage I only saw a person being arrested. I did not know that it was accused No. 4. I only began to learn about that/ee.

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that the first time when we were in gaol, that it was him, accused No. 4.

Did you see accused No. 3, Tsolo, being arrested?-I also saw just a person being arrested at that stage. I only knew that it was him on arrival. I learns about that at the gaol.

BY COURTS

How many persons did you see arrested? --- I only saw two persons being arrested.

And at the time that you saw these arrests being P.P. affected, you didn't see the people to be able to identify them. You only learnt about their identity later in gaol, is that correct? --- Yes, because at the time of the arrest I was a distance away from them.

So it follows that you can't say what these people were doing before their arrest? --- No, I did not see what they were doing.

Were you able to see what was going in inside the police yard? - Yes, I was able to see.

So you must have been close to the fence to be able to see what was going on there? -- Yes, the fence was about from where I stand to where the Prosecutor is. BY COURTS

About 4 - 5 paces.

Did you see anybody with a loudspeaker moving about P.P.: inside the police grounds - that plastic instrument that was displayed in Court? -I did not.

Did you see the man with the sjambok? --- I did not see him too.

Did you hear anybody address the crowd from inside the Police Station? -- No. I did not see.

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BY COURTS and wat

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Did you see the police form up in a line?--Yes, I did see.

What did they do with their guns when they lined up? --- They held them against their bodies and then bent them.

Did you see them putting the rounds of ammunition into the breach? --- I just saw them putting something into the magazines or breach of the guns, but at that time I did not know that that was assumition.

Was this the first time that you'd seen policemen line up with firearms and open them in the manner you've demonstrated, and put semething in? --- Yes, that was the first time.

Do you know anything about military or police procedure at alls--- Rp.

BY COURTS

Didn't you think it was time to move away when you saw the policemen getting ready to use their firearms? ---No. I took it as if they were just people who were preparing to drill.

For a drill?---Yes:

P.P.

And did you see them lift up their firearms to their shoulders? - There I do not recellect whether I saw them or not.

Weren't you interested to see what these pplice were doing? Here they were fiddling about with their firearms, right in front of you? --- At times one doesn't just have your attention fixed on one thing. Sometimes one has to look at some other objects or happenings.

What else could be distracting your attention? There was something of major importance taking place in front of you? -- Yes, it is possible that a person who was perhaps

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you? --- Yes, it is p

standing next to me, spoke to me, or somebody happened to trample on me from behind.

And what was the first intimation you had of the police firing? --- The sound of the firing.

And did you look up when you heard the sound? ---Immediately I heard the sound I just saw people running away. I also joined in the running away.

Weren't you perhaps considering that the police were only drilling at that stage? -- No, the police never drill with their guns in that position, that is by firing. They never drill in that manner.

P.P. NO FURTHER QUESTIONS.

MR. UNTERHALTER NO RE-EXAMINATION.

BY COURTS

Were you shot before you turned around, or after you turned around? -- I was shot, that is immediately after I had fromsed Zwane Street, on the other side, that is then where I fell.

You'd started to run away when you were shot? --- Yes, Where were you shot? --- On my right buttock. In the right butteck? --- Yes. Back, side? --- In the back. Yes, thank you.

COURT ADJOURNS.

COURT EESUES.

TR. UNTERPATER GALLS ACCUSED NO. ALL

SIMON MILANDI, S.S.I

(ZULU).

EXCHERED BY IR. UNTERPRETER

On the 21st of March of last year, were you wounded in the Sharpeville Location? -- That is correct.

Where were you wounded? -- The bullet entered from the left side of my body and penetrated through and get an When/.... exit on the right mide.

conding next to me, speking number on we then beated the And what was the police firing? -- The not set that and did you look and did you look and did you look and did you look and the set the femen't you perhaps only drilling at that a cill with their guesting that a court that a cill with their guesting at that a cill or reserver drill in that a court and they never drill in that a court guesting.

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M. OUTBREALTER CALLS ACCOUNTY OF THE STRONG MULAYSI, S.S.:

ELANGURED BY MR. USUSHWALED

On the Slat of Ma

in the Sharpeville Lecation

the left side of My body

exit on the right side.

TOUT --- TEOR

When you were wounded, where were you? -- I was
in the vicinity of the shops, in the street, the unnamed
street.

BY COURTS

Just a moment, let me have that again. In the vicinity of the shops? — In the vicinity of the shops, at the dormer of the unnamed street and the main street.

MR. UNTERNALTER:

Now what were you doing there at that time?——I was standing there, just standing.

Now there was a very big crowd round the Police Station?-That is correct.

Had you at any time during that morning, been with that crowd? — I was never amongst the big crowd. I was standing alone there, isolated.

Did you ever sing or dance or gesticulate, raise your hand in the sirte-Ne.

And after you were shot, what happened to you? ——
After I'd been shot, I was carried by two unknown beys to me,
who then placed me into a vehicle, this motorcar vehicle,
which then conveyed me to the hospital.

And were you then treated at the Baraguanath

Upon your release, were you arrested and sent to the Boksburg gool? --- That is correct.

MR. UNTERHALTER NO FURTHER QUESTIONS.

ACCUSED Box 12: 4: 8. 38 and 39 NO QUESTIONS.

CROSS-EVAMINED BY P.P.:

What time did you go to the Police Station? ——
I do not know what time I arrived at the Police Station, but
I left my home at 12 noon.

It is only a few minutes walk from your home to the

When you were
in the vicinity of the
street.
BY COURT.

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Just a moment.

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corner of the unnamed

Now what were you standing there the was standing there was not there was not that is correspond you at any that erowd? ——I was not standing sione there is

hand in the mir?---Ne.

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hospital?--Yes.

Upon your release

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M. UNTERNATION NO FURTH

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CROSS-EXAMINED BY P.P.t

What time did you

Lide not know what time I

Lift my home at 12 noon

It is only a few a

Pelice Station?-The Pelice Station is far from my home.

Do you live on the dam side of the Pelice Station? --- Yes, right near the dam is where I live.

And to get to the Police Station, did you walk up that street called Zwane Street, that is the main street which runs past the front of the Police Station, the one with the island in the middle? ——No.

Were you ever at any stage on that day in that street, the one with the island in the middle which goes past in front of the Police Station? --- I was never there,

Were you in employment on that day? -- I was in employment.

Why didn't you go to work? -- I had to go into the night shift.

Were you on night shift?---Yes,

And what time did you start your night shift? 4.45 That is in the afternoon? --- Yes.

And what time had you come off duty? --- I'm off duty at 2 a.m.

2 a.m. on the Monday morning? --- Yes, 2 a.m., Monday morning.

Had you received any pamphlets before the Monday, or seen any pamphlets that there were going to be a demonstration? —— No. I know nothing about that

Had you heard any talk, any remours, before this Monday, that some form of demonstration was going to take place? -- No.

What made you go to the Police Station? -- I was walking past that area. I was on my way to "Hus Husensele".

Is he a friend of yours? —I was on my way to my brother to berrow some money for the bus, but then, when I got to this juncture, I was then injured.

Were you still in the process of walking past, on your way to your brother, when the shooting broke out? ---

Folios Station?---The

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your way to your broth

Just at the time when I was passing at this particular spet where I later fell down, then the firing started. I did not even get to the place which I was going to.

So you weren't even interested in the crowd of persons you saw at the Pelice Station, you were merely continuing past on your own private business, when the firing broke out? -- Tes.

This wasn't a usual sight, I take it, to see a large crowd around the Police Station, of this nature? --- Yes, that was the first time for me to see such a crowd.

Were you at all curious to find out why they had gathered there?--- No, I was not at all curious.

Did you see any of the accused present here today at the Pelice Station or in the vicinity, as you walked past? - No. I did not.

Did you notice anybody monget the crowd, as you walked pasty who were opening their shirts and shouting "Skiet ons"?---No.

Pal tell you formally what one of the Crewn witnesses, Constable Califra, has said. He said he saw you in Zwane Street among the crowd in front of the Police Station. You were about 20 yards from him. He was with the police unit which was in Swane Street, and you were jumping around and shouting "Africa" and "Iswelstho", and his attention was drawn u because you appeared to be shouting the loudest, and when you shouted, the others joined in shouting and j and people opened their shirts and said "Skiet ons", What do you say to that? -- I was never in Zwane Street. I deny that. I did not do all those acts.

So were you welling along the unmaned street, about to enter Swame Street, when you received your wounder ---I never went in the direction of the Pelice Station. I was at the corner of the unnamed street and Seeise Street where Police at the time when I spot where I later fell
and not even get to the
So you weren't

persons you saw at the standard past on your

This wasn't a factor of the Police parts the first time for

engathered there?--No.

Did you see an mark the Police Station
past? - No. I did not

walked pasty who were

"Skiet one"?---No.

Constable, Galatz, hes

mo-Street among the cross were shout 20 yards f

es which was in Grane St.

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Mo when you shouted.

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t at them rever I

at the corner of

your way to your week

I was injured and where I laid myself down and where I was picked up.

Is that the nearest that you ever came to the Pelice Station that day? —That was the nearest I ever came to the Pelice Station. I never went further than that.

Did you stand still or - were you standing when you received your wounds? --- At that stage I heard the firing and saw people running away. I was just running away when I was then shot.

Mad you been standing prior to your commencing to run away, or were you walking? --- At that stage I was standing?

Were you standing facing towards the Pelice Station, looking to see what was taking place there? —— Yes, I was looking at the many people.

And then, when youturned to run, you received the wound?-Yes, I was then shot?

P.P. NO FURTHER QUESTIONS.

MR. UNTERHALTER NO REMEMBER UNDERS.

BY THE COURTS

I propose to show Exhibit 2 to the witness. Do you understand that Plan? Showshim Secise Street, show him the Police Station, show him the Municipal offices, and show him the dam. Can you follow that Plan? — Yes, I do.

Now, along which way were you walking before you got to the corner of the unnamed street and Secise Street? —— I walked along the half tarred street.

Which one?--The half tarred street.

Half tarred street?---Yes.

I don't know which one that is. Can he show it on the Plan?-No.

At what stage did you get into Seeiso Street? (WITNESS INDICATES ON PLAN) What mark should be put there? m biel I erem bus berutut

THE PARTY AND THE

end of the same of the same of

Is that the nearest that edt eaw tedT -- That was the Station. I never went for e to flits basts not bid said th-- Sepanow Tuoy bavis people running suny. I

.Jode ment to Had you been standing p Puntales you walking Were you standing factor anties cow what was taking

of the many people. And then, when youturn -Yes, I was then shot.

. SMOTTSAUO TENTRONS. SEPTEMBER OF SEPENSION

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I propose to show Exh estand that Plan? Snemeble see Station, show him the the dem. Can you follow Now, along which way the corner of the unnamed red along the half tarr mitch one?-The hal Tentes berret Tien I don't know which o

Dans-Net at what stage did of THESE INDICATES ON PLAN)

We well, just come and show it to me, what point he hows as the point where he got into Seeiso Street?

Well, he points to the corner of Seeiso Street and the unnamed street, and he pointed that out correctly, but to get to that corner, had he been walking along Seeise Stree or across the weld, or along the unnamed street? -- The accused indicates that he was walking along where the street is marked I.5, that is the first street from Seeiso Street, before he got to the corner.

In other words, he was walking along the street just to the South of Seeise Street?---Yes.

And how did he get into Seeiso Street? --- The accused points out that just from E.5. point X25.....

There is no K.5 on Exhibit 2 here. Oh, he was a street to the North of Seeise Street, not to the South, when he came down the unnamed street and got to the corner. And where were you going to go? Where was your brother living? My brother lives in the Musenzela Section of the location, It is not shown on this.

I suppose that is somewhere off the picture here. New let us suppose that that day there was no crowd or anything like that, would you have walked past the front of the Pelice Station, past the West side of the Pelice Station, between the Police Station and the clinic - the way you were walking?-- Yes, my route would take me past the Western gate of the Police Station.

You were going past the Pelice Station on the one side and the clinic on the other side? - The clinic on the other slas.

But you never got so far?-- I never got so far. Now it is clear to me which way you were walking. thank you.

MR. UNTERHALTER/...

MR. UNTERHALTER CALLS ACCUSED NO. 65:

HOPHNY MOROBE S.S.:

ENGLISH.

EXAMINED BY MR. UNTERHALTERS

You were in the vicinity of the Police Station on the 21st of March of last year? That is correct.

Of the time, but it was when the aeroplanes came that I left.

When the aeroplanes came, you left?--Yes.

And you did not return after that?---No, I did not return.

So you were one of the lucky ones who were not

BY COURT:

What about accused 3, 4 and7 ...

MR. UNTERHALTER:

Among them, Your Worship.

BY COURTS

MR. UNTERHALTER:

do? — I steed for a little while, to have a look.

Were you looking our-Yes.

Did you shout, or utter any slegens, or life your hand in the sir, or gesticulate or gesture in any way?____

Now, on what day were you arrested in connection with this case?——I think it was on the 17th of May.

Sust repeat that?——I think it was on the 17th of my when I was arrested. It was a Tuesday, I think.

R. UNTERHALTERS

And you were then taken to a parade, were you?-Yes,

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o taut. Lew on Constant new T shows as the point who well, he point the unnamed street, an to get to that corner. or aeross the veld, or accused indicates that is marked X.5, that is before he got to the In other word to the South of Seeis And now did h points out that just There is no I least to the North o he came down the unit where were you going My brether lives in It is not chewn on at ont seeque I. let me suppose that underlake that, would you Policeolice Station, past him thetween the Police S alkingt--- Tes, to the gate of the Police I welled the low were go state and the clinic other side. L don the you nev

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thank you.

MR. UNTERHALTER CALLS

HOPHNY MORMEE S.S. :

EXAMINED BY MR. UNTE

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BY COURT:

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MR. UNTERHALTER

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BY COURT:

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MR. UNTERNALTER:

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Not at all.

Now, on what day w

this case? -- I think t

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· UNTERHALTER:

TARS ESTELLA

and you were then to

I was taken to a parade.

And after that, were you kept in gael until you were released on buil? -- That is right, yes, MR. UNTERHALTER NO FURTHER QUESTIONS.

ACCUSED No. 2 4, 8, 38 and 39 NO QUESTIONS.

CROSS-EXAMINED BY P.P.:

What is your address in Sharpeville?-- Hy address is S:192, Sharpeville, city site and service scheme,

Did you write any examinations last year at all, in connection with any educational body at all?-Tes, I wrote last year.

And just for the record, what was it that you wrote? --- I wrote an examination for the Institute of Bookkeepers; London.

Now, did you know before this day that there was going to be demonstrations in Sharpeville?--Yes, I had heard rumours.

How long before the 21st of March had you heard the rumours?-- I think it was on the Saturday preceeding the Monday.

And from whom had you heard the rumours?--- No, it was in the bus. I was from town, going to the township.

that the only source of informationthat you had, that there was likely to be a demonstration of some sort on the Monday, was by means of what you everheadd in the bus?-Yes, that was as far as Sharpovalle was concerned,

Do you know any of the accused presentle-I've seen them in the temmenips

Bid you have any contact with any of the accused in . Court, in any form, before the 21st of March?- No, I did not have any special contact with them.

Have you an aunt who lives in aSharpeville at all,

or/

4.L

I was taken to a parade.

Land after that, were released on hail?-

MR. UNTERHALTER NO FURTH

CHOSS-EXAMINED BY P.P.:

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Court, in any form, be

not have any special c

Maye you an au

er a sister?--- I've get some relations in Sharpeville,

What is the relationship with her?—I've got a brother, who has got a wife. Then I've got a grandma, so to say. These are the closest relations I've got, apart from many other who are remote.

And on this particular day, were you in employment on the 21st of March?-Yes

Were you on night shift, or were you supposed to go to work in the morning?—I was supposed to go to work in the morning?

I can't hear?—I was supposed to go to work in the morning.

P.P. :

BY COURT:

And did you go to work, or try to go to work?- Yes, I tread to go to work.

And what was it that stopped you from going?—Pirst of all, I couldn't get transport when I got to the his Stop. Then we hung about for some time at the Bus Stop, and people were talking about some trouble further down in the township, in the region of the Patsone Setonic.

BY COURT:

Lock, I'm serry, but you are talking very indistinctly and it is very important that I should hear what you say. Will you repeat all that - you were hanging about at the Dus Step, and then what happened?—And then we heard that there was some trouble down in the lower portion of the township, in Pulsace Setenies

Which way would that be?—Semewhere in the region of Putsas Setenies

Semewhere towards the effices or hostels?-Yes, in that region. And then from there I left, preceeding to my home/*...

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What is the rela

brother, who has got a w to say. Those are the c

from many other who are And on this part

on the 21st of March?---

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I can't hear? ___I

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home.

What was the nature of the trouble that you heard, why did it cause you to go home?--- I learnt that there were some police down there, and people, in a clash of some kind, I did not ...

police You say the people down there and the people were in a clash of some kind?- Yes, there was some trouble with the pelice. I did not know what it actually was, because it was just people talking at the Bus Stop.

Did you try going to work by some alternative route, that would take you past the source of trouble?-- No.

Way not? - Well, as I proceeded towards my place. because I stay out at site and service, I - on leaving the bus terminus, I had to go across Zwane Street, and it was at Zwane Street that I saw some people eyeling up the street and saying that they had been stepped semewhere on the edge of the township, that is near the place where they dump ash, Eastwards along Swane Street. It was for those reasons that I decided to stay.

BY COURT:

You are not mixing up Zwane Street and Seeise Street? --- No.

P. P. :

So were you in Emane Street that morning! -- I crossed Zwane Street on going to my house.

And where did you cross it, in the vicinity of the Pelice Station, or lower down? -- A bit lower down.

Towards the dant-Tes.

And did you notice the crowd of people at the Police sed Emane Street?--Ne, I saw no erowd Station when you er at that time.

What !...

MOROBE/

What time was that? -- It must have been about T did notes. - past 8. I'm not sure

And after you'd gene home, did you then decide to go to the Police Station? -- I hung about my place and I saw some people pass, saying there is some discussion at the Police Station.

BY COURTS

Just repeat that, you hung about your place and saw people doing what? I heard people pass by, saying they are going to the Police Station for some discussion, P .. P. :

Did they say what was being discussed at the Police Station? - Yes, they spoke about passes.

And was exis of interest to you, the fact that there was a discussion about passes?--- Yes, it was of some interest.

And did you go up to the Police Station to hear what the discussion was in connection with the passes?- Yes.

And at the Police Station, when you arrived there, did you see any of the accused there at all -- No. I did not see any of them. There were many people around.

And Reels, did you notice him at all at the Pelice Station? --- No. I did not see him.

Tesle, No. 38 Your Worships the former No. 3 did not see him.

Did you welk up Zwane Street to get to the Pelice. Station? -- No. I have to walk across Swane Street; because I come from the Southern side;

And did you make any inquiries at the Police Station amongst members of the crowd as to what was happening there? - When I get there I steed round and heard people that they were waiting for some highly placed official that was coming

... Tonday was a some

brother What was the natu ey and it cause you to g some police down there, a

on the You say the pelpl

in a clash of some kind?the police. I did not kno was just people talking a

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at had I , necessar . See St were godt bill they say Station? --- Yes, they o sift and but mes a discussion about og wer sib sak alas I we the discussion was in And at the Pols did you see any of the

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ddinot see him.

Did you walk up Station? -- No. I have to I come from the Southern are the And did you make emenget members of the ca - When I got there I ste

were waiting for some his

Was that all that was said, that some highly placed man was going to come and address the erowd?---It was this sort of talk from many people about. No one was quite exact in details.

And was any mention made of the time that this man would come to address the crowd? -- Yes, they said roundabout 2 p.m.

And did you get tired of waiting and then went home? -Ne, it wasn't a long time that I've been there. When the aircraft came sweeping over the Police Station, mostly I get frightened and I left.

What was there about the behaviour of the aeroplanes that frightened you, as you put it? -- Well, they dived down too low over the people.

BY COURT:

Isn't that what they were supposed to come for, to disperse the crowd?---Yes, and amongst them there was one from which I get the full blast of the exhaust and I..

Pull blast of the exhaust from one plane?--- Yes, and they were busy for a little while and I decided to leave. P.P.: ASKS FOR ADJOURNMENT.

COURT ADJOURNS.

COURT RESUMES:

HOPHNY MOROBE SOLOS.

BY P.P.1

Would you please give me your signature on this piece of paper? Thank you. That will be Exhibit 116. Would you have a look at the signature on Exhibit 28? Is that your signature? - Tes, it is.

BY COURTS

The one right at the Allow me just to look at that. bettem, where it says "Signed"?--Yes.

Your/ ...

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Isn't that what the deported the crowd?---Yes, d fluf edt ten I doidw men e sult to tastd first walls e

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MOROBE/

Your signature, 24/9/599 -- That is right.

BY COURT TO P.P.

Mr. Presecutor, just to help me to follow whatever you're going to ask. Where did this Exhibit 28 come from? P.P.:

I took it out of the envelope of

BY COURTS

No. I know it comes from the envelope here, or are you not discussing that yet?

P.P.:

Well, Your Worship, this was part of the Exhibits which was re-introduced by means of my cross-examination of my re-examination after No. 4 accused had cross-examined Mr. Labuschagne.

So, do you know these people, Michael Tenyane ? -P.P. : No. I don't know that one

Thomas More?--- You, I know him.

Is that accused No. 42-Yes, that is him;

Taple - is that referring to accused No. 3 who used

to be here? -- Yes, And Remadipe, is that accused No. 39? -- That is right,

This appears to be a Minute of an Executive Meeting yes.

n the 9th of September, 1959. That was a meeting of a branch of the Pan African Congress in Sharpeville Township, wasn't it?- Yes, it was.

And these persons here, Wir. Morebe and his Executive Members," that is accused No. 3 and accused No. 39 were members of that Executive Branch together with you?-Yes, it was a previsional Executive.

Then did you join the Pen Atriess Congress? --- I

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Mr. Presecuter. a Stad you're going to ask. Whe

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W COURT: Well, Your Worsh

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me Mr. Labusehagne.

P.P. : 151 80. do yet knew

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place of parties appears to opened at 7 p.m. on the

88? meeting of a branch of

Township, wasn't it?--

And these perso

lettMembers. " that is acou

members of that Exsent!

it was a provisional Ex

ot use sid you to

August, 1959?-Yes. New, do you agree that the Pan Africansists Congress

organisation is a Unionwide organisation - throughout the Union. It is not just confined to one Province? -- Well, at

that time it was just on the Reef.

BY COURTS

You must please reply clearly. What did you say? -- I

say it was just on the Reef at that time.

On the Reef? -- On the Reef, when I joined it, and I

later left it.

P.P.:

When did you leave? __ I think it was in September,

roundabout the end of September.

BY COURT:

Roundabout the end of September? -- I left them.

Which year?-1959

P.P.:

Why did you join the Pan African Congress? -- (Before

reply) P.P. TO COURTS

Your Wership, this accused is not cited in the Particu-

lars as being a member. Your Wership will recall that these

beeks were only brought to light beter trial had commenced.

BY COURT:

Yes. The question is, why did you join the Pan

African Congress? I leved that organisation,

17 -I leved the erganisation when it started.

P.P. :

Now, was the prime reason for joining this or tion because, firstly, because it wanted to abelish the Pass System, in other words, the system whereby all Africans had to earry passes?- No, that was not the issue at that time. All they thought at that time, they just wanted to unite the

African people.

H/..

August, 1959?----

New, do you agree

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BY COURT:

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TO COURT : TO YES

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BY COURTS

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African Congress?-- I lev

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Now, was the pr

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System, in other word

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African people.

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BY COURT:

They just wanted to? They just wanted to unite

the African people at that time.

P.P.:

With what object in mind? -- Well, that I wouldn't

know, because I just know that we loved unity.

Did you do any lecturing?-- No, as I say, it was just about two months or so, then we couldn't pull on together with some of these chaps, and I just left.

Now, for what purpose was the African people to be united?-To let them stand as a nation, a race.

But for what purpose? -- No, I wouldn't know, I might have learnt later, but I...

Was Sebukwe President of the Pan Africanist Congress at the time that you joined? -- Yes.

And was Leballo the Secretary, the National Secretary? Regional

-Yes, he was. And Zacharias Mdunki, was he a member of the Executive for the South Western Witwatersrand Division?-- I din't know.

Dad you attend the conference of the Pan African Congress in December, 1959 - the National Congress? -- No.

BY COURTS

At this instance at the Communal Hall at Orlando. Did you go to that? -- No, I'd long left them, as I've already

said.

This temporary body of which you were office bearers, P.P.: you were the Chairman of this, and Tsolo, No.3 accused, was the Secretary, and No. 39 accused was the Treasurer, Is that right?-- I don't remember what positions they had, but we were together in some form of body.

Will you have a look at Exhibit 28 and confirm it for me, or ...? -- Yes, according to this it was so. Who - for what purpose was that particular Committee

constituted/e..

Maria E

or courts, do you serve to Transfert They just wanted

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PY CORY COURT:

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P. P. P. Po.:

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tion you were the Chairms

yate was the Secretary.

to our that right? -- I don

All thwe were tegether in

with healt healt and the for me, or?--

Who - for

onstituted?-To establish a branch.

Was there already a branch in existence? Was this o be the second branch in Sharpeville?--- No, I don't know, here was no other branch in existence.

Who approached you to join the Pan Africanist Congress?-- I don't remember well,

Was it accused No. 4 or accused No. 3? -- No, none of the accused.

Was it Jock Tsolos? --- No.

Well surely you can remember the man who approached you?--- No, I just read about it in the papers, and saw that there was such an organisation. That is how I got to know about it.

BY COURTS

Just a moment, you just read about it in the newspapers? -Yes, originally, That is how I came to know about it.

Well then, what is the next step about your interest in the P.A.C. ?-- I'm just not sure what I did, until I got to know. I remember we come together, some of us, and we tried to make a branch of it.

MR. P.P.

Where were you working at that time? -- I was still working at Brick & Tale.

Brick & File. And who did you approach when you decided to join the Pan Africanists Congress. Who did you go to and may "I ment to offer myself as a member"? --rted this, we were trying to No. I - I think when we starte go and affiliate - we were going to go and see these people. There was none of them yet who had come to see us, or anybody ...

Look, first of all, to be elected an executive member of the branch, you had to be a member of the Pan Africanists Congress first of all, don't you?-- Yes, but this was not a branch/...

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there was no other branch i Who approached you

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Was it accused No. edita out thodo tout the accused.

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BY COURT:

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Just a moment, you -Yes, originally. That Well then, what t in the P.A.C. ?-- I'm ju got to know. I remember we tried to make a branc HR. P.F.

where were you we working at Brick & Tile. Brick & Tile. At decided to join the Pan of fasw I" want to No. I - I think when we Best Lado and go and affiltate - we we

anybody ... **高拉一种原义等**

There was none of them y

Look, first of of the branch, you had Congress first of all, WHO - ED

MOROBE/

branch.

No, but you had to be a member before you could an executive tive of the branch, not so?offer yourself to be A member of what?

You had to be a member of the Pan Africanist Congress in order to form a branch?- Ne, this was not yet a Pan Africanist Congress. As a group we were going to affiliate ourselves at some later date.

BY COURTS You were a group? -- Of people who were interested, Of people interested?---Yes.

P. P. :

What I want to know is this. You had to approach somebody to offer yourself as a candidate for membership of the Pan Africanist Congress, not so?--Yes.

I want to know who the person was that you approached to offer yourself and say "Dock, I am over the age of 18 years of age, I'm an African, I don't belong to any other organisation whose policy is in conflict with the Pan African Congress". Who did you approach?- No. I'd not appreached anyone then. We were just a group who was going eventually to go over to them.

Were you issued with a membership card? -- No. Did you pay any membership feest--- No.

Are you suggesting that you, accused No. 3, accused No. 39 and some other man, Nim, just decided out of the blue that youwere all going to be members of the Pan Africans?---Well, we speke about it for some time, but we - I for one, we never actually become a member in the sense that I was issued with a card. I do not know if the others became members.

De you now say that you were not a member of the Pan abrient Compress! -- To I ma note

So then your former statement to the Court, when you said you were a member of the Pan African Congress, is not correct?--- It is not correct that I - this was just an organisation which was going ...

Just go step by step. De you recall saying earlier on in cross-examination to the Court that you were a member of the Pan African Congress -- I'm not sure that I said that.

BY COURT:

You said you joined the P.A.C. in August, 1959?-That was the time that ...

Just a moment, and you left it in September, 1959. You told me you joined, and you left. Can I appeal to you, try to be truthful and answer these questions truthfully? ---Yes.

P.P.:

Now let's settle this question. Were you or were you not at any stage a member of the Pan Africanists Congress?-I was a member of that group.

A member of the Pan Africanists Congress? -- Branch, You were a member of a branch of the Pan Africanists Congress. Is that correct?-- Yes,

Now how did you join the branch of the Pan Africanists Congress?---We organised the group, and I'm almost sure, I think we got some.

Isn't it correct that there was already a branch of the Pan Africanists Congress in Sharpeville Native Township? when you and your group formed a second branch? Isn't that correct? -- That I don't know.

How many members were there comprising your branch of which you were Chairman of?--- I don't remember now, it is a long time ago.

Didn't/...

breaket and one offer yourself to be an A member of what? You had to be a in order to form a brane Africanist Congress. retal emos at sevies later STEUOD XH there was Of people inter of thew I tadw somebody to offer your the Pan Africanist Con would of thew I want to know so to offer yourself and years of age, I'm an ergenisation whose poi African Congress". appresented anyone the eventually to go over Were you iss decided to Did you pay Are you sug Mo. 39 and some oth blue that youwere a tets Congress?--We we - I for one, wa sense that I was is Others became memb

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MOROBE/

So then your bryou said you were a m not correct?--It is of an organisation which A meaber Just go step on in cross-examinati tof the Ran African Co

OMEY COURT:

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Act at any stage a me I was a member of tha organ A member of t You were a me Congress. Is that cor over the now how did y Congress?---We organi think se got some.

Tion if time! tainsolville new end to Township? when you an Isa't that correct? se How many memb of which you were the a long time ago. THE PART

Elm abusements

Didn't you found your branch under the guidance of accused No. 4? Didn't he help you found your branch of the Pan Africanists Congress? -- I don't remember if it is hom, but certainly we were together with him,

Here it says: "Mr. Tenjane proposed, after an explanation by Mr. Morobe, regarding the forming of one permanent body, that Mr. Morobe's body stands permanent, and only to be augmented by candidates on the date to be mentioned. The suggestions was seconded by - it is not quite legible - Mr. "Thoke", Mr. Tsolo and accused No 39, Mr. Remadibe. It was further clarified by Mr. Moseothat the proposal was so good that it was in itself constitutional for the fact that Mr. Morobe's party was already registered as a branch", So you were already registered as a branch? --- I can't get that clear.

Well read it. Perhaps it is easier to read then when somebody reads it out to you?---Yes, so it is.

So you were already registered as a branch?--- I'm not sure about that.

You signed the document, Surely you must know what you're signing?-Tes, we must have been registered,

That means you were registered as a branch, through the National Secretary, Mr. Lebelle?--Yes, yes.

In other words, Mr. Sebukwe was the National President of your branch as well as all the other branches?-Quite right.

Now, is it correct that accused No. 1 was also a member fo the Pan Africanists Congress at the time that you joined?-No, not at that time.

Did he join later?-- I don't know if he joined later.

BY COURTS

Just a moment. There is unfortunately talking by

Diant you foun

of accused No. 4? Didn

of the Pan Africanists

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Here it says: "

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EY COURT:

Just a moment. Th

3,161.

MOROBE/

the witness and interpreting by the interpretor, and I can't hear. What was your reply?—I did not know when he joined.

P.P. :

But he became known to you afterwards as a member of the Pan Africanists Congress. Do I understand that that is what you're saying?--- No. not while I was still a member.

And accused No. 27-No, he was not a member.

Not as far as you know?---Yes.

What about No.8 accused?-- No. not at that time.

Did you later learn that he was a member, or you don't know whether he ever was a member?—No, I don't know.

Do you know Stephen (Stefaens) Lopes, accused No. 38?

--- I see him in Court.

BY COURTS

What is your reply?- I see him in Court here.
You did not know him as a member?- Yes,

P.P. :

Have a look at Exhibit 50. What happened to your card, like that? ——I think I tore it up.

You think you tore it up?--Yes.

BY COURT:

May I have a look at that, please.

P.P. :

Was yours also signed by Gebelle?—I think so.

You see, what I find strange in believing your
evidence so far, or trying to azientate it, this is for
the year 1959, Isole was the Secretary of the branch,
wasn't he?—Yos, he was.

BY COURTS

Which Tsolo?

P. P. 1

of accused to the witness and interprecient hear. What was y

Permana But he became kr of the Pan Africanists (is that you're saying!-

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BY COURTS

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Which Tselo?

And this is issued to Johannes Monyake for the year 1959, the same branch of which Tsolo was Secretary. Is that correct? Does that bring it back to your memory that accused No. 1 was a member at the time that you were a member?—Not at the time when I was a member. You see, it doesn't say when he joined or something like that.

Except for the "annual fee for 1959"? -- Well, it might have been some time after I'd left. Still in October this man was Secretary, also. I mean, in November also. But I just don't remember him being a member whilst I was a member.

BY COURTS

Is there any date on Exhibit 507 Just make sure?

Bol. it contains no apparent date of issue.

P.P.:

And did you, when you joined the Fan Africanists

Congress, did you subscribe to their oath? -- What oath?

Did you subscribe to any oath when you joined the

Pan Africanists Congress?--- No.

Hew did you register yourself as a branch with Mr. Leballe? -The National Secretary?---I think semeene went up to him and brought some eards and issued them and we were a branch. I don't remember the precedure well. That is how it was done.

That would have been the job of the Secretary, he would be the man who would see to things like that, on an instruction from the Chairman. You probably said to the Secretary "Look here, we must register eurselves as a branch, you'd better go up and see the National Secretary, have the branch registered and come back to me and bring the member-branch registered and come back to me and bring the member-ship cards". That is what probably took place?——Ne, no. I ship cards". That is what probably took place?——Ne, no. I think semeene brought the eards to us. I don't remember who it/...

P.P.

And this is is 1959, the same branch that correct? Does th eccused No. 1 was a me member?--- Not at the pit doesn't say when he

might have been some this men was Secretar But I just don't remen a member.

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BY COURTS

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Secretary "Look bere

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This imples

it was, and after we became members, we made a local committee.

3,163.

You have a bad memory for a Chairman? --- I must say it is a long time - I've long left the thing. I cannot remember them well.

You see, this Exhibit, No. 28, appears to come from Exhibit 15, which is the book of Minute of Meetings. Would you have a look at Exhibit 15, and you will see that Exhibit 28 seems to fit in in the gap just before a meeting dated the 10th of September. You agree that Exhibit 28 appears to be a missing page from that book?-- I didn't follow this - I wouldn't knows

All right, have a look at Exhibit 15 - just lift up Exhibit 28 and look at Exhibit 15. There is your name mentioned in that book, is that correct? "Mr. Morebe's committee"?---Yes.

That is you that is being referred to, your committee, on the 10th of September, 19597 -- What is the question?

That is you and your committee that is being referred to in Exhibit 15 on the 10th of September, 1959? --- That is right.

How often were your meetings held - once a week? --- I think we held them whenever it was necessary. I can't remember

New, do you agree with me that an organisation is only as strong as the amount of members it can draw to its ranks? In other words, the gere members you can bring inte your ranks, the stronger your organisation?-That is true, yes.

So it is the fundtion of every good Pan Africanist and every good Pan Africanist branch to try and recruit as many people as they could?--Yes.

it was, and after we bec committee.

PARS SUF . CCU You have a bad m it is a long time - I've country for

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You see, this Ex maibit 15, which is the you have a look at Exhib Thibit 28 seems to fit acted the 10th of Septem appears to be a missing * TOUR BOOK IN t'abluew I - aldt weller HY COUR All right, bave

H to deel bas 89 tiding mentioned in that beek. committee"?---Yes.

That is you that · DOSTINGOD eittee, on the 10th of S

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on boundaries donness out so it is the fur and every good fan Afric many people as they coul

New then I think it is good commonsense that in order to attract people to your organisation, you must have something, some favourable policy which will also attract them to come to you. You must have something to offer them? --- Yes, it often happens that way.

And one method whereby members are recruited, is by holding meetings and spreading your doctrine amongst the people, so that they will decide "Well, this is the doctrine for me, let me join that organisation". Isn't that correct? --- Yes, not only with meetings. You can talk to people.

Yes. And the welding - the African Nationalish that you talk about, had an object in mind, didn't it? In order to weld the African people into one solid united block, you had a specific purpose for wanting to do that, to make them stand together as a nation?-That is true.

And that object, in order to get them to stand together as one united nation, was so that they could rule and govern themselves in this country in 1963? Wasn't that part of ... ?---No, there was no talk of that at that time.

No talk of that at that time?---No. There had not been any program devolved then, as far as I can remember.

As far as you can remember. Your memory isn't too good. It is possible there was a program but you've forgotten it? --- No. but I was not well acquainted with it, if it was there. I've refreshed myself enough now, I could remember, I'm sure,

Did you see the Constitution of the Pan Africanists Congress at all?--- No. I did not see it. We wanted to get one but.

Do you mean to tell me that at the time when you were elected Chairman of the branch, you didn't even know what the Pan Africanist Congress stood for?--- I've already told/..

New then I think countities attract people comething, some favourab

them to come to you. You

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holding meetings and spre you have that they will people, so that they will

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Did you see the

Congress at all?---No. I

one but..

Do you mean to t

were elected Chairman of

what the Pan Africanist

teld the Court that it steed for unity.

Plain unity?---Unity of the African people. I wouldn't know what other program would follow, but then that was what was mostly discussed.

Did you say unity of Government new?--- I said unity of African people.

was it just a philantropic organisation which wanted to unify the African people, with no other purpose in mind? — No, it wasn't a philantropic organisation, it was policical all right, but...

And what was the policical aims of the organisation?
What did it aspire to? --- As I say, I did not get the
Constitution. I don't know them, I just know the one object,
that we had to unite.

Did you see the Pan Africanist for May and June, 1959, when it came out?--- No.

Have you seen any Pan Africanists magazines at all? ----Yes, I've seen some.

I'll read you an extract from the Pan Africanist in January, 1959. Perhaps it might refresh your memory. It is called the Africanists, and then the future of the Africanist movement, and it says here ...

BY COURTS

Which Exhibit are you quoting from?

P.P.

I'll quete from one of these, and then I'm going to

hand in.

BY COURTS

St is not one that has been handed in yet?

P.P.

It is not one that has been handed in.

BY COURTS

You haven't taken it from the book, from the register

THE STORES teld the Court that it st Plain unity?----Un tes amos , partitoremen wouldn't knew what other · San Barrier Hart that was what was mostly

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of Exhibits then?

Here is the question posed "Who are the P.P.: Africanists; and the answer which was given here is a simple, "would be that they are the members of the Africanists movement, but if one wishes to go deeper into the question, one would say that they are those Africans who believe that African Nationalism is the only liberatory outlook that combine the African masses by previding them with a leyalty higher than that of the tribe and thus mold them into a militant, disciplined, fighting force". Is that what the object was, as put there?--- Ne, I do not remember reading that or ever hearing it put that way. Alli can say is that they wanted to achieve some unity, as I've already said. I have not yet had access to the Constitution. I did not know everything yet.

Did you ever find out what the policy was of the Pan Africanists Congress? -- No, in the short space of time that I was a member, I did not.

How did it come about that you were elected Chairman? I'm sure that they elected informed people to the ranks as leaders in their organisation. How were you elected Chairman? -I wouldn't know. It as just that people thought me all right, but I definitely did not have any special information You see, we were about the mevement, if I may say so. at the P.A.C. all starting then. There was nobedy who knew w was or what it stood for,

Did you so to the Police Station on the 21st of March, 1960, because ...

BY COURTS

If you're returning to more actualities, we'll take the adjournment for lunch.

COURT ADJOURNS.

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March, 1960, b

BY COURT:

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COURT RESUMES:

HOPHNY MOROBE B.u...

P.P.:

Now, from the time that you joined the Pan African Congress until the time that you left, did you attend these meetings regularly? -- No, not regularly.

The meetings that you attended, were they presided over by accused No. 4?-- I think one or two, yes.

Can you remember the exact date when you left the Pan African Congress? -- No. I cannot, but it was the end of September.

And did you attend some meetings in September,1959? -- Just the one that.

Yes, you attended the one apparently on the 9th and the one on the 10th. The one on the 10th is here : "The undermentioned were dected office bearers to fill Mr. Morebe's Executive", and the names were given. I take it you were present at that one? -- Off

Book, on the 9th of September, that is the document you signed?-Yes.

That one you attended?--- Yes.

And then, on the 10th of September, there was also one here that a meeting was held, and it says here "The undermentioned were elected office bearers to fill Mr. Morebe's Executive", Se I take it you were present, seeing that that effected your-I'm not sure, I'll not lie about that one.

And then, on the 20th of September, there was another meeting held, and the Chairman was Thomas More, accused No.4. Do you recall that meeting! -- No. I was not present at that meeting.

You say you were not present, or you can't remember

Property at he better to COURT RESUMES: HOPHINY MORORE, B. W. O.

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that one. Did you

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meeting.

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whether you were present?--- No. I was not present. You were not present?--- No.

Do you know who lives at Stand No. 8.905 in Sharpeville?--- Yes, I've learnt that in Court.

No, do you know who lives at Stand No. 905?--- Yes. Who lives there?-- Themas More.

What made you leave the Pan African Congress?--- I think we had an argument on one occasion, shortly after I was chesen Chairman.

Who had an argument?-- I think it was I and More and Tsele, I think, and I decided to leave,

What was the argument about?--- I can't remember it clearly, but I think it concerned some money, I don't know.

New, on the 21st of March, 1960, did you go to the Pelice Station in order to associate yourself with the demonstration that was being staged there?- No. I was just going te listen.

You know of course that - in view of the fact that you had been a member of the P.A.C., that there was going to be a demonstration there that day?--- Not because I was a member before. It was not discussed whilst I was a member.

Did you ever see any pamphlets, calling upon people te surrender themselves to the Police Station on the 21st?---No, I did not get any muself?

Did you learn that such pamphlets had been distributed?-Yes, I learnt from people who had them.

And did you yourself see any of these pamphlets?-N. I did not see them.

Who did you learn from that those pamphlets had been distributed?--- I think it was also in the bus on Saturday, that the people talked about the 'Stay at home'. They mentioned this pamphlet.

De/ ...

Non Ses non

think we had an argument on think we chopen Chairman.
Who had an argumen tools, I think, and I deet

What made you leav

What was the argum olearly, but I think it co Now, on the 21st o Police Station in order to etration that was being of

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MOROBE/

3,169.

To No. 8 accused also known as Keale Teketsi? ---No. I don't know that name.

New, you say you went to the Pelice Station to hear what was going to happen?---Yes.

And whilet you were there, did you hear people shouting "Africa" and "Iswelethu"?---No, they were singing when I get there.

There has been evidence in this Court by Mawin

Lethelu that he saw you giving a sign, presumably the

thumbsoup sign, in the videnity of the Police Station in

Zwane Street. What do you say to that? —— No. I dony that.

I was never in Zwane Street and I never behaved in the manner that was described.

Did you ever personally meet the President or the National Secretary of the P.A.C.? --- No.

P.P. NO PURTHER QUESTIONS.

RE-EXAMINED BY MR. UNTERHALTERS

This particular committee that is recorded in the Minutes of this Meeting in Erhibit No. 28. At the time that that meeting was held, was that of an already constituted branch of the P.A.C. or if not, what was it?--Ne, it wasn't a duly constituted branches in fact, as mentioned in the deciment, we were trying to get registration. If we had that it would have been duly constituted, that is, fully accepted in all respects.

And the purpose of your business at that stage was then what?--- It was then - as we had the membership, it was to register with the - to be a native branch of the movement, so to say?

Did you later receive some kind of efficial intimation that you had been recognized as a branch?—Not that I remember. I can't think of ever having it.

Is No. 8 accused al I don't know that hame.

Now, you say you was near what was going to happ hear what was going to happ and whisht you were shouting "Africa" and "Iswedon I got there has been evi

Dethelu that he saw yeu & continued on the sign, in the wind thumbs-up sign, in the wind the yeu what do you street in Zwane Street.

that was described. mittee bid you ever per Metional Secretary of the P.P. NO FURTHER QUESTION RE-EXAMINED BY MR. UNTER red bad berticular Minutes of this Meeting that meeting was held, branch of the P.A.C. duly constituted deciment, we were at wenld have bee ut all tespects ent box then what?--I to register wi se to say. t blo deer sat to

that you had

remember. I

the arrangements, did you, at that stage, already regard yourself as a member of the P.A.C. or as a person who hoped to be a member of the P.A.C.?---Well, I'd obtained a membership eard, but though I have not yet complied with many other requirements which I had to learn of later. I have not yet, so to say...

BY COURTS

You got a membership card?---Yes.

Why don't you answer the questions? You know, you're not answering the questions even of Mr. Unterhalter..?——I don't follow it properly.

MR. UNTERHALTER:

Just let me put it to you again, with His Worship's leave. That meeting was held on the 9th of September, the meeting that is reflected in Exhibit 287-Yes.

At that date, when that meeting was held, had you already received your membership card, or did you receive your membership card subsequently. Do you understand my question? ——I understand it.

What is the answer? I received it subsequently when I'd already changed my minds

Then, at that particular meeting, were you heping that your branch would be accepted by the P.A.C. and that you personally would in due course be accepted as a member?

—Quite right.

MR. UNTERHALTER NO FURTHER QUESTIONS.

BY COURTS

New, there were certain of the other accused, particularly No. 8 - particularly No. 1, rather, and No. 4 about when this witness has new, in cross-examination, given evidence which they hadn't heard when they had their opportunity for questioning them. Are there any further questions

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TR. UNTERHALTER

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Particularly No. 8 - 1 about whem this withd evidence which they i

tunity for question

you, accused No. 1 and accused No. 4, No. 8, No. 38 and . 39?

QUESTIONS BY ACCUSED NOS. 1, 4, 8, 38, and 39.

Y COURTS

When you - you say you left the Pan Africanists Congress after a quarrel, so you think?---Yes.

You think the quarrel may have been ever meney?--It was ever meney.

It was over money. But what was your attitude towards the ideas of the Pan Africanists Congress after you left it? --- No. I completely left.

Pardent-I was completely diversed with the P.A.C. Completely diversed?-Yes.

Did you no longer want African unity, or what?--- No.

You didn't care for it. Now is it that you didn't care for the persons who were members of the P.A.C. or that you didn't care for its ideas?—Well, I did not get to know it any further since then.

You knew some local persons with whom you had a quarrel?—Yes, but since I'd had the quarrel, I did not know much concerning the P.A.C. thereafter.

May I have Erhibit 28 please, and also that membership card?

Exhibit 28 seems to be the Minutes of semething held on the 9th of September, but you signed it on the 24th of September, is that right? Have a look?—Yes,

Did you write out this Exhibit, or did semebody else write it out?--- No, that is not my writing.

The writing is not yours. Whose writing is it?

Look at it? —I cannot say now whose writing that is,

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TO QUESTIONS BY ACCUSED NOS.

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Can you now really not tell me whose writing that is? --- No. I...

You signed a document but you don't know in whose writing it is?--- It is some time ago, I do not know.

I know it is some time ago, but I don't think you attended, on your revidence, more than about 2 or 3 meetings, how is it that you can't remember? -- Sme meeting were held in my absence, and...

I'm not talking about meetings held in your absence.

I'm talking about meetings you attended?—Yes, but definitely

seannot say whose writingsthat is.

New, who is the first person who mentioned the Pan Africanists Congress to you? - that sort of suggested that you should join? -- I cannot remember.

You cannot remember?--- No.

Was it somebody in Sharpoville, or somebody for elsewhere, who suggested it to you personally?--- As I say, I cannot remember. I wouldn't be sure...

You can help me a little bit by trying to remember whether it was a local person or a person from elsewhere, surely? — I think it was a local person, but I'm not sure.

Is that as far as you can help me there?—Yes, I really cannot say who it is:

Isn't the position perhaps that you - I don't know,
I'm putting it as a possibility - that you had been persuaded
by people from elsewhere, and you came along here to try and
persuade people to establish a branch. You were the moving
spirit in Sharpoville?——No.

You see, this Exhibit 28 talks of Mr Morobe and his Executive members. New, you and your Executive members. Who are your Executive members, of what? It seems to me as if you and some executive members of values had a

by you, accused No. 1 am

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formed some association and that you were no in contact with other people?--- I can't get that?

You can't get it? Neither can I. On the context of this Exhibit which was signed by you. ?---Yes?

There are possibilities that you and some Executive Committee of yours were trying to get others to join the P.A.C., or otherwise, that you and some Executive Committee of yours, met some other committees or association, and the two were trying to amalgamate?—I think that was the position.

Oh, you think there was an analgamation descenething you had and something somebody else had?--- If I remember clearly now, there was some other organisation earlier.

Well new, I want to knew from you, you were amalgamating with who else?---With some other organisation.

Who else?--- I think it must have been the one that ...

No, this is not clear to me. Who were the persons with whom you were trying to amalgamente? — The other organisation.

I think that was led by accused No. 4.

You think so? --- Yes, if I remember well.

And was the quarrel between you and accused No. 4, perhaps, when you left?—He was involved.

He was involved?--- Because, as I say, he ...

It wasn't the two leaders clashing as to who was to be the leader of the combined effort?—No, it was a question of money.

Money. You say here - this appears above your signature: "It was further clarified by Mr. More that the proposal was so good that it was itself constitutional for the fact that Mr. Morebe's party was already registered as a branch". You see, just now to Mr. Unterhalter you said you were not sure whether you were registered. According to this you were already registered as a branch. Is there anything you can say to explain that? And then finally, "Mr. More will meet his full committee

and/

and explain what has 'expired' at this meeting". I don't know who expired there?--- Yes, he was going to give over his group.

New, there is a signature here penned for vicechairman. Whose signature is that - have a look? ---No. I don't know this signature,

It lacks like More, doesn't it?--- It looks like it, yes.

Very well, then there is another signature you can look at, the one in pencil, opposite the words Assistant Secretary?-- No, this one I can't make out.

You cannot remember who signed as Assistant Secretary?--- No.

If you look at Exhibit 50, on the back, you will see semething called a "pledge". Was that what each member who got such a card was supposed to sign?--Yes.

Did you sign such a pledge?---Yes.

Yes, it is just "Fledge to embrace and maintain the principle of the Pan Africanists Congress and voluntarily and sincerely bind myself to earry out faithfully the beligations entailed by membership of the organisation". Then their mette was "Service and sacrifice and suffering"? -- That is true.

New, I suppose when you tore up your eard, you really severed all the connections with the P.A.C.?--Yes.

MR. UNTERHALTER CALLS ACCUSED No. 76.

PETER MOLEFE/.

adt bas association and the ner people? -- I can't get the You can't get it? Noi this Exhibit which was sign There are pesitoilitie stitee of yours were trying i.L.C., or otherwise, that you f yours, met some sther commi me were trying to amalgamate on, you think there w you had and semething semebod now, there was some other ore I I want to ! ting with who elser with a Minted I Toses on Tital you no this is not oles them you were trying to and I think that was led by secu walmary ou think set Live I can And was the quarrel perhaps, when you left?___H whethe was involved?--It wasn't the twe the leader of the combined il see our former yllast You say he

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MR. UNTERHALTER CALL

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BY MR. UNTERNALTER:

Your Worship, I call accused No. 76, Peter Molefe.

PETER MOLEUE (Accused No. 76), duly sworm, states: EXAMINED BY MR. UNTERNALTER:

You were at the Police Station on the 21st March of last year? --- Yes, that is correct.

And where about were you just before your arrest? --I was in front of the big gate facing the clinic.
BY THE GOURT!

In front of the big gate on the western side.

EXAMINATION BY MR. UNTERNALITER CONTINUED:

Now, you were taken into the Police grounds? —— Yes.

Before that what were you doing in the crowd? —— I
was there enought the crowd singing the songs which were being

sung. I was singing hymns, church hymns.

Apart from singing these hymns were you doing anything else? --- No, I was doing nothing else.

about that you were taken inside the Police grounds? — Whilst I was still standing outside the main entrance gate to the Police Station prunises, I saw a detective who was wearing private clothes, and who was approaching in the direction of the gate. He appeared as if he was a person who was coming to say seasthing because the people were singing hymns. At that stage I was not singing. These people who were standing there in front of the fence than told the people to keep quiet in order that they could listen to what this person was coming to say. I then also told them to keep quiet after I had heard those in front saying so. This man then approached the gate and/....

W MR. UNTERHALTER: berigge one word

Your Worship, I

PETER MOLEFE (Accused No. STAMINED BY MR. UNTERHALT phis most stock I wat

his group.

You were at the

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STANINATION BY MR. UNTER

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Because there were many and wanted to go out of the gate, people there outside the gate I assisted him by pulling the gate so that he could get out. It was then that he grabbed hold of me by my red waistcoat and pulled me inside the precincts of the Police Station.

Before he grabbed hold of you, did he do anything else that you can remember? --- He asked me one question and without my having replied to the question I was then at that stage hit.

BY THE COURTS

Hit by whom? -- The same detective who was wearing these private clothes, and who had grabbed hold of me there. EXAMINATION BY MR. UNTERNALITY CONTINUED:

Now, apart from anything that was done to you, did this detective in private elethes do or try to do anything to anybody else at the gate? - There in the vicinity of the gate I was the only person who was then caught hold of and pulled in. I think thereafter perhaps he may have caught some other persons.

But before he caught hold of you he did not do anything else? -- Before he caught hold of me in the vicinity of the gate he did nothing. I did not see him do anything else in front of the gate there.

my, at that stage how were you dressed? --- At that stage I was wearing this red maisteent of mine. BY THE COURSE

the one you have got on today? -- Yes, the same waist coat I have got on today. Also a white shirt.

It is really a black and red waistcoat.

By/....

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eople there outside the sopple there outside the set so that he could get sold of me by my red wais the Police Station.

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MARINATION BY MR. UNTER

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BY MR. UNTERHALTER:

With buttons down the front, Your Worship.

BY THE COURTS

And a Baseta bat? --- Yes, and a Basutu hat. Also a brown pair of trousers, and a brown pair of shoes. EXAMENATION BY MR. UNTERMALTER CONTINUED:

Now, you were taken into the grounds. Was there any other European detective mearby? --- Just at the stage when I was taken away there was another person who had a sort of handkershief around his head. He accompanied us past the Police inside the grounds, i.e. past the line of Policemen who were standing there.

And after that were you handed over to a third European detective to take you inside? -- Yes.

Now, what happened between that third European detective and yourself? Will you describe it to His Worship? ——
This third detective, when he came to me, took me by my right aim and tried to pull me in order to walk faster than I was walking. When I tried to stiffen my legs and not lift them up, he then tried to put his shoulder under my arm in order to use a bit of Judo. Instead of allowing my arm to come onto his shoulder I brought it more against my body, and he then instead went over and fell down.

DY THE COURT:

We went over and fell? -- Yes, Your Voranip. In Son up and came to me. It was then I maked him "What do you want" or "That is the trouble", or what did he want with me. I then asked him what the trouble was that he had with me. It was then that he handed me ever to a native Policeman. EXAMINATION BY ME: INTERNALIZER CONTINUED:

Now, apart from trying this Judo grip on you did

BY MR. UNTERHALTER:

THE COURT! BESITE he

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EXAMINATION BY ME.

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he do anything else to you? — He was shorter than I in height. He tried to hit me, but as I am taller than him I just kept on standing back so that he could not touch me.

What happened to your hat during these proceedings?

The hat fell at the stage when the detective who came to fetch me from the gate "clapped" me. He touched it and then it fell there at that spot.

BY THE COURT:

No, make it clear to me. When which detective slapped you? You have been talking about three or four persons now. The man with the handkerchief, the first man, the third man? — No, Your Worship, the detective who pulled me from the gate.

EXAMINATION BY MR. UNTERHALTER CONTINUED:

Now, did any of these three people say to you that they were placing you under arrest? --- No.

Did any of them say to you why you had been taken away from the eroud and removed inside? — None of the three men ever told me why I was removed from the erowd and taken inside, with the exception of what happened during the discussions; that was from one of them after the shooting.

No. I am talking about at this stage when you were taken from the gate. They did not say anything to you? --- No.

Can you tell His Worship if there was smything that you were doing at the gate or smong the crowd at that time, that explains to you why you were taken inside? —— I could not find a reasonable reason why I was taken away, but I was standing... I was the nearest among the people there at that gate where I was taken away. After I had been taken in I could not get any reasonable explanation.

By/....

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BY THE COURT:

Were you standing against the gate? Were you in the first row? --- As I was standing there there could perhaps have been one or two persons - short people - in front of me, who were also assisting in opening the gate like myself. PYAMINATION BY MR. UNTERHALTER CONTINUED:

Now, you were taken inside and handed into the care of an African Constable? --- Yes.

And during the time that you were under his guard did any conversation take place between yourself and anybody else? --- Yes, there was some conversation between myself and a detective known as Amos.

Is he one of the people who gave evidence in this Court? --- Yes.

What was that conversation? --- He asked me "Why do these Europeans arrest you from outside there?" asked me where my hat was which I had on.

Was there anything else that he said to you or that you said to him? -- I told him that my hat fell at the stage when I was assaulted at the gate there, and I did not have sufficient time to pick it up because I was afraid that I may get further blows with the flat hand, i.e. if I stood there and picked it up.

Did he say anything in reply to that or commenting on that? -- If I remember well I think one of the Sorgeants then stopped him from conversing or talking to us.

Now, you of course were away from the eroud at the time that the shooting took place? -- Yes, I was away.

Bid you have any conversation with the man who arrested you after the shooting was over? -- Yes.

What did he say to you?

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THE COURT:

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BY THE COURTS 3,180.

You had a conversation with which one now? The first one or which one? --- The man who arrested me first at the gate.

By the way, can't we get some idea from you as to who he is? Have you seen him giving evidence or anything like that? —— Yes, I saw him, Your Worship. I don't know how to pronounce his name correctly. I think the Court called him "Sprengler" or "Spengler".

EXAMINATION BY MR. UNTERHALTER CONTINUED:

And what did he say to you after everything was over and when he spoke to you?

BY THE COURT:

That is the first person now. You think that is the one who gave evidence here as Spengler? --- Yes, Your Worship.

Yes, what conversation did you have with him after the shooting was over? —— He asked me if I was one of the members of the Pan Africanist Congress.

EXAMINATION BY MR. UNTERHALTER CONTINUED:

Yes, but did he say anything to you about the shooting? ----Yes, he did may something.

Well, what did he say? — He said to me I should be thankful for what he has done to me, 1.e. by removing me from there. If he did not do that them I would have been shot.

Now, when you were taken away did you observe may thing at all about the crows? --- In the manner in which I was removed from that spot I would not have had time to look behind, because should I have done so perhaps I would have got several slaps.

Well, if you did not see anything with your eyes, did
you hear anything with your ears as you were removed? --- If I
remember/....

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remember well there were still some who were singing hymns amongst the crowd.

Is that all that you remember? --- That is all I remember now.

Now, were you asked to make a statement to the Police? -Tes, I was asked.

And you signed it did you? --- Yes, I did sign it.

And did you continue to be under arrest or that happened to you? --- Defore I made the statement I was given a warning that the statement I was about to make would not put me into trouble or.....

BY THE COURT!

I am wondering when you people are going to just answer the questions that you are asked! We will get on much more quickly if you answer the questions. Your counsel is conducting your case.

EXAMINATION DE MR. UNTERFALTER CONTINUED:

Thank you, Your Worship.

Please answer my question. Now, did you continue to remain under arrest or what happened to you? --- No. I was deleased.

BY THE COURT:

I did.

You were released when? --- Approximately half past eight in the evening.

That evening yes.

THAT I A THE DAY OF THE REPORT OF THE PARTY OF THE PARTY

Now, you remember that a Judicial Inquiry was held in Sharpeville under Mr. Justice Vessels? --- Yes.

You gave evidence before that Inquiry, did you? ---

Your Worship, I wonder if the Court could adjourn

Accused No. 76.

for a moment. Apparently one of the accused is not well.

COURT ADJOURNS.

COURT RESUMES:

PETER MOLEFE, under his former outh, continues:

I have been asking you about the Judicial Inquiry presided over by his Lordship Mr. Justice Wessels? --- Yes, I did give evidence before the Judicial Inquiry.

Now, what happened after the Judge left? --- It was just a few hours after the Judge had left that I was then arrested. I was arrested by mative detectives.

And shortly after that were you admitted to bail? ---

Thank you, Your Worship.

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

CROSS-EXAMINED BY THE PUBLIC PROSECUTORS

Van it conveyed to you by the Judicial Commissioner before you gave your evidence that no matter what you said it would not be used against you at any future trial? --- That is true.

Now, did you go to the Police Station at Sharpeville on the 21st March because you wanted to take part in a demonstration against the earrying of passes? — I went there as a result of a runour, and after I had heard that an important European would some there to address the people of Sharpeville or the residents of Sharpeville. That is the first reason. The second/....

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OURT RESUMES:

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second reason is that my grandfather had been stopped from going to work by others, and so I went there in order to listen to what this important European official would say, because then I had realised that/I had gone to work I would have been stopped in the same way as my grandfather had been stopped from going to work.

Wase those the only reasons why you went to the Sharpeville Police Station that day? —— The other reason being that in the neighbouring vicinity of where I live the people were not at their homes, with the exception of the people who were walking past in the direction of where nost people were going to.

Do you deay going to the Sharpeville Police Station because you wanted to take part in a demonstration against passes? — Yes, I deay that because I did not know how it would be fulfilled in reality, i.e. that demonstration.

Did you know that there was to be a campaign against passes on that Monday? —— Yes, I knew. I did not have knowledge but as a result of the paughlet which I received on the 17th when I returned from work I gained the knowledge.

Was that the pumphlet which they call "Calling the Nation"? — I cannot remember it very well, but I remember that one; I handed it over to the Police.

Have a look at Exhibit No. 5? --- Yes.

Tell so if that is in substance the pumphlet that
you received? —— Your Worship, what new confuses as and why
I am having such a close look at it, is because in that one
there were the words "Abolition of Passes", which do not appear
here.

Well, give it to me. Perhaps I could find the one that you are referring to. Now it seems to be more clear when you....

sond reason is that dag to work by othe Heten to what this i sume then I had relave been stopped in supped from going to Were those th peville Police St. ten the tar the net eple were not at the de who were walking of autog eron ofto. Do you deny of between not sain med I set -- Proat belittied od blu Did you know Typhon that Monday? as a result of the w word bearing so The ent that the TORREST THE TRACE th bedman I jemo to April of Troping to ruor --- Tour having such a close A sprov did ordit pretion against the Trovis drowning

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you say it contained the words "Abelition of Passes". Was it called "The Dawn Mas Come"? —— I only remember there at the bottom there were these words "Abelition of Passes", and also "Increased Wages".

Have a look at Exhibits 48 and 49, and then tell me whether those were the ones? Exhibit 47 too might help you. — If I recollect well that one had the words at the bottom that it was a demand of £35 per month.

None of the ones that you see and that you are being shown at the moment seem to strike a chord in your memory? Is that correct? --- None of them.

Was this on about the 17th of the month that you received this pumphlet? --- Yes.

And did this one purport to have been issued by the Pan Africanist Congress? --- Yes, but it was signed by a person who is unknown to me.

Sobukue? --- Yes.

Word you a member of the Pan Africanist Congress? ---

No.

And you say you gave this pamphlet to the Police? ---

To the Charge Office Police or to a Special Branch
Policeman? — I believe it was the Charge Office Police,
because it was the pame people who took statements from me.

The it not Captain Villors who took your statement from you, a bald-housed man? --- You, a tell man.

You did not give a statement to him though? --Although I do not recollect very well he was present when I
made my statement.

DY THE COURT:

May I just find out this. Is it now definite that

asy it contained to collect "The Dawn Ho bottom there were took "Imereased Wages Have a look "Those were the those were the collection that it was a look cottom that it was a look were the cottom that it was a look were the cottom that it was a look was at the noment

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rou only handed it in after you had been taken in from the rate? It was handed in when you were inside the Police Station, i.e. on the 21st March? —— After I had given my statement at about half past eight in the evening, I was taken by them to my home. They had gone to fetch that particular pamphlet, and they them left me at home.

They took you home, you gave them the pumphlet, and they left you at home? --- Yes.

CROSS-ELANGHAFTON BY THE FUBLIC PROSECUTOR CONTINUED:

And was it because of this pamphlet that you went to the Police Station on that Monday? -- No.

Did you fed that you would like to go to the Police. Station that day to associate yourself with others who were making representations and demonstrations against the earrying of passes? —No, it is not so. It would be difficult for me to do such a thing unless I had the policy which would be adopted, and the way that demonstration would be carried out.

So did you go there out of curiosity? —— I went there to listen to the matters which were supposed to be discussed by this important European official who came from Pretoria. That is the first reason why I went there. The second reason is that my grandfather had been stopped from going to work, and so it was necessary that I should go and listen to what was being said there.

Where were you when you heard this remour that somebody was going to address the people at the Police Station? --- I was inside my yard sitting on a chair.

And did you go to the Police Station at half past nine that morning? Approximately, I am not binding you down to the time? --- I don't remember well, but it could have been approximately/....

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MOSS-KIAMINATION

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Did you for any to start on that day to midney representate of passes? --- No. to do such a thing adopted, and the way of the control of the

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And that morning

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approximately that time.

So it must have been before nine-thirty in the morning that you heard this rumour that somebody was coming to address the people at the Police Station? --- Yes, it was about half past nine when I heard that rumour, and then when I went there it was between a quarter to and a quarter past ten.

And when you heard the remour was it also mentioned that this person would come at two p.m.? --- No, those who walked past there mover made mention of the time.

Was it only at the Police Station that you heard the time that this person would be coming to address the people?

---- Yes.

And did you hear that through Tsolo who made an announcement to the people that a man would come and address the crowd at two p.m.? --- No, I heard from people amongst the crowd.

Did you see Tsolo, No. 3 mecused, at the Police Station?

BY THE COURT:

You are talking about accused No. 3, or the other

Tsolo?

BY THE PURLIC PROSESSION

No. 3. Your Worship.

BY THE WITHESS!

You, I did see him.

CROSS-EXAMINATION BY THE PURETE PROSECUTOR CONTINUED:

Did he make any address to the crowd whilst you were there? — If I remember well he told the crowd that the crowd should not lean against the feace, but they should stand a little back, away from it. Secondly he told the people who

were/....

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were sitting on top of the climic roof that they should get off there.

Did you also hear him tell the erowd that an official or somebody highly placed was coming to address the erowd at two p.m.? --- No, I did not hear him may that. I do not recollect.

Did No. 3 accused make any announcement at all in which two p.m. was mentioned? --- What I heard specifically was what concerned the fence. It may be, but I did not hear him say that or making mention of it. I do not recollect very well that he did make mention of the time.

Did you see any of the other accused at the Police Station? -- Yes, I saw More, assused No. 4. BY THE COURT

Not inside?

CROSS-EXAMINATION BY THE PURITE PROSECUTOR CONTINUED:

Was that before your arrest? Let us put it that way. --- Before my arrest I saw Isole inside the precisets of the Police Station.

But you did not see any of the other accused before your arrest at the Police Station? --- No.

And it must have been about ten o'eleck when you learns that this man was going to come at two o'clock to address the people? -- It was approaching past ten or half past ten when I heard that this official would be there at two p.m.

From the time that you went to the Police Station diyou were at the Police Station all the time until you were arrested by Colonel Spengler? - Top I did not remain theren time; I went for lunch.

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And then came back? -- Yes.

Were you over in Swame Street at all, i.e. the street unning past the front of the Police Station? --- No, I was ever there. If I remember I think I did pass there in Swame Street, but I did not stop; I did not stand in that isinity.

Now, when Colonel Spengler approached the gate and you wanted to assist him, did you open the gate by pulling it butwards towards you? --- Yes, I pulled it towards me because should I have pushed it to his side then I may perhaps hate hit him with it.

And how far were you able to open the gate before he grabbed you? --- It was not completely open. As it was elosed it opened half, approximately half. It opened to the extent that two persons of an average size could go out.

Did you have difficulty in opening the gate against the pressure of the erowd? — Those persons who were at the gate assisted me in pulling the gate open, although they were not pulling it hard. It was not difficult.

What will you say if I tell you that the gate cannot be opened that way? --- I will say it did open, because it did open on this particular day.

Is that the normal way that gates open? —— I think these double gates open to both sides, i.e. inside and outside.

BY THE COURTS

Anyways, are you sure that you pulled it open outwards, pulling it towards the climic and pushing it in towards the Police Station? —— I pulled it outside because he was coming out.

Yes. Now, I believe it is a double gate. Did you only/....

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Station Yes. Now,

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only pull one of the gates?-- It is a double gate, but as I was facing the Police Station I was opening the portion which is on the left and the others were opening the portion on the right.

CROSS PRAMINATION BY THE PURGIC PROSECUTOR CONTINUED:

Will you have a look at Exhibit 14? Does that show the normal way the gates are opened? --- Yes, here I notice that it has been opened to the inside, but I do believe that it does open to the outside.

Now, when Colonel Spengler seized hold of you and pulled you inside without saying anything, did you realise that he was arresting you or confining you for some reason? --- I was under the impression that perhaps he needed somebody to interpret to these people, because at that stage he did not have an interpreter, and so I was very much surprised at the time that I was hit.

Mid you not seen Tsolo, accused No. 3, being pulled inside or taken away from the inside? --- I am not certain because there were many people there at the Police Station.

Had you seen anybody removed from inside the premises by some official prior to your removal? -- At times whilst I was there I saw Toolo being taken in ergoing in with the officers and then at a later stage coming out, but I cannot actually say that he was then under arrest or what the position WAS.

Did you at any stage see a civilian or a man dressed in civilian clothes arresting Toolo? --- I think I saw somebody taking Taolo away, but I did not pay much attention because I had my attention fixed on what was happening here in the nearby vicinity, i.e. in front of me, and what was inside.

> Did it enter your head at the time that Taolo was perhaps/....

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perhaps being removed for purposes of being an interpreter? --- I did not believe so because should that have been the case he would not have been taken inside the building, but he would have remained there or come to us in the vicinity of the gate, so that he would be able to interpret to the people.

The way Colomel Spengler seized you adcording to your description was a very rough and rude manner, was it not? --- Yes, the way he hit me was a very unmannerly way of treating a human being.

Did he strike you as soon as he seized hold of you? --- He seised me and pulled me, and just as I was then about to go through the gate, it was then that he slapped me the first time.

It all took place within a matter of seconds? ---Yes, it is possible, although I don't know how long it taken to seize a person in that fashion.

And do you still persist in saying that you thought this was a polite manner of asking somebody inside to act as an interpreter? -- I have said that that surprised me, because when I saw him approaching no I was under the impression that he was coming to look for somebody there who would be able who would be used as an interto interpret to the people preter.

And when he grabbed hold of you by the waistcoat, did you still think he was coming to ask you to be an interpreter? --- That thought was not in existence, but it was to do what he wanted me to do.

So by the time he grabbed you you realised that you were not going to be asked to interpret? - Yes, because immediately thereafter, a few minutes thereafter or seconds,

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it was then that I them got the slaps.

So you must have taken this man, Colonel Spengler, to be a man of some authority when you saw him approaching?

--- Yes, I took him as a person in authority, in view of the fact that he came from the direction of the Police offices, because the others were standing there and he was coming in the direction of the gate.

And when the man smacked you and began to remove you forcibly, did you realise that your liberty was being curtailed and you were being removed for some reason or other which was not conveyed to you at that stage? —— Tes, I was very much surprised about the way he did things.

Yes, you were surprised, but did you realise that you were being removed under the authority of a person who had some authority there? — Yes, that is what I thought in the first instance when I saw him approaching, because I was under the impression that he was coming to talk to the people there.

Mid you say anything to Colonel Spengler in the substance of "We don't want passes. We want our freedon"? —— I did not utter those words. Should I have been asked those questions or perhaps questions requiring such replies, then I would have not been in a position to reply to such questions.

The Constable whom you referred to as a man with a handkorchief on the head, did you see him give evidence here? --- Yes, I did.

Was that Constable Sealman? Can you remember his name? --- I do not remember his name. It may be that of Saalman.

Have a look at Exhibit 777 Between a Police truck and a Saracen you will see a group of people standing at the gate. There is a man with a white shirt on and a handkerchief on his head. Was he the second man who confined your body after

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Colonel Spengler had? --- If I recollect this person was with Colonel Spengler.

No, Colonel Spengler is also there. Have a look at Exhibit 77. Are those the two men, the man with the healty on the head and Colonel Spengler?

BY THE COURTS

You can tell the witness that Colonel Spengler is not the man who had a handkerchief on his head. The man with a handkerchief on his head is a Constable and the other man is a Colonel; a big difference in rank. --- Yes, I have seen Colonel Spengler, as well as the man with the handkerchief on his head.

Well, you don't see yourself perhaps, do you? Have a good look at the exhibit. -- I do not see myself here. I was not right in front.

Yes, the faces are rather indistinct. One would not recognise anybody's face on there.

CROSS-EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

There was a Constable Saniman who handed you over to the third man, Detective Sergeant Muller, who has given evidence here? -- Yes, I believe so.

BY THE COURT:

Is it correct? Did the third witness also give evidence? --- Yes, Your Worship.

Do you remember that he was a man with hora-rismed

classes? -- Tes. CROSS-EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Were you asked by may of these three gentlemen to produce your pass or reference book? --- Not on that day; I was mot.

Did/

Accused No. 76.

Did you realise them that you were in the hands of the Police? --- Before the firing or after the firing?

Oh no, by the time you had been passed to this third man, Detective Sergeant Muller, did you realise that you were in the hands of the Police? --- Just at the first instant when I was selsed and struck the first blow, it was then that I realised that I was in the hands of the Police.

And when Detective Sergeant Muller tried to take you off, why did you resist him? --- No, I did not resist, but I only stiffened my legs in following him.

You objected to being removed from the scene as quickly as he wished to?

BY THE COURT:

Don't you call stiffening your legs any form of resistence? --- The position is this, Your Worship. He wanted me to walk faster and that I should walk at the same rate he wanted me to, so that when he entered where he was going to enter I should also exter.

CROSS-EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

You were not prepared to be harried up by the Police? Is that it? --- I was supposed to walk at the rate the Police were walking. If they were walking slowly I was to walk slowly. posed to hurry up because and if they were hurrying up I was supp in case they were walking slowly and I ran, they would then get the impression that I wanted to run away and escape.

Well, you realised that the Policeman wanted to make you walk faster. Why did you not? - Yes, I then walked faster the way he wanted me to walk.

But you have just told the Court that you resisted by stiffening your legs, so much so that this man eventually fell

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down, 1.e. ultimately? -- In fact I burried up. I lifted my legs. In other words, to stiffen my legs. I did not mean stiffening them so as to hold them tight, but to lift them up and walk faster. BY THE COURTS

You wanted to walk with stiff legs? Is that what you wanted to do? --- No, I wanted to walk at the rate the Policeman was walking.

What did you do to your legs? Please try to tell me what you are trying to convey? --- What I did was I walked fast, at the rate the Poliseman was walking. That is what I did.

Look, did you say that you stiffened your legs in answer to your Advocate and now to the Prosecutor? Did you say that you stiffened your legs?

BY THE INTERPRETER:

I may explain it in this way Your Worship

BY THE COURTS

No, no, I have had no reply from him, Mr. Interpreter. I don't want an explanation from you.

BY THE COURT 1 TO THE ACCUSED!

Did you say "I stiffened my legs"? -- No. You never said so? -- No.

What did you say? --- I moved more quickly. (The rest of the accused's answer is imaudible, as he is now speaking English and standing away from the microphone).

Look, do you want to give evidence in English now? Then I want it on the microphone please, or do you want to use the Interpreter? -- I will use the Interpreter.

Well, then speak through the Interpreter. You did say "I moved more quickly".

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BY THE INTERPRETER:

Your Worship, may I just explain this point to the

Court?

BY THE COURT!

Do you Mr. Interpreter now want to give an explanation?

BY THE INTERPRETER:

Yes, Your Worship.

BY THE COURT:

has given.

I am not concerned with explanations from the Interpreter. I am concerned with the evidence which the witness

BY THE INTERPRETER:

I may indicate at this stage Your Worship that the word the witness used in the Sesotho language may imply two things. That is what I am trying to explain.

BY THE COURT:

These are my notes of the original examination-in-chief.
"This third detective, when he came to me he took me byggy
right arm and tried to pull me to walk faster than I was walking.
I tried to stiffen my lege, not to lift them up. He put his
shoulder under my arm in order to use Judo". Well, we had
better hear your explanation now, Mr. Interpreter?
BY THE INTERPRETERS

Your Worship, the explanation I want to give to the Court is this. That when the secured used the word in Seather has teles mapter that is in the sense it was used at that stage, and the subsequent sentence which implied the falling over of the Policeman, it implied as if he stiffened his legs, but as he now explains it means that it is taken in the other sense, that he did not stiffen his legs but he walked at the rate the Constable wanted him to walk.

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THE INTERPRETERS:

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Constable wanted !

BY THE COURT:

Yes, that is about as clear as mud now! What I want to know now from you Mr. Interpreter is has the accused said two things or one thing?

BY THE INTERPRETER:

He has not said two things, but the word implies two things at the same time.

BY THE COURT:

What word is it that can mean two things?

BY THE INTERPRETERS

That is the word "ke telse maoto".

BY THE COURT:

Yes, and what is the one meaning of it?

BY THE INTERPRETER:

In the souse it was used "ka teiss macto"....

BY THE COURT!

I just want to know the two meanings. I don't want you to give senses used by the witness. Now, just give us the two meanings places?

BY THE INTERPRETER:

To "ke toise meete"" may mean to walk slowly or to stiffen one's legs when you are asked to walk faster, and the second meaning is that he at the same time may be required to wants him to walk, i.e. in the walk at the rate the witness sease it was used.

CROSS-READINATION BY THE PUBLIC PROSECUTOR CONTINUEDS

Now, is it correct that this is what you said to your Counsel in reply to a question put by Counsel: "This third detective took me by my right arm"? - Yes.

BY THE COURT:

Let us take it slowly, step by step now. "He did take me/....

Accused No. 76.

THE COURT

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Counsel in reply

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THE COURT:

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me by my right arm". Is that right now? --- Yes, when he came to me he took me by my right arm.

CROSS-EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

"And tried to pull me to walk faster than I was walking"? --- He walked faster, and I then also adopted the same way of walking and walked faster.

BY THE COURT:

Did he pull you is the question? --- The way he held me be pulled me away, because he came immediately and pulled me away.

BROSS-EXAMINATION BY THE PUBLIC PROSECUTOR CONTINUED:

Well, just let us get it slowly. First of all the detective came along and he grabbed you by the right arm? Is that correct? — That is correct.

Having done that he tried to pull you to make you walk faster than you were actually walking? Is that correct? ---Yes.

Now, what did you do when that happened? --- I then walked faster, the way he was walking.

What led this man to try to put his shoulder under your arm in some sort of Judo technique as you have stated? ——
The impression I gained was that he wanted to Judo me in that way, so that I should fall down.

And you resisted that movement? --- No, the only thing I did was I had my arm more to my bedy in order not to rest on his shoulder.

You prevented him achieving his purpose? Is that it? - That he should not throw me over outs the ground.

And did you cause him to fall? -- He fell because he was the person who was holding me; I was not holding him.

When Colonel Spengler seized hold of you and handed

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