

But you thought you would like to have that pamphlet in the house in case it warned you not to go to work at a certain time and that you would not get into trouble for going to work.  
-- Yes, I wanted to read it.

So you said to Paulina, your daughter: please type that for me and I will read it later when I am free. -- Not when I have time. I wanted to read it immediately.

BY THE COURT: But why couldn't you read the copy that you had? Why must it be typed? -- My neighbour told me that I must give it to her immediately. (10)

MR CHASKALSON: You did not know what was in the pamphlet and you thought it was something you might want to keep in the house?  
-- Yes, I did not know the contents.

And then you say you asked Paulina to type it for you. --  
Yes.

(10) And I think you told us that at about that time Siphon came to the house. -- Yes.

And he also wanted one when he heard that one was being typed for you. -- Yes.

And then you saw Paulina typing it and there was one (20) and one copy behind it. -- Yes.

One for you and one for Siphon. -- Yes.

22  
And then after Paulina had typed the pamphlet and your neighbour had taken hers away, you read that pamphlet. -- Yes.

And you decided that you would like to burn it after you had read it. -- Yes.

And you took the one that Paulina had typed for you and the one that Paulina had typed for Siphon and you put them in the stove and burned them. -- Yes.

RE-EXAMINATION BY MR DONEN: How long was the original (30) pamphlet in your house? -- Which one?

The/...

The one you received from a neighbour. -- Not very long because after it was typed I returned it to her.

Can you estimate how long it was in the house? -- The Court can also imagine as one is typing and finishing typing, handing it over.

BY THE COURT: Did you return the copy to your neighbour immediately after it had been typed? -- Yes.

Your daughter, accused No. 12, was she a professional typist? -- Yes.

Did she do her typing at home? -- Yes, she was from (10) school and at times at home she typed what she had been taught at school so that she might not forget.

(13) When she typed two copies, the original and one copy, she did that at your request? -- Yes, at my request.

15 Did you tell her to type two? -- I asked her to type one. Siphon asked for the second copy.

So he came there before she started typing? -- She was just starting to type.

You say you had no discussion with her about the contents of this pamphlet? -- No, no discussions with her. (20)

I take it you will not know whether your daughter did what is known as touch typing? -- I know nothing about typing. (22)

Yes, you would not know that a person could even type a document without knowing what was in the document if you do that sort of typing. -- I know nothing about typing, I only see people type.

NO FURTHER QUESTIONS.

MR VAN PITTIUS: I call Domenicah Thelma Ngubeni.

DOMENICAH THELMA NGUBENI: sworn states: (Through Interpreter)

EXAMINATION BY MR VAN PITTIUS: Do you know accused No. (30) 10 before the Court? -- Which is that one?

BY/...

BY THE COURT: Will No. 10 please stand up. -- I do know him.  
That is the man.

MR VAN PITTIUS: Can you tell the Court when you met him for  
the first time? -- I am not sure whether during September,  
October when he was discharged from jail.

What year? -- 1976.

Now where did you see him? -- At Rustenburg where he stays.  
Where is that? -- Hlabane Location.

Do you know the address? -- Yes, I do. 771, Morudi Street.

How did you meet him there? -- I, my father and the (10)  
rest of the family.

When you got to his house, did you see him? -- Yes, I saw  
him.

Where did you see him in the house? -- We were sitting in  
the kitchen.

Yes, and then? -- We saw him, thereafter we came back home.

Was there anything discussed between yourself and accused  
No. 10 at that stage? -- No, there was nothing discussed between  
me and him.

Did you see him again after that time? -- Yes, on (20)  
a Friday I saw him.

Still in September/October? -- Yes.

Did you go there alone or were you accompanied by anybody?  
-- It was myself and my sister and accused No. 10's wife.

What is your sister's name? -- Antoinette.

Incidentally, do you know where she is now? -- She is in  
Maputo at school.

Now you went there with your sister and you said accused  
No. 10's wife was there. Where did you see them in the house?  
-- There were three of us when we went to accused No. 10's (30)  
house.

Who/...

Who were the three then? -- Myself, my sister and No. 10's wife.

So you went there with his wife. And when you got there? -- On Sunday accused No. 10's wife left. We then remained with accused No. 10.

Let us first conclude this Friday. Did anything happen there? Did you have any discussions with accused No. 10 when you went there with his wife? -- There was no discussion on Friday.

Did you stay there that Friday or what was the position? -- We sat and even slept there. (10)

Did you sleep there until the Sunday? -- Yes, we slept even the Sunday.

Now you said th e Sunday accused No. 10's wife went away. -- Yes.

After she went away? -- I and my sister we remained there at No. 10's house.

Did you have any discussions at any stage during that period with accused No. 10? -- Yes, we had.

Can you tell us about it? -- Accused No. 10 asked me as to whether I am a member of the Black Power or not. I answered no. (20)

At this stage who was present when he asked you that? -- Only the two of us, myself and accused No. 10.

Where was your sister then? -- She was sitting outside on the verandah.

Where were you sitting? -- I and No. 10 we were in the sittingroom.

Did accused No. 10 say anything else? -- He told me how the leaders contact one another. (30)

What did he tell you about the contact of the leaders? --

He/...

He told me about bags, saying if one bag is black and the other bag is also black and they must be alike, similar bags.

The bags must be alike? -- The bags must be alike.

Yes? -- When they are now going to contact one another, one places his bag next to the other one's bag and then the person who left that bag will take mine and leave his or her bag.

Did he indicate whether the bags would contain anything? -- He said they would contain instructions which would inform them what they have to do. (10)

Did he ever say who the leaders are who he was referring to? -- No, never told me who the leaders were he was referring to.

Did he ever say who the them were he was referring to in relation to the information or instructions that were meant for them? -- It is the leaders when they contact one another, handing instructions one to each other.

Did he say anything else? -- He told me how the leaders disguise themselves when going for meetings.

Did he ever - how did he say, how did they disguise themselves? -- Boys were dressed like girls and vice versa, (20) girls like boys.

Did he however say for what meetings or not? -- Political meetings he said.

Did he describe what he meant by political meetings or not? -- No, he did not describe what he meant by political meetings.

Did he say anything else? -- Also told me what they do in order that the police may not find them, saying that they give the police false names.

Yes? -- He made an example by giving a name and said that seeing that we are two, I would be Mkwazazi. (30)

Did he say who they were that he spoke about who would give false/...

false names to the police? -- He said the leaders give false names to the police.

Did he say anything else? -- He said that there are people who have to go to Swaziland - pardon - he said there are people whom he knows of in Swaziland. He will then take me and my sister and his children to go and study in Swaziland.

Why was he saying this now all of a sudden? Do you know? -- Because children were no longer attending school as they were on a strike.

Did he ever indicate to you as to what studies he was (10) talking about? -- No, he never explained that.

Just to come back to the bags you were talking about, did he ever indicate what the instructions would be that would be in the bags? -- No, he did not.

Now, did you stay there that whole period then? -- Yes, we left by bus on Thursday.

Did accused No. 10 again speak to you or have any discussions? -- He told us that we should visit him on Christmas Day.

Did accused No. 10 at any time during that period when (20) you were there, mention any names when he talked about the leaders and so forth? -- No, he did not.

Did you get to know from him how you would be able to go to Swaziland to study there? -- No, he did not tell me how we would get there.

Did you get to know how you would be able to live there or not? -- No, I did not know.

Was money at any stage discussed during your visit to accused No. 10? -- He merely said that if there be money after we have completed in Swaziland, we would go overseas. (30)

Did he say what for? -- To go and complete our studies overseas/...

overseas.

Did he say where this money could be obtained from? -- No, he did not say where it would be obtained, the money.

I want to show you EXHIBIT 107. Have a look at this exhibit, it is a book. Have you ever seen that book perhaps whilst you were with accused No. 10? -- No, he merely showed us banning orders.

BY THE COURT: Didn't you see that book there? -- No, I did not see that book.

MR VAN PITTIUS: I want to show you the last page of this (10) book. On this last page there are certain names written in there whereunder your name also appears. Do you see that? -- I do see my name.

I think it is the second name if I am not wrong, from the top. -- Yes, it is.

Now next to your name on the other side of the page do you see any other words written there or not? -- Agrinette.

Is that now against the second name, against your name? -- Thembi is the name.

How is it spelt? -- T-h-e-m-b-i. (20)

Does that name Thembi mean anything to you or not? -- No.

Did accused No. 10 ever when he talked about the name Mkwanzazi, did he ever explain anything more about this man? -- No, never explained about the name Mkwanzazi.

CROSS-EXAMINATION BY MR CHASKALSON: You remember you told us of a discussion in which you said the accused asked you if you were involved in Black Power and you told him you were not? -- Yes.

And when you were led in your evidence-in-chief last time, you went on to say that after you had told him that you (30) were not involved in the Black Power, he said to you that you must/...

must not get involved in it. -- Yes.

He was concerned, as far as you were concerned, about your education. -- Yes.

He spoke to you a lot about studying, did he not? -- Yes.

Again when you were led in your evidence-in-chief last time. you mentioned that accused No. 10 used to help you with your studies when you were at his house. -- Yes, he was helping us there.

And he spoke to you about your education, he was concerned about the fact that the schools were on strike. -- Yes. (10)

And he said to you that he would like to see you and his children go to study in Swaziland. -- Yes.

And if there was money, he would like you to go overseas and study as well. -- Yes.

I believe you are some relation of accused No. 10. -- Yes.

And then you talked about - you told us that he mentioned in the course of a discussion with you, how certain political activities were carried on. -- Yes.

I think you told us he gave you the example of the changing of the briefcases. -- Yes. (20)

And the use of false names. -- Yes.

Boys dressing up like girls and girls dressing up like boys. -- Yes.

And I think that you said that he said for instance if you were involved in that you could, instead of using your name you could use the name Mkwazazi. -- Yes, he was making an example.

Yes, I think that is what you said when you gave your evidence-in-chief last time that the word Mkwazazi was used as an example of the sort of a name which could be used in such a situation. Now, did you actually live in accused No. 10's (30) house for a few days? -- Yes.

Did/...



Did you see anything unusual about him during those days when you lived there? -- He appeared to be sick.

How did he appear to you to be sick? -- It took him long before he could know who the person is to whom he is talking.

You told the Judge the last time you gave evidence that accused No. 10 did not appear to be very well to you, he seemed to you to be a little bit sick in the head. -- Yes.

You say he seemed to take a long time before he realised whom he was speaking to. -- Yes.

And would it be fair to say that he did to you (10) behave very strangely during those days whilst you were living in the house with him? Perhaps it is wrong to say to you. His behaviour seemed to you to be somewhat strange. -- I cannot say that.

For instance, you told us he took a long time to realise who he was speaking to. -- Yes.

Did you notice any other strange things about him apart from that? -- No, except that he had to go to the doctor for his nerves.

He had to go to the doctor for his nerves? -- For (20) his nerves he had to go to the doctor.

As I understand your evidence, he just told you about these political - it was in the course of some sort of a general discussion that he mentioned these matters about leaders exchanging bags and so on. -- Yes, in a general discussion.

RE-EXAMINATION BY MR VAN PITTIUS: No questions.

NO FURTHER QUESTIONS.

THE COURT ADJOURNS FOR LUNCH.

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THE COURT RESUMES AT 14h00 ON THE 7th FEBRUARY, 1978.

MR VAN PITTIUS: The following are some of the admissions that the Defence have been able to make at this stage on behalf of the accused. There are also other admissions that we will agree upon later.

BY THE COURT: I take it you are now going to read some of the evidence.

MR VAN PITTIUS: And that will now be typed in this record and between the two Assessors and myself we have got one copy. Is there a possibility that you would be able to make (10) copies of that part available, especially to the Assessors, otherwise they have to share it all the time.

MR VAN PITTIUS: We can try and arrange that. We can photostat some of our copies.

BY THE COURT: What I was going to suggest. If this record is now typed and what you read out now is say, 15 or 20 pages - why do you smile, is it more than that?

MR VAN PITTIUS: I do not know, M'Lord.

BY THE COURT: Well, perhaps we can ask somebody or we can even ask my Clerk to make photostatic copies of those pages (20) that you now read out.

MR VAN PITTIUS: Yes. As I said there are certain other admissions that we are in the process of agreeing upon and we will make them later on. Now first of all the Defence agrees that the evidence of Lieutenant-Colonel Christiaan Stephanus Ernst Cloete given at the previous trial is correct and true and they agree that it be incorporated into the record of this case as evidence before this Court. I am going to read out the evidence of this witness. The evidence is in Afrikaans.

BY THE COURT: Do you want it translated? (30)

MR CHASKALSON: No, M'Lord.

CHRISTIAAN/...

"CHRISTIAAN FANUS ERNST CLOETE: verklaar onder eed:

ONDERVRAGING DEUR MNR. VAN PITTIUS: U is 'n luitenant-kolonel in die Suid-Afrikaanse Spoorweg Polisie, gestasioneer te Hoofkantoor, Johannesburg. Is dit korrek? -- Ja.

Kan u maar voortgaan? Wat is u bevoegdheid, hoedanigheid? -- Ek is 'n sub-inspekteur van ontplofbare stowwe aangestel onder Artikel 2(5) Wet 26 van 1956 en het opleiding gehad in die identifisering, hantering en skadeloosstelling van ontplofbare stowwe.

Goed, kan u voortgaan? -- Op 26 Oktober 1976 is ek (10) ontbied na Pietersburg. Ek is na die kantoor van die Veiligheidspolisie in Pietersburg geneem waar ek ongeveer om 16h00 aangekom het. In die kantoor is daar sekere artikels aan my gewys, waarop ek beslag gelê het.

Deur wie was dit aan u oorhandig? -- Deur majoor Strydom van die Veiligheidspolisie.

Edele, ek wil net meld dat die getuie sal later geroep word. Hy is ongelukkig nie op die oomblik beskikbaar nie, ek sou hom graag wou gelei het voor hierdie getuie, maar ek sal hom later lei. Kan u voortgaan? -- 'n 9 Volt Berec battery ... (20)

DEUR DIE HOF: Watse battery? -- Berec, B-e-r-e-c battery, 'n elektriese drukskakelaar, 'n elektriese stroombaam aan die omtakbaam gekoppel of beter gestel, die parallelle stroombaam gekoppel, 2 elektriese koper springdoppies met hol kegels aan die bodem ent, 2 monsters in 'n glasbotteltjie gemerk 'A' afsonderlik, 2 monsters in glasbotteltjies afsonderlik gemerk 'B' en beide die monsters A en B was vermoedelik 'n ploffstof gewees.

MNR. VAN PITTIUS: Op hierdie stadium wil ek net aan u toon

BEWYSSTUK 5 eers. Herken u daardie?" (30)

M'Lord, I just show EXHIBIT 5 to Your Lordship.

DEUR/...

DEUR DIE HOF: Is dit nou wat 'n mens noem 'n slagdoppie?

MNR. VAN PITTIUS: Dit is die Berec battery. (Lees verder)  
"Herken u daardie? -- Ek herken BEWYSSTUK 5, dit is die Berec battery.

Wat aan u oorhandig was. -- Dit is so.

Dan BEWYSSTUK 6, kan u net daarna kyk? -- Dit is korrek, BEWYSSTUK 6 is die elektriese drukskakelaar wat aan die stroombaan gekoppel is.

Dan BEWYSSTUK 7 kan u net daarna kyk? -- Dit is korrek, dit is die aansluiter vir die battery. (10)

BEWYSSTUK 8 kan u net daarna kyk? -- Dit is korrek, BEWYSSTUK 8 was op 'n later stadium aan my oorhandig.

Wat behels dit? -- Dit is die oorblyfsels, volgens ek verneem, van twee blikke wat later vernietig is en wat ek in die teenwoordigheid van die majoor besigtig het.

BY THE COURT: Have you seen those, Mr Kuny?

MR KUNY: I haven't, M'Lord.

MNR. VAN PITTIUS: Dan kan u miskien net kyk na BEWYSSTUK 9, ek weet nie of u dit gesien het nie. -- Ek het dit gesien.

Dit is uitgewys 2 tin bottoms and one cover, Edele, (20)  
op die lys van bewysstukke. Waar het u dit gesien? -- Hierdie bewysstuk was op 'n later stadium aan my oorhandig nadat ek versoek het dat die inhoud daarvan vernietig moes word.

U praat nou van BEWYSSTUKKE 8 en 9? -- Korrek.

Dan wil ek ook net terselfdertyd aan u toon BEWYSSTUK 11, die foto-album, vanaf foto No. 14. Kan u net sê of u die voorwerpe op daardie fotos herken? -- 14 is identies dan een van die twee elektriese springdoppies wat ek in besit geneem het. 15 is identies dan die hol kegelbasis van beide van hierdie springdoppies. 16 is identies dan die inhoud van (30)  
monsters A en B.

Nou/...

Nou goed, nadat u die artikels ontvang het, wat het u gedoen? -- Ek het die monsters - een stel monsters A en een B, het ek aan die Forensiese Wetenskap Laboratorium aan brigadier Neethling oorhandig en die tweede monster A en B, asook een elektriese springdoppie het ek aan die Navorsingslaboratorium op Modderfontein by African Explosives oorhandig vir navorsing.

Sal u voortgaan? -- In die kantoor van majoor Strydom was die inhoud van twee blikke aan my getoon. Die een was ongeveer 'n kilogram blik en die ander een die helfte kleiner vermoedelik. Beide van hierdie blikke was ongeveer driekwart gevul en (10) volgens my kennis en my mening identifiseer ek die inhoud van daardie twee blikke as plastiese plofstof. Identies dan die monsters A en B wat in die botteltjies bevat was.

En u het ook reeds verwys na daardie fotos waar daardie .. -- Korrek.

Dit is foto 16 van BEWYSSTUK 11. -- Korrek. In die senter van die inhoud van die twee blikke was daar 'n gaatjie gewees, groot genoeg .. (tussenbei)

DEUR DIE HOF: Eintlik in die inhoud? -- In die inhoud, in die senter van die blikkie was daar 'n gaatjie gewees in beide (20) van hulle, waarin 'n springdoppie kon inpas. Ek het hierdie elektriese stroombaan ondersoek en getoets en gevind dat dit in goeie werkende toestand is. Die elektriese drukskakelaar het opereer soos ek verwag het.

MNR. VAN PITTIUS: U het gemeld dit is in 'n omtakbaan dink ek het u gesê. -- Dit is korrek.

Saamgestel gewees. -- Ek het die afleiding gemaak dat die persoon wie hierdie stroombaan saamgestel het, klaarblyklik in die opleiding van die maak van tuis vervaardigde bomme gehad het. (30)

Wil u enige kommentaar lewer met betrekking tot daardie transistor/...

transistor batterytjie wat u gesien het daar ten opsigte van die stroombaan? -- In die ontakbaan sou die battery in die stroombaan gekoppel gewees het om die nodige krag te voorsien vir die detonasie van die twee elektriese springdoppies. Dit is deel van die ontak koppeling gewees.

Sal u voortgaan? -- Ek het ook in teenwoordigheid van kaptein Kinghorn van die Spoorweg Polisie, die toneel van die sabotasie besoek, waar daar twee plekke aan my uitgewys is; die een aan die Pietersburg kant van Dikgale-stasie en die tweede plek net verby Dikgale-stasie. Ek het die twee (10) plekke ondersoek en ek maak die afleiding dat daar twee ontploffings plaasgevind het wat volgens my mening deur 'n kragtige hoë ploffstof veroorsaak is. Ek het ook die toneel goed deursoek en ek maak die afleiding dat beide die ontploffings nie onder 'n trein plaasgevind het nie.

DEUR DIE HOF: Nie onder 'n trein nie? -- Nee.

MNR. VAN PITTIUS: Kan u moontlik aan die Hof meedeel waarom u so sê? -- Ek maak hierdie afleiding as gevolg van die feit dat ek in die omgewing in 'n sirkel om die toneel van die ontploffing van die ballasklippies opgetel het wat deur die (20) ontploffing weggeslinger was. Indien die ontploffing onder 'n trein sou plaasvind, sou hierdie verskyning hom klaarblyklik nie voorgedoen het nie. Dan sou hierdie klippe teen die trein onder vasgeslaan het en ons hulle in 'n meer kompakte eenheid op 'n spesifieke plek kon vind.

Met ander woorde is dit korrek soos ek u verstaan dat u sê die ontploffing was nie bewerkstellig deurdat 'n trein daaroor gery het nie? -- Korrek.

En dit toe afgedruk het nie. -- Korrek.

Kan u moontlik meld as gevolg waarvan, na u mening, (30) dit afgegaan het, die ontploffing? -- Ek het geen bewys van wat daar/...

daar werklik plaasgevind het nie, maar so 'n ontploffing kan veroorsaak word deur die gebruik van 'n doppie long, 'n lont waaraan 'n doppie gekoppel is en wat dan aangesteek word of andersyds kon 'n identiese stroombaan dan die een wat gevind is, aan 'n tydmeganisme gekoppel gewees het en kon die tydmeganisme die detonasie dan veroorsaak het op 'n gegewe tyd.

Kan u voortgaan? -- Ek maak ook die afleiding dat 'n identiese apparaat dan die een voor die Hof waarskynlik nie in die opset gebruik was nie, want indien dit gebruik was en dit per abuis afgesit kon gewees het deur reën of iets, is (10) volgens my mening nie moontlik nie. Wat die huidige apparaat voor die Hof betref, is die drukskakelaar ongeskonde. Dit was klaarblyklik nie aan die trap van 'n trein onderworpe nie en vermoedelik het dit afgeval voordat 'n trein daarop kon trap.

Kan u sê waarom dit moontlik kon afgeval het gesien in die lig van u waarnemings? -- Dit is waarskynlik omdat u weet die moontlikheid bestaan dat die spoor as 'n reël vol stof is. As daar dan maskeerlint oor hom geplak word sal u die situasie hê dat die stof affekteer die klou vermoë van die (20) kleefband en dan kan hy afval. Dit kan ook wees dat dit geplak is by die spoor wat nat was of nat gedou was, dan sou hy ook nie so effektief kon klou nie, dan kon hy ook afgeval het.

Net een punt wat ek net wil duidelik kry. U het gesê dat soortgelyke apparaat nie gebruik kon gewees het soos die een wat teruggevind is nie. Ten opsigte waarna het u verwys toe u gesê het soortgelyke apparaat kon nie gevind - kon nie gebruik gewees het nie? -- Die drukskakelaar en die elektriese stroombaan voor die Hof.

Ja, maar soortgelyke apparaat as daardie kon nie waar (30) gebruik gewees het nie? Kyk, u sê daardie is teruggevind.--Ja.

Is/...

Is dit korrek? -- Dit is korrek.

Nou u het gesê soortgelyke apparaat as daardie stroombaan voor die Hof kon nie gebruik gewees het nie, wanneer? -- By die twee ontploffings nie, want ons het die omgewing deursoek en ons kon niks van daardie aard in daardie omgewing vind nie.

U het ook aan my meegedeel dat u moontlik aan die Hof sou wou, met vergunning van die Hof sou wou 'n eksperiment net wou aangetoon het.

DEUR DIE HOF: In die hof?

MNR. VAN PITTIUS: Ja, Edele. Kan u net meld wat u sou wou (10) gewys het? -- Net vir u gerief het ek gewonder as u verkies ons net vir u die operasie van die drukskakelaar in die opset kon aantoon. Ek sou net, indien u dan so verkies, dan net vir die Hof versoek dat ons dan net sover moontlik dit in kamera kon gedoen het.

Dit is net eintlik vir inligting van die Hof wat die getuie graag dit net wou getoon het. Dit sou glo 'n klein ontploffinkie veroorsaak, baie klein. -- Dit is nie noodwendig nie, want dit is maklik verstaanbaar, want die drukskakelaar-tjie word eenvoudig net op die spoor geplaas en dan vasgeheg (20) en as die wiel hom dan raak dan word die twee punte aan mekaar gedruk en dan vind die detonasie plaas."

Edele, verder aan is daar bloot net 'n bespreking oor die eksperiment wat die getuie wou toon aan die Hof en al die persone betrokke.

DEUR DIE HOF: Het hy toe 'n demonstrasie gehou?

MNR. VAN PITTIUS: Hy het wel toe 'n demonstrasie gehou in die Regter se Kamers. Daarvoor was daar toe 'n verdaging vir die demonstrasie.

"DIE HOF HERVAT OM 14h00 OP 19 JULIE 1977.

(30)

CHRISTIAAN FANUS ERNST CLOETE: nog onder eed:

VERDERE/...



VERDERE ONDERVRAGING DEUR MNR. VAN PITTIUS: Net voor ek met hom afsluit is daar net een laaste vraag. Indien mens daardie skakelaar, drukskakelaar en die omtakbaan soos u gesê het op 'n afstand sou - deur middel van afstandbeheer sou afdruk en dit vergelyk met die ontploffing wat daar sou ontstaan indien dit op die spoorlyn plaasgevind het en deur 'n trein sou afgedruk gewees het, wat sou die verskil wees? Kan u aan die Hof aandui? Insoverre dit skade, ensovoorts aanbetref? -- Dit sou geen verskil aan die ontploffing self gedoen het nie. Dit sou dieselfde skade gedoen het. (10)

KRUISONDERVRAGING DEUR MNR. KUNY: Geen vrae.

GEEN VERDERE VRAE."

So daardie getuienis gaan dan by wyse van ooreenkoms in as synde korrek en waar en as synde dan geïnkorporeer te word as getuienis in hierdie hof.

M'Lord, then there is a statement by Mr M. Munro of African Explosives and Chemical Industries Limited. By consent we hand it in as EXHIBIT U. I am not going to read out the whole statement, it is highly technical. There are certain technical descriptions of plastic explosives and of (20) electric detonators, the basic charge, what detonating fuses are there and so forth. I hand this in by consent as EXHIBIT U. The correctness is admitted. The contents of the said statement are admitted as being correct and it is admitted that the plastic explosive, electric detonator and detonating fuse referred to in that statement handed in to Your Lordship just now, were received from Colonel Cloete and are the objects referred to by Colonel Cloete in the evidence that he gave. I can just indicate to Your Lordship more clearly ..(intervenes)

BY THE COURT: I remember there is a part where he said (30) he handed certain things to African Explosives.

MR VAN PITTIUS: When he said:

"14 is identies dan een van die twee elektriese springdoppies wat ek in besit geneem het. 15 is identies dan die hol kegelbasis van beide van hierdie springdoppies. 16 is identies dan die inhoud van monsters A en B."

and where he speaks about when he handed over those objects to the African Explosives for examination.

Then the second admission, or rather the third admission, an affidavit by Brigadier Neethling will by consent be (10) handed in as EXHIBIT V. I will just briefly read what it contains. Dit is in Afrikaans:

"Verklaring deur Lothar Paul Neethling, verklaar onder eed: Ingevolge Artikel 239(4) van Wet 56 van 1955.

Ek is 'n brigadier in die Suid-Afrikaanse Polisie verbonde aan die Forensiese Wetenskaplaboratorium, Pretoria, en is in diens van die Republiek van Suid-Afrika."

Dan spesifiseer hy sy besondere grade en dies meer wat hom 'n deskundige maak. Ek handig die hele verklaring in deur middel van ooreenkoms. Ek gaan dit nie alles inlees nie. Dan (20) paragraaf 3:

"Dat ek op 27.10.76 per hand van luitenant-kolonel Cloete die volgende ontvang het:

- (a) twee botteltjies met 'n geel stof daarin;
- (b) verskeie monsters verwyder vanaf die toneel van die ontploffing.

4. Dat ek versoek was om die bewysstukke te ondersoek vir die teenwoordigheid van enige ploffstowwe en of die stukkies draad van dieselfde oorsprong is.

5. Dat ek die bewysstukke ondersoek het en die volgende (30) gevind het:

(a)/...

- (a) die geel stof is RDX;
- (b) aan die ander monsters is residu van 'n plastiese ploffstof gevind moontlik RDX.

6. Dat bogenoemde resultate behaal is op 'n wyse wat bedrewenheid in biologie, chemie, skeikunde, fisika en toksikologie vereis."

Dan is dit deur die getuie geteken nadat dit beëdig was. Ek handig dit in as BEWYSSTUK V.

It is admitted that that said affidavit is correct (10) and the objects referred to in paragraph 3 of the said affidavit that I read out just now, are the objects referred to by Colonel Cloete once again at the same portion of his evidence that I referred to earlier.

Then there is the evidence of Colonel Strydom that also by admission will go in and it is admitted that that evidence is correct and true and that it is agreed that that evidence can be read into the record as evidence before this Court.

Dit is ook in Afrikaans. Ek lees die getuienis:

"SAREL JOHANNES STRYDOM: verklaar onder eed: (20)

ONDERVRAGING DEUR MNR. VAN PITTIUS: U is 'n kolonel in die Suid-Afrikaanse Polisie gestasioneer te Pietersburg. Is dit korrek? -- Dit is reg.

Het u enige spesiale opleiding as sodanig gehad? -- Ek het opleiding gehad in die identifisering, hantering en onskadelikstelling van springstowwe.

Kan u voortgaan. -- Op 26 Oktober 1976 om 08h00 het ek na 'n punt op die spoorlyn, na 'n plek ongeveer 300 meter oos van Dikgale Spoorwegstasie. Dit was net wes van 'n brug onder die spoor deur. Onder die spoorstaaf by die dwarslêers (30) het ek twee blikke gevind. Uit die blikke uit het daar elektriese/...

elektriese draadjies gelei wat gekonnekteer was met elektriese bedrading, 'n batterytjie en 'n skakelaartjie wat van blik gemaak was. Daar het 'n groen stukkie kleefband langs die spoor gelê, die skakelaar het ook langs die spoor gelê. Ek het die blikke verwyder.

U was die eerste persoon wat dit klaarblyklik self persoonlik verwyder het. -- Ek het dit self daar verwyder. Binne-in elke blik aan die elektriese bedrading was daar in elke blik 'n No. 8 tipe springdoppie. Ek het die een blik was 'n Nestlé melkpoeier blik waarvan die etiket gedeeltelik verwyder was. (10) Die gedeeltes wat nog op die blik was, was in 'n vreemde taal gewees wat ek nie magtig is nie. Die ander blik was 'n kakao blik. Binne-in die blikke was 'n geelkleurige bestanddeel wat in die blikke gegiet was, met die voorkoms van plastiese springstof waarvan die samestelling aan my onbekend is. In die een blik was ook tekens van 'n poeier soortgelyk aan melkpoeier. Die ander blik was daar teenwoordig gewees 'n poeier soortgelyk aan kakao. Ek het nadat ek die springdoppies van die elektriese bedrading ontkoppel het, die blikke na die vingerafdrukdeskundige en fotograaf op Pietersburg geneem. Hy het hulle (20) ondersoek vir vingerafdrukke en gefotografeer. Ek het monsters geneem van die inhoud en die monsters aan kolonel Cloete van die Spoorweg Polisie oorhandig.

Het u self enige toetse uitgevoer? -- Ek het self geen toetse daarmee uitgevoer nie. Op 28ste het ek die inhoud vernietig van die twee houers. Ek het net die inhoud geweeg. Die kakao blik was 785 gram en die melkpoeier blik se gewig met inhoud was 1 285 gram. Ek het die inhoud vernietig deur knallont bo-op dit te plaas. Dit het die inhoud geheel en al vernietig en die blikke gedeeltelik vernietig. Ek het voor- (30) heen proewe gedoen met plastiese springstof en gevind dat 200 gram/...

gram plastiese springstof genoegsaam is om 'n spoorstaaf middeldeer te breek.

Op die plek waar u die blikke en die elektriese bedrading gekry het waarvan u nou net melding gemaak het, wat was die posisie van die spoor daar? Was dit beskadig of nie? -- Die spoor was onbeskadig.

Het u na enige ander plekke toe gegaan ook? -- Ek het dieselfde dag na 'n punt ongeveer 5 kilometer oos van Dikgale gegaan. Onder die spoor by die swarslêers was daar tekens dat daar 'n ontploffing plaasgevind het. Gedeelte van die voet-(10) stuk van die spoorstaaf was losgebreek en het eenkant gelê. Ek het gesê 5 kilometer wes; dit is 5 kilometer oos. 2,5 kilometer wes van Dikgale was daar ook tekens onder die spoor van 'n ontploffing. 'n Beton dwarslêer was beskadig.

Enigiets daar aangetref? -- Ek het geen vreemde voorwerpe daar opgemerk nie.

Ek toon aan u BEWYSSTUK 5, dit is 'n batterytjie. Weet u waar dit vandaan kom?-- Die battery is soortgelyk as die een wat ek op die toneel by Dikgale Spoorweghalte gevind het.

Dan toon ek u BEWYSSTUK 6. Kan u dit net beskryf en (20) sê of u dit herken? -- Dit is die skakelaar van blik met die bedrading wat ek daar gevind het. Hier is nog 'n gedeelte van die bedrading van die elektriese springdoppie wat ek afgesny het.

Dan toon ek u BEWYSSTUK 8. Herken u moontlik daardie? -- Dit kom vir my voor asof dit stukke van die blik is wat oorgebly het nadat ek die inhoud vernietig het.

Dan toon ek u BEWYSSTUK 9. -- Dit is die bodems van die melkpoeier en die kakao blikke wat oorgebly het, asook die deksel van die kakao blik. (30)

Kan u spesifiseer waaraan u dit herken? -- 68,00 wat op die/...

die deksel staan van die kakao blik en die misvormdheid van die kakao blik se bodem en die nommer wat op die bodem van die melkpoeier blik verskyn."

M'Lord, I can perhaps just show Your Lordship EXHIBIT 9, the tin bottoms.

BY THE COURT: Is the number in ink or what?

MR VAN PITTIUS: No, he indicated a printed in the tin, there is printed 68,00.

"Die blikke wat u daar gekry het, die Nestlé en kakao blikke. hoe groot was dit min of meer? Ek toon aan u daar (10) 'n blik, BEWYSSTUK 24."

I show the Court the exhibit that I showed the Court last time, in order to sort of estimate the size of the tin that he was speaking about.

"Kan u sê of dit groter of kleiner was? -- Dit was min of meer hierdie grootte. Die blik was min of meer identies met ook die riffels op die kante.

Was dit min of meer dieselfde grootte as BEWYSSTUK 24? -- Dit is reg.

Dan toon ek aan u BEWYSSTUK 11. Vanaf foto 14. Kan (20) u net daardie fotos na kyk en sê of u enige van die voorwerpe op daardie fotos herken? -- Foto 14 is identies met die springdoppies wat ek in die blikke gevind het. Die blou en geel draad is kenmerkend. Foto 15 toon die bodem van die springdoppie. Foto 16 is die monsters van die inhoud wat ek uitgehaal het.

Dan toon ek ook 'n verdere foto aan u daar, foto 4. Kan u net sê of u daardie omgewing wat aangetoon is daar, herken? -- By foto 4 kan 'n mens nie die omgewing herken nie, maar dit toon die posisies aan waarin die blikke gevind was (30) onder die spoor.

DEUR DIE HOF: Waar die twee blikke op die foto voorkom? --Ja.

Dit is nie die regte twee blikke nie? -- Nee, dit is nie die regte blikke nie.

Dit is waar hulle gelê het onder die spoor. -- Dit is reg.

MNR. VAN PITTIUS: Is daar enige ander van daardie laaste fotos wat u nog aandag aan wil gee? -- Foto 9 toon die - min of meer waar daardie twee persone daar staan, die posisie waar die blikke gevind was met die brug in die agtergrond."

That was the last question I asked him and then:

"MR CHASKALSON ASKS FOR A SHORT ADJOURNMENT. (10)

THE COURT ADJOURNS. THE COURT RESUMES.

SAREL JOHANNES STRYDOM: nog onder eed:

KRUISONDERVRAGING DEUR MNR. CHASKALSON: Geen vrae.

HERONDERVRAGING DEUR MNR. VAN PITTIUS: Geen vrae."

That is then the evidence also agreed upon as being correct and true and that it can be incorporated into the record of this case as evidence before this Court.

The following admission is that the tins found by Colonel Strydom at Dikgale and as referred to by him in his evidence, were not of South African or South West African origin. (20)

Another admission that the letter, EXHIBIT 70(viii) was written by accused No. 10, Michael Ngubeni.

BY THE COURT: Is there a copy there?

MR VAN PITTIUS: I think we had copies, but I am not sure whether we still have it. I can arrange that it be made.

BY THE COURT: If you read it and I read it at the same time then it makes a better impression.

MR VAN PITTIUS: I see we have a copy. I will read it out then:

"Arrangements have been made here for the establishment of an adult night school. Premises are available - from (30) the beginners to matric. What we require is a staff and finance/...

finance. We are going to request donations from community but for the stable maintenance of the school the staff must be paid and kept to it. It is important and I must repeat that it is important. We have to .."

this is not quite clear - something like ..

BY THE COURT: It looks to me like the word 'groom'(?)

MR VAN PITTIUS: Yes, I think it is 'groom' -

"a photographer here whilst his schooling he will have to have all equipment and funds ready for the purpose. He is one of those names I have submitted to you. (10)

Costs:

1. A camera, a dryer, a developer, chemicals.
2. A cutter called guillotine, an enlarger, mounting paper and mounting tissues. Both these are miniature marcosus(?)

There is a young lady fetched directly from the doldrums, she is nothing other than devotion. She looks a drag, but boy. I want her to have a driver's licence and it must be quick. Funds play an important role. Tooley's Driving School demands R80 per course but other means can be made. The Macia (20) plans a rehearsal, a quiet rehearsal. It won't be without costs. There must also be a roneo machine for advertising the play and in the main the practice is the rehearsal and directorship. You see it is the new machinery unattached to any others which may be in existence. The spirit is high but subdued. The other friends I left out in the other list are:

Agrinette born 20..3.53

Thembi born 3.3.60.

There are three more to come. I repeat that we will have to spend a great deal. Put away a special lump sum for a (30) general overall - a long time purpose.

Whitey/...



Whitey".

And then there are some numbers scribbled and totalled:  
"724-1662 Extension 244 Eldorado" it looks like. I hand it in  
by agreement as EXHIBIT 70(viii).

BY THE COURT: This scribbling was that scribbling on the  
original document or was that put on there subsequently?

MR VAN PITTIUS: As far as I know it is part of the original  
document. Oh, I understand the accused himself says where I  
read "the macia" it must be "the yacia". I hand it in.

Then another admission that the two Volkswagen (10)  
Mikrobuses referred to in EXHIBITS 70(ii) and 70(iii) were  
purchased by Joe Tseto from Lindsay Saker Motors. Two  
Volkswagen Mikrobuses, those are hire-purchase agreements.

BY THE COURT: That does not refer to the Combis we have seen  
here in a photograph?

MR VAN PITTIUS: Yes, it is. It does refer to that. It  
reflects the registration numbers on those hire-purchase  
agreements.

BY THE COURT: All I must know about is that they were purchased  
on what date? (20)

MR VAN PITTIUS: Well, the admission is that they were purchased  
by Joe Tseto from Lindsay Saker Motors.

BY THE COURT: On what dates were they purchased?

MR VAN PITTIUS: Well, I do not know if that is also - the  
actual agreement is that those two documents relate to the two  
Combis as it is set out in those copies of the hire-purchase  
agreements.

BY THE COURT: The one was on the 23rd September, 1976, and  
the other one on the 27th July, 1976.

MR VAN PITTIUS: As I have it, it is not in dispute whatever (30)  
stands on the hire-purchase agreements. My Learned Friend

agrees/...

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