IN DIE LANDDROSHOF VIR DIE DISTRIK FORT ELIZABETH

ß

GEHOU TE FORT RLIZABETH

GEREFTELTKE DOODSONDERSOEK: OORLEDENE LUNGTLE TABALAZA

Nr. 204/78.

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VOORS

NAMENS DIE STAAT:

NAMENS OORLEDENE SE PAMILLE:

DR. W.E. COOPER, S.A. MNR. KIES MNR. POSWA

NNR. J.P.W. ERASNUS NNR. A. HOFMEYR

MR. J.A. COETZEE

MNR. P.J. STRAUSS MNR. J. LUTGE

NAMENS DIE FOLISIE:

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KONTRAKTEURS: LUBBE OPNAMES

AOTOWE AI

(Bladsy 559 - 615)

559. P.R. de Sangh Sal u seseblief die verklaring uitless, inhandig en bevestig as deel van u getulenis? GETUIE IMES VERLARING WIT AAN HOP.

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U handig dit in - bewysstuk UU? - Dit is kerrek. Ek wil tog net twee puntjies by u opklaar. U se kelenel Geesen was nie op kanteer nie? - Dit is kerrek.

Hy was inderdand gladnie eers in die gebou gewoes nie 7 - Dit is reg.

Hou landdros habbe het getuig wat betref die verklaring wat Inbalaan aan hon son gemaak het. Hy het oak vir sy (10 Edelagbare gesê hy is nie seker nie, hy hen nie sy kep op a blok sit nie, hy sien prentjies en ek weet nie wat neg nie, maar hy sê hy dink hy het met u geprest oer Inbalaan nedat Inbalaan die verklaring aan hen gemaak het? - Hy het nie.

Het u hon oolt gesien? - Ik het hon nie weer gesien zie. Het hon gesien voordat Tabalaan sy verklaring gemak het? - Ek het - (tussenbeikons)

In die gang gestaan en wag vir hen en te kun? - Dit is rege

Waar het u Inbalaan getref toe u terughen van die plek waarheen u was? In die kingtekanteer ?- In die kingtekanteers Het ter opkinzing verder, het u menige mense an Inbbe tee gebring, an inaddres Inbbe gebring ventevere vir ver-

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questions/ .....

klarings? - Dit is kerrek.

Het u gewoonlik die rollings getref met die Beheerlandires sodat iemand beskikbaar sou wees en a verklaring af te noem

? - Dit is reg.

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Dan bring u die persoen self? -- Dit is rege

Dankie edelagbare.

BY DR. COOPER: Major de Jongh, I will be putting my

Palle de Jengh questions in Baglish to you. You know you are at liberty to answer in Afrikaans, -- Ik verstaan.

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560.

If you have any difficulty in understanding my queen tion, would you inform his Vership and we will try and rectify the positions - It sal.

Her mjer, you were detective surgeant Hel's superior officer ?- Dit is reg.

Tere you also a superior officer of Marsont-officer Schoopers 7- Dit is reg.

(10 These Warrant-officers were nembers of your investigation squal ?- Dit is reg.

And had been members of that squad for some time ?-- Dit is reg.

Since its inception? - Ik verstaan nos nie?

Yan die tot stanikening. - Dit is rega

And both of then were members of the squad when room on the 5th floor in Subbin Building were allocated to it in April, 19707 - Jas

Tou were in fact the officer in charge of the 7th floor, Saalan Building ?-- Bit is reg, von die enterveekopen, (20 And your superior officer was Colonel Secont - Bit is

korrek.

He was on the fithers he had an office on the fith floor of Seales Building? - Bit is kerrek.

We know that on the 14th of March, 1978, a circular eninated from headoffice, "Circular which had two paragraphs, Do you know of this circular? - Ik dra non bounds was dit. This circular was sent to - according to an affidavit

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we have here - all breaches of the Socurity Pelice and all Divisional Consistences. When you and your squad

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or team nevel into Samlan Building on the 5th floor in April, 1970, was this circular not brought to your attention 7 - His die inhead van die ansembrief nie:

P.R. de Jengh

You may the contents of circular dated the 14th of March, were not brought to your notice, but what was brought to your notice ?-- Kolanel Gomen het san my good dat over meantilk meet one nie mense op one vicer endervoe weer daar nie tralies is nies

Did you understand this to be an instruction from Colonel Goosen? -- Wel unige geoegie van sy superior mot (10 ek annyaar as a instruktio.

Did you accept this - what Colonal Genera said to you as an instruction? - Ik het.

That were Colonel Goosen's words to your - By het good one most sover noontlik mis manne op die 54s vloer enterven mis sangesien daar mag mis tralieversporrings sangebring is mis.

In it practice for a circular like the elevator dated the 14th of March, 1978, to be circulated by the efficer in charge of the branch manget his subortinate efficers? - Dit is kerrek.

Then Colonel Goosen gave his instruction, he must have been sunre that you and your equal would from time to time interrogate persons on the 5th floor of Semism Building? --It hat sam balanel Goosen good that one.. at gie nie and sal names daar ordervou nie congestion and heature to New Brighton het.

When did you tell Colonal Gossen this? That you had offices at New Brighton? - Die dag too by vir my good het you sy oping.

When would he have given you this instruction? What

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P.R. 40 Jough nonth of the year was 10? - Ik dink .. ok has ale onthes nie, dit is too ons daar ingetrek hets

bid you in fact have affices at Nor Brighton Police Station where you could interrogate detained persons? -- One het. Gehad.

HOP: U st u het guhad? - One het gehad. Ma COOPERs And you had then until when? - Conserver "a week vourint die ourleiene tot sy dood gowil hete

Did you tall Colonel Coosen that apprestinately a week before the decensed not his douth in fact you no longer had (10 offices at your dispesal at New Brighten Police Stationt - Non-Until a week before Subalaga's death, had you interregated any persons on the 5th floor of Senion Building ?-- Non-Ind any subordinates interregated any passens as the

5th floor of Sanlan Building? - Sie sover my humais strok nice Do you know shy Calanal Gooren didn't faller the un - 1 procedure and bring the circular dated the 14th of March, 1978, pertinently to your notice? - Hos, dk mot nice lk han ministion not weld day hierdie similare gobders word by 'n block en mint alle efficiere en alle manninge hierdie (20 essendbrief geteken het; den word dit by die klask gebiere. One was too ale ingetrok in daardie matere ale, dit is ale

You had read the circular, had you not? - do, of hote This circular was specifically sent and by head office, was it not, as a presention, was it not? - Bit is men. To prevent shat? --- On persons in adhealing to beskern. And wam't it in response to a great deal - I am not going into the justification of it - of eritician, public oriticion about detainees having not their douth while in detention? - Wel ok weet nie.

You never read about the criticism that had been lovelled 100563

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with right from time to time when detainees had died while in detention? - It both die koorente gelees. Do you consider that the aircular was sent out to protect persons in detention? - Dit is rega

563+

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To protect then against what? - Salfnourds, beserings. Do you agree with no this was an important circular? --

Pole an

And that when langile inbalans was being interregated, the interregator was in breach of this sireslar? - Ik west nie of hy bennis godyn hat wan die - (10

Objectively speaking he was in breach of this circular

The sircular is very clear, is it not? - Bit is hereby Ton are not permitted to interrogate a detaines on the flowr of a building, other than the grand flows, unless the office is properly protected, guarded? - Bit is hereby Ton are responsible in a some for the acts of your, subordinates, aren't you? - Ik sten seen.

Thy did you permit surgeant Hol to interregate langile Inbolana in his office on the 7th floor, on the 10th of (20 July, 1978 although there were no bars scress the window? -- One het geen ander plok gehad nic. Dit was out kanters, Did you try to find accomposition at New Brighton

on the 10th of July for the interregation? - Heee

You didn't oven try to find out whother there was . accommodation evaluable on the 10th of July; at New Brighton /

? - Nos. You in your affidavit told us that you wanted to report the doath of Jabalam to Colonel Gomen? - Dit is knowed. But Colonel Gomen was out and you spake to Hajer Fingher? - Dit is knowld.

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564. P.R. de Jongh Did Major Pischer inmediately raise the point about the unguarded window? -- Hoo, nie nover ak han anthen nies Then Colonel Genera arrived did you report to him? ---Ik hots

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That Inngile Inbalana had jumped through a window?

hid Colonal Gomen not then robuke you for paraliting the interregation in this roost - Nos.

Do you know shy he didn't? - Ik west nice

That did Colonel Gomen my then you reported that (10 Longile Inbolaan had jumped through the window? - Hy hat ak is jammer non as at ale die woorde gann gebruik nie, by st "Flippie, one altwee is in die moeilikheid."

Bid he explain why you were both in treshlet - Hee, by

Bid you ask him why he folt you were both in treshie?

what did you my to Colonal Consent - Ik has als enther

Bid yes accept that yes were both in trenkle? - Ik het (20 godink ek is in die medilikheid, ek kan nie sammar dat die kolonel ook in die medilikheid is zie.

Why did you noospt that you were in trouble? - unlat by good hat one is in die militiheid.

Didn't you want to hnor sky he felt.you were both in traible? - Nos.

What kind of trouble did you think you more in? - Ik het gedink dat daar a endersoek gehou sal word, a monthlike verplasing.

What did you think the charge was going to be against ()0 you? - Goen briminals balagte nic.

10/00

## 565.

We are not talking abbut a criminal... we are talking about a departmental charge? -- Omint ek misicien mis kelenel Gessen se mendelingse instruksis menion het mis-

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P.R. de Jouch

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Did you feel that you had dischayed his wel instruction to you? --- His similik nice. It hat goes ander heateer goind on die sam to enderwon nice.

Major, in point of fact during the course of the morning, the 10th of July, certain offices: on the 5th floor, were properly beyout? - Nee, min sever as my bounds strok min.

When you arrived at 11:30 - Lot's start at the beginning of the day, the orenalogical sequence. On the membry of the 10th of July, 1978, workman arrived at the 5th floor? - Dit is hereate

Did you know they were coming there? - Hees Upon your arrival you must have realised or lement what they were doing there? - For ok ultgestep het 9 wer too het ek hulle gesien daar ken met - too weet ek hulle gaan nou tralies en tralieveroperring voor die veneters en hier by die dour aanbrings"

Obviously you are in charge of the 5th floor, or ware in charge of the 5th floor? - Dit is kerreks

And you wouldn't allow unmatherized persons to be an the 5th floor? - Nos , ak stem mama.

And any persons coming to work on the 5th floor would have to do that either with your permission or your incolledge ? - Dit is korrek.

And on the morning of the 10th of July, you know these nen were working, were going to fit the windows with here?

- Dit is reg.

In fact Mr. Scholts who was in charge of the little

566. Palls do Sough work group, did he report to you or speak to you? - His sever at han onther nice

The had anthority to tall Mr. Scholts where to work that day? - . Initement was Greunen op die 6de vloore

Md Identement Van Grounen actually come down to the 5th floor that meening of the 10th of July? - Ik west nice

How did you know that You Grownen was in charge of or was the person who had anthorized the fittings of bars to the windows on the 5th floor? - By doen alls herrospendensie, by doen die samme wir enige verenderings (10

Did you see these worksen bring asterial and tests ante the floor? - Dit is regi

Did you see then starting to work? - Dit is reg. Where did they start work? - Hulle het trubies ingedra on in die hanteer van sermat Hel gesite

That is room 5117 - Dit is kurrak, on in die hunteer Langesan.

What number room is that? 5107 - Jos at disk nos Zoo? - In ak het hulls gekry waar hulls besig was on die dour op die staal - of die tralieveropersing van die (20 heefingung te bour an in te site

That was when you returned at 11:307 - Bit is herroke Before you left that meening - when I may that meenings the meening of the 10th of July, 1978, left your office sergeant Nol. was on duty? - Dit is kerroks

Was Lieubenant Verhuil there? - Dit is herrek. Neme there? - Dit is kerrek.

### COURS ADJOURNES / COURS RESIDES:

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BR. COOPER/...

Hofe Hajeer de Jongh, u verstaan dat u neg under eed 1s? - Dit 1s reg.

Gass maar voolt assoblief, dr. Cooper.

IL. COURSE (Contd.) Injer do Jongh, when you returned to Semian Building on the morning of the 10th of July, 1978, that was about 21:30 ?- Bit is hurrely

And surgeant Bel was then interregating the sam hangile Tabalaant - Bit is rega

Pollo de Jengh

In room 5117 - Bit is burrek.

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The windows in that room we are talking about? - Bit )10

But you know that the worknow had been working on the floor sizes early membral - Bit is reg-

thy did you not tell surgeant Hel "Look have, you can't continue interregating this was in this your, there are no have advous the window? - Hee, & het also

Wen it not your daily to have done not - Ik and min so ad mine. His corledone hat goalt, by use up or gentle. By was healtened up or gentle.

In that the only reason may didn't tell Hel to go and (20 interregate the new in conther roast -- wel dit is die enigete knewr wat door beskiltenr was was in servent Hel to kneters. It hat nie gewoot von 'n maker hour wat trailer am het nie.

Did you not usin employ... my employeet - Nos. You didn't ank the furemen who was busy variing on the floor shether any room had new been properly incred? - Hesi Why didn't you ask hin? - Ik hat dit his notic goog his? In fact according to his read about helf yout 11g he had already fixed here to the window of certain room? -His sever sy hemis strek sing ok west his we dit nic.

Bath/ anos

Palle de Jongh But that was his ovidence and you are not in a position to dispute his evidence? - Ik han dit nis enterny niss Did you inform sergeant Hel of Colonel Generate oral instruction to your - Nee.

Was it not your duty to have done not --- Ik mees soker many ok het zind

Thy did you not energy out your buty? - Ik han nie daardie vraag antwoord nie. Ek het net dit nie gedeen nie. You approxiated that Galanal Geomen's instruction to you was an important one? - Ja. (10

And yet you failed to instruct your submittante, Sorgeant Hel about it ?.... Ik het nie.

In the result Surgeant Hel has of course been affected by that failure of yours to tell him of General's instrutini? -- Ik verstaan nou nie.

Well, you had been transferred from the Security Police. haven't you, to the moder and robbery squady - Nes, ak was niess ok was na Johannesburg varylans, nie na die neert- en restituting nied

Are you still in the Security Police? - Hos. 620 To which branch of the police have you been transform 7 - Spourafdeling.

And Sorgeant Hel has been transferred to the marter and robbery squad in Part Elizabeth? - Bit is hereits What was the reason for your transfort - Headlik as govelg von hiertie springery. Because you disregarded the instruction? --- Dit is

momtlik

Why do you say it is possible that that mothe reason for your transfort --- In west als wat die Readounds bestuit (30 het nice Ik het nie die Kommissaris gevre nies ek hen hem nia/ana

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nie vra nie.

Vere you never officially informed why you ware being immaferred ?- Nee.

Have you never learnt from any person or any source sky you had been transferred ?- Ness

PeRe de Songh

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Are yes not aware of the Minister's press statement? -- Ik is beens was die Minister se persberige

Then a person appears before a disciplinary beard and this was disciplinary beard before when you appeared, was it mot? - Not. (10)

Well, what kind of board was it? -- Dit was not a novrenges a undersonk gehous

That was the enquiry? --- Ondersonk was in verband not die suring van die oorledene.

What precisely was the person holding this enquiry taying to aspertain? --- Of date valatigheid ann and hant was.

Regligence on your party -- Ja, am my hunts

Regligence on the part of any person, my other member of the pelice force? --- One almal wat betrukke was not Imagile Scholam.

The were the individuals concerned? - Bit was at an sursant Hele

And who else? - Dit is al wat betrokins was not langile

Were the findings of the Board over or the sugary over ymblished? - Hee, his sover at west his?

How the person who held this enquiry was it Major General Prederick Ledewyk Christiann Engels? - Bit is kerreks Bo you construe your transfor as a finding that you ware megligent ?- Herhael not weer assoblief?

De you construe - (tussenbeikens) - Hee, verheidelik net anschlief? Verbeik/...

569.

Pollo de Junch Vertelk u u verylaning as 'n bovinting dat u mintig uns ?--- Ik west nie, ok han dit nie of nies

570.

Have you at my sings been related, reprinted for breaching the circular order of Much of 19707 - Note

New major de Jangh, when you - is it normal, for a person who is being interregated to sit on the flow? -stoes ja.

thy in the ones of Africans? - Berthese volcens die m-gelost kyk hills op as a Witness on twostens is dit a stellandige uitworking.

Did you approve of surgeant Rel interrupting Impile Tabalaga while sitting on the floor ?- Bit is may

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Bid you actually speak to longile Schulem when you arrived in sergeant Helfs office that menting at 11:307 - Hos.

What did sergeant Hel say to you shen you entered the rount -- lie het aan separat lel geven unt soch die um bier? By het tee aan my goot dat hierdie non geerrerteer was wome die brand van a weerbeig en die roef van die bestene der en dat die son zeg under sake erken. Hy hat eek ge dat die men en a saler men geserenteer was en dat deer nog u derde persoen sock in.

what did you say in reply? - Ik het niks gest nie. You say in your affidavit that the suspect, longile Inbalass, appeared to be at ease? - Bit is regi That did you do to ascertain whether in fact he was at ease? - Ik het nike geteen nie. Ik ken siens

You want through to your office? - Bit is hereb. When again did you speak to Hel, or did Hel speak to you that menning? -- Dit was too ok van die 6de viewe afgehom het, toe het ek na my hunteer tes gegaan. See het serennt (30) Hel na my tee geken en vir my geet die men wil a werklaring mak/ ...

Now did you at any time see Juli? You know the Juli is now. In Sergeant Hel"s office? - Nee, at hum mic onthem mic.

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P.R. de Jongh

After you returned to your office at 11:30 that morning, did you see Juli? - Ik han nis onthes nis. Nol had told you that Jungile Sabalass and another se

had been arrested ?- Bit is kerreks

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mank.

Did you accortain the this other non was 1- Hose How you "phened the angistrate at 13630, that is half (10 yest one, was that during lunch hour? - Bit is hereak.

It is an unusual time to "phone a unglaturate"s court, is it not? - Dit is. Ik hat cars gestaled, or has ale antwoord key ale. Ik hat the entremt on heart your 2 gestaled.

hid you "phane at half part 1 because you considered the matter to be ungenty - Nee.

Why did you then "phone at half past 17 - Servent Hel het vir my good die nem wil a verklaring mak en ek most assoblief roll vir a bekontenis, toe skatel eks (20 Where was langile Schalass when you were "phoning the

maistrate ?-- Ik west nis.

And after you had arranged an appointent with the magistrate, where did you go? Where did you meet Sabalaan? - Ek het Sabalaan by die Sie-blanke kontere entwort.

Who was guarding Tabalass? - Ek west his wie hat agter hom gekyk nice

Apart from Inbalana who else was in the room, room 5187 - Ek woot nie wie almel daarin was nie, mar Inbalana het by die dour uitgeken same met Banteekenstabel Mans. (30) Whore was Nol when you want to room 518 ?- By was man met/...

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met nys

Did either you or Hel talk to Inbalans. Tom Hk het met hem geprest en Hel het met hem geprest.

572.

What did you say to 2000knun? -- He hat in Engels not has geprent; at hat has geven: "Are you the purson who wants to mke a statement to the magistrato?" By het beventigend genetecord.

And Hol what did Hol have to say? - Ik wost nie wat hot Hol mut hom geprest nie, hy hot House geprest not home

Her many of you took Inbalaus to the megistante? -- hit (10

Why was it accountry for three of you to accompany Inbalana to the magistrate ?-- Dit was nie notig nie.

Why DID three of you then accompany him to the magine texts? - Ik het not vir initement Verbail goven on same not my to gam.

Jot for the ride? - Houstlik not vir die zy.

Bidn°t Montenant Verbuil have better things to do then to go for a ride? - Ik wet nie of hy ists sulers goed het en te doen nie.

What did Nol say to you before you took Inimiana to the angintrate to have a statement taken from him? - Wat het Nol vir my -?

What did Nol say to you before you took Inbalana to the magistrate to have a statement taken from Inbalana ?----Nee, by het aiks good nis:

Hid Hel not indicate the extent of Inbalaus's involvement ? -- His op deardie stadium nic. For ok vir Inbalaus die earste keer gesien het, toe het Hel vir my vertel. Was that the only commiss an which Hel teld you of (30)

HON /oo

Inhelans's invelvement? - Dit is hervek.

P.R. de Jongh Her you want to the angistrate's court and you make contact with the angiotents, we know that and you hanted over Sabalan to the angletents ?-- Mt is reg.

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and you may that you and Vericall than want off, Leaving None bakind ?--- Mt is karpsk.

And you not Subsings and How later in the sharps office 7 - Dit is kurreks

Which is put of the Ingistante's Court building ?--- Dit is karrek.

New orginals, at the damps office exhibit 30 was handed (10 you. Bubibit 10 was A.10, that is the statement make by Intelant to the angiotente ?- Bit is here

the hadel it to you ?- Batteckantabel Hanes

The uns present when line bladed exhibit 30 to you fee Hene, Isbalage, Verintil.

that did Hone may than he handed exhibit 10 to you 7 ----Hiks good nie.

that did you do show addition up and headed to you ? ----It hat die verklauing geloon.

And Verhall did he also yead it ?-- Ik west nic. Ik (20 het dit nie vir hen gegee nie.

Bid Hene youd exhibit 10 ?- Not.

and you read in this statement that Intellana told the mgistuate Mr. Sel had sold that I must report the sa statement I've given hint Yes real that for Bit is rega

And you also youd, and I as translating freely, that Inbalans said to the meistants "It is not that I want to mike a statement, I an frightened that if I den't ma ke a. statement, I will be besten shen I an taken back to Senian Building"? - Bit is herrok.

And the statement - which is a very short one - solet up 10/0006

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by anying the decensed, Inngile Schulam, suyings "I do not wish to make a statement. They said I mart"? -- Bit is knowled

Polle de Jengh

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Tou youd that - in the charge office? - Shy dit was in die Magtekanteer:

What comment did you make when you read this statement ? -- Eike mic.

Were you surprised 9- Noo.

574-

Thy not? - Dit gebour dikuels dat a beskuldigie of hy is bing by gam gesisin west, (10

Her often does that ecour? - Dit het a hele kloup heer gebour al.

Her often has an accused been taken to a magistrate and has teld the magistrate that he deem't wish to make a statement and that he fours he'll be beitinf --- u Hele kloup here al, at west nie hoeveel her nie mar at dan humis van a kloup heer.

By a lot do you man a doman, a half a domant A lot is as long as a piece of string? - 20 - 30 hours

Over what period of time? - Coherends die enhante. (20 Hofe Hajoer, ek wil not duidelikheid hit entrent die hierdie saak. Fraat u neu van beskuldigten unterir die landeres gese het terryl daar bekantenisse genoen wert of ook beskuldigten unt dit in die hit gest het by hulle verhour? - Hoe, dit is van die bekantenisse en dan - (tessenbeikens) Prast u not van bekantenisse en dan - (tessenbeikens) Prast u not van bekantenisse en dan - (tessenbeikens)

(tussenbeikens) - Nee, net van bekentenisse.

DR.COOPER: Have you ever investigated a fear of this sature ? -- Not.

 warde gebeg aan daardie verklaring nie.

575.

How do you know that that morning while you were away, sergeant Hel had not subjected inhelasm to an assoult How do you know? - Heej ak weet mis. Not volgans die werklaring meld hy "sk was mis amgesund mis". Hop: U bedeel die oorledene meld oo? In dit die oorledene wat se hy was mis amgesund mis ?- Dit is rege He. GOOPHE: But the deceased, hangile inhelasm, hed sold "I am frightened. If I dan't make a statement dan sel ek geslaan word, then I will be besten when I am taken back to (10 Samian Bailding"? - Daitement Vermill en my henteer is net lange sereent Hel so henteer en as hy amgesund sen gewood het, dan sen ens dit geboer het en ens son stappe geneen het.

Palla de Jench

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But was it not your duty to ascertain from langile Sabalaan why he foured that he would be besten if he were taken best to Sanlan Building? -- It het goen marie aan daardie ding geheg miss amgesten ak petert het hy sou mis daar geslaan gewees het mis en ek sou teegesten het dat hy nie daar geslaan gewees het mis e

But that doesn's answer the question as to sky he feared that if he wave rotamed to Sanian Balling he'd be bestent -- Ik west his baskon was by bang nind

You did not mow what had happened during limgile Inbelann's interrogation that morning while you were away ? --- Hee, do went mind

threats may have been mile that you move nothing about ? --- He wort nike wondit nice

Would it have been inperper to have threatened Inbelana while he was being interregated that morning? -- Herbeal net assobile??

Would it have been improper for anybedy to have

576. Pale de Jongh throntonel Babalass ubile he was interregated that meming? - Dit sel geneen het.

And if you had become soure that threats had been unde to Exhelans, what would you have done about it? ----It sou die aangeleenthaid enterweek het.

Her would you have investigated it? - Ik not Inbalant endervon het, 'n Verklaring van hen gekry het?

And what about the parson who is alloged to have male the threats, what would you have done about hinf - Ik non has out andervon hot; [10

As a fact you did not know whether Inhalana had genuinity feared that he would be acculted if he were returned to Semian Building without having make a statement ? - It son toogetion hat dat by sie amgestud generi het sied

Would it have been improper for Sorgeant Hal to have told Sabalana that day; or my other parses the he was interregating that days "If you don't mice a statement, you'll be looked updood I can detain you for 10 years?" Would it have been improper for him to have mile a statement of that nature? -- Joy dit you geneon hetc

Would it have been improper if he said to alther, of these begus "If you don't tell as the truthy I'll keep you in detention for 10 years"? - Ju. Dit was growen hat.

(20

And if you had become more of such a threat make to a person being interregated, that would you have done about it? -- Ik non 'n verklaring goynt het van die persons en die persons wie die dreigement geuiter het, son ek geunder het.

That would you have done with this statement? -- As damar gegrands role was, dam son at valgens die regulanies, pulisie-wegelanies appoires hat. Which police regulations would you have invoked?

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--- Wel ak sal now ears die polisie-regularies most desergene Are there police regulations? --- Dear isd

577.

211

P.R. de Jengh

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(30)

10/000

And what happens to a pollosson who continuous pullos regulations by threatening a person that havil be hept in detention for 10 years if he doesn't tell the truth? What happens to him? (Indistinct) - Date word depertonentals stappe geneen.

What can happen to him then? - Departmentale stapped What are departmental stops, I den't know? - Dit is a verheer, a polisic verheer.

What is the punishment? - Dit hang not of. Let's come back to my question which is that as a fast you did not know whether Dangile Babalasa geneinely feared that he'd be assaulted if he ware returned to Balas Ballding - Ik het dit nie genert size

And as a fact you never attempted to discover from Subalaan why he said he had this four? - Hony do het nies

Without asking him, you couldn't cotablish whether his fours were genuine or not ?- Jag ok bot alles not hen geprent also

Was it not your duty to attempt to establish whether or not he had a genuine four? - Soos at reads gent het at het geen ag op deardie vorklaring genlam nie; Amgenien at gewoet het hy sou nie sangerund gewoes het nie;

But waren't you interested to know what had given rise to this four which Inbalan had expressed to the angistrate? Weren't you interested to know what had given rise to this four which Inbalan had expressed to the majotrate ?-- Hest

So you didn't care whether his four was gammine or net? -- Noo, dit is nie dit nie. Dit het bale gebour waar menne se hulle is banga

578.

May be you'll be able to tell - (inherroyted) --Of dat hulls geslam gass word on dan is hulls needs geslam nice

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By talling you that he wish to make a statement to the angistrate and then failing to make a statement to the angistrate, Tabalasa had wasted your time, had he not? --Dit is regu

Polle do Jongh

(20

It mated your time, Verincil's time and Home's time? - Dit is reg. (10

Did you think he was playing the feel with the pelice? -- Nee, ak sol nie so st nie.

What do you think he was up to ?- Ik hat not golink by wil how versatelaidigs

Surely you wouldn't thought that? He protonis the one moment that he is going to make a statement to the police, he goes to the magintrate and than he fails to make a statement. What game was he playing with you? - Ik het godink by wil nie die hale storie of by wil min die storie am die landtros vertel min.

Major, the magistrate, Mr. Inbbe, gave evidence in this Court and he has a clear recollection that he syste to you about Mano., about Inmgile Inbalann's four? - Hee, hy mak 'n fout.

Why should he make a mistake? -- Ik west at is reg. hy het 'n fout gemak.

I am suggesting to you that he did speak to you, - By het nice

And that you reaction was in keeping with your attitude in the witness box that you didn't care about this four that Langile Tabalass had expressed? - You thought it was groundless. - By het nie met my geprest nies /...579 579.

٨

Vericall - did you and Vericall discuss this statement that langthe Tabalaan had under- None

Polle de Jengh

Did Verbail ask yes what was in the statement? - Hose In the charge office did yes speak to inholasm? - Hose Is it not correct that Verbail read the statement in the charge office? - His sever at has enther nice

And in the car trip from the charge office to Sealess not not not this statement? - Note

MA you not relate langile mbalant -- Hosy

Veren't yes irriteted, amount then Inegile Scholans. (10 metod your time and unde these groundless suggestions to the majorantet -- Nee;

Did my number of the Scentrity Police that day ask you what was in Rangile Inbelaus's statement? --- He sover ok has anthen nice

Rither before his death or offer his death? - Ik has nis eather nis.

Then you returned to Senian Building did Hel out you what he said? - Hike good nice

Tout we already told us that Montemant Verbail didn't (20 ask you what was in exhibit 10, what was in Rengils Sabalass's statement ?- Nos, by het my nike goven nice

After you discovered that lengthe Scholass had jumped from the building, did Hal discuss Scholass's statement with your - Ik has mis dit enther nis.

If it had happened, do you think you would have remembered it? - Ik west sie. One was genkek gewoes en so baie manse het my enderwon.

When you returned from the Megistrate's Court, from the change office, what happened to Verbail? - My het (30) tellet tee gegess.

Which/eee

Which floor? - Bit is tunon die 5de en die 6de vloore Where did you and Hane and Jangile Schulass go? --One hat gestep tet by serent Bal as hantours

580.

nr.

(10

Palade Smath

You, did the three of you enter surgeant Hel"s office ? -- If on Sabalaan het die konteer binne gegenni Ik woot nie Monoue ek dink hy het sungestup:

Now Sergeant Hel was expecting you to return with a confession? - Dit is hoursel.

And what did you rotann with? - Not a vanidarinkles A unclose statement? - Dit is kerroks

In which Lungile Tabalaan expressed the fear of being assaulted? - Dit is kerrek.

Are you consitive to allogations that you have assaulted a prisoner or a prisoner being interregated? Would you be consitive to it? - Hee.

Sergeant Hel would be not be sensitive to an allegation that he was treating a prisoner improperly? - Hee.

Den't you think that allegations of that nature is a reflection upon you ?-- Ag u chele, daar word bais sulks bewerings gemaak. Sy word lateraan gewoond aan die bewerings.

Are you saying by that that these allegations if they had been unde against you or against Hel or both of you on a number of occasions? - Tean sersant Hel, tean myook geneak genees.

Where did Hel read the statement? -- In luitement Verbuil se kanteer.

According to Mane he said that after Langile Inbalana had jumped out of the window, Sergeant Hel told him that he had read the statement while he, Sergeant Hel, was standing in his office? - Ek weet nic, maar ek weet net sersant Hel (30 het die verklaring in luitenant Verkuil se kanteer gelees. /\*\*581

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P.R. de Jongh. Did you say to sergeant Hel when you handed him exhibit DD "hier is sy skuldbekenis"? -- Nee, ek dink ek het gese hier is die verklaring.

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581.

But really reading that statement was a washes of time for Nel, wasn't it ?-- Ek stem saan.

What did you say to Hel "The man has produced a (?) statement, he says we want to beat him at Sanlam Building"? - Nee, ak het vir Hel gest hier is die um se verklaringe Too less Nel die verklaring.

When you walled and Hel walked out of Hel's office into (10 Verkuil's office, you know that Langile Inbalana was being left alone in Nel's office? - Ja, hy was twee tret weg van ons gewees. Ek sal nie sê hy was allenig nie. Hy was twee tred van ons weggewees.

When you were in Lieutenant Verkuil's office with Hel, Lungile Tabalasa was in Nel's office? - Dit is kerrek.

They are two distinct offices? - Dit is korrek. And there was no person guarding Nel's office spart from Langile Tabalasa? - Dit is korrek.

You could still see that the windows weren't barred? (20 When you came in with Langile Tabalana? - Dit is reg.

Didn't it occur to you that in view of the fact that . Lungile Inbalana had not made a confession to the magistrate, and that he said he feared that as he had not made a states ment, he'd be beaten at Sanlam Building, would be beaten at Sanlam Building, that Langile Tabalasa might fear the conses quences of his statement to the mgistrate? -- Nee, neet opgeken by my nie.

That he might try at that stage to make a desperate attempt at escape? Did it not occur to you? - Nee. (30) Why didn't it coour to you? - Die nam het halm voorgekom.

mis/...

582. P.R. de Jongh This man, Langile Inbalana, was calm before he made his statement to the magistrate ?- Dit is kerrak. He appeared to be calm after he made the statement to

the megistrate? - Dit is reg.

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You make no attempt to find out what was going on ... in fact going on in his mini? - Noc.

You left him alone in room 5117 -- Bit is reg. Bid Hel make any comment to you when he road the statement 7 -- Hote

Are you on good forms with Sergeant Hel? - Dit is (10 reg.

You belong to the same squad? - Dit is reg. You share confidently? - Dit is reg. Your hopes and feare? - Dit is reg.

inn't it asking a little man. that you didn't comment to Hel when you arrived about the statement when you arrived in his office, after Hr. Hellmi read the statement, he didn't say snything to you? - Em ek not verduidelik? HOT: Ja, verduidelik mar. - He het die verklaring san sersant Hel gages, sersant Hel het die verklaring geless. Me (20 het toe vir sersant Hel gest hy most probeer vesstel wie die derde personn in. He het toe cagedrani en weggestap, sersant Hel het nike geprent met my nis.

try and find this out from Langile Inbalant? -- Ja.

Did you expect sergeent Hel to continue with his intereregation of langile Scholass after you had brought langile Scholass back from the Magistrute's Court or from the charge office? -- Hel, dear was a sank teen die man gewoon, hy nees not ander getuienis kry. Ik het nie verwag dat sereant Hel (30 werder, hen verder most endervre in verband met die bewoerde wistade/\*\* misdade nie.

Bid you not think of discussing with Sorgeest Hel what would happen now? What you would do... what he would do now? In view of the fact that Jungile Tabalam had not make a confession to the angistrato? - Noc.

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583.

Were you notually in your office when Sergeant Hel raised a hus and a cry? - Ik was op yed an my kenteer teep ek weet nie of ek in my hunteer was of not your sk my kenteer binne gegeen het nie.

You heard shrgeant Bol should "where is the man new"? (10 -- Dit is reg.

Where was Nol then when he should this? - Ik het hem entmost weer in luitenant Verhuil se hantear.

Yes, you not in Verinil's office and what happened there ? - for so hy die man is weg, too hardloop at die gang af -(tussenbeikens)

Is that in the direction of room 518, or which direction? - Ja, dit is reg. Sereant Hel het in die teeneergestelde rigting gehardloop.

Nobody thought of running to the window in room 5117 -- (20 Wel ak hot nie dearean gedink nie.

Well now, you ran down to room 518, and then shat did you do? Did you find anybody there? - Ju, at hat vires at hot in die Nie-Blanke kanteer ingeleer an gekyk of die man nie daar is nie. Toe het ek die trappe afgehardloop. Toe het Twee Eleurling opeurderkanstabel Fleeman my ingehaal by die trappe an gesê hy sal verder af hardloop. Toe het ek teruggegaan na Nel se kanteer toe.

Did you speak to Hens when you sent to room 5107 - Hes.

If you had spoken to him, you think you'd remember that?

- 30/00

P.R. de Janah

- Ja, et glo so.

584.

Now when you got back.. sorry, which room did you run back to or walk back to? Verkuil's room? - Sermant Hel so kanteer.

P.R. de Jongh

then you got there, Sergeent Nel's room, affice, was Sergeent Hel there? --- Hk dink so. Danr was bais manse daar genees.

Did he speak to you? -- Sermant Hel?

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Yes. -- Nie sover ek weet nie.

What did he do, sergeant Hel? - Ek weet mis. (10 Did Sergeant Hel say to you, report to you that Sablama had jumped out of the building? - Ja, hy het vir my gant Sabalama het uit die venster uitgespring. Ek weet mie wie was dit mie.

Did you see Name afterwards? Did Name come up to you at any stage? -- Ek han nie enthou nie.

Hene - as far as you remember - didn't ask you what had happened to Tabalaza? - Ja, sk kan dit nie enthou nie.

Did Neme at any stage ask you differentially why Inbalasa had jumped out of the window? -- Ik west nie, ek (20 kan nie onthou nie.

After Tabalasa had jumped from the building, did may person at any stage discuss Tabalasa's statement to the magintrate with you? -- Ek dink kalenel Yan der Merwe.

Any other person? -- Ek weet nie of kaytein Strylam his... ek gle nie maar ek dink kelenel Goesen.

And where was the statement at the time? - Die verklaring was op serment Nel se tafel. (30)

Mene/ ..

Who had put it there ?- Ik weet nie.

Here certainly didn't come and ask you about the statement? - Noo, ak west nic.

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585.

In fact you'd, been very surprised if Hene had come and asked you about Sabalaun's statement? - Ja, at glo so.

P.R. de Jengh

Do you agree with no? You've just nolded your head. -- Ju, ak glo so.

What were you asked about the statement? By Colonel Was der Herwe? - By het govre waar is die verklaring. By het eers die storie by one vergestel, one endervre en tee (10 was by waar is die verklaring, tee handig one hem die verklaringe

Wie is "ons"? -- Bit was sky servent Hol - deer was a hale Momp mente bymskaar.

And who handed the edical the statement, you or Hel.

How did Hel take langile Inbalann's death? How did he react? - He dink hy was geskek. He weet at het hom op een stadium, at hem nie enthen op watter stadium nie, het hy op die vloer teen die maar gesit.

In which room? - In my eie kanteer.

In the floor throny langile Inbelana had sat..? - Nes, (20 by hot op sy hunke genit.

What was he doing in this position? - Ik dink hy het sy kop tussen sy hands vangehou, as ak nie mis het nice

Bid you try and ascertain why he was sitting in this position? - Noe.

Do you think it was an unusual position in which to sit ? - Dit was.

Did he appear to be a troubled mun? -- Bithet vir my se galyk.

Bid he appear to have monothing on his conscionce? -

Would/ ...

Would you just help his worship please? You talked about steps down which you run. Would you just indicate on Exhibit 5 more or less where these steps are? Gould we have the Court's copy please, Your Worship? Move you Exhibit 5 before you? Put Rodney Street to the top, then you should be able to understand it. Would you indicate to His Worship - (tussenbelkows) - Hier by Eg unter 2 stanne dit is hier af.

P.R. de Jench

On the right hand corner. Hajor de Jongh, de you regret not having asked Jangile Sabalaan why he feared being beaten (10 if he were returned to Samlan Building? - Noo.

Den't you think that might have provided the key for his conduct? - Ik west nic.

I have no further questions.

DEUR MAR. ERASMUS: Majoer, wat verstaan u enderdie Ingeles woord "troubled"? Wat is die Afrikaans wat u daar..? - Wag a bietjie, laat de net ges diak.

Ontsteld? - Ontsteld.

586.

Is dit die woord mat u in gedagte -? - Dit is reg.

Ex wil tog not vir u een ding gevra ht eur die 5de (20 vloer daar by die Sanlam-gebeu, majeer. Was u staf in besit van die hele vloer gewees, die hele 5de vloer? - Nee.

Ean u tog net vir sy Edelagbare aandul watter huntere, u het die plan daar by us bewysstuk S? - Jk.

Watter hanters het u en u staf gehad? - Dit is 0, 3,

C. D ene tot by E.

Vanaf & tot by E? - Dit is reg.

Hierdie kantere reg aan die linkerkant - (tussenbeikens) HOF: .. met n roei kruisie sel merk?

MNR. ERASHING: - Ean u dit tog merk met rost kruision? HOF1 Die kantere wat u gehad het, merk dit met met u rost kruisie/ee

A

kruisie.

587.

MR. MASHUS: Dankie, u kan dit maar teruggee aan sy Bielagbare. Was dit die onluste-semheid se kantere? -- Dit is korrek.

P.R. de Jensh

Die kantere heeltenal aan die linkerkant daar waar Strandstraat geskryf staan? - Ja.

Vie se kantore was dit daardie, die ander op daardie vloer? - Dit was (enduidelik) majour Rayman en under lede. Veiligheid? - Veiligheid.

Maar nie onluste-eenheid nie? - Nie onluste nie. (19 Majoor, kan u vir ons sê wanneer hierlie onluste-eenheid gevorm was? - 1976.

U was deurgaans lid daarvan? - Dit is reg.

Enn u vir sy Edelaghere se hoeveel sake u en u staf in daardie tyd ongeveer opgelos het? -- One het 2,000 arrestanies gedeen - ongeveer 800 sake. Die 2,000 is almel skuldig gevinde Was daar baie beskuldigings, mijoor? -- Jaar was baie beskuldigings.

HOF: Hee bedgel u beskuldigings?

MAR. ERASHING: Teen u en u staf? -- Dear ves. (20 Van vrese vir sammanding? -- Dit is reg.

Van asnranding? - Dit is reg.

Was hierdie net Landdroshef-sake? - nee. Hofrhefenks

Was hierdie bewerings getobhs in die howe? - Dit is korrek.

Was daar enige.. op enige stadium gevind dat enige van daardie bewerings gegrend was? -- Nee.

Servent Nel wanneer het hy by die onluste-senheid sange-

(30)

Was/as

sluit ?- 1976.

ook.

Hy ken Xhosa prast? - Dit is kerreks

P.R. de Jongh

Was by a marievalle lid wa hierdie eenheid? -- Baie

588.

Het by ook groot publisiteit gekry? -- Dit is kerveke See u neu die wegensamte bekentenis entwang en u sien die vroes wat daarin uitgesproek word, was daar by u enige vroes hoegensend dat hiertie man sou of ken sangerand gewees het ?-- Noo.

Wan u certuig dat mige sodanige vrees angegrand is? -- Ik sten man dammes.

Initement Verbuil se lantoor het gegrens aan vervant (10 Bel se kantoor? - Bit is karrek.

Dimitement Verbuil a betreubere officier? - Bale betreuben Het a op enige stadion gevind dat hy hen simildig mak aan enteelastbare optrede of dit teelast deur mder lete van die staf? - Neg notit mis.

Whet gotain, majour, dat kelonel Goosen wir u gent het dat indien montlik u nie manse most adarwre in hantere wat nie veroper is nie of war daar nie tralies voor die venstere is nie? - Dit is kerrek.

Was daar enige - sover u kennis strek an was weet non (20 watter kantere ander u staf geval het op die 5de vloer van Samlan'- van daardie kantere wat versper was op daardie dag 7 -- Noo.

Het a under familiteite gehad op derdie stadiumt - Hee. Het a enigeins die meantlikheid voorsien of gedink daarman dat enige persoon meantlik deur a venster op 'n 5de verdieping som springt - Heelt nie.

Wat u personnlik bekref, majeor, het u enige getuienis of vermoede of selfs geingte gehad dat daar minkien by Inbalana a politikke agtergrand kan wees? Of het u hen net (30 as a gewene mindadiger beskou? -- Ek het hen as a gewene mindadiger/...

589. miniadiger beskes.

GEES VERDERE VEAE SIE.

# GERUISEIS VIR DIE SPAAF ARDESIDITE. GEDERSONE UTVORSTEL 707 27 SEPTEMBER 1978.

21

## SAAK HIRVER OF 27 SEPTEMBER 1976:

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COMPTY The evidence has been concluded. I as not calling on the Prosecutor to address the court, although the Inquest Act makes no provinion that the Court be addressed by the legal representatives of the parties, I as neverthaless (10 requesting Dr. Cooper, appearing an babalf of the next of his of the deceased, and Adv. Examps the represents the Department of Police, to address the Court.

The two gentlemen are requested to contine themelves to the evidence placed before the Court and th these matters that may assist the Court to come to a just desirion in this matters

I now call upon Mr. Cooper to address the court plassed DR. CO-OPER ADDRESSES COURT.

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ULISPRAAK.

590.

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Bierdie is a geregtelike andoodse andersoek sangsande die afsterwe van langile Tabalaza. Aanvanklik het Advokast Strauss, die Adjunk-Prokureur-Generaal, die hef bygesteen met die andervraging van die getuies en later het u eenklaer Landdros J. Latge hierdie task alleen behartige Die hef spreek sy dank teensor die twee here uit vir die bekwame en onpartydige wyse waarop hulle die hef bygesteen hete

Ultepresk.

Dr. Gooper aanvanklik bygestaan dour Advekate Eles en Peswa en later slegs deur Advekaat Eles het nammes die (10 naasbestaandes van die soriedene opgetree. Hulle het die belange van hul kliënte op n prysenswaardige wyse behartige

Advoknat Ernemis bygestaan deur Advokaat Hofmeyr het ewe-cans op a bekwame wyse ongesien na die belange van die polisie. Die hof se dank aan al hierdie here wat daarvoor gesorg het dat die onderwoek baie velledig en sergvuldig in a halme stmeefeer afgehandel ken word.

Die doelstellings van a geregtelike doolsendersoek is soos velg in <u>Timel and Another vs. Magistrate Johannesburg</u>. 1972(2) S.A. 281(T) op bladay 292 gestel:

"The inquest must be so therough that the public and the interested parties are satisfied that there has been a full and fair investigation into the circums stances of the death",

In hierdie geval is alle beskikbare inligting in die openbaar voor die hof geld. Hy dank aan die onderwoekbeauptes Kelenel Van der Herwe en Emptein Stryden vir hulle enwattende en deeglike onderwoek van die aangeleentheid. Halle getuies is geroep en onderworp aan deurtastende onderwanging tet in die fynste besonderhede. (30

Die verklaringe wat op die uitkenning van die liggman

VAD/ ....

(20

van die ourledene betrekking het, is in die hef uitgelees en kregtens Artikel 13(1) van Wet No. 58 van 1959 ingehandige Vervelgine is die volgende getuies sangehoor. Ernest Eendile: Op 10 Julie 1978 on OThio het hy te Mainimotrant, New Brighton afleworing gedoen vir Sumblest Bakery. Hy was beenig on a faktuar to volteed too by dear die ourledene, ene Habulu Jali en 'n derde perwoen met messe assgehen is. In sy verklaring aan die pelisis het hy geet dat by wan tussen 280 an 2100 bereaf is. 200 Juli op 12 Julie 1978 in die Streekhof verhoor was, het die sankiner aan die (10 hof good dat die bedrug 2144,45 was. Tydens die enderseek het die getuie gest dat tee hy gebalanseer hat, hy gevind het dat die bedreg B144 was. Die bedreg van B80 - B100 was slegs a beruning. Dr. Cooper het a punt daarvan gemak dat die getuie se verklaring aan die polisie 13 Julie 1978 gedateer is, dat die getuie reeds op 10 Julie 1978 gebalanseer het en dat die bedrag in sy verklaring deus nie tussen 180 en 2100 mees gamees het nie. Feit bly agter dat die juiste bedreg op 12 Julie 1978 in die streekhefklagstaat op 12 Julie 1978 vervat is. Die verklarings van gebuies in geregtelike (20 nadeoine-andersoake word eers op skrif gestel, daarna getik en beëdig. Die gebuie se geskrewe verklaring is gedurende die enderweek as a bewysstuk ingehandig. Die verklaring is 10 Julie 1978 gedageer. Die getuie se verduideliking dat die syfer yan R80 - R100 slegs a beraming is, blyk dus juis to mean.

Ultoprask.

Hadat die drie Swart manne han beroof het, het hulle die afleweringewa aan die brand gesteek. Die drie het voet in die wind geslaan, 'n Vriend van die beroofde, ene Fikeli, het die drie gevolg en gesien by watter huis hulle ingaam. Fikeli het teruggekeer en 'n rapport aan Kondile gemaak. Die pelisie is entbied. Pikeli het die pelisie na die betrekte huis gemeen/...

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591.

geneen war Kendile die oorledene en Juli as twee van die jeugliges wit hen beroef het, uitgeops het. Die pelisie het hierdie twee en die eienner van die heis in hegtenis geneen.

Ultoprosk.

592.

Clifford Pikelis a Wellaring van Pikeli is ingehandig. Sy gebulanis is in oereenstemming met dié van Emdile. <u>Kanstabel Hinbani</u>: On 2000 op 10 Julie 1976 is hy vergesel van Kanstabel Gelebs as die teneel van die mistani. Imar was slreeds Hinnke pelisie op die teneel. Pikeli het die pelisie na huis D.8 in die Roei Leineie geneen. Deer was a (10 hele santel masse in die huis. Kantile het die eerledene en Jeli as twee van die mane wat hen bevoef het, uitgenyse Die getuie sen

"I asked the decoursed if he was responsible for the robbery and burning of the was. In admitted, I also quantioned Juli was also admitted responsibility. I thereupen asked then about the identity of the third perform. They replied that they do not more the third perform as he only joined in the robbery in the some seconcesses i i demailed the many they had taken (20 but they did not reply."

Emstabel Geleba hot die twee gebeel en hulle is saan met die huiseienaar na New Brighten Pelisiestasie geneen waar hulle aan sersent Revense eerhandig in.

Serment Merenamic is die bingtekentoer-serment to New Reighten. On ungevoor 7h00 op 10 Julie 1978 is die vouwel to Meistens straat by hom samgemeld. Hy het my petrollioum zu die tensel gestuur en die enhustenpen van die pelisie entbied. Hy het self ook zu die tensel gegaan en te gaan se dat die Stanies bevelvoorder goot het dat die veringtes zu Her Brighten (30 Pelisiestanie gebring mit word. Die veringtes is tes zu die bingtes/....

#### 593.

Magtelanteer gebring en is later san die Veiligheidspolisie eenhandig. Die Magtelanteerservent is beis bezig op inandageggunde en dit Nyk baie duidelik uit Egrense se getuienis dat sy gehous hen in die steek gelast het wet betref die fyner besendezheie waaruntrunt hy unierven is. a Hens hen dit ook te mate woos onist die seenent nie intien gemeeld was met die sangeleentheid nie en deer nie van hen vervag ken werd en mande later elles tet in die fynste besenderheie te untheu nie. Die velgende steaf hierdie stelling:

Uitoproak.

Eladay 204: "Who reported the incident? - I count

Maday 205: "There were two suspects brought to the charge office.

Only two? Only twos"

(Inter so by wel damy was drive. In worklibbaid was donr driv). Bladay 206: "They were sitting tegether or apart? Well, they were just sitting next to each other."

(Juli se by an die confisione het mie lange mehner gesit mie). Haday 207: "Gan yes give the names of the members of (20 the Scourity Brench who turned up there? It was Warpunt Officer Scheepers and Sergeant Hele" (Hierdis polisiebecoptes af dat hulle mie maan daar aangeber het mie).

Eladay 208: "Both of them or only one of them? I connot

Bladay 209: "Do you know when they left there, that is Sergeant Nel and Scheepers? No, I don't know." Op bladay 209 sê die getuie positief dat Hel en Scheepers nie drade by hulle gehad het nie en dat hy geen trans (30

in die oorledens se of gesien het nie. Inter tydens die

enterwaging van Dr.Cooper is hy nie seleer of hy trune gesten het nie.

Ultspreak

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594.

Op bladny 215 st die getuie dat konstabel Deeper die Indeelemaar ontellaan en huistes gestuur het veerdat die Velligheidspelinie opgedaag het. Volgens al die ander getuienis waareer daar geen geskil of teyfel

bostam nie, het serment Hel die derde verdagte entslaan Emstabel Brover is verbande aan die enhuste-combaid. Hy is na die tensel van die roof in Meinkastraat entbied. Hy (10 bevestig dat die inhegtenisname van die eerledene geskied het soos dour getuies Kondile, Pikoli en Habeni beskryfe Hy het die omledene deursoek en 'n bedreg van 213.03 in sy besit sangetref. Kanstabel Hinbeni het vir Jali deurseek en R3 by hen gekry. Geen supens is in hulle besit sungetref nic. Die twee verdagtes het hulle nie telgesit tee hulle gebeei is nie. Die huiseienaar is ook in hegtenis geneen. Die drie genresteardes is na New Brighten Pelisiestanie geneen. ar het die oorledene en Juli langs meksar op a trainel gouit. Die huiseienner het nie op a tremel geuit nie. Rierdie stelling verskil van die getuie Jali (infra). Die (20 getuie het die policiestanie verlaat en nie die huiseienaar enteleen soos sereant Ignense beweer nie. " Brickwartier later is by tarag na die pelisiestasie te New Brighten on a verklaring and die Veiligheidspelisie to mak. Die getuie bevestig dat konstabel Elabeni Ihosa met die drie anna gehoulenes gepreat het.

Serment Hel is die belangrikete getuie. Sy andervraging het vir langer as 'n dag gedaur. Hy is a lid van a undervoekopen wat gedarunde 1976 namgestel is en anke wat uit die enlaste spruit te endervoek. Tet April 1978 was die endervoekopen (30 te Hew Brighten Polisiestasie gehuisves en het hulle nie

mder/as

anter die bevel van die hoof van die Velligheidspelisie gesteen nie. Teen die middel van April het helle kontere op die 5de vloer van Sillis-Ginte Betrek en is helle by die Velligheidspelisie ingestekel. Sy konter so name 2 was 511. a Deur het van sy konteer midde van Beitestet Verveli gelei, wasser 'n vertere deer midde konteer van Bejoer de Jungh gelei het. Op 10 Julie 1976 het westere van wrong die oggeni tralieversperringe veer die venstere van die kontere ken samite

164

Ultryensk.

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TI

On angeveer 9030 het aljainst-officier Scheepers die (10 getuie verseek on a reefvourval to New Brighton to an sock. Op Satering 8 Julia 1978 was daar a op vouval on die Ben Semakaskoel is aan die ben steak. Die enderseekspan het hierenn annlag gages an was dat hierdie u harmale opvien van die enkuste hen wees, Die getuie is alleen daarheen. Hy tref die drie verlagtes daar san. By het halls beete last lossak. By het die oore loins na a kanteer genous on hes enteress. Sarayi by not die enderwanging besig is, hen adjulant-off alar Scheeners by die kunteer in en lever a beelskap van a 2 by hos of. Scheepers verteef slags could the an vertr Rieriie getuienis verskil van Jali (infra) en Revenas (ougen). As govely wen die inlighing was die ourleiene wer rra hots persont Hol die huiselenser last game, Assgetie het dat die werkers roots die tralieversperring kanteervenstere sangebring sou hit on hy or w sal han yeartait, near by alloss die outlede and in u Bille motor na SANLAN-GENOU vir verdere anderen arriveer daar on ongeveer lihoo meer die tralie was nog nie aan nie. Dit het les in sy hauteer gestaan. (30) Die getuie se in sy verklarings - 10 m

"Mic hot too hierdie versperrings mit op hel sykent teen die maar gestaan het, voor die vesster op die vloor geplaas as a voorsergematrolle"

Uttoprank

Now Cooper het a part gemak van die woord "voorsampe maatroett". Het het naamlik goet dat hy nie beens we van a ensendhrief wat a verbei geplase het op andervangings deur die Veiligheidspelinis in anversteekte kontere wat nie op die grandvloer gelot is nie. Voorte het Hel gest dat die ootlakens deurgaans op sy gemak voorgeken het en noeit enige vermeele geskep het dat hy sel probeer entensp nie. Sermet Hel se (10 verduideliking was dat hy nie weet waaren hy se gest het nies

Sermant Hel hat die sorledene vir engevoor 2 urs in sy kanteer andervra terryl galt by die Hie-Blanks spearders in halls hantour was. By het die ourledens op die vlour lant ait soint die corleiens na hon noot opsien as my mourters, ant a stellandige ultrasting op die ontervrangte hets Dr. Cooper yoer sandat dit anbehoutike beingt setting unte tylens die onderwraging was die oorlolene op sy ge nk on hy is toogelant on twos nignrette to rooks 'n Ander getuie het inter a let signrettedenie in die oerietene se stike ann tref. Die hantoordeur het oopgestaan en die werken die tralieversperrings amgebring het, het deur ser the R and se kanteer gestap en gereedskap en meteriaal in a se hantoor to gain haal. Op 'n stadius tytens die and het majour de Jough ook by die konteer ingekoms Boint die corledene vir sount a driekoartier endervon ing het by slegs andadighoid aan die roofvoorval wat deardie oggend plaas govind het, erken. Speurderkenstabel Lokue het by die hunboor ingekomen sersent Hel messeleel dat Juli annhaltanets aan die miedrywe gepleng op Saterdag 8 Julie 1978, erkens (30 Jali is garoap an die oorledene is met sy behantenisse geka

franteer/ ..

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596.

franteers Dearns het die verledene anniedigheid aan vyf verdere ernstige miskrywe erken. Dr. Gooper het sangevoer dat bierdie kanfrantenie ook anbehoerlike bekendening in-

Ultoproak

Die oorledene se verkinzing is in a register, mit vir die doel bygehou word, afgeskryf en is nie enterteken nie. Dr. Geoper kritiseer die verkinzing entet a gebete nie geteken het nie. Serennt Hel verbuidelik dat die verkinzing slags ter inligting van die pelisie was en gemeens as getuienis besken is nie

Die oorledene het hemself bereidwillig verblaar en z (10 verklaring voor a landdres af te 10. Enjour de Jongh vergenel van luitenant Verouil en kenstabel Hane het die oorledene za a landdres geneen, vanves sersent Hel die ander verlegte (Jali) enierves het en sy verklaring ook in die register afgeskryf het. Beide verklarings is ingehandig: Sereent Hel gaan voorte

"On 14h40, teruyi ek in my hanteer elleen geett het, het Hajeer de Jangh met Benteenen Bangile Miklask ingeken. Dangile het regeer die venster teen die meer geen stemn. Majeer DE JONGE het my husteer verlant. (20 unsiddellik daarme het Hajeer DE JONGE vir my geet "Rier is die bekentenis". Et het van mysteel opges stemn, Hajeer de Jangh gevelg tet helfpel binne die henteer van Luitement Versuil, waar hy die bekentenis aan my eerhendig het. Et het dit vingtig deengeleen, wat engeveer a helf-minust gebuur het. Et het andde dellik weer teruggekeer ne my henteer en gevind dat Benteemen Immile Miklask weg is."

Alarm is gemak. Serennt Hel en Majoer de Jough het na oerledene in die gebou gesoek mar ken hen nie vind nie. Date is toe opgemerk dat a venster oop is en dat die oerledene

onler/ ..

597.

under in die strent 10. Serennt Hol van baie entsteld en het met sy kop tussen sy hunde gaan mit. <u>Adhelent-efficier Scheeners</u> se getuienis klop vekees met die van serennt Hol.

Ultopreak

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598.

Iniour de Joneh was die bevelvoerder van die undersoekopen. Sy gebelanis pas velkese in by die van sersent Hel, behalwe dat hy sê helle en 1455 waarf die Innidrostensteer geken het. Sersent Hel sê 14640. Hejoerste Jongh vestiner det die Velligheidshoef, Hels Gesten, hes mendelike mageleel het dat endervreging in versterkte kontere moet plansvind. Hy (10 het mie die optrog aan sersent Hel eergeken mied

Hy het konstabel Hone opdreg gegee en buite die landdres se konteer te wag. Hy en Initesant Verweil is an Algespark. Helle het teruggekeer an die Nore Geregshows Mingtekanteer waar konstabel Hone die verklaring wat die eerledene aan die landdres gemak het, aan hes oorhandig het. Hy het die verklaring gelees en die oorledene teruggemeen an Skäldbegebes.

Die gotmienie von die unjour is daarne voor dieselfde as dié van Bal. Hy het by die vonster uitgebyt en u Sourteen in Reineystrast sien 18. Hy het daarhoen gegeen en gesien (20 dat dit die oerledene is. u Strunt bloed het van die oers letene afgestroon. Die voorvel is by hetr affisiere aanges meld unt entersoek hen instel het.

Kannishel Heng is ann langturige antervraging anterverp. Sy solutionis vir sover by in die prentjie hem, blop in alle opnigte met die van serennt Hel en majour de Fungh. Dre Gooper het hen ogter angevel entet by mie die verklaring wat hy van die landdres entvang het, gelees het nie. Hy verhuidelik dat hy begin lees het, mar dat die handskrif enleesheer was vir hen en dearen nie verder gelees het nie. Hare, Schultz en Helebe het soon met ene Vale die tralies veroperrings in die betreites kenters ge-installeer. Inilis het albei deur sessent Hel so kenter gestep teropi hy die oorledene enterven het. Sy kenteerdeur het opgestenne Velgens helle veronening het deur nike sinerentin gebied tydens die entervenging nie. Helle was die hele deg deur verbeene en het geen gebeid geboer wit op 'n merending hen dei nie.

Viteprask

Here Barbar bet vir a trein gener an het in die streat diete Aantale-geben gertein: a Beneging by a venster op die vyfde vieur het sy anning getreks Hy eien a venster gen oop. (10 Die eenledene blin vinnig uit. Hy gen op sy hette en skied hemelf uit van die geben. Hy spring verentee uit. Hy trek a ent deur die ing en beig sy liggens. Hit lyk soef hy op sy voete te lande uit hom, mar verleer sy overig en swani. Hy het met die heut van sy hop in die stevent gevel. He liggens was in dieselfde periste soes wat dit op die fote's is wat ingehendig is.

Dear was alsowed unders sighear by die venster tee die eeriedene uitgespring het nie. Die getaie het dear rendgesteam en die tyd te veropie. Hy het op die klekteringe herieste gesten dat die tyd 15000 was. Serwant Hel gee die tyd ean as 1400, en majour de Jongh as 14055. Helle het nie gest dat hulle spesifiek op hulle heriestes gebyt het nie of dat hulle heriestes ingestel was op die tyd van die kleis teringherieste nie. Op sterkte hiervan argumenteer he.Googer dat die gestedene vir soms 20 minute in serwant Hel so henteer mees gewoes het, voordat hy uitgespring het. Getaies Hel en de Jongh het egter enter eel gest dat dit slage somst a halfminunt was.

Mabulu Jali is a 17-jarige Swart soun. Op 10 Julie 1976 make by a verklaring aan sermant Hel in SANIAN-gebon. Desrvelgens

Hat/ana

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599-

hat hy godurendo Hoi 1978 not ene Bisto bevriand gen Die ourledene het hen by die vriendekring geveege Biste hot hos corgehaal on "saan not hos to loop on plakks afbrand". Geturende Junie is by en Biste gevang deur "manne wan die lohnsie"; Hulle is aangevend. Bisto sterf en Jali beland in die houpitaal. Op 8 Julie 1978 kunig en die oorledene u Riedes veerbuig tell. Oorledene het geld van die bestuurder van die voertuig ge-eis en 263 van hen afgeneen. Die oorledene het petrel "eer die veertuig alteratived" on Jali hat dit met" in wombartile non die (10 nd gesteck". Hills doel die geld. "Op Mandag 10 Julie 1978 hat ek en Lingile (dels corledens) weer a Sablest veerbuig geroof van a bedrag van El6. Eiswile veerbeig was ook weer dour ons sam die brand gesteeks Ik het not R3 sokry von die buit. Dearns was ans dour die polisie in hegtanis geneen."

Ultegraak

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600.

Op 12 Julie 1978 sinne Juli in die Struckhef teres op twee kingtes van konskullige saakbeskadiging (afternet van die twee notervoertuie) en twee kingtes van roef. Hy plait skaldig op skrier die kingtes. Die sankiner dest die hef (20 mee tet die feite is en die hef endervre hem kongtess Artikel 112 van die Strufproserwet. Die Stant beweer det die bestuurder van die Hiedee bakkie van 2150 bereef is. Juli ske

"Dit is so many by die voorval wat die aanbieer van gepraat het nou het ek net 260 gemies en Jangile het my net 230 daarvan gegees"

Verderean st hys

"Sten jy dan saan net wat die Ambiner die hef mengedeel het? - Ik sten saan.

Ander woords jy orken dat julle die bestuurder was

410/00

die veerieig enegeneed het deur hen van te struk en geld van hen uit die veerteig uit te henit -- He blaer het met hengile van die heie uitgeken: 200 ek deer hen, het hengile hen al bestgekel. Hie blaer het tee die uitgeope wer die geld in, hengile het hen tee gelee en die geld geen neen, die geld een ny eens hentig, <u>tee het he die zekeel beseriekel</u> in mit het jy met die geld geleen? -- He het die geld

2.1

Ultergreak

wer terugrages am lingile.

In howveel deserves het by one jes gegeet -- by het sy (10 tee 230,00 van die geld gegee. It het die geld tee versteek en by die pusk weer ek die geld versteek beig was langtle teensoortig. Doe ek weer, wast ek was beng en dit deserlie tyd, op deserdie stellung te gebruik. Des ek weer deer geme van die geld nie meer deer nie en tee ek van langtle probeer van, het by up net uitgelage

In wie het die first aan die brand gesteelt? -- 200 ek daar kom, het Inngile al die voorteig met petrel besprinkel, hy het ny tee die geld laat hen, <u>daaren het br</u>(20 tee die voorbestije gebrekt

Veerbeig om die brund gesteekt - Ja-In het jy en langile dit veeref beplant? - Nee. Net se andeel het die bestuiktigte gehet in die een beundsteking van die veerbeig? - Ik het die geld vans gehen, en tee ek daar hun het hy al klasse petrek bespeichel daar, hy het tee gest ek neet die geld het en ek het nike in ny sekin gehet nie, tee het hy die veerbestjie getrek. Je, mer unt die het wil weet is die besteldigte het skuldig gepleit am die klagte van opestike makhen. (30 skuldging, dit is die een bundstekingen die betrekte veerbilg/...

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Witownak. veerbuigs Non is dit nie vir die het duidelik heeks niet - It hat als die voerbuig aan die he nie.

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602.

hit is dearen dat die hof nie hen verwiese plauet die haf by die besimidigds en duideltimeid wil veserbel. his bestaldigts hat stalling gaplett up biertie andia van kunstwillige suskbeskutiging. Not at die beskutitigte ant by dit mis goiom het nice Hen hun die het mie verstaan nice Sel die bestelligte asseldief am die haf vertuidablik unt sy aandeel dearin was an untress by (10 dan skuldigspyleit het? -- Ik unt teampering genouse In, man the bestimuter you die veerbeig was out to woordig on secondaritik is by nie skuldig our imaniswillige sankboulndiging nis? - By het wir my geld gages, dis hocken ak erkan.

In, jy orten dat jy annihilig was by die roof, mar wat van die konstwillige makbesindiging, die am branke staking an varmistiging van die voertuigt Het jy vir lungile dearnes gabely? - Ik het nied

In heaten platt by den stalldigt - Ik hat minn mut (20 at must dat ak shulldin in estat ak was die suld set het.

Mure die Asnkiaary ten opzigte van kingte 2 ml u platt van anshaldig genetaleer werde"

In die besenderhole ausgeande die reaf op 10 Julie 1976 hat die aankiner die hef meegedeel dat Juli 23 van die buit gebry het. Jali of after anders die volgende nam die hets-"COURT ADDRESSIE ACCUSED: In respect of seasts 3 and 4, does the normed agree with the further information supplied by the State? - It is so but the third person (30 ome with petrol. I do not know him, he come there, greated/as

٨ . 5 603. Uitagranks greated Ingile. He then throw a match at me and antid that I should strike the motohe I then struck the match and ron anny. Does the court understand correctly then that you admit that you and your two friends ones to the wan which was driven by the Sumblest Bakary driver and they you demailed manay from hint -- Tony Inngile demanded the manoy from the drivers And you were with Inngile? - Yos, I was presents And Inegils threatened the driver? - Nos, the driver (10 then get out and rend And the three of you cought hinf - Inngile and the third person caught him. And what did you do? - When I arrived at them, they'd already caught him. I then took 12.00 which was in the driver's hand. And what did you do with the R2,007 - I gave that to the New Brighton Police. Why? - They demanded it. and then you tak the antches and you set the vehicle alight? - I took the matches, they gave it to me become they shouted at me. that did they shout at you? - They said I should set the vehicle on fire. And then you did? - Yes. And these two people that were with you, Iungile and the other one, were they your friends? - I do not know the third person. I only mos Imgiles Is he a friend of yours? - But he also I recently note Tos, but is he a friend of yours? - Yos, I've recently[]0 move him, this years Tes/an

604.

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Yon, but the court make to know if you ware friends. Not whether you know kind -- We had been friends. 264 you know it use wrong to do what you did? -- No I sak forgiveness;

Vitoprask.

You, but did you have you were doing urang? -- I have

Dear is veylik wit die notele van die verhoer sampteel entet Juli tydens die doekomdersook goet het det serment Hel hen voergoet het unt en in die hef te of en det by deare een veldeen het. Hit blyk ogter det dear a groet verstill (10 tusten sy verklaring een sereent Hel en sy verklaring in die hef is.

Juli is op drie bingtos skuldig bevint an bet alternan the post of termine

If die verhoer noes belenel van der Heres a velletige verklaring van Jell. Helenel van der Heres is die Affilingen speureffister van die Goo-Herp en was as solanig in bevel van die unterweek zu die deel van die oorledene. Die oarste paragraaf van die verklaring handel met die reefveere val op 10 Julie 1976 en Mop met wat die klaar Kentile ef, (20 asook met wat konstabels Habeni en Broper geet het. He desrepvelgende paragram sten oereen met wat geteise Hel, de Jangh en Here of wat in Skalik-geben gebeur het voortet die oorledene by die venster uitgempring hets

Die verkinzing sluit af:

64

"Cortolene het geen beveringe am hen gehel zie en het ook zie een uy geef dat hy sengernel is zies ik het hen ook zie sien huil zies. Ose het zie enterspring besproek zies"

tytans die enterweek is Juli langhurig enterers. Hy het die volgende gebuients bygevoege

Lo By/an

605.

Le By an die huiselenner het soon op a trouvel in die klagtekentoor te Bew Brighten gesit. Imge kulle was a has en die oorleiene het op a trouvel am die entertant van die bas gesite

Uttermak.

2. Servent Hel en adjuint-offisier Scheepers het elk mut a draad in hulle hande oppeinng. Helle het die oorietene weggeneen en toe hulle terugkeer, was daar trene in die of van die oorledene:

- 3. Hy hat goon mining? veynilling eries and a like eriessings is onlor doing you has vericey. By the net die containes (10 so verkinning gebenfronteer on dit hot hes genoop on value bekentenisse to make. By het in die het beken entet die polisie wir hes good het en dit to doons
- 4. Served konstabel Hans av vingereitirekte in Mathiegeben geneen het en voorint zervent Hel hen enderven het, het nervent Hene hen gekinpe Hene entime Atte
- 5. Manutabel Lekow hat vir sersent Hel geven of hy ists ann hom (Juli) has doone Sersent Hel het geet fas Lekow het agter nike "gedoon" nied Sersent Hel autom dit. 6. Hy verklaar dat die verkedene by die hunberr van die (20

His-Himshe spearders ingebring is. Servent Hel het hen gevolg. Servent Hel "het vir langile gevon werve langile gest het, too hy ze die landdros toe geneen werd, det hy geslaan is. Hy het langile aan sy bandjie gegryp agter die zek en hen getrek, hy is toe weg met hen en dit is toe wat ens uitmekaar is."

Die getuie st dat hy bierdie dinge am belenel von der Nerve geet het, mar die telk het geet hy menie von anne rendings vortel nic. His telk het unt hy geet het est am kelenel Van der Herse eergeke. Kelenel Van der Herse enthem (30 dat dit so is. Kelenel Van der Herse verklaar dat Juli redelik/ees

Ultsprak redalik good Afrikaans han preat. By het alks stelling van Juli unt deur die tulk aan hen eergedre unse weer in Afrikanns sen Jali gestel en Jali het elke keer bevestig dat dit reg is.

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606-

Isuddres de Wasi Jubbe het en 14h10 op 10 Julie 1978 Minring van die seriedene genoen. Op binder 1 van die vestilaring is onder anders asagetekons

"Is a dour migs purson anngerend of going not the deal on u to believised on a varializing of to 147 --- Hoe."

(10

In verders

"Bet a vanteware in watcharing was disselfits sard. adgelet -- Ja, by SANLAN san mur. Nol vendage Wanness worthing to day do die workthering to herbault ----Mure Rol hot good ok most biardie soldie vertiering kin goo."

Op bladay 2 staan daars

ėl.

"Dit is nie dat ek a verklaring wil mask nie. It is bangdat as ak a vertilaring mak dan sell sk gestiens ward as ak terug hos as SANAR as gabos tera" 1 "Indian mar. Hel mis good het u most u veskinging hier hen mak nie sou u negtant a verklaring was mak? ---Res. Ik wil nie u verkiering mek nie. Bulle het good ok moet."

Die landdren of indian die verklanvier semmengtig une of indian by ists abnormals can has opgemerk het, by a note desarvan op die verklaring son aangebring het. Inde vone oor geleenthade wat nie in die geskrewe stuk vervet is nie. is am die getuie gettel mar hy has die meeste van daardie dinge mis onthou nie. Die landdros is door Bri Cooper (30 gevre mearen hy nie stappe gedoen het en te verheed dat die ourleame/as

sufficients sumperend word mis. By untropering "Die min is no my gebring door majoer de Jongh. Hajoor de Jongh is u samier officier doors it het hem terreposees die vestiering naket ek dit afgenoen hete ook nam majoer de Jongh gegee. Het presies wit hy woorde was word ek nie. It diek at het vir hem iste gest tot die offick dat die missessie dat hy of julle slaam hem of julle genn hem slaam of wil hem slaam en hy is beng. Iste tot die offick, sk tink me. Onder die oostendigheie het ek gelink soossies an die min (10 hyveerbeeld deer nersent Hel na my tee gebring wil, dan son ek miskien stappe genoem het, meer wekst die ma ne my tee gebring is deer Hejeer de Jongh, het ek gelink dit is nie nelig nie. It het sy aming daarop gevertig."

Ultopenak

607.

Op 'n vraag van die pelisie se abvekant det by delk nie dieferiedene aan mjoer de Jengh oestendig, antesert by: "hit is seker noestlik, maar ek sien u prektije voor we waar dit is seker moestlik."

In up a versag dat by so solar is dat by my hop up a (20 ble sal sit vertiaar by

"It is redshik school many do may a fast make it and nie my key hooltenal ap 'n blak mit nie, many helf, helf."

In die lig van hierdie gebuienin, wat betoend is net did van Bajeer de Jangh, voer Broßeeper aan dat Bajeer de Jangh ee gebuienis verwarp noet word. Die hef han Broßeeper egter nie gelyk gee nie. Dit is duidelik dat Ismidres Babbe se geboue hem in die steek lant. Tearen sel Bajeer de Jangh en konstabel Hems af dat slegs konstabel Heme buite (30 die landdres se kanteer vir die verklaring geong het en dat die landdres se kanteer vir die verklaring geong het en dat die verkinzing am Hene oorhandig ist Dit hen inners geen verskil aan hulle getuients gemak het of Ienderes Iebbe die verkinzing am Hejour de Jough gegee het en of Hene dit aan hen in die Magtelanteer van dieselfte geben gegee het zies

Ultoppeak

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608.

Volgens die metiese getuienis was deer geen beserings wet op 'n aanvending voor die neetlottige opeing det nies <u>Dr. van Janaren</u> was broedvoorig aangeende sy bestatinge entervou. Die advelate unt names die belangkebbendes (10 worskyn het, gee tee dat die patelleg se getuienis ensenters bear is. Die bevinding van die genoesheer van dat die serielene doot is aan veelvuldige beserings. Al biertie beserings ken tydens die val opgeleen geween hets

#### THE OWNERS AND ADDRESS OF THE OWNERS

<u>Kansinhal Hana</u> was a goole getuis. By het telleme a rede vir sy antwoorde verstrek unt tot verdere enderwonging samleiding gegee het. Bit het in sy getuiente sam die lig gekon dat sereent Hel baie entsteld was an die versvel. Hierdie aspek is al unt van balang is unt nie in sy esse sprenklike verklering pervet is nie. Sy geteiente wert annyatre

Serment Hel het av gebienis op 'n eerlike upee afgelö. Hy het die telle vone wat aan hen gestel is op a makabelstanige vyne geantwoord. Die anigste bres wat is op getuienis geblaan is, is soos reeks amgehei die fuit dat hy in sy verklaring geoö het dat die tralieveroperrings as a "voorsergeantroth" doen die maar voor die venster geplaas het, tervyl hy nie bewes was van die oping dat enkervengings nie in enversterkte konters mag planovind nied Deer is (30) amgeweer dat hy derbelou van die oping gemeet het. Die betrekte/... betrekte optrag is not sen die Veiligheidupeliste gegee en sereent Bel ee dienste is eers deares aan die Veiligheidspeliste teegenyn. Dit is derhelve nie enseentlik dat hy enbewus dearven was nie: Unjour de Jangh enken dat hy dit nie under sereent Hel se sendeg gebring het nie-

Ultepreak

In die lig van die 1980 waarop hy gebuig het an dat sy gebulents op feitlik alke punt deur ender gebulents gestaaf word, word sermant Hel se getulenis ann Majour de Jouch se gebulande is ook op deurtestande upoe geboote. By hot niks probeer verberg nie. By het was en- (10 lik on sender huiwering beantwoord. Wenneer by ists nis has anthou nice hat by so good. By shran nic desrees wag on to exten dat hy version hat on vir sevent Hel to at ant underwraging slags in versteritie hunters mug planswind nie. By was agter nie op kanteer tee die enderwraging plaangevind het nie en hen dit nie verheed nieg Die een ledene het ook nie by die venster uitgespring tydens die enterwraging nice for hy uitgespring het, was die untervroging lank roots afgehandel on was die corloisse net vir a spie buite sig in Hel se kunteer. (20

Ire Gooper hat anngevoor dat injour de Jongh vang is in sy verduideliking van hee by a annreading op die eeriedene sen verhoed. Die vertuideliking dat die injour gemeet het dat Bel nie eengeboulenes ennreud nie en dat die injour son teestien dat die eeriedene nie eengevend wert nie, was gemeins wag nie en word as annvaartener besten. Injour de Jongh se getuienie werd as geleefmartig aanvaar. Soos hierbe anngebuig verskil die getuie se getuienis op een pust met dié van indires hebbes soos reeds aangebui werdtie getuienis van injour de Jongh op hierdie pust aanvaar. (30 indures/ees

A

609-

misrourpe By bewarings you searanting op the periodens to New Brighton word door die melioco getaienis gelethetref. his haf gis Juli mis many by at dat by ann kalenal Yan day Horse worthal hat you die doubs wat die pulisie gahad het, was die trame in die omisione so of an van die gryp nan die krang. Dit is unishinar dat a hot offinier van Kelensi yan der Herve se statuer selets mi uti verberge Juli as verticideliking dat by valatik as anotrong van die peliste in die hef anninitcheid am mininde erhen hete han ale annyane word ales Soos roots anagoing versicil (10 die inligting unt die politike uit hen sen "uitgebuing" het in heelant quigts was not by in die Streethof good hets By hot due nie in die hat goot unt die pulisie segenseni vir hen gunt het en te at nice. Die velgenie uittreisel uit ay getuismis (bins 100 on 101) dui son dat by nie a betreabure getuie is nice

Ultopreak

4

610-

"s Geleelte van unt jy vir die landdros in die hef geet heterer het werklik gebour en under dinge het nie werklik gebour nie, die het Sermant Hel vir jen geet en te st, is dit sof - Hit is so." (20 Wat jy vening hier wertel is dit elles die werheldt -Dit is die welle wertelde dit is dinge wet plaamgevind hete

Veryon is jy den nou mie meer beng vir septemt Hel mie? Nearen vertel jy vening die vertel nie? - Hit van die beel eerste heer vir my es a persoon en in die hef te verskyn en ek het ook gelink oer wat hy vir my gest het mendlik dat ek 'n somer venis opgelt sen werd. Je, mar dit het twoe heer gebeur, tee jy in die hef (30 verskyn het, het jy semige dinge vertel wat mie se is mie/ee

611. Ultsprank nie en later tes jy jes verklaring aan Tollenel Van der Herve mak toe vertel jy dinge ust nie so is nie entat jy bung is vir sereent Hel? Heekom is jy nie wandag bang vir has nie? - Your die landeres het sk boulait on to vertal soos serent Hal my good hat want ak het gedink dit son die beste plan ween. In your Kalonel Van der Herve? Die vertinzing Besynstak W - Is at het a verifiering voor hen gemake Soundge dings wat jy dearin good het, is out nie so nie? Rocken hat fy besthuit en dinge in deardie ver- (10 Maxing to st unt nie so is nie? - Ik was nie mer in die hof toe ek die volle waarheid deer gaan vertel. Wate hat jy die welle waarheid vertel? - Hy hat my wan die landdres wertel, hy het vir my gest ek meet nie entrusi ven die verklaring af wat ek gemak het Ann Kalonel Van der Nerve? - Ik het hen die unscheid vertal.

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eccases and the second second

Jali en die oerledene is feitlik op heteriend betrup. Geen suggestie was ookt gemak dat helle die roofteg nie vryvillig, openteen reg een die begin een henstehel Hisbeni erken het nie. Kort deseme tee servent Hel helle sproek, erken helle nie meer vryvillig nie. Op bladay 129 wa sy getuienis st Jaliz-

"I admitted became I am served. Thy user you nearly the

scared? - Because of the pieces of wire I had seen and also because langile had returned with bears in his syss."

Ultopponetc

(20

612.

Dit is hoogsommarshynlik dat hywrywillig nan Hlabeni sel erken en kert daarna "soared" most wees es aan Hel te erken.

Wat hierby annaluit, is dat by orken hat usint die over ledens se verklaring aan hen voorgehen is. Hy was immers teenwoordig toe oorledens aan Habeni biten het en hetself (10 ook bekens. Zoe by met die oorledens se verklaring gekentrens teer is, het by mes geweet dat die oorledens seten het. Veerte het seriedene 'n vyfde mintryf, maatlik die bematstigting by die Ben Semmankoel enken. As die oorledens se verklaring Jali dan genoop het en te enken, waaren het by zie eek die brendstigting by die Ben Semmakene in sie

Op bladay 128 van av gebuienie et Juliy "Did you actually sign that statement which you make to Sergeant Hel? - I was teld to sign which I did." Die verklaring is as a besymstuk ingehandige Dit is nie geteken nie.

Die bewerings von dreigemente en annrendings wat Jali vir die serste keer tydens die nadéelse-anderssek gemak hete word as vals beskon:

## BROORDETATICS VAN ANGUNONTE

----------------

Dr. Cooper voer die volgende argumente anne 1. Serwant Nel së dat die sorledene en 14h40 na sy kanteer teruggebring in. Enkele sekondes daarna tervyl hy die sem ledene se verklaring in die aangrensende konteer van Hejeer de Jongh staan en leen, spring die oorledene hy die venster uit. Hajeer de Jongh së die tyd was 14h55. Gerber sien die sprong/essesses

613. - Ultepensk spring in 15h00. Bri Cooper argumenteer dat die tye as sullin annuar most word on dat die polisie 20 minute lank besig was not die osciedene voordat hy gespring hete Montie is 'n blobe affelding wat alloen han standhos indien nermant Hal op 'n herlanis gebyk het wat discolfde tyd toon as die een waarna Gerber gekyk het. Hel het nie na a horizoie golyk nie en ar tyl is a skattings fiem hierlie aflaiding is dear die direkte getalenis van Bel an De Jangh ant annhous ant gobour het; walks gabalanis sammar works 2. Die vonag autoteen of die outledens geogring het an van (10 die pulisie af weg te hen of an selfnoord te places. Destain Stryles so tourie dat die ourielene probeer het en tet op die dak van die gebos san die omfant van die straat te spring, has nie dour dr. Gooper aanvaar word nie. By veer son dat one hier te mke het net a desperate ma wat of was die pelicie of was wegten of ay less ingeboot het on van halle of wag to hond Brd Cooper ververy a officialing dat die oeriedene wee wegken en strufregtelike semopreskiike held to arbinik. He extending you dis place you 5 mindayou ann sereent Bel is door middel van engementoofde metolos (20 verkry. Instein Stryton of dat kiners in two ander roofs sake die liggene van die owledene positief uitgeken het as dià van die persoon wat halle beroof het. Afgesien deervan dat dit hourse getaients is, is daar a regaratil dat mar tie om party outlets is die hof beverings teen hen neukeurig meet understack - Barchards v. Ininto Inidage 1955(3)Sale 78 (A.A.) on onlor geogrador. Die haf wind dit enmontlik om to bealis warren die omfiedene geopring hetd Die direkte getuients dat die puliele has nie aangerent of gebreig het, is mie weerie mis. Alle ander meantlike roles waaren (30 by gaspring hat sal blate sphilasis wees. man is goon minimis/00

The state

getulanis marvan a geourloofie afleiding genetic he word marva by geopeing het sie.

le les Cooper lan ais galyk gages word det Hei en in Jangh se getalenis verveny most word en Juli s'n servene word miss Soon roods sengehni is die hef me beskiering die teenlool.

- Ultegrank -

4. Ensenteer is gelever dat dit nie geverloof une vir serount Hel on die oorleigne en Juli op die viewr in my hantour to lost alt tydens hallo enterranging miss Die ciellandige utweeting desyves was det halls an hen nees (10 opaien as meerlervaardig. Voorte was gest dat doordat die conficient not Jali se bekentenis gekenfrenteer was dear anbehoerlike beinviceding op hen uitgeesfen ind Hestie arguments has goes vershil mak on die bevinting unt die hof kregtens Artikal 16 van die Vet op Geregtelike Redeelse Onlersock nost uitbring nie. Die bekenteniess unt die twos verdagtes am serent Hol gemak het, was nie belen! on as getuients teen halls gebruik to ward mis on one afg sion you die argumente groupper nie toulanthere gebuients geneou hat nie emint dit aan a peliniscoreant geneak is. (20 5. Op stankte van die bestiening in Minister van Palisie teen Bunla, 1975(3)S.L. 590(A) your In. Couper san dat die betreiche pulisiebennetes malatig uns en des skuldig ass a mistryf is. Die hif het die volgene van die feite sees genkets dour Hel, De Jungh en Hane annyaard Inay is u groot verskil tussen hierlie feite m die feite in die Buels soak. In die Buels saak is verklaare

"our die vrange of an sanleiding van al die feitee daar a regoplig was in redelik op te trees" nig servent Hel alg Rajour de Jongh hen voursien dat die (30)

ourledane binne die bestek van angevoer 20 sekunies unt hy buite/assess

1

614.

615. - Ultopenak buite hulls sig was by a vanator op die vyfle vardioping son ultopeing. Dit sal anvedelik woos en dit van hulle te verwag. Dit is nie die funksie van hierdie haf en te bepaal of die betrekknese departementele optragte verwatagenam het en of daar diemiplindre steppe teen hulle geneen moet word nie.

Erngtuns Artikal 15(2)(4) vaf Wet No.58 van: 1959 bevind die haf dus dat die doot nie veroorwak is dour a handeling of verouin wit a miedryf een die hant van ies insluit of uitmak nies

ORDATION to PORT HITSADDIN op hade die 3de dag van OKTOBER 1978.

STREET,

He die ondertekende, sertifisser hiernes int die voors afgaande n ware en juiste oorskrif is van die oorspraklijke getulenie wat deur n mogeniese opvangteestel oppmaan is ins

DER GEREGTELIKE MADOODS

JAA DOTES

ADIA . HOOPANDESS

TANKED STATE (12 204/78) havernies

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