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(TRANSVAALSE PROVINSIALE AFDELING)

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DIE STAAT teen: PATRICK MABUYA BALEKA EN 21 ANDER

VOOR: SY EDELE REGTER VAN DIJKHORST EN ASSESSOR : MNR. W.F. KRUGEL

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KLAGTE: (SIEN AKTE VAN BESKULDIGING)

PLEIT: AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS: LUBBE OPNAMES

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COURT RESUMES ON 11 MARCH 1988.

MNR. JACOBS : U edele, net voor die getuie ingeroep word, wil ek net iets sê omtrent die borg. Die staat sal probeer om Woensdag al die stukke in te handig.

MR BIZOS : Before calling the witness, Mr M Matlole, accused no. 17 has an appointment today with a doctor at the Johannesburg Hospital. He forgot to ask us to ask your lordship to ... (Court intervenes)

COURT : When does he want to leave?

MR BIZOS : Now. One of the attorneys is going back and can take him back.

COURT : Leave is granted for today.

MR BIZOS : The next witness will be Agnes Tshidi Dipitso also from Sharpeville living near Seeiso Street.

COURT : Mr Bizos, do we hold throughout as a beacon in front of us what we are busy with? We are not busy determining how many obstructions there were in Seeiso Street at a certain time though it would seem so sometimes. We are determining what the cause was of the riots in Sharpeville, Sebokeng and elsewhere and whether the UDF is involved and whether the accused are involved. So, it is not so very relevant whether the people's uniforms were brown or blue or whether the obstructions were on this corner or that corner. I had some doubts about the previous witness. I cannot stop you from leading evidence, because I do not know what is coming, but we must bear in mind what we are busy with. We are not busy with a detailed survey as to what happened at what time. I am asking those questions because I want clarity in my own mind when the witness is called. That is not what we are here for.

MR BIZOS : I agree fully with your lordship, except with one proviso. Your lordship will recall that a single witness was called by the state that there was a group marching up and down Seeiso Street saying "We will follow Moselane". Viva this and Viva that and Viva the other. We are in our intent on proving that that evidence was contrived and the only way in which we know how to disprove that is to call in numerable people from Seeiso Street at that time to say that that did not happen. To that extent I submit that and we are entitled to lead this evidence. I know of no other way in rebutting that evidence, because it is not suggested that any of the accused were there, so that they cannot give direct evidence in denying it. Primarily ... (Court intervenes)

COURT : Can you hold accused no. 3 responsible if somebody shouts "I will follow Moselane"? One has to bring some reality into the case as well.

MR BIZOS : I would hope that that would be so, but one assumes that the state led that evidence with some purpose in mind although I do agree that the amount of obstructions here or anywhere else or the time, because, let me take your lordship into our confidence completely. The indictment alleges that the trouble in Sharpeville arose out of the march.

COURT : Yes, I bear that in mind all the time.

MR BIZOS : To prove that there was no march in Sharpeville is in our submission a particularly relevant factor, the fact that ... (Court intervenes)

COURT : How much evidence do we have of a march in Sharpeville?

MR BIZOS : Except this evidence that I have indicated of this witness who said that they were marching up and down Seeiso Street.

COURT : That is not a march?

MR BIZOS : Well, he said that it was a group of people moving up and down with placards saying these sings. That is the nearest it ever came with regard to the march, but I would be very happy - I know that your lordship cannot give any final indication in the matter, because the very nature of the judicial process, but I think I will take your lordship's point and lead this witness very briefly and then reconsider whether we are going to call a further platoon of witnesses on Seeiso Street in order to disprove that.

COURT : Yes, you can call a witness from every corner of Seeiso Street, but I think it is a very long street?

MR BIZOS : I was very worried about this evidence that was led. In our information the evidence was contrived and this is the reason why we have been calling these people from the corners, but I am in your lordship's hands.

COURT : No, of course you are not in my hands. That is the difficulty with these cases. I am in the hands of counsel. That is exactly what is wrong with the process. I can never take a shortcut and I can never give any directions as to the cause of this case, but any way that is not your problem or Mr Jacobs's problem. It is a problem of the system.

MR BIZOS : We could of course, I do not know whether the representative for the state would be prepared to come to some sort of arrangement with us in relation to this, but once this evidence stands in the absence of the accused

and/...

and if the state intends relying on it at the end of the case, we intend trying to rebut it.

COURT : I have told you I cannot stop you, but you know exactly how I feel about all the small detail to which nobody might even refer at the end of the case.

MR BIZOS : We will certainly do it if the state says there was a march on Seeiso Street saying "We will follow Moselane" and "Viva UDF" and that sort of thing, but may I have - perhaps we might be able to sound the state out in relation to its attitude in regard to that evidence. If it is going to rely on it, we want to rebut it. If it is not going to rely on it for the personal liability of any of the accused before the court, then we will be very happy to leave it at that, but ... (Court intervenes)

COURT : No doubt the sounding out can be done elsewhere than in this court in the presence of the bench.

MR BIZOS : That is why perhaps a short adjournment might assist in the situation.

COURT ADJOURNS. COURT RESUMES.

MR BIZOS : We did not get very far, but at least there is some little communication ... (Court intervenes)

COURT : I was thinking during the adjournment that had you pinpointed the exact place and time in your cross-examination when the alleged allegation was made or the shout was made "We want Moselane" then it would not have been necessary to call the whole street. If it had been left in the air on the basis that somewhere in Sharpeville they did it, you might be led to call the whole of Sharpeville. That is not the way to conduct the case.

MR BIZOS : We were in a situation where a witness comes

along/...

along and says that this was going on up and down Seeiso Street. This was his evidence. Not that it just happened at any particular spot.

COURT : But did you get the time from him? Then at least we would have cut that down?

MR BIZOS : I understand his evidence to be that this was going on between 06h30 and 08h00. This is how I read the evidence.

COURT : Very well then. We know some time. Why did you not pin him down between this block and that block, then we would have limited the witnesses to a certain extent?

MR BIZOS : He gave evidence in a general way. I do not know - I really do not know.

COURT : Go ahead. How many corners are there on Seeiso Street?

MR BIZOS : I have not taken a full count.

COURT : I want to see how long this case will last.

MR BIZOS : It is not of our doing. The indictment is of such a nature that we have to ... (sentence is not completed)

AGNES TSHIDI DIPITSO, d.s.s. (Through interpreter)

EXAMINATION BY MR BIZOS : Do you live at 319 Raboroko Street, -- That is where I live, yes.

COURT : Sharpeville? -- Yes.

MR BIZOS : How far is your house from Seeiso Street? -- It is not very far.

COURT : How many houses are inbetween? -- We are the second house from the corner house.

MR BIZOS : We can have agreement if your lordship wants on your lordship's exhibits.

COURT : Yes, that might help because we had a long questioning

which/...

which proved entirely futile yesterday and I do not want to run through that again.

MR BIZOS : Mr Fick who has this numbered map and my attorney Mr Paul who has been to the house agree and there is a pin on it. I am informed it is the second house from the corner.

COURT : The house is situated to the south of Seeiso Street on a street which crosses Seeiso Street at right angles. On the eastern side of that street the second house from the corner in that particular street called Raboroko Street is the fourth street from the eastern side of Putsoastene counting the first street on which the previous witness lived.

MR BIZOS : Are you the mother of three children? -- Yes.

And were you in employment during 1984? -- Yes, I was.

Did you attend any meetings during August 1984 in relation to the rent? -- No, I could not go.

Before 3 September 1983 did you know whether or not there was going to be a stay-away in Sharpeville on that day, 3 September? -- No, I did not hear that.

Did you hear anything about a march being held in Sharpeville on 3 September? -- Not at all. I did not hear that.

When you went to bed on the night of the 2nd of September 1984 did you expect any trouble in Sharpeville the next day? -- No, not at all.

Do you recall what time you got up on the morning of 3 September 1984? -- Yes, I do. I got up at 05h45 because I was a person who was employed and therefore had to get up and prepare for the children.

Did/...

Did you go to work on that day? -- I was prepared to go to work, but on realising that there was something I did not understand, I then decided that I was not going to work.

What was it that you did not understand? -- What I noticed happening is that there was no transport from people who wanted to go to work. There were people who wanted to go to work but on looking around to see if there was any transport for them, there was none.

Can you see Seeiso Street from your house? -- Yes, I can.

Did you notice anything unusual in Seeiso Street? -- Yes, in the first place it was quiet that morning. There was no movement of vehicles around then. On looking at this direction of the street I noticed that there were two policemen standing on the island which is in Seeiso Street.

At what time did you notice these policemen? -- It was more or less between 06h30 or 07h00.

Between 06h30 and 07h00 were there any people moving up and down Seeiso Street shouting? -- No, there were no people at all.

COURT : Who gave this evidence? Where do I find it?

MR BIZOS : It is the evidence of Brigadier Viljoen and your lordship will find it at page 3 361 and subsequent pages volume 63.

COURT : Yes, go ahead.

MR BIZOS : Could I give your lordship all the pages so that your lordship has some?

COURT : Yes.

MR BIZOS : It is 361 to 365 and at 3 371. Did you notice

any/...

any obstructions on the road between 06h30 and 07h00 in the morning? -- Not at all. It was clear.

Did you yourself go out of your house? -- Yes, in preparation for the day I had to go in and out my house.

COURT : Into your yard? -- In an out the house and not outside the yard. I was just in my yard.

MR BIZOS : After 07h00 did you notice anything near your house or along Seeiso Street? -- Yes, I did notice something.

What did you notice? -- At that time I noticed big vehicles which I would not say whether they were police or soldiers vehicles driving into the township.

At what time was that when you noticed that? -- It was towards 08h00.

What did these vehicles do? -- At that time people who were starting at 08h00 were going near the bus stops in order to catch transport and when these vehicles drove into the township, teargas was fired from the vehicles to the people who were nearing the bus stops.

Did you see any groups of people moving up and down Seeiso Street with placards? -- No, not at all.

Did you year any people shouting "We want Moselane"? -- Not at all.

Did you hear any people shouting "Release Mandela"? -- Not at all.

Did you hear anybody shouting "Kill Dlamini"? -- Not at all.

Did you hear anyone shouting "No more rent hikes"? -- No, I did not.

Did you hear anyone shouting "Away with councillors"? -- No, not at all.

COURT : Are you saying all was quiet? -- Yes, I am saying it was quiet in this sense that there were no vehicles around there travelling on those areas and the people I saw were just there quietly. It is was quite clear that they were people aiming to go to work because you can see a person who is prepared to go to work. For instance one carrying a bag and the manner in which a person is clad.

So, apart from the fact that there were some police vehicles which drove down Seeiso Street or up Seeiso Street, I do not know what direction you call up and down, apart from that fact, everything was just normal? And apart from the absence of bus transport? -- Does it now mean with reference to the people around there, the conditions?

Well, I am asking you, was it a normal Monday morning? -- No, it was not a Monday which is like all the other Mondays.

Well, apart from the fact that there was no bus transport, what was abnormal? -- What was abnormal about this Monday was that while we were still looking at the policemen who were standing in the street, police vehicles also drove into the township which was abnormal and that kind of a vehicle was not usually in the townships.

Is that all that was abnormal? -- Yes, that is all.

MR BIZOS : Did you see any group or groups of people wearing T-shirts or great numbers within that group? -- There were no such people.

COURT : There were no people at all wearing T-shirts? -- At all.

MR BIZOS : You told us that teargas was shot. At what time was that? -- It was at about 08h00 when the police started shooting teargas towards the people who were intending to

go/...

go to work.

These people that you have mentioned, were they in small groups or large groups? -- It was a small group of women.

COURT : Where were they? -- They were at a stop.

At a stop where? -- Which stop is situated on my left from my house. Say you are walking out of my gate that stop is on my left.

It is in Raboroko Street? -- The bus stop I am talking about, say for instance I was to walk out of my yard into the street, this is to my right.

In what street was the bus stop? -- In Seeiso.

And on which side of the corner looking at the corner? On the left-hand side or on the right-hand side? If you stand in your gate looking at the corner, is it on your right-hand side or left-hand street? -- Just out of my gate in the direction of the bus stop, then this is to my right.

That does not help me at all. If you stand in your gate and you look to the north, you see right across Seeiso Street. Where Raboroko Street crosses Seeiso Street, is it to the east or to the west of that crossing, that stop? -- It is on the eastern side.

How could you see that bus stop if your house is behind another house?-- Through my kitchen door or my dining-room door immediately when I open the door from my dining-room or the kitchen, then I have a view of the bus stop.

MR BIZOS : The people at this bus stop or anyone else in Seeiso Street, did you see anyone behaving in a riotous fashion or doing anything unlawful before the teargas was fired? -- No, I did not notice that.

COURT : Could you just tell me what your view is of

Seeiso Street? How much of Seeiso Street can you see from your premises? -- I can see quite big area of Seeiso Street because of the fact that there is an open veld in our vicinity, through which I can even see the shops and there is nothing obscuring our view from my place in seeing Seeiso Street.

What shops can you see? -- Family Store. The shop is known as Family Store.

Is it on Seeiso Street? -- It is in Seeiso Street but on our side of Seeiso Street.

How many blocks away? -- It is not very far.

Give me an idea, how many blocks? -- I estimate it in the following way. From where the accused are seated, let us say is where I come from in my house. There is an open veld that I will pass and then across Seeiso Street which is a big street, is where you find the shop.

If you go to the corner of Raboroko and Seeiso Streets, how many other streets do you have to cross before you get to the store or do you not cross any street? -- You do not have to cross any other street.

K1230 <u>KRUISONDERVRAGING DEUR MNR. FICK</u> : Mevrou, is dit so dat as u elke oggend opstaan is u baie besig om reg te maak uself vir die werk en die kinders?

<u>COURT</u> : Before that question is put, Mr Bizos, could you just give me an indication of where your cross-examinationed Brigadier Viljoen on this evidence which is important?

<u>MR BIZOS</u> : I do believe that it is the odd reference that I gave your lordship. The distant one. May I also indicate to your lordship ... (Court intervenes)

<u>COURT</u> : It cannot be 3 371 because your cross-examination

starts/...

starts on 34. I have not got the reference to the cross-examination.

MR BIZOS : Could I just have a look and I will find it and then also may I remind your lordship, I do not remember whether it is in the pages that I gave you, but Brigadier Viljoen said that he rode all the way down Seeiso and came back and this was happening right through that street. I have a vivid recollection that that is what was said, but I do not remember whether it is within ... (Court intervenes)

COURT : Yes, well, I think that is in the references you have given me, I just want to pick up the cross-examination.

MR BIZOS : Yes, I will try and find that.

COURT : Sorry I interrupted you, Mr Fick.

MNR. FICK : Mag ek van hulp wees. In volume 65 is daar die kruisverhoor op bladsy 3 436 waarvolgens dit blyk dat brigadier Viljoen sê dat die persone met die plakkate was deel van ʼn klein groepie. Die vraag was "Hoe groot was hierdie groepe? - Ek het reeds gesê ek kan nie groepe uitsonder nie. Daar was ʼn klomp mense in Seeisostraat. Daar was ʼn mengelmoes van mense, maar dié met die plakkate was ʼn klein groepie." Ek wil met respek aan die hand doen, daar is geen getuienis dat die mense op en af gemarsjeer het met plakkate nie. Ek het geen sulke kruisverhoor of getuienis gelei nie.

HOF : U moet u vraag herhaal aan die getuie, want ek dink dit is nie getolk nie en ons onthou hom ook nie meer nie.

MNR. FICK : U is ʼn moeder wat elke oggend vandat u wakker word in die oggend baie besig is om self reg te maak en die kinders reg te maak vir die dag vir skool? -- Wanneer? Op ʼn Sondag of wanneer?

Elke/...

Elke oggend as u werk toe gaan? -- Ja, dit is wat gebeur met my elke môre. As ek opstaan moet ek my kinders regmaak en myself ook regkry.

En u moet ook kos maak vir die gesin? -- Ja, ek moet die kinders regkry, dat ek hulle klere regkry dat hulle kan aantrek en dan terselfdertyd moet ek nog die kosbakkies van die kinders voorberei.

HOF : Het u 'n man ook wat u na moet kyk? -- Ja, maar nie op die huidige oomblik nie.

Ja, maar daardie tyd? -- Nee, ook nie.

MNR. FICK : So, is dit reg om te sê dat u is eintlik baie besig voordat u werk toe gaan die oggend? -- Ja, veral op 'n Maandag. Dit is 'n dag wat ek baie vroeg moet opstaan, want die werk wat ek doen genoodsaak dit dat ek vroeg moet opstaan deurdat ek Johannesburg toe moet gaan na die besigheidsplek bekend as Black Chain.

HOF : Is u 'n verkoopsdame? -- Ek sal sê ja, ek werk min of meer soos 'n verkoopsdame want ek het te doen met die Tupperware.

MNR. FICK : En is dit dan ook verder reg om te sê dat tensy iemand u buitekant toe roep om na iets te kom kyk, het u veral nie op Maandag tyd om u te verwonder oor wat buite aangaan nie? -- Ja, maar my uitgaan miskien na die toilet toe. Ek is by die pad. Dan kan ek sien wat gebeur.

Hoe laat op die oggend van 3 September 1984 het u gaan werk? -- Die trein wat ek haal vertrek om 07h20.

HOF : Waarvandaan? -- Van Vereeniging af.

Dan moet u daarnatoe gaan met die bus? -- Of 'n bus of 'n huurmotor gebruik ek om by die stasie uit te kom te Vereeniging.

MNR. FICK/...

MNR. FICK : Die oggend van 3 September 1984 hoe laat was u van plan om uit die huis te gaan om te gaan werk? -- Ek vertrek maar altyd op dieselfde tyd, 07h00 of net kort na 07h00 nadat ek alles voorberei het.

HOF : Het u die kinders skool toe gestuur? -- Ek het al die kinders voorberei. Hulle was gereed om skool toe te gaan, maar toe ek gesien het wat die toestand was daar, het ek toe besluit dat hulle weer moet uittrek en maar by die huis bly.

HOF VERDAAG. HOF HERVAT.

AGNES TSHIDI DIPITSO, nog onder eed

VERDERE KRUISONDERVRAGING DEUR MNR. FICK : Mevrou, die oggend van 3 September 1984 voor u nou begin dink het hier is iets buitengewoons aan die gang, hoeveel keer is u uit u huis uit? Kan u onthou? -- Ja, ek onthou dat ek twee keer na buiten toe was.

Vir kort rukkies. Is dit reg? -- Ja, vir kort rukkies en dan het ek weer teruggekeer in die huis in.

Na die agterplaas toe. Is dit reg? -- Nee, toe ek die tweede keer uit is het ek met die eetkamerdeur uitgegaan wat dan die voordeur is na die straat toe.

HOF : Is die eetkamerdeur aan die straat se kant? -- Ja.

Aan Raborokostraat se kant? -- Nee, dié se rigting is na Seeiso toe.

Ja, dit kan wees, maar waarom is die voordeur nie aan die straatkant nie? -- Dit is Raboroko se kant, maar as jy nou met Raboroko opgaan nog in jou sig, sien jy Seeiso van my eetkamerdeur af.

Laat ons nou net duidelikheid kry, asseblief. As 'n mens reguit by jou voordeur uit kyk, jou eetkamerdeur, reguit uit sonder om jou kop te draai, sien jy Raborokostraat

of/...

of sien jy Seeisostraat? -- As ek net in die deur staan en buiten toe kyk sien ek Raborokostraat, maar as ek verder na buiten toe gaan kan ek Seeisostraat ook sien.

Maar as u by u kombuisdeur kyk sonder om deur hom te gaan en jy staan nog so 'n entjie agter hom, in watter rigting kyk u? Kyk u oos of kyk u noord?-- Dit is na oos.

MNR. FICK : Het u huis drie buitedeure? -- Nee, twee.

Hoeveel keer het u by die huis uitgegaan nadat u bewus geword het hier is iets buitengewoons aan die gang? -- Die eerste keer toe ek uit was, is toe ek wakker geword het en opgestaan het. Ek is dus uit na die toilet toe.

Nee, nee, luister na die vraag. Nadat u bewus geword het daar is iets buitengewoons aan die gang, hoeveel keer is u toe uit die huis uit? -- Nadat ek by die toilet was het ek 'n rukkie daar buite vertoef en toe mense gesien wat ek beskrywe het as mense wat van plan was om werk toe te gaan. Na ek dit gesien het, het ek eers teruggekeer in die huis in.

Die toilet is in die agterplaas van die huis. Is dit reg? -- Aan die agterkant in lyn met die hek. As 'n mens by die hek inkom kyk jy direk voor jou en dan sien jy die toilet.

As jy by die hek by Raborokostraat inkom op jou perseel dan kyk 'n mens verby die huis en dan sit die toilet in die hoek agter? -- Ja, al loop jy met die straat verby in Raboroko kan jy nog my toilet sien.

Hoeveel keer die oggend van 3 September 1984 is u uit u huis uit? -- Ek is die eerste keer uit en toe weer die tweede keer.

Net twee keer? -- Die oggend.

Die tweede keer toe u uit die huis is, waarheen is u

toe/...

toe? -- Toe ek die tweede keer uit was, het ek met ander dames daar gepraat in die straat wat op pad was werk toe, want hulle moet by ons verby loop as hulle werk toe wil gaan.

Hoe laat was dit toe gewees? Weet u? -- Om en by 07h30, 07h45.

Hoe lank het u met hulle gestaan en praat? -- Dit was nie lank gewees nie, want terwyl ek daar met hulle gestaan en praat het, het ek die polisie toe daar gesien met voertuie opdaag.

Is u toe terug in die huis in? -- Wat eintlik veroorsaak het dat ek na die huis moet terugkeer is toe die traangas daar geskiet was. Die mense het toe daar uiteen gegaan. Ek is toe in die huis in.

Wag nou net so 'n bietjie. Waar was die polisie toe hulle die traangas geskiet het? -- Die vragmotors was aan een kant geparkeer langs die pad en die polisiebeamptes wat daarop was het afgeklim.

Was die vragmotors in Seeisostraat geparkeer of Raborokostraat of in watter straat? -- In Seeisostraat.

Kon u die vragmotors self sien? -- Ja, ek kon dit sien vanwaar ek was want ek was naby die hoofstraat en met hulle aankoms het ek dit gesien totdat hulle gestop het. Toe het ek hulle nog gesien.

HOF : Het hulle gekom van die kant van die administratiewe kantore af? -- Ja, vanaf die rigting van die dorp.

As 'n mens verby die administratiewe kantore ry, by watter dorp kom jy dan? -- Vereeniging.

MNR. FICK : U sê die polisie klim af van die voertuie en wat maak hulle? -- Hulle het toe met traangas geskiet.

Was die polisie self nog in Seeisostraat of was hulle

in/...

in ȟ ander straat? -- Nog steeds in Seeisostraat. Nadat hulle afgeklim het, het hulle in die nabyheid van die vragmotors gebly.

Op wie skiet hulle? -- Die mense wat ek nou net vroeër beskryf het as mense wat na mening op pad was na die werk toe, is die mense waarop die polisie geskiet het om hulle uiteen te jaag en dit is wat eintlik gebeur het.

Maar wag nou net ȟ bietjie. Is dit die vrouens waarmee u gestaan en gesels het of is dit ander mense? -- Ek sal nie kan sê dat hulle op spesifieke persone geskiet het nie. Daar was in twee verskillende rigtings geskiet. Toe dit daar te lande gekom het, was daar toe rook gewees wat die mense begin affekteer het en hulle het toe begin weghardloop. Ons was ook geaffekteer deur daardie rook, as gevolg waarvan ek toe in die huis ingegaan het terwyl die kinders alreeds in die huis was en toe het ek die deure toegemaak.

Van watter twee rigtings het die traanrook gekom? -- Hulle het dit in verskillende rigtings geskiet nie op sekere persone gemik nie. As hulle miskien byvoorbeeld mense sien wat bymekaar is, wat ek nou beskryf het as mense wat op pad is werk toe, het hulle in daardie rigting geskiet. Dit was nie met die oog daarop dat hulle die mense raak wou geskiet het nie, maar in die rigting van die mense geskiet het.

U het nou gestaan en kyk wat die polisie doen. Het u gesien wat hulle doen of maak u afleidings? -- Ek het dit gesien.

U sê dit het van verskillende rigtings af gekom. Die skote wat u gesien het, het die polisie in Seeisostraat

gestaan/...

gestaan en in u rigting geskiet af in Raborokostraat of het hulle geskiet in Seeisostraat na die administrasiekantore toe of hoe het hulle geskiet? -- Een van die skote was in ons rigting geskiet in ons straat en die ander een was in die straat geskiet waar die polisie was.

Watter rigting? Administrasiekantore se rigting toe of na die sirkel se kant toe? -- In die rigting van die administrasiekantore het hulle geskiet.

Het u net twee skote gesien wat geskiet is? -- Ja, die ding het my sterk affekteer, want ek is 'n persoon wat siek is, ek ly aan tering.

Is die eerste skoot in u rigting geskiet? -- Die eerste skoot was in ons straat se rigting gevuur.

As u die traanrook u sterk affekteer het soos u gesê het, stel ek dit aan u u kon nie die tweede skoot gesien het nie? -- Nee, ek kon dit gesien het. Die eerste skoot is geskiet in die rigting van my straat. Dit het my nie onmiddellik affekteer nie. Eers na die tweede skoot in die ander rigting geskiet was, het die ding my geaffekteer.

Is dit so, u kon nie sien waarheen die polisie skiet toe hulle in Seeisostraat skiet nie, na wat skiet hulle nie? -- Nee.

U sien, ek wil 'n ander ding aan u stel. Ons het vantevore ander getuienis voor die hof gehad. U sê die polisie het van die administrasieraad se kantore gekom en toe geskiet. Die getuienis vantevore in hierdie hof was hulle het van daar af gekom, maar hulle het verbygegaan Rooistene toe en toe het hulle teruggekom en toe hulle terugkom toe skiet hulle die mense? -- Nee, die polisie, as hulle vir die eerste keer in die lokasie beweeg moet hulle by ons verby

gaan/...

gaan in Putsoastene. Hulle het eers daar by ons waar hulle deurgekom het, begin skiet.

Waar was die polisiemanne wat op die eiland gestaan het toe hierdie skietery aan die gang was? -- Dié wat vroeër op die eiland gestaan het het by die ander polisiemanne aangesluit wat met die hippo's daar gekom het.

Was dit almal hippo's wat daar ingekom het? -- Ja, die groot voertuie wat donkergroen is van kleur.

Die getuienis vantevore in hierdie hof was dit was polisie "vans", bakkies. Daar was ꞌn geel "coaster" wat die skietwerk gedoen het? -- Wat ek gesien het is dat die hippo's eers daar gekom het. Daar was toe die skietvoorvalle. Ek het in die huis gevlug en in die huis gebly. Wat toe later gebeur het weet ek nie, maar dit was nou net beskryf word aan my het ek nie gesien nie.

Verder sê u vir die hof dit was doodstil gewees in daardie woongebied totdat hierdie voorval ongeveer 08h00 plaasgevind het? -- Eers na hierdie polisie daar gekom het was daar skietvoorvalle gewees, want andersins voor hulle aankoms daar was dit stil gewees.

U weet, ꞌn ander getuie het in hierdie hof getuig, mnr. Khambule dat om 06h55 was daar ook ꞌn geskietery deur die polisie in Seeisostraat? -- (Getuie talm om te antwoord)

Weet u niks daarvan nie? -- Toe die polisie daar by ons die eerste keer opgedaag het, met hulle aankoms het hulle sommer begin skiet. Om nou presies te kyk na die tyd hoe laat dit was, was dit nie ꞌn ding wat ꞌn mens maklik kon gedoen het nie, want dit was nou nie meer lekker gewees daar nie.

HOF : Kan u tyd ꞌn uur of meer uit wees? -- Ek kan so sê, ja,

want/...

want ek het nie presies die tyd gekyk nie, maar wat ek vir die hof kan sê is dat toe ek opgestaan het, was die ander alreeds daar. Om en by 08h00 het hierdie daar opgedaag.

U bedoel die een klomp polisie was al daar toe u opstaan? -- Die twee wat ek van praat wat op die eiland gestaan het was alreeds daar.

MNR. FICK : Die ander getuienis wat die hof gehoor het is dat die polisievoertuie van die administrasiekantore het gekom en verbygery. Daar is niks gepraat van stilgehou en hulle het geskiet nie. Hulle het verdwyn in die rigting van Rooistene? -- Ek kan nie daaroor getuig nie. Wat ek vir die hof hier sê is dat die polisie vanaf die rigting van die kantoor gekom het en in sy Seeisostraat afgekom het tot by die punt wat ek sê hulle stilgehou het. Daar het hulle die wapens getrek en toe die traangas geskiet.

Om in Raborokostraat te kon skiet moes die polisie op die hoek gaan staan het. Is dit reg? -- Nee, ek verstaan nou nie.

Toe die polisie geskiet het in Raborokostraat op na u rigting, was hulle op die hoek van Raboroko- en Seeiso-strate? -- Nee, hulle was nie op die hoek gewees nie. In die kruising in die middel van Seeiso.

Behalwe die vrouens wat u mee gepraat het, was daar enige ander mense wat op pad werk toe was die oggend? -- Ja, daar was. Dit is die vroumense wat by die hospitaal werk.

Net vrouens of mans ook? -- Nee, ek het net vroumense gesien.

Was daar geen mans wat die oggend wou gaan werk wat u gesien het nie? -- Nee, al mense wat ek gesien het was die vroumense wat in 'n klompie altyd daar naby ons vervoer

kry/...

kry om by die werk te kom as werknemers van die hospitaal.

HOF : Was daar nie kinders op straat nie? -- Nee, ek het geen kinders daar gesien nie, behalwe as ek van kinders moet praat, praat ek van die kinders wat so hier en daar was op pad skool toe.

Ja-nee, maar as ek vir u vra of daar nie kinders was nie, bedoel ek seker alle soorte kinders. Was daar kinders of was daar nie kinders nie? -- Ja, ek sal sê hulle was nie baie nie. Ek het baie min kinders gesien.

Hulle was op pad skool toe? -- Ja, dit was kinders gewees wat op pad was skool toe.

Maar waar was al die ander kinders van die buurt? -- Die kinders wat ek gesien het, is die kinders van daardie area waar ek woon in Putsoastene wat van daardie omgewing af gekom het in verskillende strate, want die skole is ver.

MNR. FICK : Het hulle uniforms aangehad of gewone klere? -- Ja, dit is kinders in uniforms "black and white".

En die mense wat op pad was na die hospitaal wat daar werk, is dit verpleegsters met hulle uniforms aan? -- Die verpleegsters met uniforms was ook daar gewees en die skoonmakers was ook saam met hulle, wat nie uniforms aangehad het nie.

Daar was ook getuienis dat daar wel busse was in Seeisostraat, naamlik om 06h15 sou daar 'n bus gewees het en weer om 06h30. Weet u niks daarvan nie? -- Nee, ek het geen bus gesien nie.

Daar was ook getuienis gewees dat in Seeisostraat om 06h15 was daar mense gewees by bushaltes wat die bus opgelaai het, daar was mense by die huurmotorstaanplekke in Seeisostraat. Het u niks daarvan gesien nie? -- Nee, wat my

betref/...

betref glad nie. Al was daar mense gewees, was daar nie huurmotors gewees nie.

Geen huurmotors nie? -- Ek het geen huurmotors gesien nie. As daar ŉ huurmotor was, sou ek een van die mense gewees het wat gery het met daardie huurmotor om werk toe te gaan.

Die besondere getuie mnr. Khambule het vir die hof ook vertel dat daar huurmotors was en dat hulle die mense opgelaai het en hulle het gery vrylik in Seeisostraat. Daar was geen padversperrings gewees in Seeisostraat wat die huurmotors kon hinder nie? -- Ek sal dit nie betwis dat daar nie padversperrings was nie, maar daar was nie huurmotors nie. ŉ Mens kon gery het, die pad was oop, maar sonder huurmotors.

Ek stel aan u, reg rondom die huis soos op die plan aangetoon word BEWYSSTUK AAR4 is u huis omring van ander huise? -- Aan die agterkant van my huis, ja, is daar huise, maar aan die voorkant is daar nie huise wat my huis eintlik omring nie. Daar is ŉ straat wel met huise maar wat ŉ groot opening los.

Ek stel aan u daar is geen leë erwe om u nie? -- Daar is ŉ opening. Deur daardie opening kan ŉ mens Seeisostraat sien.

As u praat van ŉ opening, is dit ŉ opening tussen huise? -- In die straat, as ŉ mens in die straat is, daardie plek is heelwat oop. As ŉ mens na die winkels toe gaan, kan jy sommer die winkels van ver af sien en dan by Seeiso kom.

<u>HOF</u> : Laat ek net duidelikheid kry. By u agterdeur, daar is ŉ huis? -- Ja.

Aan die noordekant is ŉ huis, dit is tussen u huis en Seeisostraat? -- Ja, daar is ŉ huis.

Aan/...

Aan die suidekant, dit wil sê aan die ander kant is daar 'n huis? -- Ja. Dit is 'n straat daar. Dit is 'n hoekhuis, die tweede huis en die derde huis en dan kry jy verdere huise daar.

U moet nou mooi luister. Aan die kant van u voordeur is daar nie huise nie, want daar is die straat? -- Ja.

En aan die ander kant van die straat is daar 'n oop veld? -- Ja.

En oor daardie oop veld sê u kan u Seeiso sien? -- Ja, duidelik. Jy kan die huurmotors daar sien.

Is daar naby 'n busstop of huurmotorstaanplek met 'n afdak, lang afdak? -- Nee, behalwe ver van my af, nie in die onmiddellike omgewing waar ek bly nie. Daar is net stoptekens daar naby my.

As u skuins oor daardie oop veld kyk, dwarsoor Seeiso-straat sien u dan daardie winkel waarvan u gepraat het Familie Store? -- Ja.

Was die veld afgebrand op daardie stadium of het die gras nog gestaan? -- Nee, die gras het nog nie eers begin groei nie.

MNR. FICK : Is dit reg volgens u getuienis het die polisie hoegenaamd geen rede gehad om te skiet op hierdie mense nie? -- Hoegenaamd geen.

Ek stel dit aan u dat u getuienis dat die polisie op hierdie mense sou geskiet het sonder enige rede en dat die mense op pad werk toe was selfs verpleegsters in uniform en skoolkinders in uniform op pad skool toe, is totaal vals? -- Hulle het met traangas geskiet om hierdie klomp wat van plan was om werk toe te gaan uiteen te jaag.

HOF : Was daar geen kinders op straat wat nie op pad

skool/...

skool toe was nie? -- Al kinders wat daar was, was op pad skool toe. Dit was 'n Maandag gewees.

Maar het u nie gehoor dat daardie dag 'n skoolboikot sou wees nie? -- Nee, niks, want selfs my kinders sou vir my gesê het en dan sou hulle hulle nie self voorberei het om skool toe te gaan nie.

Hoe oud was u kinders? -- Die een was veertien en die ander een tien jaar oud.

MNR. FICK : Ek stel dit aan u dat wat inderdaad gebeur het is dat daar was groepe wat die polisie gegooi het met klippe en wat gewapen was met klippe en kieries en dit is hoekom die polisie traanrook geskiet het? -- Nee, ek weet glad nie daarvan nie. Ek het dit glad nie gesien nie.

Die kwessie wat u van praat van 'n stuk oop veld, is dit werklik 'n biersaal? Is dit nie 'n oop stuk veld wat daar was nie? -- Verstaan my nou so mooi. Dit is 'n oop stuk veld waardeur jy die Familie Store kan sien. Die Familie Store se struktuur is 'n struktuur van dieselfde gebou met die biersaal. Dit wil sê die biersaal is by die Familie Store.

HOF : Maar dit is aan die ander kant van Seeisostraat? -- Ja, anderkant in die rigting van Seeiso. Die voorkant daarvan is na Seeiso toe.

Nee, man, as u nou kyk van u voordeur af, moet u bo-oor Seeisostraat kyk om dit te sien of nie bo-oor Seeisostraat kyk nie? -- Ek sien terselfdertyd Seeiso en die Familie Store.

Watter standerd het u op skool behaal? -- St. 6.

Nou dan moet u nie so dom wees nie. As ek vir u vra wat kom u eerste by, by Seeisostraat of by die Store

dan/...

dan kan u my seker antwoord? -- Ek loop direk na die Familie Store toe. Ek loop nie oor Seeisostraat nie. Seeisostraat is aan my regterkant.

Ja, dan het u netnou vir my verkeerd vertel. Loop u dan oor die oop stuk veld om by die Familie Store te kom? -- Ek gaan net oor Raborokostraat en dan kom ek by die oop stuk veld en dan by die Familie Store.

MNR. FICK : Weet u hoe lyk 'n UDF,'n Release Mandela of 'n COSAS T-hemp? -- Nee, glad nie.

Hoe lank na 3 September 1984 het u 'n verklaring gemaak? -- 'n Verklaring? Watter een? Die een waarvan ek nou hier praat?

Korrek? -- Dit was verlede jaar in Maartmaand.

Dan stel ek dit aan u u het op 3 September nie spesifiek gekyk vir kleredrag nie? -- Nee, maar ek het nie so goed gesien nie.

En toe u verlede jaar 'n verklaring gemaak het, stel ek dit aan u, u kan nie onthou wat se kleredrag u alles gesien het by die mense nie en u getuienis dat daar geen T-hempies gedra was nie is vals? -- Nee, ek het glad nie T-hemde gesien nie. Ek het dit nie gesien nie. Ek wil nie myself vasbind op iets wat ek nie gesien het nie.

U het op geen stadium die oggend van 3 September die geheel van Seeisostraat gesien nie. Is dit reg? -- Nee, ek het nie.

HERONDERVRAGING DEUR MNR. BIZOS : Die biersaal, is dit 'n aparte gebou of is dit 'n deel van die gebou waar die Family Store is? -- Dit is dieselfde gebou, die selfde struktuur. Daar is net 'n afskorting van 'n muur tussen die twee. Die een is die winkel en die ander een is die biersaal.

HOF/...

HOF : Het daar enige winkels, besighede, voertuie of wat ook al in die omgewing gebrand daardie dag? -- Ek was die meeste van die tyd in die huis gewees waar ek myself behandel het nadat ek deur hierdie traangas geaffekteer was. Dus is ek nie in staat om vir u te sê of daar enigiets gebrand het nie, maar wat my betref het ek niks gesien wat gebrand het nie.

Het u ooit agterna agtergekom dat daar iets gebrand het in daardie omgewing? -- Nee, ek het geen plek wat al vantevore gebrand het gesien na hierdie voorval nie.

Is daar enigiets in die omgewing beskadig daardie dag? -- In die nabyheid van waar ek bly?

Ja, wat u van weet daar in u area? -- Op die volgende dag - in Seeisostraat is daar twee winkels wat apart staan. By een van daardie winkels het ek mense gesien heen en weer beweeg.

Ja, maar ek wil nou net weet of u weet van enige beskadiging in u omgewing op daardie dag, 3 September? -- Nee, ek weet nie.

GEEN VERDERE VRAE.

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K1229.30 MR BIZOS : I just want to give the page numbers to your lordship if your lordship wants it.

COURT : Yes, please.

MR BIZOS : The general cross-examination on Seeiso Street starts on page 3 422 up to page 3 429. Then the question of the placards is again taken up at 3 433 until 3 437 and I see I did ask the question that your lordship suggested I should have asked at page 3 435.

COURT : That is where exactly?

MR BIZOS : He says "Nee, dit was kort na Seeisostraat,

na/...

na ek Seeisostraat binnegegaan het.

COURT : He came from the direction of 19? From point 19, is that right? That is the administrative offices?

MR BIZOS : Yes. We may be able to limit it, but if I understand the position correctly the last two witnesses were in any event from that ...(Court intervenes)

COURT : Yes, by coincidence you started at the right end it seems?

MR BIZOS : At the right end, but that question was in fact asked, but I may say that he goes on to say that he went on for five kilometre and that he saw other placards along the way and his description of the whole Seeiso Street situation was put in issue and I may also remind your lordship that we cross-examined the man who pictures from the air which showed there were only very small groups on the various corners and not the picture that the brigadier described. Unfortunately there is no other witness available I indicated to your lordship yesterday that our week's program was disrupted somewhat. We hope to finish the Free State part of the case next week and the probabilities are that we will thereafter deal with some of the evidence relating to the East Rand. I have forgotten the name of the other place.

ASSESSOR (MR KRUGEL) : Tshakane?

MR BIZOS : No, Daveyton. I think that is probably where we are going to, but there will still be some Sharpeville and some ... (Court intervenes)

COURT : Yes, we have only covered four blocks so far.

MR BIZOS : And Sebokeng witnesses inbetween.

COURT : So, can we look again at Thabong for Monday morning?

MR BIZOS : Yes, unless something untoward happens. I am

informed/...

informed that some of the people will be here. Possibly Kroonstad and possibly ... (Court intervenes)

COURT : Do you mean Seeisoville again? Thabong or Seeisoville?

MR BIZOS : Both. There may be both. If people come through it will be both.

COURT ADJOURNS TILL 14 MARCH 1988.

COURT RESUMES ON 14 MARCH 1988.

MR BIZOS : All the accused are here. My Lord, I wonder whether we could experiment by switching off the overhead fan. I do not want to inconvenience your lordship or the other people here, but I feel that it may be partly responsible for my headcold.

COURT : We can try it. Give it a go. If you are not cured in two days, we will put it on again.

SOLOMON THAPELO MOLOI, d.s.s. (Through interpreter)

MR BIZOS : The witness will give evidence on the events of the two schools on 11 February 1985 in Seeisoville, the funeral of 18 February and the MASO meeting after the funeral. I will lead him as briefly on these issues.

EXAMINATION BY MR BIZOS : Mr Moloi, how old are you? -- 20 Years.

And you live at 2940 Phomolong? -- Yes.

Are you still at the Bodibeng High School? -- Yes.

Do you recall that in 1985 whilst you were a pupil there whether you had any problem in your school? -- Yes.

What was the problem? --It was during the election of the prefects.

COURT : What standard were you then? -- St. 8.

MR BIZOS : How is it that you are still in ST. 9 since 1985? -- What happened is, when I was promoted at the end of 1985 to St. 9 I could not go to school because my parents did not have money to keep me at school. As a result I had to go and work in order to give some assistance to my parents financially.

And did you start again in St. 9? -- I went back to school starting with St. 9 and I failed my St. 9.

ASSESSOR/...

ASSESSOR (MR KRUGEL) : When was that? -- In 1987.

MR BIZOS : So, you missed school during 1986? -- Yes.

I do not want you to give us the details, but you yourself - or the reasons why unless you were asked - were you in favour of the prefect system? -- No, I was not.

Were there any other difficulties that you were experiencing at the school, you or your fellow pupils? -- No, the only problem we had was about the prefects.

Were you at an assembly on 11 February 1985? --Yes, I was.

What happened there? Please tell us briefly in your own words? -- What happened that morning is that on arrival at that school I went to the classroom where I had to leave my books. After having done that, I left the classroom attending the parade, where we sang some hymns and prayed. After that the principal came to the assembly and addressed the students saying that he, the principal was going to call on a teacher who will come and mention the names, announce the names of those who are going to be the prefects. The students did not approve of what the principal had said. When the teacher started announcing the names of those who were elected as prefects, the children then started grumbling and mumbling. The teacher himself was trying to keep the children quiet, but they would not listen to him. They continued making noise. After the announcement of the names, that is the names of the prefects, the principal gave orders that the parade disperse, meaning that we are now to go to our classrooms. From the parade, we the people who were occupying a classroom on an upper level of the classrooms, which is the top block, we formed a queue marching to the

classroom/...

classroom. When we came into the classroom, on looking around in the classroom, I realised that the children were not there. We are not the usual number of students in the class. Some three or five minutes after having arrived at the classroom the teacher came in and told us to sit down,. which we did, while the teacher was also standing there waiting for the others to arrive and these other children did not arrive. Whilst still in the class I heard some noise from the children who were running on the top block to the main block. In fact, there was a confusion on the premises.

COURT : Were they running in the passages? -- All over the place, the premises of the school. When that was happening, the teacher left the classroom. Not long after he, the teacher, left the classroom the students also from our class left the class.

You as well? -- Yes.

MR BIZOS : Please carry on? -- We went out and tried to find out from the children who were at this stage already outside, what was happening, on which they replied saying they were not satisfied about this system of the prefects. While we were still outside there as a result of the explanation given, a certain boy, one of the students, then suggested that we go to Kananelo to go and ask for support. Meaning that we from Bodibeng must go to Kananelo.

Support for what? -- According to his address there we were to go to Kananelo to go and ask for support with reference to the SRC's, meaning that for the SRC's to be accepted, we had to go and canvass for support from Kananelo.

Do you know this boy that made this call? -- He was

in St. 10. I only know his face, that is his appearance. Otherwise what his name is, that I do not know.

Is your school divided into sections? Do the St. 8's and St. 10's move in the same section of the school or are you in the same section? -- During the year 1985 St. 9 and 10 occupied a certain section of the school and St. 7 and 8 were also accommodated at a different part of the same school. Not at present. At present there is no separation of classes according to seniority.

How was this call that you should go and ask for support at another school received? -- There was no oral reply to that. Instead what happened is, immediately after he made the suggestion everybody left for Kananelo.

Were they saying anything as they were leaving for Kananelo? -- Yes, something was said.

What? --"We want SRC. We want SRC."

ASSESSOR (MR KRUGEL) : Say or shout? -- They were shouting.

MR BIZOS : And you yourself, did you join this movement towards the other school? -- Yes.

Did you take a leading part or were you just following? -- I was just within the group not a leading part.

Did you move towards Kananelo School? -- Yes.

Did you reach Kananelo School? -- Yes, we did.

What did you see when you approached the school? -- I noticed the following. As we were approaching, not far from Kananelo this time, there were students outside, that is Kananelo students outside the classrooms, that is on the premises but outside.

COURT : Was this in schooltime? -- Yes.

They were not doing physical training or that sort

of/...

of thing? -- No.

MR BIZOS : Your school, did you approach the Kananelo School very quietly or was there any noise being made? -- No, I have already explained leaving Bodibeng for Kananelo there was some noise which was being shouted.

Whilst you were walking along and whilst you were approaching Kananelo School? -- Yes.

What noise was that? -- "We want SRC. We want SRC."

COURT : What is SRC? -- Well, I will say I do not know what SRC is.

You do not know what it is? -- Yes.

But how could you shout "We want SRC" if you do not know what it means? -- Well, I took it that was a way one could indicate his dissatisfaction.

MR BIZOS : With what? -- With the prefect system.

COURT : And of course it was all very jolly, great fun? -- I do not understand that one.

Did you think it was great fun to go along? -- Well, to me, yes. That is how I took it.

MR BIZOS : What happened when you reached the Kananelo School? -- When we came there, one student from the Bodibeng School who arrived there, called upon the Kananelo children to come and join us in support.

Was there any response to that? -- Then the students who were outside on the premises of Kananelo came running towards us, that is all those who were outside who could hear the request from the speaker on our side.

Yes and then? -- As they were coming running to join us, in looking around I noticed police vans coming from a direction. They came towards us, as a result of which

some of the students ran away leaving the others behind. The police came up to a certain point where the vehicles were stopped and fired teargas into the group, that is our group which was there.

Before teargas was fired, did you hear any call to disperse or any call for anybody to come forward and explain himself or to do anything? -- No.

Before this teargas was used, did you see or hear anyone behaving in a riotous fashion? -- No.

COURT : What do you understand in a riotous fashion? -- I understand it to mean that a person who displayed a fighting mood.

MR BIZOS : Were any of your fellow scholars armed in any way? -- No.

Did you hear anyone of them threatening violence to anyone or threatening to destroy any property? -- No.

At what time did this dispersal take place as far as you are concerned? -- I would say at about 09h00.

What did you do then? -- After the shooting of the teargas by the police I started running away.

Where did you go to? -- I ran home.

Did you stay there? -- When I got there I slept.

After - what time did you wake up. Do you know? -- If I still remember well when I woke up it was at about 12h00 or 13h00. I am not certain of the time.

Did you notice anything happening at or near the Phomolong shopping centre? -- Yes, what I noticed was that there was some smoke in the air (atmosphere full of smoke).

Where was that smoke coming from into the atmosphere? -- I just came out of our yard, that is into the street

from/...

from the gate and looked in the left direction. I noticed some smoke from the shopping centre.

COURT : From Phomolong shopping centre? -- Yes.

MR BIZOS : Did you see anything else untoward there later after you saw the smoke? -- No, that was the only thing I saw namely the smoke.

Did you know Joseph Matches at all? -- I did not know him.

Had you heard that he died? -- Yes, I had.

Did you go to his funeral? -- Yes, I did.

Did you go to the house of Joseph? -- Yes, I did go to his house.

And from the house did you go to the cemetery? -- Yes.

Did you notice any persons behaving in a riotous fashion along the way that is threatening anybody or showing a disposition to fight or anything like that? -- Is the question on our way to the grave-yard?

Yes? -- No, I did not.

Did you see any women lifting their skirts in front of policemen? -- In front of the policemen? No, I did not see that.

Do you recall whether anybody spoke at the funeral? -- Yes, I do recall that somebody spoke.

Who do you recall speaking? -- Dennis Bloem and Mr Terror Lekota.

Did you know any of them before this day? -- The person I knew earlier or first was Dennis.

Where did you know him from? -- I met him whilst I was accompanying Mr Pie going to Metro Cash and Carry Wholesaler where he used to go and get some stock for his shop. It

was/...

was when Mr Pie greeted Mr Bloem there that I came to know that this person is Bloem.

And Mr Lekota, where did you hear his name? -- At the grave-yard.

From whom? -- From one Pitso who was standing next to me.

Do you remember anything that Mr Lekota said? -- Yes, I do remember.

What do you remember? -- I remember him saying that he came to know about some incidents which took place in Maokeng as a result of which rioting caused some damage to some people's property. He further said from what he heard this happened some weeks ago and it was not a good thing to have happened, because if there were any grievances, people should have discussed that.

Do you remember anything else that he said? -- That is all that I can remember.

Can you remember what Mr Bloem said? -- Yes, I do remember what Mr Bloem said.

What did he say? -- I remember him saying that the people must disperse from the graveside.

Did you go away as soon as Mr Bloem said that you should disperse? -- Yes.

Did you get outside the cemetery? -- Yes, through the gate and left.

You yourself, were you there anywhere near the gate when any teargas may have been used of had you gone away? -- I had gone through the gate while being in an open veld.

Where were you going to at the time that that happened? -- I was on my way home.

At your school in 1985 had you heard of COSAS? -- No.

Were/...

Were any of your fellow scholars wearing COSAS T-shirts, that is T-shirts with COSAS written on it? -- No.

Did you hear of MASO? -- Yes.

When did you hear about MASO for the first time? -- At school.

In relation to the funeral that you attended before or after? -- After the funerals.

Can you tell us more or less how long after the funeral that you attended?

COURT : Funerals, the plural.

MR BIZOS : Did you attend more than one funeral? -- I heard about MASO after all the funerals.

Yes, but did you go to any other funeral other than the one that you have described? -- No, I only attended one funeral.

How did you come to hear about MASO after the funerals? -- We were at school when some boys and girls came to tell us about MASO. That MASO was a body which will look into the problems of the students at different schools, like for instance when a student did not have a uniform on. This student would explain to MASO who in turn was to explain to the school authorities there as to why this student does not have a uniform on.

Did you attend any meeting where MASO was discussed? -- Yes.

Where was this meeting held? -- At school.

And how many of you were present? -- I do not quite remember how many exactly but we were few. About fifty.

And what happened there? -- What was said is the following, that this day was the day on which MASO committee

was/...

was to be elected but because of the fact that the students did not turn up in great numbers, it will therefore not take place. As a result of which then an ordinary committee was elected. That is an ordinary MASO committee and not the executive committee of MASO.

Were you yourself elected on this committee? -- No.

Did you attend any other meetings of MASO other than this one where this ordinary committee was elected? -- This was the first and the last meeting I attended when this committee was elected.

Did MASO conduct any public activities in your school, call people to meetings or look into uniforms and books? Did it do anything? -- No, they did not do anything.

K1232 <u>KRUISONDERVRAGING DEUR MNR. JACOBS</u> : Meneer, kan u vir die hof sê, weet u wat is COSAS? -- Ek sal nie kan sê nie.

Het u nie die vaagste benul wat COSAS is nie? -- Ja.

Nog nooit van COSAS gehoor nie? -- Ek het nog nooit gehoor nie.

Weet u wat is AZASO? -- Wat? AZASO?

Ja? -- Ek weet nie.

Het u ook nog nooit van so ŉ organisasie soos AZASO gehoor nie? -- Ek het nog nie gehoor nie.

Ken u ŉ organisasie bekend as MASCO? -- MASCO?

Ja, Maokeng Students Congress? -- Ja, ek het daarvan gehoor.

Waar het jy daarvan gehoor? -- By die skool.

Het daar so ŉ organisasie daar ontstaan? -- Nee, daar het nie.

Wat het jy dan daarvan gehoor by die skool? -- Wat ek gehoor het is dat hulle daarvan gepraat het met die oog

op/...

op die stigting van MASCO. Dit is wat ek gehoor het.

Het jy enige vergaderings bygewoon waar die stigting van MASCO moes plaasgevind het? -- Nee.

Kom, wees nou eerlik met die hof. Is jy nie die publisiteitsekretaris van MASCO nie? -- Nee.

Bestaan daar op die huidige oomblik ŉ organisasiesoos MASCO daar by daardie skole? -- Maokeng se skole?

Ja? -- Ek weet nie of so iets bestaan nie.

Bestaan daar enige organisasie op die huidige oomblik in daardie skool waar jy skool gaan? -- Nee, daar is nie ŉ organisasie nie.

U het vir die hof gesê dat u is ook ontevrede met die prefektestelsel? -- Ja.

Is dit korrek dat voor 11 Februarie 1985 moes iemand tog daar op die skool vir julle vertel het "Kyk, ons is ontevrede met die prefektestelsel en wat ons wil hê in plek daarvan"? -- Niemand het nie.

Het niemand daar gesê hoekom is hulle ontevrede met die prefektestelsel voor Februarie 1985 nie? -- Ja.

Maar dan verstaan ek nie. Wat is dan die rede dat julle ontevrede is met die prefektestelsel? -- Die ontevredenheid van die skoolkinders was dat die prefekte saam met die onderwysers gewerk het, in die sin dat as daar klagtes was van die studente, kon die onderwysers nie daaraan aandag gegee het nie. Hulle het net nie aandag daaraan gegee nie. Tweedens, die prefekte, as hulle nie die uniform aan het nie, byvoorbeeld as hulle miskien ander kleure uniforms het, dan word hulle ook nie geslaan omdat hulle dit gedoen het nie, maar ŉ ander kind wat nie ŉ prefek is nie, word ŉ pakslae gegee.

Het/...

Het jy enige klagte self persoonlik oorgedra aan die prefekte wat hulle moes oordra aan die onderwysers? -- Ja, ek het.

Wat se klagtes is dit? -- Oor 'n das.

Wat se klagte het jy gehad oor 'n das? -- Die klagte was die volgende. Dit was na skoolure gewees op 'n Maandag. Ons moes nou studeer het na ure. Ek is toe uit die klaskamer uit om kos te gaan kry vir die middag alvorens ek begin het met my studies in die middag. Dus het ek my das in my boeksak gesit en is toe weg. Met my terugkoms het ek my instrumente met die das uit die boeksak vermis. Ek het dit dus aan die prefekte gerapporteer. Die prefek aan wie ek hierdie klagte gemaak het, het net geluister en na hy geluister het sonder enige kommentaar, het hy my net daar gelaat. Ek het toe teruggekeer na die klaskamer toe waar ek begin studeer het. Die Woensdag kom ek daar met die volle uniform sonder 'n das. Een van die prefekte skryf toe neer dat ek nie 'n das aangehad het nie, dit wil sê dat ek nie 'n volle uniform aangehad het nie. Ek sê toe aan hom dat ek by die ander man 'n klagte gemaak het van my verlore das en strumente. "Jy kan nie skryf dat ek nie 'n das aangehad het nie."

Wanneer het dit gebeur? -- Wil u die presiese datum hê?

Ja? -- Ek onthou net watter dag van die week dit was en die jaar, maar nie die presiese datum nie.

Wanneer? Watter jaar? -- In 1984.

En daarna het jy toe nou rondgeloop en onder die studente begin agiteer teen die prefekte? -- Nee, hierdie voorval het gebeur op 'n Woensdag by die hek waar ek net by die skool aangekom het waar hierdie man my voorgekeer het. Hy het

my naam opgeskryf en by die parade is ek uitgeroep dat ek na die "staff room" toe moet gaan waar ek pakslae gekry het omdat ek nie 'n das gehad het nie.

Het jy toe daarna geagiteer teen prefekte teenoor die ander studente? -- Nee, ek het nie in 1984 nie. Ek het nooit nie.

Maar sal jy dan saamstem daar moes tog geagiteer gewees het teen die prefekte in daardie skool van julle sodat die mense begin mor het op die oggend van 11 Februarie 1985? -- Ja, ek het mos al gesê wat het gebeur.

HOF : Verstaan u die vraag? Die advokaat sê voor 11 Februarie 1985 moes daar geagiteer gewees het teen prefekte. Is dit so of is dit nie so nie? -- Moontlik, ja, maar ek weet nie daarvan nie.

MNR. JACOBS : En is dit nie so nie dat daardie dag van die 11de was daar 'n optog beplan gewees met vooraf reëlings? -- Ek verstaan nie die vraag nie.

Daar was vooraf beplan gewees op die 11de dan sal daar 'n boikot van die klasse wees en dan sou julle in 'n optog gegaan het in die strate van die woongebied? -- Nee, dit was nie voorberei nie.

Kan u vir die hof sê hoe het julle verwag moes die ander skool, Kananelo Skool julle gehelp het in julle agitasie teen prefekte? -- Ekskuus?

Ek vra vir jou, hoe het jy verwag moes die kinders van Kananelo Skool julle gehelp het in julle agitasie teen die prefekte en prefekstelsel? -- Ek weet nie hoe dit gebeur het nie, maar net een persoon het hierdie voorstel gemaak dat daar na Kananelo toe gegaan moet word.

Maar hoe wou julle gehad het moes hulle julle help?

Jy/...

Jy antwoord nie my vraag nie? -- Volgens wat ek verstaan het van hierdie spreker wat die voorstel gemaak het, het hy gesê dat ons van hulle ondersteuning gaan vra dat hulle ons moet ondersteun om te bewys dat ons nie tevrede is met die prefektestelsel nie.

Maar hoe moes hulle julle help? Wat moes hulle doen? -- Ek weet ook nie. Ek was self verbaas, as hulle ons nou moet help, hoe?

Hoe het julle geweet Kananelo sal julle help? -- Ek het self nie geweet nie.

Hoekom het julle nie net ŉ afvaardiging gestuur na Kananelo Skool se kinders om hulle toe te spreek en hulle te vra om julle te help nie? -- Ek weet nie hoekom dit nie gedoen was nie.

Jy sien, dit is baie eienaardig. Die onderwysers in julle skool het mos nou geweet julle is ontevrede met die prefekstelsel. Is dit reg? -- Ekskuus?

Verstaan jy nie die tolk nie? -- Ek het ŉ bietjie ŉ probleem met my gehoor. My een oor hoor nie van die beste nie. Dit is hoekom ek altyd ekskuus vra.

HOF : Watter oor? -- Dit is my linkeroor.

Wel, jou regteroor staan op die oomblik teenaan die tolk. Luister na die vrae en antwoord hulle.

MNR. JACOBS : Die vraag is, die onderwysers het mos geweet van julle ontevredenheid met die prefekstelsel, dat julle ŉ studenteraad wil hê. Hoekom was dit dan nog nodig om na Kananelo Skool te gaan? -- Volgens die seun wat daar gepraat het, die student, was die rede hoekom ons na Kananelo gegaan het om ondersteuning daar te vra omdat Kananelo ook ŉ senior skool was.

Dit/...

Dit antwoord nog nie my vraag nie. My vraag en stelling aan jou is dat die onderwysers het dit mos nou geweet. Julle het dit mos baie duidelik bekend gemaak dat julle is nou gekant teen prefekte, julle het dit baie duidelik gemaak julle wil 'n SRC hê, hoekom was dit dan nog nodig? -- Ek weet nie hoekom nie.

Is dit nie so nie dat die studente op daardie skool van julle was baie kwaad gewees? -- In watter sin?

In die sin dat hulle was oproerig, hulle het nie geluister na die onderwyser nie. Is dit reg? -- Hulle wou nie geluister het nie, maar hulle was nie die tipe mense wat 'n mens kon beskryf het as mense wat onluste sou begin het nie.

Hulle was oproerig en hulle het geskreeu? Hulle het rondgeloop en rondbeweeg op daardie skoolterrein? -- Waar? Op die skoolperseel?

Ja? -- Ja, maar ek het vir die hof hier gesê dat hulle wel geraas gemaak het en gesê het dat hulle die SRC wil hê.

En dit het aangegaan vir 'n hele ruk daar op daardie skoolterrein, die geskreeuery, die op en af beweeg? -- Ja.

Dit het omtrent vir 'n halfuur so aangehou? -- Ek weet nie hoe lank dit geneem het nie.

<u>HOF</u> : In die proses, het die hoof nie probeer om julle weer terug te kry in die klaskamers nie? -- Wanneer? By daardie tyd?

Ja? -- Ek weet nie wat van die hoof van die skool geword het nie, maar soos ek al vroeër gesê het, na die parade is ons toe na die klaskamers toe. Terwyl ons in die klaskamers was het hierdie deurmekaarspul begin. Op daardie stadium het ek nie die hoof van die skool gesien nie. Ek weet nie

of/...

of hy daar onder was besig om met die ander te praat nie. Dit kan ek nie sê nie.

Maar die onderwysers, het hulle nie probeer om julle terug te kry in die klaskamers nie? -- Daar was van die onderwysers wat probeer het om die kinders in die klasse te kry, maar op daardie stadium was ons alreeds in die klaskamer gewees en ons onderwyser het tot by die klaskamer gekom.

MNR. JACOBS : En toe jy die klaskamer verlaat het saam met die ander, het jy deelgeneem aan hierdie op en af lopery en hierdie geskreeuery? -- Nee, ek, Pitso en Mogotheli was bymekaar gewees toe ons die klaskamer verlaat het. Ons het navraag gaan doen by ŉ ander man om te hoor wat nou daar gebeur het.

Maar het jy dan nie gesien wat gebeur nie? -- Ek het gesien. Daarby bedoel ~~ek~~ ons wou vanaf hom geweet het wat die oorsaak hiervan was wat ek daar gesien het.

HOF VERDAAG VIR TEE.

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