

CASE NO: G.375/66.

DATE: 26/1/66.

* RECORD OF EVIDENCE *

STATE PROSECUTOR:

Your Worship, the trial of the accused was converted into a Preparatory Examination on the 22nd December, and I feel that I ought to give the Court a brief outline of the evidence which the State now intends producing against the accused.

In a letter which was handed in on the 25th January, which the accused wrote to his Counsel, he gave reasons for absenting himself from his trial and he claimed that he could no longer serve justice in the way he had done for the previous thirty years and stated his intention of continuing with political work.

He was arrested on the 11th November, 1965, in Beaumont & Stella Streets, Oaklands, Johannesburg, while being skullfully disguised, and describing himself to the police as Douglas Black. His decision that he should go underground and continue with the work of the Communist Party was taken at a Central Committee Meeting in December, 1964, which was attended by himself and on occasions by Issy Heyman, Violet Weinberg, Leslie Schermbrucker and Ralph and Minne Seppel.

Leslie Schermbrucker was instructed to open a banking account at the Stock Exchange Branch of the Barclay's Bank, in the name of M. and W. Wilson. The accused supplied her with specimen signatures. He and Leslie were to operate the account jointly or alternatively. It was expected tht R12,000.00 would be transmitted to the local parties shortly by the London Branch.

This money arrived in January, 1965, was withdrawn

in cash by Leslie Schermbrucker. She spun a yarn to the manager that it was a legacy due to her.

The money was used for various party purposes, including the purchase of a Volkswagen for R680.00 for the use of the accused, and the hire of a house at 57 Knox Street, Waverley for his use also.

The rent of R660.00 was paid in advance in cash by a young Wits student, Miss Gabrielle Veglio, who also changed her identity to Ann Getcliffe. Under this assumed name she bought the Volkswagen and hired the house.

Ann Getcliffe was a member of the party. She occupied the house at Knox Street with another student who posed as A. Saayman, and under this name he arranged for the supply of water and light at the Johannesburg Municipality Offices.

The father of Gabrielle Veglio will say that she was completely dependent on him and did not have the means to pay for the car and the rent of the house.

The accused went into hiding on a farm at Rustenburg, which belongs to an old lady, Mrs. Milindton. He introduced himself to her as Charles Thompson. He was accompanied to this farm by Mrs. Schermbrucker, on one of his preparatory trips. He stayed at this farm for a month or more.

He moved into the house at Knox Street in April, 1965, when his disguise had taken shape. At this address he held meetings with the persons mentioned above from time to time.

The Veglio girl went overseas before his arrival and the Saayman lad also moved out.

On 26th April, 1965, when the Third Party insurance fell due on the Volkswagen, which was registered in the name of Getcliffe, the accused effected a renewal

and described himself as M. Getcliffe, signing - I quote - on behalf of his niece who had gone overseas.

The Getcliffe girl also opened a banking account at the Netherlands Bank, Rosebank, in January, 1965, and she deposited a few hundred rand in that account. She gave a false reference there. The car was probably paid out of that account or partly so.

The Saayman fellow also gave false particulars when he did the transaction with the Municipality, however, when a refund of the deposit on the water and light account was made the accused simply endorsed the cheque and deposited it in his own account, which he had opened at Standard Bank, Rosebank, in the name of D. Black.

To bolster up his false identity of Douglas Black he obtained a false identity card and a driver's licence, which were fabricated for him in London. These forged documents were found in his house on the day of his arrest.

The accused vacated 57 Knox Street before the lease had expired and moved to 215, Corlett Drive, Bramley. He rented this house himself in the name of D. Black and explained that he had come up from Cape Town for health reasons. This name was also used by him on various occasions when he opened savings accounts with three Building Societies and other commercial banks.

On 9th November, 1965, when Violet Weinberg was arrested he adopted the name of Peter West, and hired a house in Eastwood Road, Dunkeld, under that name. He stated that he had come from England and had lived in Cape Town for some time. He also opened a banking account at Netherlands Bank in that name.

This precaution was abortive as he was caught up in the police net two days later.

On the day of his arrest he was caught red-handed while in possession of numerous damning bits of evidence in the form of documents and letters, which he intended to go and conceal somewhere or post to his London contact 'Kim'.

In the letter to 'Kim' he gave a report on certain party members who were receiving police attention. He also asked for the redirection of correspondence to Kaplan of Whitesons, Johannesburg, as well as for a change over to using another pre-arranged code publication, namely New Statesman.

Also found in his house were political documents which the accused drafted and typed. Two of them were reproduced in a London printed party paper "African Communist." Other interesting items found in his house were false number plates, a Bible used for code letters, articles of disguise like a false beard, a wig, a woman's hat, false eyebrows, women's clothing, facial creams and a hand mirror.

Evidence will show that the accused was the principal member of the party, something in the nature of an army General after a crushing defeat trying to gather the scattered remnants together.

MR. BIZOS: Your Worship, with respect, it is unusual to have an opening address at a Preparatory Examination. The Code provides that there may be an opening address at a trial, but even at trials the Code specifically provides, that there shall be no comment. I have not looked into the question as to whether an opening address is competent at a Preparatory Examination, but even if it is, what is provided for in connection with trials, that there shall be no comment, must apply even more so.

The last sentence, and a couple before that, are clear matters of comment by my learned friend. In his

address eventually at the trial, he may be entitled to do that, sir, but not at this stage.

STATE PROSECUTOR: With respect, your Worship, I submit that I am entitled to give the Court an outline of the evidence, if I use flowery language here and there, I submit I am not objectionable, I submit that evidence will be led to show the nature of the accused's activities. That he was a principal member and that he was trying to gather his forces together, that will be the evidence.

BY THE COURT: Evidence to my mind is purely descriptive, I am prepared to allow it.

STATE PROSECUTOR (CONTD.) He was in direct contact with the mysterious "Jim" in London, with whom he exchanged letters in code. In this way he requested financial aid from time to time. He handled the party funds, monies came into the Republic in devious ways. That is through the fictitious Wilson account or through the agency of Defence and Aid and Christian Action, and even the South African Institute of Race Relations.

The accused then distributed the monies to the various provinces and Bantu townships, where recruitment of would-be saboteurs was still in progress.

For the task of handling party funds many willing helpers were found, like Ronald and Clarice First, Doreen Tucker, Violet Weinberg, Leslie Schermbrucker, Issy Heyman, Richard Harvey, Benjamin and others.

Issy Heyman was the contact for the party with the Soweto townships.

Monthly payments for the rental of two rooms in Wolhuter and Betty Streets were made by the party. Indian members of the party attended to this duty.

Books used for code writing and a typewriter were

hidden under the floor of the house of Mrs. Weinberg. A copy of a letter to the enigmatical "Kim" was located in the house of the Seppels. The latter family sought refuge in escape.

In his writings like "Draft Discussion Statement" he strongly supported violent action and sabotage as committed by Umkonto We Sizwe.

He makes no secret of the fact that armed insurrection by the non-White masses is the only effective way of overthrowing the present state. Hence his threat of bloodshed and civil war in his letter, Exhibit 54.

Comparison of his handwriting with that on the documents found at the Rivonia communist headquarters shows that he was partly responsible for drafting the programme of the party.

Evidence will also be forthcoming to the effect that he presided at meetings of the central committee at Rivonia, that he took part in discussions regarding preparations for acts of sabotage, training and recruiting of saboteurs, and that he handled the party funds even at that time.

At those meetings on a few occasions, the evidence will be, he flew into violent fits of temper and banged the table to impress his fellow-members.

He not only approved of sabotage, but gave active assistance in the form of suggestions and making funds available for the work of Umkonto.

In a letter to Kim on 13th August, 1965, he complained of the "lack of secrecy" by recruits and refugees once they were beyond the borders of the Republic.

In a document "Draft Discussion Statement" he stressed the need for employing in the work of the party

professional churchmen, students and women. He himself gave effect to that decision by writing a letter to the ex Rev. Beyers Naude in April, 1965, in which he described himself as a Marxist and solicited the aid of the latter in attacking the political set up in the Republic from a religious point of view. He also expressed the hope of future collaboration.

The police obtained the letter from a contact and made a photostatic copy of it. It was returned for replacement in the records of the Christian Action.

A subsequent search for it was unsuccessful.

The accused also had some issues of Pro Veritate in his possession.

The State intends calling persons as witnesses who are presently in hiding or overseas, as soon as they can be located.

The Preparatory Examination will, however, not be delayed for this purpose.

The complexion of the case against the accused has changed considerably since he stood trial with 13 other party members. The State will now rely on a common purpose between him and other persons, such as Marks, Bernsteins, Slovos, 'Nqui, Sesulu, Hlapano, Harmels, Klumos, Schermbrucker, Bayleveld, Weinberg, Issy Heyman, Paul Josephs and his wife Adelaide, Issy Dinard and Nicholas Sowgum, Naidoo, Barnard Weinberg, Leslie Schermbrucker, Ralph and Minne Seppel, Doreen Tucker, Gabrielle Veglio, A. Saaiman, Ronald and Clarice First and others.

And the charges which can now be preferred against the accused will be summarised as follows:-

- (1) The charge relating to membership of an unlawful organisation. That is the Communist Party.

(2) Carrying on the activities of the party prior to 25/1/65, and an additional count in regard to subsequent activities.

(3) Three counts of furthering the objects of Communism by writing treasonable articles, like "Draft Discussion Statement", "Rally and Unite at the Imperialist Forces." "Problems and Prospectus."

(4) Six counts of fraud, alternatively contravening Section 9 of Act 1/1937, arising from the use of false names, of Wilson, Thompson, Getcliffe, Saaiman, Black and West.

(5) Two counts of forgery relating to the false identity card and driver's licence.

(6) Conspiring to commit sabotage in contravention of Section 21 of Act 76/1962.

THE STATE CALLS:

RUDOLF ADRIAN VAN RENSBURG. (b.v.)

Ek is 'n luitenant in die Suid-Afrikaanse Polisie, verbonde aan die Veiligheids Afdeling, Johannesburg, Edelaagbare. Op die 11de November 1965, het ek uitkenningsdienste waargeneem in Corlettlaan, Bramley, Johannesburg, Edelaagbare.

STAATSAANKLAER: Naby watter adres? ----- Naby 215, Corlettlaan, Edelaagbare. Om 6 n.m. op dieselfde datum het 'n blanke man met 'n Volkswagen motor die gemelde perseel verlaat. Registrasie nommer van die motorkar was TJ.136-212. Ek was in radio verbinding met ander karre en ons het die genoemde motorkar agtervolg, Edelaagbare. Die motorkar het in die rigting van Oaklands gery. Op die hoek van

Stellastrate en Oaklandslaan het ons die Volkswagen gestop. Daar was 'n blanke man wat die Volkswagen bestuur het, Edelagbare. Die blanke man het 'n groot bles vertoon met 'n swartkleurige bokbaard en snor, en hy het fyn geraamde brille opgehad met 'n pyp in sy mond. Ek het die persoon meegedeel wie ek is, en ek het hom meegedeel dat hy die vermiste Abram Fischer is. Hy het dit ontken en my meegedeel dat hy Mnr. Douglas Black is. Hy het verder meegedeel dat ons reeds op vorige geleentehede persone beskuldig het as Advokaat Fischer dan het ons later ons fout agtergekom. Ek was wel oortuig dat hy Advokaat Fischer is, en ek het vir hom gesê dat hy die ontsnapte advokaat Fischer is, Edelagbare. Hy het nog volgehou dat hy Douglas Black is. Ek het Kaptein Broodryk per radio in kennis gestel, Edelagbare, en ek het die beskuldigde aangehou tot hy aan Kaptein Broodryk oorhandig is - opgedaag het en hom oorhandig het. Net voordat die Kaptein opgedaag het, het ek die beskuldigde deursoek en in sy linker broeksak het ek 'n dokument gevind, Edelagbare.

Kan u kyk na AF. 4? ---- Dit is korrek, Edelagbare, dit is die dokument.

Dis 'n sleutel tot 'n woning? ----- Dit is korrek, Edelagbare. Kaptein Broodryk het opgedaag en beskuldigde was aan hom oorhandig.

Het u iets anders opgemerk in die kar? ----- Ja, Edelagbare, daar was 'n tikmasjien asook 'n bruin kleurige koevert in die baggasiebak van die Volkswagen.

En het die beskuldigde sy spraak probeer verdoesel? ---- Ja, Edelagbare, die beskuldigde het deurenstyd met die pyp in sy mond gepraat en wat sy spraak probeer verdoesel het.

STAATSAANKLAER: GEEN VERDERE VRAE.

MR. BIZOL RESERVES CROSS-EXAMINATION.

JOHANNES CHRISTOFFEL BROODRYK, (b.v.)

Ek is 'n Kaptein in die Suid-Afrikaanse Polisie, gestasioneer te Johannesburg, The Gray's, waar ek verbonde is aan die Veiligheidsstaf.

Daar is sommige persone wat die beskuldigde mee geskakel het terwyl hy voortvluggend was wat nog nie tot datum opgespoor of geïdentifiseer is nie, en indien hulle later opgespoor of geïdentifiseer word sal hulle moontlik by die verhoor van die beskuldigde in die hoër hof getuig.

STAATSAANKLAER: Ek dink ons moet die getuienis in 'n chronologiese orde neem. Die beskuldigde was gearresteer gewees in 1964. ----- Die 23ste September 1964, Edelagbare, ongeveer 12.45 n.m. het ek en Speurder Sersant van Rensburg na sy kamers, Innes Chambers, Johannesburg, gegaan waar hy gearresteer was en aangehou was. Ek het sy kamers deursoek en in sy lessenaar laai het ek 'n dokument, Bewysstuk A.F. 184, gevind. Dit is 'n dokument van Defence & Aids Fund wat geskrywe was 'n brief aan die beskuldigde deur John Collins, Bewysstuk A.F. 184.

Nou, toe het die beskuldigde nie sy verhoor bygestaan op 25 Januarie 1965 nie? ---- Dit is korrek, Edelagbare.

Hy was op borg gewees? ----- Dit is so, Edelagbare.

Nou het u gedurig en voortdurig ondersoek ingestel in verband met sy bewegings en ander aangeleenthede? ----- Ja, Edelagbare, ek was die ondersoekbeampte en het die ondersoek waargeneem.

Het u enige iets ontvang gedurende April maand? ---- Ja, Edelagbare, op 23/4/65, het ek van 'n geheime kontak in die stad 'n brief wat deur die beskuldigde aan Mnr. Beyers Naude, die voormalige N.G. leraar en moderator, en tans direkteur van die Christelike Instituut en redakteur

van proveritate geskryf het. Die brief het ek na my kantoor geneem waar ek fotostatiese afdrukke daarvan gemaak het, en dieselfde dag het ek die oorspronklike brief weer aan die kontak terug besorg.

Was u op daardie stadium bekend met die beskuldigde se handskrif? ----- Ja, Edelagbare, ek ken die beskuldigde se handskrif en was bewus dat dit deur hom geskryf was.

En u sê u het die brief nadat u 'n fotostaties afskrif gemaak het terug besorg aan die kontak? ----- Dit is korrek, Edelagbare.

En is u bereid om die naam van die kontak te openbaar? ---- Nee, Edelagbare, ek is nie bereid nie.

Op watter basis? ---- Edelagbare, dit sal nie in die openbare belang in die landsveiligheid wees indien ek die naam van hierdie kontak sal moet openbaar nie.

Kan u sê vandag of daardie oorspronklike beskikbaar is? ----- Deur my ondersoek het ek vasgestel, Edelagbare, dat die oorspronklike dokument wat ek teruggehandig het nie meer beskikbaar is nie.

En het u die fotostatiese afskrif hier? -----Ja, Edelagbare.

Sal u kyk na AF, 62? ----- Dit is bewysstuk AF 62, dit is korrek, Edelagbare.

MR. BIZOS: Could this be read into the record, it is something new.

BY THE COURT: I think that in these circumstances it may be as well to read it out.

GETUIE: Ek sal die brief uitlees, Edelagbare. Die brief, Edelagbare, is gedateer 12 April 1965:-

"Geagte Dominee Naude,

Ek het in die Landstem die toespraak gelees, of liever 'n opsomming daarvan wat u in

"Belgravia sou gelewer het indien daar sekere van ons mede Afrikaners, tot my innige leed, nie so onbeskaafd opgetreë het nie.

My onmiddellike reaksie was om dadelik aan u te skryf om my ondersteuning uit te spreek, maar daar was geen geleentheid nie waar ek my in die huidige ongewone omstandighede bevind nie. Nou is die geleentheid daar, dus skryf ek.

U beleef, meen ek, 'n besondere moeilike en persoonlike onaangename periode waar u moedige houding oneindig meer onintelligente afkeur onder Afrikaners as goedkeuring uitlok, tog is die taak wat u aanvaar het geweldig belangrik vir ons volk. Werklik myns insiens die taak om uiteindelik die voortbestaan van ons volk te verseker. Boonop is dit 'n taak wat alleenlik deur 'n Afrikaner soos u verrig kan word. Dit word dus die plig van elke Afrikaner wat met u saamstem om sy ondersteuning uit te spreek.

Ek het gehuiwer om te skryf weens twyfel of u sou verstaan dat die ondersteuning van 'n Marxist wel eg kan wees, maar dit is die geval. Die begrip van broederskap onder die mens en die ideë dat jy teenoor jou medemens moet optreë soos jy wil hê dat hy met jou moet handel is van sinamentele bydraes van Christus se filosofie en trouens dit is ook doelwitte waarna ons strewe, hoewel langs ander weë as u, maar dit is nie wat ek nou wil beredeneer nie. Wat ek graag wil sê is dat, volgens my

"mening, dit vandag uiters dringend is om Suid Afrikaners te laat verstaan presies wat die leer van Christus was, en hoever ons in hierdie land daarvan afgewyk het. Hoe kon Christus ooit 'n beleid goedgekeur het wat toelaat dat 'n mens minag, verneder, beledig en seergemaak word, uitsluitlik op grond van sy kleur, maar dit is iets wat ons sogenaamde Christelike leiers daaglik doen. Hoe ookal hulle probeer om dit weg te steek deur telkens nuwe benamings aan die beleid te gee. Apartheid, Aparte ontwikkeling, Parallele ontwikkeling ens. Die nuwe beskrywing van die beleide is natuurlik tekens van 'n ontwakende volksgewete, maar dit is lank nie genoeg nie. Die tyd raak kort, en die eerste stap is soos u in u toespraak sou gesê het, dat ons jong mense aangemoedig moet word om in bestuursliggame te treë, nie in die eerste plek as politici nie wat blindelings en slegs die beleid van hulle party omskryf nie, maar as oortuigende Christene wat in die party van hulle keuse hulle Christelike oortuigings uitleef en handhaaf. Natuurlik na hulle ontdek het was presies Christus van elke Christen verwag. Is dit nie nou die aangewese tydstip vir die skryf van 'n toneelstuk wat sou uiteensit wat Christus sou ondervind indien hy nou sou terugkeer en hom in Suid Afrika bevind, en hoe hy weer gekruisig word en wat hy sou sê en doen. Langs hierdie weë kan ek vandag van geen waarde wees nie. As ek vandag invloed het dan is dit by die nie-Blankes, en nie by die Afrikaner nie,

"maar u het kans om hierdie taak te verrig, en soos ek dit sien is dit die taak wat u aanvaar het, dit is daarom wat ek my volste ondersteuning wil uitspreek en ook my hoop dat u werk uiteindelik met sukses bekroon sal word.

Hoe eienaardig dit ookal vandag mag klink is dit nie onmoontlik dat ons nog eendag vir die Afrikaner volk kan saamwerk nie.

Met beste groete.

Hoogagtend,"

Die brief is nie geteken nie, Edelagbare. Bewysstuk A^F. 62.

Op die 8ste November 1965, dit was op 'n Maandag, het u vir 'n Mev. Violet Weinberg aangehou? ----- Dit is so, Edelagbare, ek het haar by haar werk, by Overland Wholesalers, op die hoeke van Mark en Troyestrate, ingevolge die bepalinge van Artikel 215 bis met die 180 dae aanhouding, aangehou. Ek het haar van haar werk na my kantoor geneem, en vanaf my kantoor terug na haar huis in Plantationweg, Gardens, Johannesburg. Vanaf haar huis het ek haar na Pretoria Sentrale Gevangenis geneem, waar sy aangehou is. By haar toelating het ek opgemerk, terwyl die matrone haar besittings nagegaan het, dat daar 'n sleutel in haar handsak was. By latere ondersoek het ek gevind dat die betrokke sleutel die voordeur van die huis by Corlett Drive 215, Bramely, waar die beskuldigde gewoon het, oopsluit. Ek vermoed dit is bewysstuk A^F. 61. Ek is jammer, Edelagbare, hierdie sleutel is Bewysstuk A^F. 178.

Ja? ---- Op 11/11/65, Edelagbare, gedurende die agtermiddag het ek saam met ander lede van die Mag in Louis Bothalaan by die Doll's House, Highlandsnoord, stelling ingeneem. Ek was geduring in radio verbinding met die

vorige getuie, wat saam met ander lede van die Mag waarnemings dienste uitgevoer het by die huis van 215 Corlett Drive, Bramley. Ongeveer 6 n.m. dieselfde dag het ek 'n radio boodskap van die vorige getuie ontvang, tot die effek dat 'n blanke man met 'n Volkswagen motorkar T.J. 123-212, die gemelde perseel verlaat het. Die kar was deur lede agtervolg, en as gevolg van 'n latere radio boodskap het ek ook aan die agtervolging begin deelneem, en hulle versoek om die motor voor te keer. Ek het ongeveer drie minute later in Carolinestraat naby die hoek van Stellastraat, ander lede van die Mag asook die beskuldigde wat in die gemelde voertuig agter die stuurwiel gesit het aangetref. Hy het met 'n pyp in sy mond gesit, ek het met die beskuldigde gepraat, maar hy het my nie geantwoord nie. Hy het my later met die hand gegroet, en ek het hom terselfdetyd uit die motor getrek. Luitenant van Rensburg het 'n rapport aan my gemaak, en 'n stukkie papier aan my oorhandig wat later geblyk het 'n sleutel tot 'n kode te wees. Dit is Bewysstuk AF.4, Edelagbare. Ek het die beskuldigde daarna in my kar gelaai, en teruggery na die adres 215, Corlett Drive, Bramley. Die beskuldigde se motorkar was onder my toesig terug bestuur na sy huis, waar die kar in die agterplaas naby die agterdeur parkeer was. By die huis arriveer het die beskuldigde 'n sleutelring met drie sleutels aan my oorhandig, dit is Bewysstuk AF. 3, Edelagbare. Een van die betrokke sleutels sluit die voordeur van die huis oop. Ons het die huis binnegestap, die huis nagegaan, en daarna het ek na die slaapkamer gegaan, waar ek die slaapkamer begin deursoek het. Ek het die beskuldigde versoek om by my te wees terwyl ek die kamer deursoek, en hy het altyd by my gestaan. Daar het ek beslag gelê op bewysstukke soos ter aangehegte lys, dit is bewysstukke AF. 23 tot AS. 37, Edelagbare, wat ek nou sal

uitlees.

A^F. 23 is die boekie, African Communist, No. 22. die het ek in die bedkassie gevind;

'n Notaboekie met die handtekening C. West daarop die was ook in die bedkassie gevind;

'n Stukkie papier met notas, dit was op die spieëltafel gevind;

R10.00 kontant in note, dit was tussen sy hemde gevind;

In die trommel in die slaapkamer het ek 'n springtou gevind,

'n gewig, een pruik, 'n snor, twee baarde, 'n korset, 'n buisie 'Tan In A Minute', 'n blik 'removing cream.';

In die klerekas in die slaapkamer het ek gevind: 'n Bruin Sheriff broek, 'n bril in 'n brilhuisie en 'n sleutel van die voordeur.

Dit is bewysstukke A^F 23 tot A^F, 37. Daarna het ek die beskuldigde na die studeerkamer geneem, waar ek die studeerkamer deursoek het. Ek het in die studeerkamer 'n Hermes tikmasjien gevind, Bewysstuk A^F. 38. In die laaie van die lessenaar van die studeerkamer was die volgende gevind:-

Bewysstuk A^F. 39. Dis die persoonskaar No. 331-239862V, in naam van DOUGLAS BLACK;

Bewysstuk A^E. 40. 'n Bestuurderslisensie No. 887 in naam van DOUGLAS BLACK;

Bewysstuk A^F 41, Edelagbare, is 'n skryfboek met notas;

Bewysstuk A^F 42, is 'n skryfbok Baseldon Featherweight, met notas;

A^F 43, is 'n stel ooghare;

A^F 44, is twee koeverte bevattende kontant ten bedrae van R250.00 en R160.00 in note.

Op die bewysstuk A^F. 72, dis 'n bank deposito strook, kom die handtekening van C. Thompson driekeer voor, Edelagbare.

Gaan maar aan, wat hetu nog gekry? ----- Ek het

daarna in die studeerkamer die persoon van die beskuldigde deursoek, en aan sy persoon het ek die volgende gevind,

Edelagbare:-

Bewysstuk AF. 1, is 'n lugposbrief en koevert geadresseer aan S. Houston, 13 Hollycroft Avenue, London N.W. 3, England.

Die was gevind in die sak van sy regter sportsbaadjie;

Bewysstuk AF 2, is 'n beursie bevattende R17.37½ in note en kleingeld;

Bewysstuk AF. 3, wat ek reeds na verwys het, is die sleutelring met drie sleutels;

AF 4, is die sleutel tot die kode wat in sy linker broeksak deur die vorige getuie, Luitenant van Rensburg, gevind was.

Daarna het ek na die badkamer gegaan, Edelagbare, en beslag gelê op 'n blik bevattende die volgende, dis Bewysstuk AF. 57.

Dis 'n rolletjie watte; 'n buisie Innox Medicated Foundation room, 'n buisie Yarlain Paris room, 'n buise Prell Shampoo, 'n skertjie, 'n haar tangetjie, 'n kwassie en Mascara.

Daarna, Edelagbare, het ek na die eetmaker gegaan en beslag gelê op 'n kartondoos bevattende tien bottels drank, dit is bewysstuk AF. 58, en 'n Engelse bybel, Bewysstuk AF. 59.

Daarna het ek die beskuldigde na sy motorkar geneem, wat by die agterdeur in die agterplaas geparkeer was, en die Volkswagen kar deursoek. Ek het beslag gelê op die kar, dit is Bewysstuk AF. 170, en dokumente bewysstukke AF 5 tot AF. 22, Edelagbare.

AF. 5, Edelagbare, die opskrif is "Draft Discussions Statement." Gedateer 24/8/65.

Ek wil nie hê jy moet dit uitlees nie, maar sal jy net kyk na een passaat in daardie dokument, bladsy 5, omtrent paragraaf J, daarrond. Nou, verwys dit watter soort mense daar mee kontak gemaak word?

MR. BIZOS: If my learned friend is going to be selective,

your Worship, I would ask through your Worship that copies be made available to us, we might want to read other passages into the record. If my learned friend is going to be selective.

STATE PROSECUTOR: Your Worship, I intend putting in the whole document. I try to shorten matters by merely referring to certain portions. And copies I think will be available.

MR. BIZOS: The point is, sir, if my learned friend has a small passage read out of a document at this stage, I assume that there is some purpose in it. If, whilst it is being read, copies are made available to us, I might put other passages, so that if it is intended to read out passages in this selective way if a copy could be made available so that we could glance at this.

STATE PROSECUTOR: I may explain that this particular document is the subject of the charge. The whole document will be put before the Court.

VERHOOR DEUR STAATSAANKLAER (VERVOLG) Het jy daardie verwysing daar? ---- Ja, op bladsy 5 verskyn hier 'n paragraaf. "So too we must seek to pull into the struggle and to encourage students and womens organisations, progressive churchmen, newspaper and journalists and even professional bodies (lawyers, doctors, teachers, etc.)"

Ja, dit is die passaat. Gaan maar aan, Kaptein?
 --- AF 6 is die dokument, "Notes on the experiences of our Portuguese Branch." AF 7, is "A Note on Discipline and Training." AF. 8. is 'n opsomming tot 'n kode, Edelagbare, met sy koevertjie.

Het dit 'n datum? ----- Ja, dit is gedateer 9 November 1965, en agterna in hakkies (2). Bewysstuk AF 9, Edelagbare, is 'n brief 'Dear Kim', dit was eers getik 9 November 1965, agterna (2), toe is die 11 doodgekrap en die is met 'n rooi pen verander na 9. Die brief

is geteken deur Paulus. Ek mag net meld, Edelagbare, dat ek hierdie bewysstuk op 13/11 aan Sersant Els van ons personeel oorhandig het. Bewysstuk AF. 10 is 'n groot bruin koevert waarin die betrokke dokumente wat in die kar gevind was ingesteek was. AF. 1 is met die hand geskryf en die titel is "Little Lenin Library." AF. 12 is 'n poslys met name, Edelagbare. Bewysstuk AF. 13 is 'n dokument getitel "Southern Industries Limited." Dis 'n getikte dokument. AF. 14 is 'n koevert waarop daar met rooi ink geskryf is, die heel eerste een staan net B.K.S. Tweede is 'sport' en die derde is 'disc', en die vierde is S. Industries. Bewysstuk AF. 15, Edelagbare, is 'n getikte dokument, die opskrif is "Problems & Prospectus, Discussion Statement."

Terwyl ons met daardie dokument handel, "Problems & Prospectus, Discussion Statement," u het alreeds verwys na die 'African Communist' wat u in die bedkassie in die kamer gekry het, nou kan u sê of hierdie artikel "Problems & Prospectus NB. LAST PORTION ON BELT 2 RECORDED TOO FAR BY OPERATOR. UNABLE TO PLAY IT BACK ON DICTAPHONE. THE FOLLOWING ARE THE OPENING WORDS RECORDED ON BELT 3.

(GETUIE) Hierdie dokument is in die 'African Communist' oorgedruk en verskyn in die betrokke uitgawe op bladsy 5 tot 12. Ek dink die bewysstuk is AF. 23, Edelagbare. Die dokument is oorgedruk in hierdie boekie. Ek kan net meld dat daardie boekie word in London uitgegee, in Engeland, Edelagbare.

AF.16 is "Rally and Unite anti-Imperialist Forces and Appeal from the Central Committee in the South African Communist Party."? ---- Dit is korrek, Edelagbare.

Is dit ook weer gedruk in die African Communist?
---- Ja, Edelagbare, die verskyn ook in die 'African Communist' en wel op bladsy 101 tot 105.

Bewysstuk AF. 23? ----- AF. 23. Bewysstuk AF. 17....

Ja, u het gehandel met daardie een. Gaan maar aan?

----- Bewysstuk AF. 17 is 'n buisie Innoxia Foundation room. 18 is - ek dink ek het klaar hieroor gepraat, Edelagbare, 'n buisie Yarelane Paris room, en bewysstuk 19 is 'n buisie Mascara cream. Bewysstuk AF. 20 is 'n handspieël. Bewysstuk 21 is 'n Smith-Corona tikmasjien. Bewysstuk 22 is 'n stel nommerplate, TJ. 126-414. Ek het die nommerplate op die kar van die beskuldigde gepas, Edelagbare, en gevind dat dit presies op die motorkar pas.

Het hierdie nommerplate oop gelê? ----- Dit was agter die agterste sitplek van die Volkswagen, Edelagbare. Dit het oopgelê.

Sy kar se nommer was ...----- 136-212, Edelagbare. Bewysstuk AF. 25, Edelagbare, is 'n stukkie papier wat op die spieëltafel in die slaapkamer gevind was. Daarop staan geskrywe verskillende getalle, soos by voorbeeld 'Charge' dan gee hy 'n getal 2,436. 'Guilty' is 'n ander opskrif 1,308. 'Charge withdrawn' 689. 'Not guilty' 244. 'Awaiting' 159 'Appeals' 230. 'Arrested and Detained' 3,605. Dan net die getal 1,604. Dan 'Released without Trial' 1,167. Dan 'n getal 635 en nog 'n getal 199. Bewysstuk AF. 24, Edelagbare, is 'n notaboekie....

Die het u mee gehandel al. ---- Met die handskrif C. West daarop.

In werklikheid, Kaptein, het u gegaan tot by AF. 44. toe het u daar opgehou, en weer verder gegaan met 57. Nou het u enige iets gekry soos dames klere? Begin by AF. 45?----- Edelagbare, in die staal kabinet in die studeerkamer het ek die volgende bewysstukke gevind. Dis AF. 45, is 'n pond breiwol en twee breinaalde. 46 Is 'n blou dameshoed. 47 Is 'n wit dames bloese. 48 Is 'n

pak gestreeppte slaapklere. Bewysstuk AF. 49 is 'n groen romp. AF. 50 is 'n oorjas. AF. 51 is twee wit dames broekies. AF. 52 is twee paar vroue skoene. AF. 53 is 'n rol watte, 54 een paar opgeboude mans skoene. Bewysstuk AF 55 is drie uitgawes van Pro Viritate gedateer 15/5, 15/8 en 15/9/65. AF. 56 is een bril en 'n huisie.

Het u ooit die beskuldigde vir 'n verduideliking gevra toe u daardie items daar gekry het? ----- Ek het die beskuldigde verskeie verduidelikings gevra, Edelagbare, maar hy het geen verduideliking aan my geoffer nie.

Wat was sy houding? ----- Hy het net geweier om 'n verduideliking te gee. Daarna, nadat ek die kar deursoek het, Edelagbare, het ek die beskuldigde na die Veiligheids hoofkantoor in Pretoria geneem, waar daar fotos van die beskuldigde geneem was. Dis bewysstuk AF. 171.

Was daardie fotos geneem terwyl hy nog...--- Soos wat hy die aand was toe hy in hegtenis geneem is.

Was hy moeilik om te erken? ----- Edelagbare, sy vermomming was baie goed gewees, en ek sou sê dat 'n persoon wat hom nie intiem geken het nie sou hom nie erken het nie. Nadat die fotos geneem was, was die beskuldigde na Sentrale Gevangenis geneem waar hy aangehou was. Die volgende dag 12/11/65, het ek na die huis van die beskuldigde teruggekeer en alles in die huis laat verwyder wat daar was, Edelagbare, en dit by die polisie kantore laat stoor.

Dra u enige kennis van bewysstuk AF. 118? ----- Bewysstuk 118, Edelagbare, is 'n Standard Bank tjek boek die nommers begin by S.80446....

Watter tak van Standard Bank? ----- Standard Bank Rosebank, Johannesburg, Edelagbare.

Waar het u daardie tjek boek gekry?----- Dit was in die lessenaar gevind van die studeerkamer, Edelagbare.

13.

22.

BROODRYK.

En AF. 119? ----- Dit is 'n bankstaat wat van die Standard Bank, Rosebank, afkomstig is, Edelagbare. Dis bewysstuk AF. 119.

Waar het u dit gekry? ----- Die is ook in die studeerkamer gevind, Edelagbare, in die lessenaar.

AF. 120? ----- Dit is tjeks wat van die bank af teruggestuur was, tjeks van die Standard Bank, die Rosebank tak, daar is vyf van hulle, Edelagbare, hulle is geteken a lmal deur D. Black.

AF. 121? ----- Dis 'n Standard Bank inlê strokie, Edelagbare, vir die bedrag van R623.00 Die trekker se naam is met die hand ingeskryf. Dit lyk my 'City Treasurer R6.23' gedateer 10/11/65.

121(a)? ----- Dit is 'n bruin koevert, 121(a), die was in die lessenaar, regterkant se laai, en die was gesluit gewees, dit was waar die betrokke bewysstukke van die bank in was.

En kan u terugdraa na AF. 66 toe? ----- AF. 66, Edelagbare, is 'n Natal Bougenootskap spaarbank boekie, in naam van - No. 42726 - in naam van Mnr. Douglas Black.

Waar was dit gekry? ----- Dit was gevind in die boonste lessenaar laai, regs, Edelagbare, die laai was gesluit.

Dan AF. 117? Voor ons daar gaan, AF. 72, het u daardie boekie of bewysstuk gesien in die huis? ----- Edelagbare, bewysstuk AF. 72 is 'n Allied spaarbank boekie, in naam van Mnr. C. Thompson, die het ek gevind in die boonste laai, links van die lessenaar, die laai was gesluit, die boekie se nommer is C328 en dan in 'n inlê strokie van die betrokke Bougenootskap kom die handtekening C. Thompson, Bewysstuk AF 72, die handtekening C. Thompson drie keer voor.

En AF. 117? ----- Bewysstuk AF. 117, Edelagbare, is

'n bankboekie van die Nederlandse Bank, Rosebank, Johannesburg. Die was gevind in die boonste laai regs van die lessenaar, die laai was gesluit. Die boekie was nog nie gebruik nie, hierdie besondere tjek boek was nog nie gebruik nie, Edelagbare. Daar is 'n inlê stroke van R100.00 in naam van Mnr. P. West. Die geld is gedeponeer op 9/11/65. R100.00 . Dis ook gedeponeer deur 'n persoon wat geteken het P. West.

AF. 112? ----- Edelagbare, bewysstuk AF. 112, is 'n brief wat ek gekry het by Corlett Drive 215, Bramley, op die 17de November, terwyl ek by die huis was. Die brief is geskrywe deur die vorige werknemer van die beskuldigde. Die adres is - ek sal die brief uitlees. Die adres is van Magotho School, P.O. Koringpunt, Naboomspruit, en is gedateer 17/11/65.

"Dear Sir,

I hereby have the honour to let you know that I have arrived safely here at home, Zebedela Location. Pass my best regards to Sister Franscina and the baby.

To my surprise I have seen Franscina's photograph in the 'Bantu World', being questioned by the police about Mr. Fischer's whereabouts. Here I see her sipping her sips without any answer. You may tell me better about what I had heard.

Is Mrs. Black from holiday? Has she given birth? Pass my best regard to her and Franscina and the baby. Tell Franscina when she sends some parcels here at home she must not forget the shoes of my cousin which I promised her, secondhand shoes.

Thank you, your servant Josephina Matiba."

Die brief was gevind, Edelagbare, op die 24ste November 1965. Ek het die betrokke dag die huis besoek en was teenwoordig toe 'n slotmaker die voor en agterdeur slotte van die gemelde huis laat verwyder het. Dis bewysstukke AF. 60.

En het u enige sleutels vir die agterplaas gekry? ---- Toe ek op 12/11/65 na die woning teruggekeer het, het ke onder 'n baksteen in die agterplaas drie sleutels wat met 'n stukkie lyn aanmekaar vasgebind was gevind. Een van die drie sleutels sluit die voordeur van die betrokke huis oop. Bewysstuk AF. 61.

Ek dink u het dit al genceem. Kaptein, het u ooit die huis van Mev. Weinberg deursoek? ----- Ja, Edelagbare, op die aand van die 17de November, het ek Violet Weinberg vanaf Pretoria na haar woning geneem te Plantationweg, Gardens, Johannesburg. Daar was ook ander lede van die Mag teenwoordig. Sy het ons na die slaapkamer geneem, en in die regterkant se hoek van die slaapkamer het sy 'n stoel weggetrek en 'n val deur uit die vloer uit verwyder, die valdeur pas baie netjies in die betrokke vloer. Nadat die valdeur verwyder was het ons daar ingeklim, en daarin het ek 'n Royal tikmasjien wat in 'n plastiese sak gehou was, asook twee boeke, "The problem of the Distressed Areas." en "Spain In Revolt" gevind. Bewysstuk AF. 63. Die opening onder die vloer van die slaapkamer is ongeveer $2\frac{1}{2}$ voet. Violet Weinberg het ook drie boeke uit die boekrak verwyder wat sy aan my oorhandig het, dit is "Cry The Beloved Country", "H.M.S. Ulysses" en drie is die "Wax Shot Chronicle". Sy het aan my 'n verslag gedoen ten opsigte van hierdie drie genoemde boeke.

Wat het sy gesê in verband met daardie boeke?

----- Edelagbare, sy het gesê dat daardie drie boeke.....

MR. BIZOS: With respect, sir, my learned friend can't possibly

contend that this is admissible.

STATE PROSECUTOR: Your Worship, I submit that a common purpose existed between the accused and Mrs. Weinberg, and any explanation she was giving in connection with their activities is very relevant. It is part of the conspiracy that existed between them.

MR. BIZOS: With respect, sir, it is correct that co-conspirators that make statements, the statement of the one is admissible, but it has got to be in furtherance of the conspiracy. On the evidence before your Worship now, Violet Weinberg had been arrested, the accused had been arrested, and it was presumably something of a narrative nature, and there is authority, sir, clearly on the point, that they have to be statements in furtherance of the conspiracy and not of a narrative nature, and this must clearly have been of a narrative nature if it was a few days after the arrest of Violet Weinberg, and after the arrest of the accused.

BY THE COURT: Does the State contend that this is narrative?

STATE PROSECUTOR: With respect, your Worship, my learned friend is under a misapprehension when it comes to what narrative means, because in the case of Mayett the Appeal Court clearly defy it what an act is which can be - in regard to which evidence can be led. If I may just try and refresh my memory. The effect of the judgment is that evidence which shows the scope of the conspiracy, which shows the identity of the co-conspirators, can be adduced in evidence. I submit, your Worship, although this statement was^{not} made so much in furtherance of the conspiracy, it was a statement which was made by a co-conspirator, which shows the extent of the conspiracy, which shows the participants in the conspiracy.

MR. BIZOS: We do not know what the statement is. Your

Worship invited my learned friend to concede whether it was of a narrative nature or not, and he has not given your Worship an answer. If it is narrative, sir, it is clearly not admissible, sir, and in the circumstances so far disclosed it would appear that it is highly probable that it is of a narrative nature. It would have been completely unnecessary, sir, to have co-conspirators ^{giving} evidence, if after their arrest statements made by one co-conspirator to the police were admissible against the co-conspirator who was not present at the time and statements of a narrative nature.

BY THE COURT: I think the law is clear on the point that when it is an executive statement it is admissible, when it is a narrative statement it is not admissible. I do not know what the statement is going to be.

STATE PROSECUTOR: I think I will leave it at that, your Worship, at this stage.

VERHOOR DEUR STAATSAANKLAER (VERVOLG) Kaptein, het u ook fotos laat neem van sekere plekke? ----- Ja, ek het met 'n polisie fotograaf gereël dat fotos geneem word van die huis te 57 Knoxstraat, Waverley, Johannesburg, 215, Corlett Drive, Bramley, Johannesburg en die persele te Bettystraat 38, en Welhuterstraat 17(a). Ek het ook 'n foto laat neem van die huis te Kroondal, Rustenburg. Dit is bewysstukke AF. 172.

AF. 172, het dit betrekking op die plaas van Mev. Milindton? ----- Dit is korrek, Edelagbare. Dit is die fotos wat daar op die plaas geneem was.

Waar die huis gewys word en die buite geboue ens.? ----- Dit is korrek, Edelagbare.

Waar die beskuldigde na bewering sou gebly het? ----- Dit is verskeie fotos wat daar geneem was, Edelagbare.

Dit is van A tot G.? ----- Dit is bewysstuk AF. 172. A tot G, Edelagbare.

En AF. 173. A tot C is weer fotos van 57 Knosstraat?
 ----- Dit is reg, Edelagbare.

AF. 174. A tot K fotos van 215 Corlett Drive? ----
 Dit is korrek, Edelagbare.

AF. 175. A tot B fotos van 17(a) Wolhuterstraat?
 ----- Dis korrek, Edelagbare. Waar verskeie boeke en afrol
 masjiene gevind was

AF. 176 foto van 38 Bettystraat? ---- Bettystraat
 Jeppe, Edelagbare, daar was ook kommunistiese leteratuur en
 tikmasjiene gevind.

Het u daardie lys van boeke wat by beskuldigde
 gekry was, AF. 11, die lys van boeke, "Little Lenin
 Library," het u dit vergelyk min of meer met die boeke
 wat by Bettystraat gevind was? ----- Ja, Edelagbare.

Was daardie boeke daar? ----- Sommige - die meeste
 van die boeke is daar, Edelagbare.

Dan wil ek u graag vra in verband met Mev. Rey
 Harmel, het u haar geken, het sy aan enige party behoort? ----

* OOOR NA VOLGENDE BLADSY *

Ja, Rey Harmel, gebore Adler, Edelagbare, was woonagtig te Highweg 47, Gardens, Johannesburg. Sy is 'n genoemde Kommunis No. 234 op die lys. Sy het die R.S.A. met 'n eenrigting permit verlaat op die 16de van die 8ste maand 1963, en bevind haar tans vermoedelik in London. Die bevoegheid sertifikaat nommer wat op haar bestuurderslisensie voorkom

....

Is dit AF. 40? ----- AF. 40 is die bestuurderslisensie van die beskuldigde, Edelagbare, wat in die studeerkamer gevind was. Bewysstuk AF. 96, is die bestuurderslisensie wat aan Rey Harmel uitgereik was, en dit is bestuurderslisensie No. 870, die bevoegdheid sertifikaat nommer is 578.

En die een van die beskuldigde? ----- Die bevoegdheid sertifikaat van die beskuldigde is dieselfde drie syfers, Edelagbare, maar hulle is net herrangskik om te lees 785 en is gedateer 8/2/1959. Die van Rey Harmel sin is gedateer 28/1/59.

Tussen hakkies, 8/2/1959, watter dag van die week was dit? ----- 8/2 Is 'n Sondag, Edelagbare.

Nou een van hierdie dokumente, "Problems & Prospectus" word melding gemaak van die Steeleedale bus boikot, "Problems & Prospectus", word daar melding gemaak van die Steeleedale bus boikot? Was daar so iets? ----- Ja, deur my ondersoek dra ek kennis van die betrokke bus boikot wat gemik was teen die Morissena Bus Services, nadat die gemelde maatskappy hulle bus fooie met 'n half sent tussen Jeppe en Steeleedale verhoog het. Die boikot was gedurende Mei verlede jaar, 1965. Daar was later plaaslike kriminele vervolgings teen die opstookmakers in die plaaslike landdros-hof ingestel.

En AF. 183? ----- Ja, Edelagbare, die was ook in die

huis van die beskuldigde gevind, Edelagbare. Daar is verskeie notas opgemaak. Ek het die een in die slaapkamer gevind op die spieëltafel, die bedkassie langs die bed in die slaapkamer waarop verskeie notas opgemaak is. Ek het gevind in die tweede laai in die studeerkamer, in die boonste laai van die lessenaar, daar is ses van die notaboekies, Edelagbare, Bewysstuk AF. 183. Ek het ook op 15/11, Edelagbare, het ek 'n vingerafdruk deskundige na my kantoor ontbied, waar hy sekere bewysstukke in my kantoor nagegaan het vir vingerafdrukke.

Wat het hy nagegaan? ---- Dit is die drankbottels, Edelagbare, wat in die eetkamer gevind was. Dit is bewysstuk AF. 58, dit is die kartondoos bevattende tien bottels drank.

MR. BIZOS: Your Worship, I would like to ask your Worship to defer the question of the cross-examination of this witness, because we have not been yet given copies of the documents. I don't know what the State's intention is in regard to this. The accused would be entitled to a copy of the Preparatory Examination and documents at the end, but on the other hand, sir, if the State - and I'm sure that it will adopt a co-operative attitude and let us have these documents, I'll have an opportunity of studying them and then decide whether there are any questions to be put to the witness or not.

BY THE COURT: Is the State in a position to supply documents at present?

STATE PROSECUTOR: Your Worship, I can't very well hand the witnesses statement to the Defence.

MR. BIZOS: The exhibits, your Worship.

STATE PROSECUTOR: Yes, the exhibits will be made available.

MR. BIZOS: If copies will be made available.

STATE PROSECUTOR: No I'm sorry, we haven't made copies of all those exhibits. Many of them are purely envelopes and

bits of paper.

MR. BIZOS: Documentary exhibits in the true sense of the word.

STATE PROSECUTOR: When we have copies, your Worship, I will certainly make them available.

WITNESS STANDS DOWN UNTIL COPIES ARE AVAILABLE FOR THE DEFENCE.

RAYMOND MILINDTON. (s.s.)

EXAMINATION BY STATE PROSECUTOR: Mrs. Milindton, do you live on a farm in the Rustenburg district? ----- Yes.

Are you living there on your own? ----- Yes. I have an assistant as well.

He does not live there? ---- No, he comes every day.

Does he assist you with your farming operations?
----- Yes.

And have you a Bantu boy working for you? ---- Yes.

And is there a little cottage some 200 yards away from the main house? ----- Yes.

Now, can you remember what happened at your place last year in January? ----- Yes, I think I can remember a little.

Did anybody visit you there? ----- Yes. A man came to rent the cottage.

To rent the cottage? ----- Yes.

And what was his name? ----- He gave me the name as Charles Thompson.

Did he say why he wanted the cottage? ----- Yes, he said he felt terribly upset his wife died in an accident in the motorcar, and he wanted to be away for a little while.

Did you recognise him? Was he a stranger to you? ----- A stranger, I never knew him.

How much did he pay you for the cottage? --- Oh

well, he said he would like to stay there, it wasn't furnished nicely, it was just an ordinary little thing, he said he would pay £16.0.0. a month, but he didn't stay long.

And what arrangements did he make in regard to food? ----- I said I have no food, I'm a vegetarian myself, I never give food to anybody. He said he would get it himself.

And how many times did he come to the farm? ----- There is a special entrance to that cottage, a special gate, he used to go and come by car, I don't know, it is very far from my house, I can hardly see him.

When did he come to make arrangements? ----- I don't remember the date, I am sorry, but I know it was last year, whether it was end of January or beginning of February.

Do you remember the day of the week? ----- No, I don't remember it. It is more than a year.

Did he announce himself when he came to stay? ----- No. He said he would take it, I gave him the key, and then I used to hear sometimes the car go and come, mostly in the evenings.

What sort of car did he drive? ----- I don't know the number or the make, but it was a little grey car. A small one.

If you look through the people in court today, do you think you would be able to recognise this person? ----- I don't know.

Would you mind looking around? Is your eyesight good. ----- Do you want me to look all around?

Yes. Can you give us a description? ----- He was an elderly man, white hair and a dark moustache and wore little shorts.

What sort of a car did he drive? ----- It was a little grey car. I don't know the make. I have no idea,

I didn't take any notice.

And how long did he stay? ----- Well, I think he must have been staying there between ten to fourteen days.

Did he ever speak to you during that time? ---- I don't remember he ever spoke to me. I didn't take any interest.

Was any post ever delivered there for him? --- No, I don't remember any post coming. Because they don't deliver post to us, we have to have a postbox.

Did you know a person by the name of Braam Fischer? ---- If I know the name? I might have heard perhaps in the newspaper.

I am asking did you know a person by the name of Braam Fischer? ---- Through the newspapers perhaps, but otherwise not.

Where did you live before you moved to the farm? ----- I lived in Johannesburg, but I am on the farm twelve years in Rustenburg.

But while you were in Johannesburg, did you ever come across a person by the name of Braam Fischer? ---- Not personally, no.

Did you ever hear of somebody like that? ---- I don't remember really.

STATE PROSECUTOR: NO FURTHER QUESTIONS.

MR. BIZOS RESERVES CROSS-EXAMINATION.

BENNY BARR, (s.s.)

EXAMINATION BY STATE PROSECUTOR: Do you live at 30, John Meyer Street, Lynmeyer, Johannesburg? ---- Yes, sir.

You are employed as a salesman by Lindsay Saker Motors at 29, Eloff Street, Johannesburg? ---- Yes, sir.

I want you to look at certain documents, AF. 91

102, 104. Well, start with 88, 91, 92, 102, 104. ----- That is a receipt paid for a car.

What is the exhibit number that you are referring to? -----AF. 88.

You say that is a receipt...--- Voucher for a car.

Can you give us particulars of this car? ----- I do seem to remember it was a 1960 model Volkswagen.

Registration number? ----- That I can't remember.

Is it shown on those documents? --- It shows TJ. 136-212.

To whom did you sell this car? ---- As far as I can remember I sold this to Miss Ann Getcliffe.

Of what address? ---- I can't remember, unless it is on this. 57, Knox Street, Waverley.

Now, on what day did this transaction take place? ---- The 14th January, 1965.

What was the amount of the purchase price? ---- All told, insurance and registration R88.97.

And did your firm also arrange for the Third Party insurance? ---- Yes, sir, that is arranged through the office.

With what insurance company? ----- Union Scottish & National.

What is A.F. 91? ---- That is R4.97, that is the Third Party.

Third Party receipt? ---- Yes.

And what is AF. 92? ---- R689.00.

How would you describe that document? ---- I can't describe that at all, sir, I only describe that as the receipt number. That is the price what has been paid in.

But what is that document AF. 92, is that a document of your firm? ----- Yes, that is a document of our firm, which apparently has been given as a name purchased,

the name you know who purchase the car.

Is it a delivery note? ----- No, sir, it is not a delivery note

What is it? ----- That is just an ordinary note which has been given most probably by our offices

What is AF. 102? ----- That is the receipt for the Third Party, sir.

Yes, I think you have dealt with that. AF. 104? ----- That is also from the Third Party.

Were you the person who transacted this deal? ----- Yes, sir.

Have you any clear recollection of the buyer? ----- No, sir, I cannot say so.

STATE PROSECUTOR: NO FURTHER QUESTIONS.

MR. BIZOS RESERVES CROSS-EXAMINATION.

- COURT ADJOURNS -

ON RESUMPTION OF COURT:

VERA PATRICIA SPALDING. (s.s.)

EXAMINATION BY STATE PROSECUTOR: Are you the Superintendent of Lysando Court, Tyrwhitt Avenue, Rosebank? ----- Yes, I am.

Did you know a lady by the name of Gabrielle Illois De Casttletto? ----- Yes, she was one of the tenants.

When did she occupy a flat at this building? ----- I can't remember the exact date.

In what year? -----She has been away a year.

She left a year ago? ----- Yes.

And when she left, did any letters come there? ----- Yes, letters came there, but not personal letters.

To whom were the letters addressed that were delivered at this address? ----- Well, letters for Miss Gabrielle would be addressed to Miss Gabrielle.

Yes, but did you receive any letters addressed to the name Getcliffe? ----- Yes, I did.

How many? ----- I think three came from the bank and one registered letter.

And did a person by the name of Getcliffe occupy a flat there? ----- No.

Can you remember from where the letters addressed to Getcliffe came? ----- I think three from the Netherlands Bank.

I want to show you a photograph, Exhibit AF. 181. Photo No. 28 in the book which is numbered AF. 181. Do you say that is the person whom you knew as? ----- Miss. Veglio.

Can you tell us for how long Miss Veglio stayed at those flats? ----- I should think approximately one year. I should think approximately one year.

Do you know whether she was employed? ----- No, I don't really. Whether or where?

Whether she was employed? ----- She was employed when she first came there, and I think she later went to the university.

STATE PROSECUTOR: NO FURTHER QUESTIONS.

MR. BIZOS: RESERVES CROSS EXAMINATION.

JOHANNA LANG. (s.s.)

EXAMINATION BY STATE PROSECUTOR: Mrs. Lang, you live at 18, 5th Avenue, Parktown North? ----- Correct.

And you are employed at Tara Hospital? ----- Correct.

In Saxon Road, Hurlingham? ----- Yes.

Now did you live at 18 Lysando Court, Tyrwhitt Avenue, Rosebank, before your marriage? ----- I did

And did you know a miss Veglio? ----- I did.

Did you share a flat with her? ----- Yes.

And was there a phone in this flat? ----- There was.

Can you remember the number? -----42-5168.

From when until when did Miss Veglio live at these flats? ---- Of the exact date I can't be sure, but we moved in there - I think the middle of '63.

And until when did she live there? ---- I think approximately until the end of February, 1965.

And where did she move to when she left the flats? ---- She went overseas when she left the flats.

Did she go anywhere before she went overseas? ---- She mentioned to me that she was going to stay in a house in Waverley for a while.

Did you visit her there? ---- Never.

Did she visit you after she had left the flat? ---- She didn't visit us, she came for the odd clothing. Her requirements.

Do you know when she left for overseas? ---- I don't know the date, no.

When did she move out? ---- As far as I know at the end of February, but I can't swear to the date.

Now, did you know a person by the name of Ann Getcliffe? ----- No, I didn't know her.

Was this name ever mentioned to you? ----- It was mentioned to me in that Miss Veglio said if a phone call came for a miss Getcliffe, I must tell her about it.

Did any phone calls come for this...----- I never received them.

Would you mind looking at the book, I can call it the album book, AF. 181, and see if there is any person that you can identify as Miss Veglio? No. 28? ---- Yes.

Did you ever hear from her again? ----- Yes, she

writes to me.

Oh, does she write to you. From where? ---- From London.

STATE PROSECUTOR: NO FURTHER QUESTIONS.

MR. BIZOS RESERVES CROSS-EXAMINATION.

PETA LYNETTE PICKTON. (s.s.)

EXAMINATION BY STATE PROSECUTOR: Miss Pickton, are you still living at 18 Lysando Court, Tyrwhitt Avenue, Rosebank? ---- Yes.

And you are employed by D.F. Saunders, 64, Eloff Street, Johannesburg? ---- Yes.

Did you move into those flats in 1964? ---- No, last year.

Last year, in what month? ---- I think it was August, I don't remember exactly. It was in the middle of the month.

You say August? ----- I think it was August, I'm not too sure.

Now, while you lived in this flat, did any phone calls come there? ---- Only the one that I took.

For whom? ---- A gentleman asked me if I knew anyone by the name of Getscliffe.

Getcliffe. Did you know such a person? ---- No.

And do you remember from where this phone call came? ---- I seem to remember that he said he was an estate agent.

An estate agent. Did you know a Miss Veglio? --- Not at all.

STATE PROSECUTOR: NO FURTHER QUESTIONS.

MR. BIZOS RESERVES CROSS-EXAMINATION.

Collection Number: AK2411

Collection Name: STATE vs ABRAM FISCHER, 1966

PUBLISHER:

Publisher: Historical Papers Research Archive

Location: Johannesburg

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