is correct.

Once again I want to ask you. How many directions did the accused give to get to Pretoria? -- There is a main road from Ga-Rankuwa to Pretoria. We were driving along that main road. He only told us to go through the tunnel. He further said just after we have gone past the taxi ... (Mr. Browde intervenes)

Excuse me. I did not ask you what he said. I asked you how many times did he give directions between Ga-Rankuwa and Pretoria? -- I do not remember on how many occasions he talked to us about the direction.

This tunnel that you are talking about, is that on the main road between Ga-Rankuwa and Pretoria?

COURT : You might ask him whether it has got a name, if he gives you the name, I will tell you where it is, because I wanted to ask him that. Ask him whether it has got a name.

MR. BROWDE : Has it got a name, this tunnel? -- It is called Daspoort/Danville.

COURT : I can tell you where it is. If it would be of any assistance.

MR. BROWDE : I would be very happy to hear from Your Lordship because I do not know where it is.

COURT : You will have to take Church Street to the west. You keep going and at a stage you get a short-cut towards the road, which runs to Hartebeespoort Dam, also runs east/west, but there is a mountain in the middle or hill that goes through there.

MR. BROWDE : Did you hear what His Lordship said? -- I confirm that.

COURT : I think it is referred to as the Danville tunnel.

... / My

My Registrar tells me it is the Daspoort tunnel. I have an idea that I have seen a board there with just Danville, yes. But be that as it may.

MR. BROWDE : That is the best way to get to Church Street, is it not? From where you started? -- Yes, that is the shortest road to Church Street.

I just want to read to you what I have recorded and I just want you to tell His Lordship whether my note is C76 right. "Ons het in Pretoria in Kerkstraat" or Church Street "van wes na oos gery"? -- Yes, that is correct.

"Toe ons by die Pretoria-Wes Polisiestasie gekom het, het die beskuldigde gesê dit is die Pretoria-Wes Polisiestasie." Is that what happened? -- That is what happened.

And I then understood you to say that the Pretoria-West Police station is in Church Street? -- Yes, it is in Church Street.

So, presumably it was not necessary for the accused to give any directions in Pretoria itself? -- Well, he had to direct us, because he is the person who had the knowledge and we depended on him.

Are you suggesting that you did not know where the Pretoria-West Police Station was? Is that what you are saying? -- I know the police station just as I know my own name.

And I take it Mr. Van der Westhuizen knows the police station too very well? -- That is correct.

And I am sure that the Pretoria-West police station is known to very many people in Pretoria? It is a well-known place? -- That is correct.

As is the Volkskas Bank in Silverton? It is a very well-known building? -- If I may explain it this way. The

... / Pretoria-West

Pretoria-West Police Station is known by many Blacks from Atteridgeville, just as the Volkskas Bank in Silverton is known to many Blacks from Mamelodi. These two buildings are along the main roads from the townships I have named, the buses and the taxis pass along those roads.

And the Villieria Police Station?-- I know where it is situated. I am a policeman stationed in Pretoria, but I do not know whether it is known to many other Black people.

How does one get from the Pretoria-West police station to the Villieria Police Station? -- From Pretoria-West there are many roads that one can use to get to Villieria Police Station, if one knows where it is.

How far would you say Pretoria-West Police Station is from Villieria?

Sorry, My Lord, I do not actually know myself.

COURT : I might be of some assistance to you. Where is Villieria Police Station? Is it in Paul Kruger Street? -- No.

Do you remember the road? Michael Brink? -- Yes.

The road runs east/west? -- Yes.

Approximately 2 kilometres from Church Square here towards the west is the Pretoria-West Police Station. Running into this building is Paul Kruger Street. Runs around the square, it runs north/south. You go past the zoo and over what is normally referred to as the cutting. About 3 kilometres to the other side is a mountain or koppie. You get a road running parallel with Church Street and about half a kilometre or so to the east, you will find this police station. You probably would not find it so easily if you were to go. I am not giving you the

distances.

MR. BROWDE : I am indebted to Your Lordship.

COURT : They both lie in a road, two streets running parallel.

MR. BROWDE : Have you heard what His Lordship said? -- Yes, I have.

As I understand it, Villieria Police Station is not far off the road that one would take if one was going out to Warmbaths. Hammanskraal for that matter? -- That is correct.

Or Hammanskraal? -- That is the same road, namely Paul Kruger Street.

COURT : You did not ask him how far it was.

MR. BROWDE : Would you know the distance? It does not really matter.--Between 8 and 9 kilometres.

COURT : I think that is fair enough.

MR. BROWDE : How far is Waltloo from the Villieria Police Station? -- Between 9 and 10 kilometres.

Just over 5 miles? -- I amjust estimating, between 9 and 10 kilometres.

I must put it to you that accused no. 4 will say it was unnecessary to tell you anything how to get from Pretoria to Springs and he did not direct you to Springs at all? -- Even if we knew all those places, we were not together with accused no. 4 when he had gone to these places. It was for him to tell us how he went to these different places.

I did not ask you that. How long have you been in the police force? -- 21 Years.

Did you start as a constable? -- Yes.

And you are still a constable? -- Yes.

... / I

I think you should just listen to the question and not try and say things that might be prejudicial to the accused. I must just put it to you, because it is my duty to put it to you that the accused will say, that he did not - it was not necessary for him to direct you to Springs. You went to Springs without his assistance? -- I say he directed us.

And nor did he direct you to the Pretoria-West Police Station or Villieria? -- He did.

How many times were you in the car with accused no. 5? -- Is it now from the first time when we went to fetch him from the prison or from which stage?

You just tell His Lordship how many times were you together in a car with accused no. 5? -- I do not remember on how many occasions I had been in a motor-car with him, but I remember being with him on several occasions in a motor-car going to different places.

When you left from Denneboom, if accused no. 5 was not there, assuming it was just you yourself in a motor-car, how would you get to the Silverton Volkskas Bank? -- I could have taken two different directions.

Yes? Tell His Lordship which are the two different directions? -- I firstly would have taken the main road past Eersterus to turn at the robot towards Koedoespoort, up to Church Street. That is where the Silverton Police Station is and then there I would turn left.

And what is the other route you could have taken? -- There is another road from the police station - from Denneboom. From Denneboom I would have taken that goes past the testing grounds, the Municipal testing grounds and at the robots turn right and proceed along that street.

... / The

The bank is situated on the left hand side of the street.

Any other routes you can think of? -- No, these are the two main routes, excepting if one is at a different point in Silverton.

No, I am talking about from Denneboom? -- From Denneboom there are only these two routes.

Which one did you take on this afternoon? The first route or the second route? -- We took the one that goes via the testing grounds.

Is that the second one? -- Yes.

<u>COURT</u> : Can I tell you that is the obvious and shorter route. You can accept that.

<u>MR. BROWDE</u> : I want to put it to you that is the obvious and shortest way to get to the bank and back? -- That is correct.

<u>MR. BROWDE</u> : My Lord, there is just one aspect which I want to submit to Your Lordship. I am finish with this witness subject to one thing. This witness made a highly prejudicial and inadmissible statement in answer to My Learned Friend. Obviously he did it unwittingly. I do not blame My Learned Friend for one second. I think Your Lordship is aware of what I am referring to. He said "Van Denneboom-stasie, hoe hulle gegaan het na die bank toe." If it was meant to mean how to get to the bank, that is one thing, but otherwise it is a highly prejudicial statement and quite inadmissible.

<u>COURT</u> : I am perfectly certain, I have got two experienced assessors. It some times comes over by interpretation, the two meanings.

<u>MR. BROWDE</u> : I must tell Your Lordship now that, I think it is the appropriate moment perhaps that I want to

... / tell

tell the Court that accused no. 5 will deny having any connection with the events in Silverton bank.

COURT : Will you just formally put that as your defence.

MR. BROWDE : Yes and I ask that this, if it means what I think it means, that it be expunged from the record. If it is ambiguous, I am just going to leave it, because I am certainly not going to cross-examine on it.

COURT : I have got the note fairly at length.

MR. BROWDE : It is just after he had spoken about accused no. 5. He said "Ek was by gewees met nr. 5. Hy het ons Waltloo toe geneem en 'n rapport aan ons gemaak" and My Lord, I must say that My Learned Friend had difficulty in keeping this witness from saying things that were said and I do not blame him for a minute, but he did say "Toe is hy gevra by die Denneboom-stasie en van Denneboom het hy ons gewys hoe hulle gegaan het na die bank toe."

COURT : This is in chief?

MR. BROWDE : Yes.

COURT : "Vanaf Denneboom het hy beduie hoe hulle gegaan het na die bank. Hy neem ons toe na Silverton Volkskas."

MR. BROWDE : That is quite right. If it means how to get to the bank, that I have no objection to at all, but if it means how they got to the bank ... (Court intervenes)

COURT : He used the word "gaan" and I do not think that is very ambiguous. "Die roete wat hulle gevolg het", but we will have that expunged.

MR JANSEN : I would not rely on that passage for my argument.

COURT : Let me put it to you this way. You made the point. It is difficult. My assessors have heard it. There is other evidence on record, which I am only aware

of. We have not expunged that. Do you follow?

MR. BROWDE : Absolutely.

COURT : I know the point that you have made and you will make it at the appropriate time again.

MR. BROWDE : As Your Lordship pleases. Thank you.

HERONDERVRAGING DEUR MNR. JANSEN : Geen vrae.

HOF : Ek het nou al 'n paar gehoor dat jy sê julle het van Ga-Rankuwa afgekom en dat julle ... (Mnr. Jansen kom tussenbei)

MNR. JANSEN : U Edele, mag ek dit net op hierdie stadium sê. Ek het My Geleerde Vriend daaroor meegedeel en dit is nie relevant nie. Dit kan miskien tot die beskuldigde se nadeel wees, die kwessie van Ga-Rankuwa.

HOF: Ek moet een of ander plek begin. Of ek dit nou X noem, maak nie saak nie.

MNR. JANSEN : Ja, maar mag ek net aan die hand doen, met alle respek dat u niks vra omtrent wat by Ga-Rankuwa gebeur het nie?

HOF : Nee, ek wil net die roete weet. Ek sal vir u sê waaroor ek wil vra en as dit nie ter sake is nie, dan vra ek dit ook nie, want hoe minder getuienis daar is waaroor ek myself moet bekommer, hoe beter. Hulle het 'n roete gevat deur die Daspoort-tonnel na Villieria.

MNR. JANSEN : Ja.

HOF : En ek wil weet watter roete hulle gevat het.

MNR. JANSEN : Soos u behaag. Dit is alles reg. Ek wil net vir u 'n aanduiding gee dat u nie vrae daaroor vra.

HOF : Ek waardeer dit, mnr. Jansen.

Kyk, jy het gesê julle het gekom van Ga-Rankuwa af en julle is deur die Daspoort-tonnel in Kerkstraat by Pretoria-Wes en toe na die Pretoria-Wes Polisiestasie.

... / Dit

-- Dit is so.

Julle het met ander woorde gery van wes - op 'n stadium het julle gery van wes na oos op wat ons noem die Hartebeespoortdam-pad? Op een of ander stadium het julle by daardie pad aangesluit,terwyl julle gery het van noord na suid na Ga-Rankuwa? -- Dit is tot by die steengroewe.

Ek wil net weet hoe julle gery het. Julle het van noord gekom met 'n pad en julle het by hierdie dampad aangesluit? -- Dit is korrek.

Het julle toe links of regs gedraai in hierdie dampad? -- Ons het links gedraai om op hierdie pad te kom.

En op 'n stadium het jy gesê het julle deur die Daspoort-tonnel gery? -- Ons het toe oor die koppie of oor die berg gekom. Moet ek nou verduidelik van Ga-Rankuwa af?

Kyk, ons is lankal by Ga-Rankuwa weg. Ons is al in Kerkstraat of liewer in die dampad en in die dampad het jy links gedraai?-- Dit is so.

Nou ry jy op die Hartebeespoortdam-pad? -- Dit is so.

Op 'n stadium gaan jy deur die Daspoort-tonnel? -- Dit is so.

Moes jy afdraai? -- Ja, ons moes afdraai.

En toe in watter rigting ry julle? -- Om by die tonnel te kom?

Ja, jy ry mos na die tonnel toe. Watter rigting ry jy? -- Ons het regs gedraai.

As julle van wes na oos gery het, dan ry julle nou suid deur die tonnel? -- Dit is so.

Die pad maak 'n bietjie van 'n draai en jy kom uiteindelik

... / in

in Kerkstraat? -- Dit is so.

En Kerkstraat loop ook van wes na oos of oos/wes? -- Dit is so.

Daarso, het julle links gedraai of regs gedraai in Kerkstraat? -- Ons het links gedraai.

Nou ry julle weer oos? -- Dit is so.

En toe sê jy dat die Pretoria-Wes Polisiestasie was aan jou regterkant soos jy oos gery het of aan jou linkerkant? -- Soos ons oos gery het, is die Pretoria-Wes polisiestasie aan die linkerkant.

Kan jy onthou toe julle van die plek afgery het na die Villieria Polisiestasie? -- Ons het met Kerkstraat afgekom tot by die hoeke van Kerk - ons het met Kerkstraat gekom tot by Paul Krugerstraat.

So, julle het van wes na oos gery? -- Ons het afgery met Paul Krugerstraat tot by Boomstraat.

Nou is julle in Boomstraat. Wat doen julle in Boomstraat? -- Toe het ons regs gedraai.

Oos in Boomstraat. Ja? -- Ons het toe by die sirkel gekom en ons neem toe die linkerkantste pad.

Gaan julle hospitaal toe? -- Na die hospitaal toe.

En daar? -- Toe het ons ek dink met Voortrekkerweg, ek is nie seker nie, opgery.

Is dit nou die straat wat voor die hospitaal verbyloop? -- Dit is die straat wat by die hospitaal verbygaan.

Waar draai julle daar? Hoe draai julle daar by hom? Sê net vir my, toe julle nou met hierdie verlenging ry en julle kom by Voortrekkerweg, na watter kant draai jy? Links of regs? -- Links.

Nou ry jy met hom aan. Waarnatoe gaan jy nou? -- Tot by Michael Brink.

... / Voortrekkerstraat

Voortrekkerstraat, kan jy sy rigting onthou? Hoe het julle daar gery? Noord/suid? -- Noord/suid.

En by Michael Brink draai jy toe links of regs? -- By Michael Brink het ons regs gedraai.

Van Michael Brink - jy het netnou vir ons gesê die polisiestasie is daar in daardie straat. Hoe ver van die hoek af is die polisiestasie? Dit wil sê die Villieria polisiestasie? -- Omtrent by die hoeke van 31ste Laan en Michael Brinkstraat.

Hoeveel blokke aan is dit? -- Ek is nie seker nie. Ek kan nie skat hoeveel nie.

Is dit 'n paar? -- Dit is 'n paar blokke.

En is die polisiestasie, soos jy nou oos ry, aan jou regterkant of jou linkerkant? -- Aan die linkerkant.

Hoe het julle gekom van Villieria polisiestasie tot by Waltloo? -- Ons het reguit gery met Michael Brink tot by die sirkel. Ons het om die sirkel gegaan, die pad geneem wat na Eerstefabrieke toe gaan en ons het gery tot by die Munisipale kantore te Mamelodi. Daar het ons regs gedraai, oor die brug daar by Denneboom en toe het ons reguit gery Waltloo toe.

Jy het netnou vir ons 'n pad aangedui vanaf Denneboom die tweede roete na Volkskas te Silverton? -- Dit is so.

Hierdie pad waarvan jy nou gepraat het dat julle oor die spoor gaan, Denneboom-stasie is daar, dan is daar Waltloo. Is hierdie die pad wat ook aanloop en uiteindelik by Kerkstraat aansluit sodat jy by Silverton kom? -- Dit is die pad.

GEEN VERDERE VRAE.

FREDERICK JACOBUS PETRUS NEL, v.o.e. NR. 73 (60)

ONDERVRAGING DEUR MNR. JANSEN : Is u 'n kaptein in die

... / Suid-

Suid-Afrikaanse Polisie, veiligheidstak te Pretoria? -- Dit is reg.

U het oorhoofse beheer van die ondersoek in hierdie saak? -- Dit is reg.

Op 25 Januarie 1980 het u opdrag ontvang om na die Silverton-tak van Volkskas Bank hier te Pretoria te gaan? -- Dit is korrek.

Wat was die doel en die opdrag gewees? -- Die opdrag aan my was gewees om na die Silverton-tak toe te gaan en wat ook al die uitslag van die gebeure daar, sal ek die ondersoek daarvan waarneem.

Van enige saak wat voortspruit uit die gebeure? -- Dit is korrek.

U was behulpsaam gewees met die installering van die luisterapparaat en u het toe die betrokke kantoor beman? -- Dit is in my teenwoordigheid gedoen.

En het u daarna na die gesprekke binne-in die bank geluister? -- Ek het.

U het 'n hoeveelheid notas gemaak van wat daar gebeur het? -- Ek het.

En dit beskikbaar gestel aan generaal Verster? -- Dit is korrek.

Watter indruk het u gekry omtrent die gesprekke binne-in die bank omtrent die persone wat die beleg uitgevoer het? -- Die indruk wat ek gekry het, was dat dit opgeleide ANC terroriste is wat in die bank was.

U Edele, ek kan op hierdie stadium net die Hof meedeel, ek het My Geleerde Vriend meegedeel wat die inhoud van die volgende gedeelte van die getuienis van die Kaptein sal wees. Hy het my meegedeel dat hy nie op hierdie stadium enige beswaar sal hê nie, maar net soos by ander sogenaamde

... / uitvoerende

uitvoerende verklarings, die toelaatbaarheid op 'n later stadium sal argumenteer.

MR. BROWDE : That is perfectly correct. I formally object to it, but I do not expect Your Lordship to do anything but allow it to carry on and we will argue ... (Court intervenes)

COURT : And decide later?

MR. BROWDE : Yes.

MNR. JANSEN : Uit watter gesprekke en verklarings wat daar gemaak is deur die drie persone, soos u dit geluister het, het u afgelei dat dit ANC opgeleide terroriste is? -- Onder andere was daar gesê "ons is nie terroriste nie, maar ANC vryheidsvegters. Dit is die eerste optrede hierdie van die ANC gedurende die dag, maar dit sal nie die laaste wees nie."

U het gedurig generaal Verster op hoogte gehou van wat gebeur het en na die ontsetting van die beleg het u die bank binnegegaan? -- Dit is reg.

Het u die persone aangetref in die bank, die drie terroriste soos hulle verskyn op foto 14, ten aansien van die twee voor die toonbank en foto 21 van BEWYSSTUK E? -- Dit is soos ek hulle aangetref het.

Het u die persone van hierdie drie terroriste deursoek? -- Ek het.

Wat het u in die sak, kom ons begin by die een agter die toonbank, aangetref? -- In die een agter die toonbank se sak het ek 'n bewysboekie aangetref.

Watter bewysboek is dit? -- Dit is in die naam van Edgar Mkhize.

HOF : Is hy genommer? -- Hy is A(4).

MNR. JANSEN : Hy is later geïdentifiseer by die lykskouing

... / wat

wat op sy liggaam deur prof. Loubser uitgevoer is, deur sy ouers as? -- Hy is geïdentifiseer as Fanie Stephen Mafoko.

U het ook die twee voor die toonbank deursoek? -- Ek het hulle ook deursoek.

Wat het u gevind? -- In die een naaste aan die hoofingang, dit is die een wat op foto nr. 17 van BEWYSSTUK E getoon word ... (Mnr. Jansen kom tussenbei)

Watter klere het hy aan? -- Hy het 'n ligte grys baadjie aan. In sy sak het ek 'n bewysboekie gevind in die naam van George Celani Mbhele.

Is dit die bewysboekie, BEWYSSTUK A(2) hier voor die Hof? -- Dit is korrek.

U was ook teenwoordig toe die lykskouing op sy liggaam uitgevoer is? -- Dit is korrek.

As? -- As Wilfred Madele.

Is hy geïndentifiseer? -- Is hy geïdentifiseer as Wilfred Madela.

Het u ook die ander terroris deursoek? -- Ek het die ander een deursoek. Hy is die een met die swart baadjie op foto 14. Hy is ook op foto 18 van BEWYSSTUK E.

Wat het u in sy sak gevind? -- In sy sak het ek 'n bewysboekie gevind in die naam van Kenneth Oupa Jolobe

Is hy later ook op 28 ... (Hof kom tussenbei)

HOF : BEWYSSTUK ? --A(7).

MNR. JANSEN : Op 28 Januarie is hy ook aan u geïdentifiseer by die lykskouing? -- Dit is korrek en hy is geïdentifiseer as Tame Humphrey Makhubu.

Het u verder iets in van die sakke gevind? -- In die sak van Mbhele, dit is die een met die grys baadjie, was ek teenwoordig toe vier handgranate uit sy sakke gehaal

... / is

is.

Is dit die handgranate wat ... -- Dit word op foto 11 gewys van BEWYSSTUK E.

U het u ondersoek verder gevoer. Wat het u ondersoek opgelewer? Hoeveel persone is in die bank as gyselaars aangehou? -- Daar was altesaam 31 persone aangehou.

Op 28 Januarie 1980 het u vanaf prof. Loubser 'n sekere artikel ontvang? -- Ek het, onder andere, van prof. Loubser 'n koevert ontvang wat gemerk was 117/80.

Wat was daarin? -- Daarin was 'n koeëlmantel gewees. Dit is die koperomhulsel van die koeël.

Dit is die koeëlmantel wat prof. Loubser hier getuig het in die hof wat uit die liggaam van mev. De Klerk verwyder is? -- Dit is korrek.

Het u ook op 28 Januarie 1980 vanaf dr. Erasmus 'n koeël ontvang? -- Dit is korrek.

Die koeël wat na bewering verwyder is uit die liggaam van mev. J.A. van Wyk, die klaagster op aanklag 8? -- Dit is korrek.

Op 28 Februarie 1980 het u ook vanaf dr. De Klerk 'n koeël ontvang? -- Dit is reg.

Is dit die koeël wat na bewering verwyder is uit die liggaam van mev. E.E. du Preez, die klaagster op aanklag 5? -- Dit is reg.

Op 13 Maart 1980 het u ook 'n koeël ontvang vanaf prof. Franz? -- Dit is korrek.

Is dit 'n koeël wat na bewering verwyder is uit die liggaam van mnr. Knouwds, die klaer op aanklag 9? -- Dit is reg.

GETUIE STAAN AF.

HOF VERDAAG TOT 10 SEPTEMBER 1980.

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