

IN THE SUPREME COURT OF SOUTH AFRICA  
TRANSVAAL PROVINCIAL DIVISION

In the matter of:-

THE STATE

v.

FREDERICK JOHN HARRIS

- RECORD OF PROCEEDINGS -

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ON RESUMING ON THE 20TH OCTOBER, 1964:

FREDERICK JOHN HARRIS, still under oath

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CROSS-EXAMINATION BY MR. MOODIE (CONTINUED):

You fetched the suitcases from the University on the 11th of July?---Yes.

Now, you came back to Mr. Helmsstead's place was it?---After I had fetched the suitcases, yes.

You came back to her place. Now did you tell your wife you had fetched suitcases?---No, I did not tell my wife I had fetched the suitcases. She stayed there with Mrs. Helmsstead. 10

You were there for about an hour?---From ..maybe even a bit more.

And you drove off home?---Yes.

With the suitcases in your car?---Yes.

Now, when did you look at those suitcases? ---I looked at them in Mrs. Helmsstead's office.

Having cut open the suitcases?---Yes.

You carried them to the car in that condition? ---Yes, I cut them open and then carried them to the car, after I cut them open. 20

You saw that there was dynamite?---Yes.

Fuses?---Yes.

Cordex?---Well, I was not sure what all the stuff was. I know now.

Yes, but you had been told on the 8th of July, or 9th of July...the 8th of July, you had been told?---Yes.

You were told how to manufacture explosive bombs?---Yes.

So you knew what was in the suitcase?---Yes. 30

You recognised this?---No, I looked through

that first manual, and saw what Comex was.

Oh, so you did study the manual?---I looked through that home-made manual.

Whatever manual, you did look through it?---  
Yes, oh yes.

And you identified what was in the suitcases?  
---No, hang on, I think you have got it wrong. I did not look through the manual then, do you follow? I am sorry...

Did you see that there were manuals in the suitcases?---Oh, there were a lot of books in the suitcases. 1

Well, let us do it this way - you left in your car to fetch the suitcases at the University?---Yes, oh yes.

How long were you away?---I suppose half an hour or three-quarters of an hour.

And during that time you merely cut open the suitcases and saw what was inside them?---Ja.

You say at that stage you did not study the manual?---No.

But you saw that there was dynamite in the suitcases?---Yes. 2

And other articles?---Yes.

Watches?---Yes.

Batter ies?---Yes.

Electric wire?---Yes.

And other articles?---Yes.

Now, you took those and you took them home?---Ja.

Where did you leave them that night?---I put them in the garage.

What happened to the suitcases?---I took the 30 things out of the suitcases in which they had been, and I

put them in some suitcases I had, and then I chucked away the original suitcases.

Where?—Next to the Main Reef Road.

Next to the Main Reef Road - how far from your house?—On the way to town, about half-way, a little more than half-way.

Does this convey anything - a few miles from your house?—About...I would say about 6 miles.

So,...?—On the way to town.

So, the contents of the original suitcases were in your garage that night?—Ja.

Did you tell your wife about the contents?

—No.

The next day, what did you do with those suitcases?—I took them to Johannesburg to the left luggage.

Three suitcases?—Yes.

In which you had packed the articles which you had found in the cupboards at the University?—I think one of the suitcases, I little suitcase I put inside a big suitcase, so anybody observing, it would have been two suitcases, but there were three suitcases.

You left them there on the 12th?—The day after, yes.

Now, the 13th was a public holiday?—Ja.

You saw Lloyd on the 14th?—Yes.

Where was that?—At ... near that open air café, drive-in café near the Ice Rink.

What time of the day was it?—In the middle of the day.

Now, did he contact you, or did you contact him?—No, I contacted him.

You knew he would be there?---Ja.

For what purpose did you contact him?---I contacted him to tell him what had happened.

What did you tell him had happened?---Well, everything as far as I remember, that he had been...that while he had been away Hugh Lewin and Mutch had been to my house. Actually, you know, it...I...it occurs to me that he had known...he knew some of this, because he had seen Hugh that morning, the morning before he went away, I told him about that, seeing the Mutches and Hugh 10 and then I told him about...well, everything they told me. Everything that I could remember that they told me.

You say Lloyd knew Lewin?---They shared a flat.

And he had seen him the day he went away?---Yes.

Well, what day was that?---I can work it out. It must have been, it must have been the 9th. The day after...yes, the 9th.

So Lloyd saw Lewin on the 9th?---Ja.

Are you sure of that?---Well, that is what he 20 told me.

So Lloyd knew then from Lewin all about the arrests?---I do not...I do not remember how much Lloyd knew. I think he said he had just seen Hugh. I do not remember how much he knew.

You see, Mr. Lloyd says he was away in Natal on holiday, and only came back on the 13th?---Ja, he hitchhiked down to Pietermaritzburg for the week-end.

He said he had been away for a week or two weeks in Natal?---No, it was not as long as that. 30

So he is wrong there?---I am sure it was not

as long as that.

Very well. Is your recollection perhaps faulty?—No, because I am...I am quite sure he said that he had seen Hugh and Hugh had told him something. Something of what had happened, but there was some point about not being much time. Hugh had just dropped in at the flat or at the office, and they had had some contact.

Now, what actual discussions did you have with Lloyd that day?—Well, we were in my father's kombi, I borrowed it because my car was being serviced, I think, 10 and I said to him, look, these blokes have gone, one's gone and one's arrested, and I have been thinking about it, and it is very obvious that the situation is a tight one, tense one.

Yes?—And there must be some sort of further move in the situation. I said what I think is that it is a situation which is so delicately poised, that by giving a push in the right way, the right push at the right place, you will get a...a re-distribution of forces.

What actual conclusion did you two arrive at 20 that day, Mr. Harris?—Do you mean after we had discussed everything?

Yes?—Well, I said to him that he was right, and that some sort of action was necessary, and it seemed to me that seeing that he had volunteered to do something about the Pretoria Office, to go and have a look at it and so on, he was from Pretoria I think, that it was a pretty good idea, so the conclusion was that I would do something, and he would do the Pretoria Post Office.

What was that something you were going to 30 do?—Well, at that stage, nothing specific had been

mentioned for me to do. That is the 14th, that is the first time we met.

Did your conversation end on that note?---Yes.

That is all that happened?---You mean, we got to details, that as far as we went.

That is as far as your conclusions went?---Ja.

And did he take a leading part in this conversation?---Well, as I recollect it, I did most of the talking.

You were in the dominant position?---Ja, I mean, I was the one who was providing information. 10

Did you tell him that day that you had the explosives?---Yes.

Did you tell him what the nature of the explosives was?---Yes, oh yes.

Did you tell him where the explosives were?---Yes.

Did you tell him what you intended doing with those explosives?---Do you mean keeping them, where keeping them?

Keeping them?---Well, at that stage, there was not any decision as to where to put the explosives. 20

Not on that day?---No, no, no.

Did you tell him then what you intended doing with the explosives in the more active sense?---No, at that stage, the only discussion about doing things, was that he would do something and I would do something, that was the conclusion of our discussion.

With those explosives?---Yes, with those explosives.

What was he going to use?---He was going to use...for the Pretoria Post Office, he was going to use a 30

certain amount of dynamite, I do not know if we discussed it that day, but definitely eventually we discussed it.

No, I am asking you about this day?—Well, I will tell you what the answer is, that I cannot tell you exactly which day.

What was he going to use?—He was going to use some dynamite and some sort of petrol.

But you cannot recall whether this was decided on the 14th or not?—Let me think - No, I really cannot be sure about that. 10

Why not Mr. Harris?—I just cannot. I mean, you cannot remember everything.

I see. Did you arrange to meet again that week?—Ja, we met two or three times that week.

By arrangement?—Yes.

When was the next meeting?—Some time during the middle of the week I think...some time during the course of the week.

Yes, when was that? Can you help us there? —Well, we met on the 14th. I am sure of that, that was 20 the Tuesday, and we met at the end of the week, and we met inbetween, but I cannot... at the end of the week, it was a Friday night and the Saturday for lunch at the Hotel, and some time inbetween. I forget which day.

Now, there were only two days inbetween, because you met on the 17th and again on the 18th?—The Friday and the Saturday.

The 15th or the 16th, one of those days you must have met?—Between the 14th and 17th.

You saw him on the 14th?—Yes. 30

You had dinner again on the 17th, and you met

on the 18th?—Yes, that is right, quite right.

On the 15th or 16th you met?—Ja.

What happened at that meeting, on either the 15th or 16th?—Well, at that meeting I had had the idea of going ahead...well, I had had the idea earlier, on the 14th of doing something. So, on the ... and I was quite set that it was necessary to act, so over the next day or so I thought about it, and then I thought of doing something... of doing this thing at the station, in the left luggage. So, when I met John again some time in the middle of the 10 week, the discussion went on and it was about the...it was on the basis of his still doing the Pretoria Thing. He had not been across to Pretoria by then, plus my doing the station, plus thirdly, his doing a car.

This is what you had been thinking about between the meetings?—Yes.

BY ASSESSOR MR. HART TO WITNESS: Was this before or after you had seen Mrs. Swersky?—No, I had seen her in the meantime. I had seen her.

Can you remember when you saw her?—I saw her 20 on the 14th, on the 14th, and I think the 15th or 16th - the 15th I think. Definitely I saw her on the 14th, and then a short while after that.

CROSS-EXAMINATION BY MR. MOODIE (CONTINUED):

What had you discussed at this meeting with Lloyd?—By then I had had the idea that...this is the second meeting?

Yes?—I had the idea that I would go ahead and doing something, this left luggage idea, and he would do the Pretoria thing, and he would do a car.

30

Yes?—Yes, that is right.

What conclusions did you arrive at at this second meeting?—Well, about that?

What was your definite decision on that day? —That he still had to check up on Pretoria. He was going to come across to Pretoria one day or one night, and have a look at Pretoria, at the Post Office, and that I would do the station — that was decided, and that he would look around at a parking garage.

And on that note, that meeting ended?—Mm.

And you saw him then again on the 17th?—Yes. 1^

At dinner?—Yes, he came out.

And did you discuss these sabotage attempts further that evening?—Not very much. It was more or less a social evening, and most of the discussion...he was a bit mixed up I think, and most of the discussion that he remembers as being on that night, was on the following day, the Saturday, at the lunch.

So, you did not really discuss sabotage attempts on the 17th at all?—I ... my recollection is that we discussed on a small scale. Just, you know, some limited discussions.

Was it a continuation of the previous meeting? —Yes.

Alright, you met him on the 18th then?—Yes, that is at the hotel.

And you had a serious discussion then?—Yes.

And what conclusions did you arrive at on that day?—Well, that was quite a big discussion.

Yes?—You see, he works on a Sunday paper, and so he worked all day Saturday, preparing the paper. That 30 was his lunch hour, and he took more than an hour, and then

he came up and we met at the hotel, and he by that time, had been to Pretoria, I remember there, it was at the hotel, I can remember he was sitting there, and he did this, or this with his fist, to show the size of the opening. I can remember it was definitely at the hotel, and that was the Pretoria idea. And by this time, by this time, I had seen Mrs. Swersky a couple of times, and she had...yes, that is right, and she had mentioned this Israeli idea, of the warning telephone calls, and I had realised that that idea would tie in absolutely perfectly with the other 10 idea, with the original idea of doing...of having the bomb in the waitingroom, the left luggage at the station.

BY THE COURT TO WITNESS: That is what I would like to know - why did you change your mind?---It just fitted perfectly.

Why did you change your mind and not blow the bomb in the left luggage with the warning? Why did you change your mind and decide to explode in the concourse? ---Immediately I had this idea...well, immediately this idea sort of joined together with the original idea, it 20 seemed to me to form a perfect unity. Just immediately had a sort of...it had a sort of magnificence about it, that the original idea did not have. You see, the original idea had its point - it was quite a good idea, it had its point. It would have had impact on public opinion, but the minute you added to that, this idea which enabled it to be a more public affair, the minute that happened, gee, immediately it became a much better business. A much more significant business.

CROSS-EXAMINATION BY MR. MOODIE (CONTINUED): 30

Well, when did this idea first strike you then?

—The idea of the station at all?

No, the station...the alterations, from the baggage room to a public demonstration?—Let us see - I suppose about the Thursday.

That would be the 16th?—No - which week? It was either the end of that week, or early the next week.

It is quite easy, you saw Lloyd...?—Yes, about there.

Monday was a public holiday?—Ja. 10

And you saw Lloyd on the 14th?—Ja.

The 15th, 16th you are not certain when you saw Lloyd, the 17th you met him at dinner?—Ja.

On the 18th you saw him again?—Yes.

On the 16th...?—I had had the idea, yes. It was my idea.

It was your idea?—It was my idea, putting the elements together.

Did you tell Lloyd about this on the 17th? —The 17th or 18th, whenever we had the full discussion..20 a fuller discussion.

Can we exclude the 17th?—As for being when I told him about it?

Yes?—No, I cannot be more sure than that. I am sorry, it was the one or the other or both, that we discussed it.

You then told him that a spectacular demonstration in the station itself, was far better than in the baggage office?—Much better.

You told him that?—Yes. 30

And you told him you had thought about this

during the week?—Yes.

What was his reaction?—Well, he said that he could see there was some point in it, that there was a... it was a more grand idea, and then he said he wanted me to explain it a bit. So I explained everything to him, and then that was that, but then we had the three ideas more or less, in principle, organised.

That is the explosion in the station itself?

—Ja.

The parking garage and the Pretoria Post Office - all on the same day?—Yes. 10

BY ASSESSOR MR. HART TO WITNESS: Was there then any talk about danger to life?—Well, it came up vaguely. I can remember vaguely, and I explained to him how I caught trains a lot, every day twice in and out, and I had seen people being switched around like sheep when there was an instruction on the loudspeaker. If they cancel a train and they say you go to platforms 7 and 8, rather than platform 3 - it is like termites just wheeling across. So I explained to him, look, there will be these warning tele- 20 phone calls, consequently the railway police will act on these warning telephone calls, consequently, this is all perfectly logical - consequently people will be diverted away, and there is not any danger.

BY THE COURT TO WITNESS:

Suppose the police thought it was a hoax?

—Sorry, this is how the gentleman asked me how I felt at the time.

Yes, but did you think of the possibility, that the police might think it is a hoax, and not clear the public?—No, I did not think of that. It just seemed 30 to me, to make hundred percent sense. I mean that is why I made the telephone calls.

CROSS-EXAMINATION BY MR. MOODIE (CONTINUED):

You saw Man Swersky on the 14th?—Ja.

What time?—Some time in the afternoon.

Why did you contact her?—She contacted me actually. She...you see, ...I thought, no - she and I had been at University together, doing a common course for about two years practically, maybe even more. We had just been parallel in the same group for most of the time, and we had often been seeing each other.

And you told her that you had become involved in sabotage?—Ja, I did not really. I did not plan to, but it just came out, because she was a very nice girl. 10

You wanted someone to talk to?—Ja.

You also told her, you had in a sense been put in charge?—Yes, oh yes. I mean I felt...

You wanted someone to know about this?—Yes, and how!

And on the 14th, did you tell her that you had explosives?—Man, I am not sure - it was the 14th or the 15th. 20

Now, would it not have been logical if you had told her the details that you were in charge, to have told her you had explosives?—No, what I am thinking it, it was on the 15th ...it would have been logical, but I do not recollect exactly that.

You do not recollect that?—I remember feeling, very happy to be able to talk to her. She is a very nice girl.

When you talked to her, you already had the idea of a bomb at the station?—Yes. 30

That would be in the baggage room?—Not ori-

ginally...yes, when I talked to her, it was originally. I can recollect this very clearly, originally when I talked to her, I laid great stress on the need to do something. To act on some basis, but I think it was only that night or the next day, that I remember that I thought of the station. It was my idea, the station.

Well, that would be the 15th?---Ja.

That would be the 15th?---Yes.

You saw her again on the 15th?---Yes.

And you discussed sabotage again?---Ja, that 10 was when I asked her if I could keep the stuff there.

And she said, yes, and you went and fetched the parcels?---No, I had them in my car. I just had a feeling that I can rely on Ann Swersky, she is...she will go along with me.

So, you fetched the suitcases from the station and went to her place?---Mm.

And you knew that she would co-operate and allow you to store it there?---Well, I mean, you cannot say knew in a certainty sense. If she had not, I would 20 have taken it to somewhere else, but I had...I mean she is such a worthwhile person, that I was pretty sure she would not oppose.

So, you then stored the articles in her storeroom?---In her underground cellar, or underhouse cellar.

And on that day, did she give you the key?  
---She gave me the key on one day. It must have been that day, because I took it away and had a duplicate cut and came back and put the duplicate in her bathroom or kitchen window. 30

That was on the 15th?---I did not bring it back

on the same day.

On the 16th?---I do not recollect which day I brought it back. She was not at home the day I brought it back.

BY ASSESSOR MR. HART TO WITNESS: Mr. Harris did she encourage you in this plan?---Did she encourage me? She did not.

Or did she try and dissuade you in any way? ---No, I felt she went along with me, that is why I liked talking to her, because she did not...because she went along with me, and I think I told you, she is very intelligent I always thought.

10

EXAMINATION BY MR. MOODIE (CONTINUED):

Now, on what day was it that she mentioned that in Israel they had something similar?---I think it was the Thursday.

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That would be the 16th?---Yes.

And by something similar you meant the Underground had placed bombs and then issued telephone warnings?---Yes.

Now, obviously, if you at that stage were planning and explosion late at night, the question of a warning would not come up, would it?---No, it didn't come up at all.

Because it would not be necessary?---Ja.

So that it was at that stage then that the idea was planted in your mind of having a spectacular demonstration in the station with the necessary warnings?---You must get 10  
it clear - it was my idea. I mean, she just happened to mention this, and I was the one who put the two ideas together.

You accepted it?---Well, she didn't intend it to be fitted together...

You don't know that, but in any case you were in a receptive state of mind?---Oh, yes.

You have told us that already?---To the idea?

Yes?---It didn't sink home immediately. It was afterwards, when I had gone away, suddenly it clicked.

You have no doubt heard of explosions in Algiers 20  
and in France and Israel, by that time? Reading newspapers?---I have heard of explosions, of course.

And this idea of a public demonstration appealed to you?--- Of course it appealed to me.

And it immediately struck you that the baggage room was no good - it was the concourse that was best -or somewhere in the station?---I would not say the baggage room was no good. I would say that this was much better.

But then you had to have a system of warning?---Ja.

Because of the danger?---Of course.

30

You know, of course, from your own knowledge, that the Johannesburg Station is a huge place?---Yes.

It covers several acres, I should imagine?---Ja.

Did you decide, then, in your mind, where you were going to put this bomb?---Yes, somewhere in the centre of the actual concourse.

Did you tell Mrs. Swersky this?---I don't know whether I saw her again after that. Yes, I did. I saw her the next week.

On the 16th this idea appealed to you and you had 10 made up your mind?---Ja.

That is after you saw Mrs. Swersky?---Yes.

Is that correct?---Yes.

So that when you saw Lloyd on the 17th or 18th, your mind was made up?---Oh, yes.

Did you try to dissuade you from this?---It was a new idea to him.

No, did he try and dissuade you?---Oh, no. He was... he just sat and listened, and then I explained everything to him, and asked him questions and he asked 20 some questions, and that was that. It was decided.

Did he raise the question with you as to the possible danger of injury?---I don't remember whether he raised it, or whether it came up in the conversation. I don't know how it originated, put it that way, but once it had come up it was disposed of, by the warning idea.

And you disposed of that?---Ja.

He suggests, of course, that the risk of danger was never entirely excluded?---It was disposed of... it was put away.... 30

No, I am just saying what he says!---Well, I

don't want to argue with John, but I don't remember that at all.

Is it possible that he did say so?---That he said so?

Yes!---I don't remember it at all. That the risk was never entirely precluded?

Yes!---No, he accepted what I said.

He accepted that there was no risk?---Yes.

You accepted that there was no risk?---Of course. That is why I was able to convince him. 10

When did you first think of the idea of petrol? ---That was out of the original idea of the waiting room. The left luggage room.

When did you first think of the idea of petrol? ---Well, I suppose it had been in my mind from the posting boxes idea.

If your explosion was in the baggage office, late at night, then of course the necessity for petrol for a spectacular demonstration was quite unnecessary?---Yes.

Is that so?---Sorry... if the explosion... say 20 it again?

As originally contemplated, in the baggage room late at night, then as a spectacular demonstration, the petrol was unnecessary?---Yes, you would not see it flash.

So, now, when did you first think of petrol being added to this bomb as a form of spectacular demonstration?---It was in my mind all along - from the posting box idea, I can remember.

Is it not so that it was in your mind the moment you decided that the explosion was going to be in the 30

concourse?---It was in my mind then, yes.

Wasn't that the first time that it came into your mind?---No, because... I will tell you how I know, because when I jotted down the plan, right from the beginning when I jotted down the plan, it was on that basis, that there would be petrol with the dynamite in every case.

In every case?---Ja.

BY ASSESSOR - VAN DEN BERGH: Even if it was to be in the luggage room?---Yes.

So you did intend to use petrol there as well? 10

---Yes, oh yes. Mr. Moodie asked me that.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

Why I asked you that was because I seemed to recollect that when you were given information and instruction on the 8th of July by Mutch and Lewin, there was no mention of petrol.---No, they had mentioned the petrol on the previous occasion. At least Lewin had mentioned the petrol on a previous occasion when they were talking about the postal boxes.

And when was that?---It had come up a couple of 20 times. There was one major discussion about it, I would say, it was sometime between the 20th of June or a month or 6 weeks before that.

Was it the organisation that discussed this?--- Well, I don't know if everyone in the organisation discussed it.

Who was there?---Myself, Lewin and Lloyd.

BY THE COURT: When was that? About?---Not later than about the 20th or 25th of June. It was before that. It was a Saturday night. It was about what could have been a 30

month or six weeks before that.

When you discussed it?---Yes.

BY ASSESSOR - VAN DEN BERGH: That means sometime during May?

---May/June - yes, that is correct, May/June.

CROSS-EXAMINATION BY MR. MOODIE: (Continued):

So you knew that if you used the concourse you would have a bomb containing the explosives?---Yes.

And a quantity of petrol?---Yes.

That was absolutely clear to you?---Yes.

You knew that that was absolutely essential for your purposes?---Yes. 20

Now, you didn't see Lloyd again, after the 18th? ---Of June?

No, the 18th of July!---No, I didn't see him after the 9th of July.

Lloyd!---Oh, I am sorry - I thought you said Lewin! Yes, I saw him again. I saw John Lloyd again.

When was that?---I saw him on the 21st - that is the Tuesday.

Yes?---And that is all. 20

You last saw him on Tuesday, the 21st?---That is the 21st, ja.

When did you last see Mrs. Swersky?---Sometime during that week, I saw her.

Can you recall when that was?---No, I am sorry. About during the course of that week.

Did you reaffirm to both that your intention was firm to explode a bomb in the concourse of the station?--- Did I reaffirm? Do you mean did I tell them again?

Yes?---Well, I hadn't changed my mind at all. 30

You had not changed?---No. No.

These are the only two people who knew about this plan of yours?---Specifically.

Well, in any other way?---Do you mean details about it?

Yes? That you were going to explode a bomb in the station - these were the only two people who knew that? ---That I was going to explode a bomb in the station?

Yes?---Yes.

You told no one else?---No. I will tell you - 10  
it might have... I might have slipped some details, but not ... well, when I say details I mean reference to the fact that I was going to do something, to my wife, but I did not tell her anything in detail, because right from the beginning she said she did not want to have any knowledge of anything like that that I was doing, and I tried very hard not to tell her anything.

Did you tell her something about it?---Well, I tried jolly hard not to, and I hope I didn't.

Can we help your memory? Did you or did you not 20  
say anything about your proposal?---Well, I tried pretty hard not to, and I think I succeeded.

So you didn't tell her anything?---Ja.

So Swersky and Lloyd were the only two that knew?---(No answer).

When did you type this note - the one that has been handed in as Exhibits "3" and "4"?

BY THE COURT: Is that the Doctor Verwoerd one?

MR. MOODIE: Yes, it is.

THE WITNESS: I typed that sometime just before the middle 30

of the month - the middle of July.

Can you be more specific?---Well, you could say..  
let me put it this way, in the second quarter of the month,  
there you are.

Would that be after you had seen Lewin and Mutch?  
---Ja.

Did they plant the idea in your mind?---No.  
This was your own...these were your own thoughts?  
---Yes.

You typed this letter on your type writer in the 10  
second quarter of the month?---Yes. I had two type writers,  
and I did it on the home type writer.

When did you show that letter to Lloyd?---When I  
first saw him, on the 14th.

And you brought it with you in order to show him?  
---Ja.

Why?---Well, I thought it was a very good idea,  
and I wanted to share it with him. That was the idea.

Did he approve of the idea?---He didn't, you know.  
He said... he said... he was rather negative. He threw 20  
damp water on the idea. He said this is not going to have  
any effect. He said something like "I don't know why you  
think it is going to have such potency. It is not going  
to have any effect because it is not going to be accepted  
by Dr. Verwoerd, because he knows perfectly well - he has  
got lots of information - and he knows perfectly well that  
it cannot be carried out - the Organisation is smashed".

So what did you do with this letter?---I scrapped  
the idea. He was right.

What did you do with the letter?---I took it home 30

with me, I think. Put it in the car, or my pocket, and took it home.

Is that all you can recollect about this letter?  
---Well, obviously I put it at some stage, at the Swersky's, because it was found at the Swersky's.

But you did not know how it had got there?---Yes, now I recollect perfectly clearly... wait a minute! I took that - that note - and I shoved it into the side pocket of the car. The plastic leatherette pocket of the car, and it stayed there for a couple of days, and then, when I was at the Swersky's, two days later I don't know - probably something like that - at 33 Oxford Road - when I took the stuff out I thought to myself "Well, I have got this note here as well - shove everything together", and I put it in one of the plastic bags. I think there was only one big plastic bag. I put it in one of the suitcases, and I put all the suitcases I had with me in her suitcases - or their suitcases. 10

Why did you keep the letter?---I am a hoarder. I just keep things. 20

I see. Did you show it to Mrs. Swersky?---No, no, I didn't. There was no point in showing it to anybody that I sort of wanted to discuss it with, because it did not exist any more.

I have asked, and I will ask again, two features of this letter. "We have plans for such killing and with great reluctance we will put these plans into operation if you reject or ignore our initiative". I don't think I am taking that out of context, because you know the rest of the letter quite well.---Ja. 30

What did you mean by "We have plans for such killing"?---Well, obviously, if you are going to make a threat that is going to have some sort of sharp impact, you must energise it.

Yes?---Yes. You must... if I just write a letter to you and say "Do this", and it is something which you do not want to do, you will just chuck it away, but if I write a letter to you and I say "Do this, or else...", and then I say something dramatic, then it makes contact, straight away.

10

You say that this was not seriously meant?---No, it wasn't.

It was not?---No. That is why we dropped it.

The other passage is this: "We remember Sharpeville, when your police massacred 69 of us. We also remember the lies you have told about Sharpeville, how you suppressed the truth"---Yes.

Now, what did you mean to convey "when your police massacred 69 of us"?---Sixty nine South Africans.

You didn't perhaps wish to give the impression that a Bantu was the originator was the author of this letter?---No, why should it be?

20

Not at all?---No, why should I? As far as I am concerned there are 17 million South Africans. That means if you are Jewish, or not Jewish - you are as much a South African as I am.

So that was then "when your police massacred 69 South Africans"?---Yes, black and white.

Now, that letter went into the plastic bag which was found at the Swersky's place?---Yes, that is so.

30

(May I sit down, please? BY THE COURT: Yes!).

There were other papers in your motor car as well?

---Yes, I think they were in the cubbyhole - that is where I kept the...

And you didn't remove those from your car?---No.

It didn't strike you to do so at the time?---I just... which were they? I just neglected the possibility.

Now, that property remained with the Swerky's until what day?---Until the police got there, Until the 25th.

10

Did you remove anything from that cellar prior to the 24th?---Yes, I went back to the cellar and I fetched a couple of detonators and 8 sticks of dynamite.

When was that?---That was pretty early... about Monday the 20th.

Was that for the purpose of making the station bomb?---Ja.

Was Mrs. Swersky there when you removed this stuff? That was the Monday?---I think so, yes.

Did you tell her that you were removing some dynamite?---Yes.

You told her?---Ja.

And the batteries and watches and the fuses?--- Well, I didn't take the batteries. I will tell you why - they looked so small to me, and I thought these batteries could not possibly be effective - they cannot do it - they must be for something else, so I went and bought two big batteries.

I see.---Super Number 3, they were called.

You also bought the batteries that day?---I am not 30

sure, It was early that week.

You were there on the 20th, you removed the dynamite and other articles, and you saw her again on the 21st? ---No, I cannot remember exactly which day. I saw her several times. I saw her,...

You told us a few minutes ago that you last saw her on the 21st? The Tuesday.

MR. PHILLIPS: No, that is not correct, my lord. All he said was that he saw her in that week.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

10

Didn't you say that you saw her on the Tuesday?--- I am not sure which days I saw her that week. I saw her in the early part of that week.

Didn't you see her on the Tuesday?---I might well have, really. Quite easily.

You probably did?---I don't know.

You went back, and you told her that you had removed these articles to make a bomb?---Yes, I went back and told her that I had removed...

Yes?---She was there when I took them, I am pretty sure.

20

And that is the last time that you saw her?---I saw her quite a few times. I cannot say which is the last time I saw her.

The 20th is fixed in your mind. Did you see her after that?---I saw her later than the 20th, yes.

The 21st?---I don't know.

You don't know, alright!---Definitely I saw her on the 21st,

You took these articles back home, then?---Yes.

30

To your garage?---Ja. You see, it isn't used for the car. It is used for storing things.

You bought - I think you described them as being Number 3 batteries?---Super Number 3 they were called.

Fairly large?---About that high, by that and that (demonstrates).

And how many...?---Two.

And how many of these manufactured watches did you take with you?---I think I took the lot. No! I think there were about five or six, and I took about four. 10

When did you prepare the bomb?---Tuesday or Wednesday... Tuesday Wednesday, Thursday.

You took some time about it?---Well, I did one little bit, and then left it alone, and then another little bit.

Did you cope with the manufacture of the bomb quite easily?---I wasn't sure about two or three things. I wasn't sure whether the batteries were powerful enough - that was why I got the big batteries - and I wasn't sure about the detonators, how many you needed, so I used two detonators. 20

Yes?---Sergeant van der Merwe told me that I need only to use one detonator, but I used two detonators. And I wasn't sure about the ignition of the petrol, so I took some cortex - that is that yellow cord stuff - wound it round into a sort of loop about that long (indicates), it was before I wound it around, into a sort of loop and I put it with insulation tape onto the side of the plastic jellicoe. Sort of between - so that there was the dynamite and then this stuff, and that, so that I presumed that the 30

dynamite would ignite the cortex which would burn away into the petrol can.

The can was the container in which you were going to put the petrol?---Yes.

Did you consult the manual at this stage?---Well, I looked through the manual. I flipped through all the manuals. Most of them were terribly technical. I flipped through the manuals, and it didn't answer the questions I had. How many batteries, how many detonators - it was too advanced. We went to a lot of trouble. 10

The manuals contain not only information, but a lot of illustrations about the destructive power of dynamite and the demolishing effect, not so?---Oh, hundreds of pictures, yes. All sorts of pictures.

You fully realised that you were handling dangerous material?---Well, you see, in several places I saw this - in several places it said "tamping" - that is the word! Tamping! It said that you must always bore a hole - there was a special word for that - you must always bore a hole and you must tamp it. You must tamp the dynamite, because 20 if you don't its explosive power won't work. It will go off and release pressure... cause pressure.

That you would have realised without even reading the manual, not so?---As I thought all along.

That dynamite is an extremely dangerous substance?---Sorry, when you said that I realised - I thought you were talking about the tamping!

Yes - of the danger of using dynamite!---Well, it didn't you know... I had no idea of the quantity you use, and I thought that if you don't use a large quantity, you 30

must always ... by that I mean to say about 40 or 50 sticks...  
you must always tamp it.

What in your mind would have been the effect of  
one stick of dynamite?---Exploded in open air?

Yes?---Practically nothing.

And eight?--- A loud bang.

And contained in a suitcase?---No difference.

Placed near a wall?---Still no difference.

And near glass?---Well, I don't know. I had not  
thought of this before - I suppose it would have cracked 10  
some of the glass.

And inevitably cause the glass to fly in all  
directions?---It just seemed to me that you would have a  
loud bang.

You didn't think of these matters?---No - I am  
sorry - I am not a technical expert.

BY ASSESSOR - MR. HART: Did you seek any advice from  
anybody?---On the Thursday night - that is the 23rd - I was  
going to ask John about the number of detonators, and the  
number of batteries. John Lloyd. I thought he would have 20  
known, because he had prepared something before, he once  
told me.

But he was not available?---No.

Did you try to get advice from anybody else?

---No.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

Did it occur to you that pieces of the battery  
or of the watch or of the suitcase could fly in all di-  
rections?---No, I visualised - I had a very clear picture  
in my mind of a loud bang, and a flare about that wide, 30

about 18 inches wide, and standing all around - say this room is the concourse, bigger than this - standing all round there would be people. Mostly very struck by the explosion and this flare.

In your mind, how far away from the explosion were these people?---Around the perimeter, of the hall.

How far away from your bomb?---Well, it would vary from what part of the room they were in, but it would be say from that wall to that wall, or a bit beyond it (indicating).

10

Thirty yards away?---I don't know. It is more than thirty yards, isn't it? Say this distance ...

BY THE COURT: What is the length of this Court?

MR. MOODIE: From where you are to that room.

THE WITNESS: Say the length of the room.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

We can always find that out! Well, that was your idea - as you saw it in your mind?---Yes.

BY ASSESSOR - MR. HART: How much petrol were you going to use?---Well, I had a five gallon can - just like that one there - and I went to a garage in Braamfontein, Dawsons(?) Garage, and said to the bloke "Start filling it", and then I stopped him when it had four gallons in it - because I wanted a round number, I don't know why, and although it was supposed to take five gallons, I didn't think it would take five gallons - it was sort of coming out at the top, so I put in full four gallons.

20

Is that what you used?---No, I bought four gallons, and then carried it away, and it seemed jolly heavy, so I poured about half of it into my car. I used

30

about half of four gallons - about two gallons. That was on the 22nd - I remember that very clearly.

That was when you bought the petrol?---Ja, it was on the 22nd.

Had Mrs. Swersky the day before not bought the two cans? One of which was found in the....?---Yard the day...

She bought them?---Yes.

The day before?---Or a day before that, yes.

That would be either the 20th or the 21st?--- 10  
Yes, or even...

You bought the petrol on the 22nd?---Yes, or even.... or even the end of the previous week. I think more likely the beginning of that week.

More likely the beginning of that week - the 20th or the 21st?---Ja.

She had bought them - one of them which was found there and is exhibited, and the other was demolished at the station?---Yes. I... I... you see, the idea of buying two was the other one, this one, was to be used for John when 20 he was going to do the car.... That is right!

That was the purpose of buying two?---Yes.

And in your one you placed two gallons of petrol?  
---No, I put in four gallons of petrol....

No, eventually?---Ja. I didn't put in two. I put in four, and then poured out about half.

Did you buy the suitcase for this purpose?---Yes, I bought the suitcase at the O.K. Bazaars, Eloff Street.

When?---It would have been the end of... I don't know. Anything from say about the ... say 16th to the 30

22nd.

Between the 16th and the 22nd?---Ja.

That you bought the suitcase?---Yes, or it could have been a little bit later - it could have been the 23rd - I am not sure.

When was your bomb completed?---The Thursday.

That bomb was made in the suitcase, hm?---Yes.

And placed in there, you say, on the Thursday?

That would be the 23rd?---Yes. It wasn't really.... as I finished a bit I put it in.

10

When did you finally put the petrol in the case?

---I think when I went home on the 22nd I shoved the things straight into the suitcase.

So that you had your bomb and your container with the petrol? In the suitcase?---Well, what do you mean exactly by "bomb"?

Well, the whole... your explosive portion and this petrol which was going to cause the flame?---Yes.

That was all ready...?---Yes, inside the suitcase.

On the 22nd?---Wednesday/Thursday.

20

Wednesday?---Thursday, I think.

And you left the suitcase in your garage?---Yes.

And you next handled it on the 23rd?---After what?

No, I say, after you had left your suitcase with the material in it, in the garage, you left it there until you handled it again on the 23rd?---(No answer).

Your suitcase?---I am sorry - it doesn't make sense to me. On the 22nd or 23rd - it was at that time in the garage all the time. Yes, it was.

30

Now, you finally took it out of your garage on the 23rd?---No, the 24th.

The 24th?---Yes. That is what didn't make sense.

I am sorry! Were you in Pretoria on the 23rd?---  
I don't think so.

Are you sure?---I wasn't in Pretoria on the 23rd. I was banned. I didn't go to Pretoria.

What did you do on the 23rd?---Stayed around at home. I was in town, I think.

You were in town?---I went into town practically 10 every day. I was at the College on the 23rd, I remember that, yes.

Now, that suitcase you took in to Johannesburg on the 24th?---Yes, that is right, quite right.

What suitcase did you have stored at the station?  
---When was that?

It was deposited on the 23rd, and uplifted on the 24th?---Yes, I know - the police told me about that. That was a little grey one, I think... that one over there. It is the one under the blue one. I just cannot remember about 20 that one. I think it was this one. The police showed it to me and said that they had worked out, from the tag on it, that it had been stored at the Johannesburg station at the end of that week.

On the 23rd?---Ja.

And it was uplifted on the 24th?---Yes, they worked it out from that number.

Is that your suitcase?---Yes.

What was it doing there?---I... honestly, this means nothing to me. I cannot remember that. I am afraid 30

I fibbed to the police, and I told them... it seemed so silly when the Major asked me, that I couldn't remember this one. First Mr. van der Merwe, then Lieutenant Van der Merwe, and then Major Brits - I told them some story. I made up a lie about it. I told them a lie about it, but I just... I am damned if I know.

What was in that suitcase?---Some of the stuff, I don't remember which.

Some of what stuff?---All the stuff that is lying around here. 10

Some of the explosive material?---It could be - I don't know.

It could be?---No, I don't know.

You don't know?---No, I am sorry.

You have no recollection at all what was in that suitcase?---I don't remember anything about that little one, I am afraid.

Clothing?---What about that?

Was there perhaps clothing in there?---We did keep clothing in it.

Was there clothing in that suitcase?---At one stage I think my blazer was in there. My University blazer.

When you put it in the station - the baggage room?---I just don't remember, honestly.

In fact, there could have been anything in it? ---Anything, absolutely anything. I just don't remember.

You don't remember?---No.

Why did you go and uplift it on the 24th, then? ---Man, I don't know anything about it.

But you can recall that, I take it?---No, I am 30

blowed! I don't remember anything about that little grey suitcase. I mean I know... hang on! I know that I used that suitcase at one stage, for keeping things at the Swersky's. I know that - that is for sure.

I cannot hear you?---I kept things at the Swersky's in that little suitcase, at one stage. I know that for sure. That is definite.

AT THIS STAGE THE COURT ADJOURNS FOR 15 MINUTES.

ON RESUMING AT 11.30 a.m.

FREDEFICK JOHN HARRIS (Still under oath):

CROSS-EXAMINATION BY MR. MOODIE )Continued(:

In that suitcase that you cannot clearly recall, were there not manuals that you were taking in to Johannesburg to consult Lloyd about?---You know, that rings a bell. That story that I told the police...

Was it the truth?---I just cannot say. They came to me and said "Here is the suitcase", they showed me that slip on it, and they showed me the railway documents, and they said "Here you are, this was handed in on the Thursday and taken out on the Friday - what did you do with it?", and I couldn't say anything to them. I am sorry... Like.. I mean, now I can, because, I mean, I was asked this business you asked about the Thursday afternoon, do I remember whether I was in Pretoria on Monday.. no, on Sunday. Major Brits asked me this, and well, I could be frank with him, because I was on a different footing. He said.... he told me a whole thing about Thursday, in Pretoria, and he said that somebody.. two people had seen me at the Wacht-huis - that is the headquarters of the police - on Thursday, and he didn't know whether this was true or not, and where

had I been on Thursday afternoon - this was on Sunday - and I said to him "Well, quite frankly, I don't know", because I could be frank with him.

So you don't know whether you were in Pretoria or not?---I just cannot say whether I was or was not in Pretoria on Thursday afternoon.

Did anybody suggest to you that there were manuals in that suitcase?---You have just suggested...

No, no, no, before you spoke to the police, and while you were talking to the police?---I think the manuals were kept in the suitcase most of the time - in that suitcase - the little grey one.

You told the police that there were manuals in there and you wanted to consult Lloyd about them?---Yes, that is the story which I told the police.

Isn't it possible that it is the truth?---I don't know - it is possible.

Do you remember fetching the suitcase?---No, I can't ... I can't... I tried to work out, when they asked me... obviously it is much easier if you can remember a thing and you can just tell it and that is that. I tried to work out when I had fetched it and I am blowed if I can.

I see.---It must have been the 24th - it must have been.

Well, we have evidence on record that it was the 24th!---That is what I mean. It was the 24th.

Now, we know that the length of the Court room is 22 paces - do you agree with that - is that more or less correct?---I don't know - have you paced it?

I didn't, but someone else did!---I cannot... 30

That is the distance, in any event, that you envisaged the people would be standing round - from there to the back wall?---Yes, it would be the size - when I looked in my mind that would be the size, and it would be much longer, of course - along the sides - across like that. They would turn this way - like that, and then like that (indicating).

People would be standing round, equi-distant from the point where the bomb was?---They would be standing around the outside of the wall of the hall. The wall of the hall. 10

If your dynamite was going to make a bang and the petrol a big flame...?---Ja?

Was it necessary for them to stand well back?---I am not with you! Was it necessary for them to....?

For the people to stand well back?---No, they could not be standing next to the thing.

Why not?---If they were standing next to the thing they somebody might get hurt. That is why they had to be cleared, obviously.

In your mind, what would be the maximum distance 20 of safety? Or the minimum distance of safety?---I thought if you were standing away from the thing, then that was that.

Can you be a little more specific, please!---I thought that anybody within this sort of distance (you to me) from the thing...

Was in danger?---Was in danger, ja.

And when would you be out of danger?---I didn't calculate it like that. I just assumed that once you were away from the thing you were away - finished. 30

By away - what do you mean?---Well, not right next to it.

I must ask you where did you think, in your mind, a person would be safe?---Anybody who wasn't right next to it.

What do you mean by "not right next to it"?---  
Well, I said, you to me.

BY ASSESSOR - MR. VAN DEN BERGH: Two paces?---Ja.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

There they would be in danger?---Yes. 10

I would be  
And if I was three paces away/out of danger?---

You are asking me what I am thinking now - or what I was thinking then?

I am asking you what you were thinking then?---  
I didn't calculate it on a basis of to the nearest milli-  
meter, or anything.

Well, to the nearest yard, then?---The nearest yard - it didn't strike me. You see I didn't ask myself...

This distance would be extreme danger - where I am standing?---Hang on! That is right, go on! 20

Anything further, and I would be out of danger?  
---Well, I am now going back into... as far as I can.. into my thinking then, and my thinking then was simply that ..  
I did sort of itemize it. a) - There won't be anybody near this thing. b) - There won't be any danger. Finished!

Now, you envisaged people standing, you have told us, roughly 22 paces away?---Ja.

And in your mind at that time, that would have been safe?---Of course.

Now, how close would they have to come before 30

they reached the dangerous area?---Well, I will put it this way - people next to the thing would have been in danger.

I cannot get you any nearer! What about the dock?---I... there wouldn't have been anybody...

Now, if they were there?---I...

If they were as close as the dock - say eight paces away - would they have been in danger?---I can't tell you now - but I did not think it then.

You didn't think it then?---No, I did not think that then. I thought in terms of this distance. 10

Did you have a sense of worry or anxiety about the fact that you had eight sticks of dynamite which you were going to explode in the concourse?---No, I didn't really. I felt.. I felt pretty happy, frank ly.

What did you feel about the people who might be there?---Well, I knew that there would be people there, in the concourse. I mean, there are always people in the concourse.

What did you feel about the people who might be near the suitcase, when it exploded?---I didn't feel about them, because there wouldn't be any there. 20

BY ASSESSOR - MR. HART:

Did you think of the possibility that there might be a foreigner, for example, who would not understand the broadcast, being near the suitcase?---No, I did not think of that. No.

BY THE COURT: Or someone who entered the concourse after the warning had been given?---No, it did not occur to me. I just thought... I thought of it.. like in geometry. You have got a point, and a circle around it, you know, where you put your protractor's sharp point in. It would be like 30

that, and it would just be empty space around the point.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

On the afternoon of the 24th you came to Johannesburg?---Yes.

You had the suitcase with the bomb in it in your car?---Ja.

You visited your mother, that day?---Yes.

That afternoon?---I don't recollect whether it was the morning or the afternoon. I think it was around the middle of the day. 10

The middle of the day?---Yes.

Did you have lunch with her?---That is also possible. Sorry - were you asking or telling me?

No, I am asking you!---I don't know.

You don't know?---Ja.

Was your wife at home when you left?---Yes, she didn't go out that day. She must have been.

You said that you drove carefully?---Yes, as I drove out I remember going very carefully, I can remember that very clearly. 20

And the necessity for driving carefully was because you had a bomb in your car?---I didn't say I drove carefully all the way. I drove carefully - as I drove out, because I had previously bashed the side of the car against the pavement, and I didn't want to bash it again.

And you also thought you had to do it carefully, because you had a bomb in the car?---No, it would not explode because of not driving carefully.

You had no feeling of danger or apprehension?  
---No, this is funny! Major Brits told me that the dynamite 30

was 18 months, or two years, I think he said, out of date. And he said to me "Man, you were driving around with so much dynamite in your car", when I fetched it, "wasn't it very dangerous?" It didn't occur to me that way. Because...  
...ja!.

Now, you must have come to Johannesburg on the 24th earlier that day, if you uplifted that suitcase?---  
Or afterwards - it is also possible.

You say you might have uplifted it afterwards?---  
Looking at the possibilities, yes. I am not sure.

BY THE COURT: Do you mean after the explosion?

CROSS-EXAMINATION BY MR. MOODIE (Continued):

Yes?-I mean, put it this way - I fetched that thing on the 24th, right? Well, I fetched that on the 24th - it must have been before or after.

Or after?---Yes.

BY THE COURT: Did you go back to the scene after the explosion, Mr. Harris?---No.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

So then you must have...?---Not as far as I know. 20

Then you must have uplifted that suitcase in the morning?---I didn't go back.. I don't think I went back. I don't think I went back.

Alright - when you left home what were you wearing?---I was wearing my green sports coat - a sort of tweedish sports coat, and.. I am not sure about trousers. I was either wearing a pair of greenish trousers, or I was wearing these very trousers I am wearing now. They are grey terrylene trousers. The same as the suit - they are part of the suit.

Did you take your brown suit with you?---It was...  
I am quite sure that I did, because I had that with me at  
the College.

I am just asking you - did you take your brown  
suit with you or not?---Of course, I had it at the College.

When you left home?---I should say, yes, obviously.

What is the answer?---Obviously.

BY THE COURT: And the purpose of taking it was to effect  
a disguise?---The change?

Yes?---Hm, yes. 1.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

Did you not change ....?---I had planned that  
days before.

Did you not change your clothing at your mother's  
house?---No, I changed my clothes at the office.

BY ASSESSOR - MR. HART: I didn't catch your last answer,  
Mr. Harris - you say you planned....?---I had planned it,  
I can remember, for several days. I had the idea of  
changing the clothes.

You had planned it before hand?---Several days 20  
before, yes. Mr. Moodie asked me if I didn't change at  
my mother's. I don't know whether you heard that. I did  
not change at my mother's.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

You left your mothers house at what time?---I  
just... I remember being there, but I cannot remember  
what time I left.

You can't remember?---I cannot remember what  
time I left. I can't even say whether I went directly to  
my mother's, and then to town, or whether I went to my mother's  
quite early, which I did quite often when I went shopping. 31

and then went home. It was, I suppose, one or the other, but I cannot remember. I can remember seeing her that day.

You may well have gone back home?---Home - oh, yes, that is quite possible.

And might you have well gone back home to pick up your brown suit?---It is quite possible. It is quite possible. I don't think so, but it is possible, sure!

Then you came into Johannesburg?---Ja.

Where did you go to?---To the station.

From home you went to the station?---Yes, because 10  
that was my destination.

I just want to be clear in my mind - you drove from home to the Johannesburg Station - as your destination? ---I can remember leaving home, and I can remember being at the station - that is obvious.

Now, that is.. you remember leaving home, and you remember being at the station?---Ja.

And what time were you at the station?---Well, I glanced at my watch, and the hand was between the four o'clock and the five past four. 20

And where were you then?---I was then at the parking meters.

At the parking meters?---Ja.

And you opened your car and took out the suitcase?---Well, I can remember standing next to the car, but, again, I must have done that - taken the suitcase out - because in the car....

I see! You remember looking at your watch and it was between the four and the five past four?---Ja.

What do you next recollect?---I was on the bench. 30

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I was on this bench in the concourse, above platforms 5 and 6.

That is the very next thing you remember?---Yes.

And you were sitting down?---On the bench, yes.

BY THE COURT: Where had you written this note? That you put on the suitcase?---That I had written a couple of days previously, at home.

And what was its purpose?---Originally the idea was that if I put that note on the suitcase, it would stay there and anybody would come along and would see the note, and would leave it alone. 10

Or possibly steal it!---Possibly ... not, I was thinking...

Surely, if you do put a suitcase down on the station with a note on it "Back in 10 minutes", that is an invitation to a thief to steal the suitcase?---I saw it exactly the other way. That it was an indication that the suitcase wasn't on offer to be stolen.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

Now, it is clear that you can remember being seated on the bench?---Yes. 20

Where was the suitcase?---It was <sup>in</sup> front of me, on the right - on my right, as I faced forward.

Would that be on the town side, or on the...?  
---No, that would be to the North of me.

And you were facing?---West.

You were facing west, seated on a bench, and the suitcase was on your...?---My right. That would be to the north of me.

Standing next to the wall?---Standing next to the wall, ja. 30

Can you remember putting the note on the suitcase?

---I can't remember putting it on the suitcase.

You have told his lordship that you remember writing it a couple of days before?---Ja. It was on note-paper - one of those spirex note things - with a red line down the middle. I remember that.

Written in ball point?---Yes, blue ball point.

What did that note actually say?---It said "Terug binne 10 minute", or "Terug in 10 minute". I remember that very clearly. 10

And you took that note with you when you left home?---Yes, I must have.

Did you or did you not?---Yes.

You did?---Yes, obviously I must have.

Do you remember taking it?---I don't remember positively taking it, but I know I took it.

Where were you carrying it?---In one of my pockets.

And when you got out of your car, you took the suitcase and the note?---Well, it was in one of my pockets, and I then took it. 20

And when you got to the bench, did you take the note out of your pocket?---Well, obviously I must have, I mean, I know I must have.

Now, how long did you sit on the bench?---I would say a couple of minutes.

Did you look at your watch, or not?---No.

Did you see other people there?---Well, I knew that there were people there. In front of me there were some people walking around, and on my side, at one stage, there was a bloke sitting, a man sitting. 30

BY THE COURT: I cannot hear!---On my side at one stage there was a man sitting, on the bench, sitting quite near me - this sort of distance away, or a bit further (indicating). There were people there, yes.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

There were people there?---Yes.

Did you talk to anybody?---No.

Did you see an elderly lady sitting over there? Or a child, or children?---No.

You just got the impression that there were people? 10  
---There were people walking around - I can remember that - the way they interrupted the light coming through the west glass wall. I can remember the sort of flickering as they walked past, and I can remember definitely - I am quite sure - there was at one stage a man sitting on my left.

You were there, you say, a couple of minutes and then what is the next thing you remember?---I can remember then standing near - right next to - or between two parking meters- in line with them exactly. You know what it reminded me of - that film "Nothing but the Best" at one 20  
stage they walked down a row of parking meters. It was just like that. You see the parking meters in line - in line ahead - and I was standing in line with the parking meters there. I could take you, almost exactly, to the spot.

And then you saw your car?---Yes.

And then do you remember riding off in your car?  
---I can remember going over. I can remember very clearly sliding in the key. I can remember that very clearly, because there is a little latchet that covers the opening for snow climates(?) and I remember pushing that aside as the 30

key went in,

So then you drove off?---Yes, obviously.

Did you drive off?---Yes, of course! How else could I have...

Do you remember driving off? ---I can't remember the driving part.

So you remember opening the car and you don't remember driving off?---Yes.

What next do you remember?---Well, you know how Jeppe Street is a one-way. I was on the left side of Jeppe Street, opposite, on the right hand side on the corner, there used to be a C.N.A. and it is now a Building Society, and I was pretty well opposite that shop - that is on the right and I was on the left hand side of the road - and there was a Portuguese registered grey A. 40 pulling out... You know, when I say Portuguese it may have been Mozambique - there was a P. on it - because they also carry a P. It pulled out and I parked there. 10

That is the very next thing which you remember?

---After? 20

After leaving the place where your car was parked?

After getting into your car?---Ja.

That is the very next thing you remember?---Yes.

And the next thing?---Well, then, I got out of the car....

This you can all remember now?---Yes. I can get out... I got out of my car, and I walked over to the far front corner of the Jeppe Street Post Office.

To the telephone booths?---There are two inside the building. 30

You went to a telephone booth?---To it, yes.

You went to one of them?—Yes, there were two, and I went to one of them.

What time was it when you parked your car?—-I didn't notice then. I noticed when I was just going to make the first call, I noticed that my watch was showing between twenty and twenty five past.

That was to the Railway Police?—-Yes.

You can remember the conversations you had with that man?—-Hm.

And you recollect phoning the Daily Mail - and 10 that was engaged?—-Well, I got through to the exchange, and then the girl said that the internal lines were engaged.

You can remember that?—-Ja.

Then you phoned the Transvaler?—-Hm.

What time was that?—-Well, I didn't look at my watch, but I did this all in quick sequence. I mean in straight sequence, you know, so that going from the 4.20 to 4. 23 of the first call - the second call was immediately thereafter - I suppose about 4.25 - and then there was this 4. 26 - and then there was this blank when I went out to 20 get some tickeys, and the last call was about 4.27. About that.

The last call at 4. 27?—-Yes.

And you remember what you said to the various gentlemen who answered the phone?—-The three chaps - I remember pretty clearly.

BY THE COURT: Why didn't you phone from the station?—- I had been to the Jeppe Street Post Office, a couple of days previously, because I wanted a reliable phone.

Yes, but why did you not - do you suggest that 30

the phones at the station are not reliable?---Well, I thought that phone might be blocked, you know - occupied - in use - somebody using it...

It is a question of walking around and having a look, instead of taking your car and going to Jeppe Street. ---It seemed logical to me, because I knew that the phones there were reliable phones and not in use.

You are sure you didn't phone from the station? ---No, I am sure I phoned from Jeppe Street. I can remember the details of it, and afterwards I went to my car, outside the Jeppe Street Post Office 10

CROSS-EXAMINATION BY MR. MOODIE (Continued):

That was at 4. 28 about?---Afterwards.

BY ASSESSOR - MR. HART: Have you a very clear recollection of making those calls?---I can remember it pretty clearly, yes. Oh, yes. When I said afterwards it would be much more than 4.28. That would be nearly half past five - quarter past five.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

You left your motor car there and walked to Damelin College, then?---Obviously, yes... 20

No, no, no. I am asking what is your recollection?---I can remember making the phone calls at Jeppe Street Post Office, and then my car was still there at this parking meter, and then after that ... I was walking there and there was Mrs. Bowen, Bowden, whatever her name is.

The next thing you recollect is walking in...? ---At Damelin.

At Damelin?---Yes, Empire State Building, 30

How far would it be from where your car was parked to Damelin?---My car was in front of the Jeppe Street Post Office. Not far at all - a couple of blocks.

What time did you arrive at Damelin College?---About half past.

Are you sure of the time?---About half past. Well, when I got up to the fourth floor I remember the clock on the fourth floor was showing between the 4.30 and the 4.35. So you can work that.. say.. ja, about half past.

About half past four. You spoke to Mrs. Bowen?--- 10 Yes, that was on the ground floor.

What was the next thing you can recall?---I walked up.... well, I hung on for a moment or two for a lift, and it didn't turn up, and then I just felt like walking, so I walked. Only once when I walked up from the bottom I had an argument with the boy about how long it took. He was late. So I walked from the bottom to the top floor, to time it, and I think it was only the second time in my life I used the stairs up from the ground floor, because it was quite a long way... 20

You recollect this, and then where did you go to? ---I walked up to the first floor and then as I got there one of the lifts on the left arrived on that floor - someone must have pushed the button - and the door clanged open and I walked over to it and took it.

You went up to which floor?---<sup>to</sup> the fourth.  
<sup>to</sup> my office.

What did you do on the fourth floor?---I got out of the lift and turned right, turned right again and went down to the end of the corridor - that is where my office is. 30

I unlocked the door and went into my office, and then I saw some.. I saw the books lying on my desk - various books and notes and odds and ends and I remembered that I wanted to look up something about South West Africa - I was preparing some notes about South West Africa, and a boy called Kleinschmidt had lent me a little booklet on South West. I thought, "Bingo, the facts will be in this".

Alright?---So I rooted around on the desk, but ...  
I don't think I found it.

So how long did you delay in your office?---Oh, 10  
not long.

Not long, what does that mean?---I suppose I was  
there about altogether two or three minutes.

And did you change in your office?---Ja. I then  
opened my bag and in the bag I had the brown terylene suit.  
I had this bag and the terylene suit in the bag, and I was  
feeling a bit.. you might say, a bit sort of flat. I would  
not actually say depressed but I was feeling less elated, and  
then I cheered up a bit and then I changed... Whilst I  
was feeling flat I remember feeling flat, and changing my 20  
clothes, and then I started to feel up again, and I quickly  
felt up again, and I was fine, and then I walked downstairs  
to the third floor. I quite often walked down one, and I  
walked down to the third floor and walked into the general  
office and in that office there are about five people al-  
together - up to five people, depending. There is this  
office, and then an inner office, and there is a chap in  
there called Joe. Joe Dumas(?).

What time was this?---About 4. 35 or 4.36 it  
must have been, because... I didn't notice specially. 30

Did you go in there for any purpose?---Well, I had to pick up the exam. papers. That was in my mind, and .. but I really went in to chat to people.

Was Joe there?---Joe wasn't there.

At what time did you see Mr. Rosen?---Well, I would say about.. I saw Leon Rosen at about quarter to five, ten to five. Yes, about that.

Did he ask to see you?---On that occasion, no.

You just went into his office?---Yes, it is on the same floor.

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And then you left?---Yes.

You went back to your car?o---Well, he asked me first...

Never mind, did you go back to your car?---Ja.

After you had seen Mr. Rosen?---Yes.

Can you recollect that?---I can recollect the first part of the going very clearly, and I can recollect putting in tickeys in the meter for his car, and buying some fruit in a shop near the Metro.

And you went to your car?---Ja.

20

And you drove off?---I cannot recollect the driving off part.

What do you next recollect?---I can remember, on the way home being in a cafe - a Greek shop - in Newlands, Delarey.. I don't remember which.

And after that, is your recollection clear as to what happened?---I just had a sort of happy feeling about driving home - sort of joyful.

Where did you go to - did you go home?---Oh, yes, I was at home by around six.

30

Six o'clock?---Hm.

And...?---It was just about getting dark, I think.

Your memory is clear as to what happened after six?---I can remember some things. If you ask me I will tell you.

Well, do you remember staying at home?---Oh, yes:

Do you remember having a meal at home?---I remember we had supper, yes.

Listening to the radio?---I can remember some music on the radio.

10

Hearing the news?---Ja.

Of this explosion?---Ja.

And going to bed and going to sleep?---Yes.

Did you have any difficulty in going to sleep?---No. Actually the reverse, I slept very easily. Sometimes ... let me get it straight - usually I sleep pretty easily. Sometimes, just occasionally, I sleep like a log. I slept like a log.

I see. Now, I want to take you back to when you arrived at the parking meter, and you said that you had left home with the bomb in your car, and you recollect next between four and five past being at the meter?---Yes.

Did you not say that you had examined the bomb at the Brixton Cemetery?---You asked me if I was sure. I cannot be sure on this thing. Obviously I definitely must have examined it somewhere between home and town.

Now, do you recollect examining that bomb? ---I recollect examining the bomb twice. I have two recollections of examining the bomb.

Let us come to the first one. When was that?---

30

Ja. That was in the main road, quite near the Hertzog Tower, the F.M. Tower - quite near that tower - on the South side of the Brixton Cemetery. There is a park on the other side there, and a sports field.

There you examined the bomb?---(Witness nods his head). That is one recollection.

Was everything in order?---As far as I can remember, I remember winding the watch, next to the Brixton Cemetery. I did not have any...

BY THE COURT: How much/<sup>time</sup>did you give yourself?---I set it 10  
to go off - I decided.. I don't know why this particular time was in my mind, but 4.33... I remember that that was the time I decided on, all along.

But when you wound the watch, what time...?---  
It was appropriate for 4. 33.

Yes, but where was the minute hand when you wound the watch?---I see what you mean. I set it... I can't remember...

You set it on your own watch?---You mean from  
looking at my watch? 20

Yes?---Ja.

And at what time was that that you set the watch?---What was the time? It was a little bit before four. I don't know - about quarter to four, or four o'clock, or so - I don't know exactly.

BY ASSESSOR - MR. HART: Where actually did you set the bomb?---I...

The watch?---In the bomb.

Where did you put it in motion, or in operation, for it to explode at 4.33? Was it at Brixton?---Yes. 30

Either there... you see, I am being.... Mr. Moodie is... I am trying to be as dead accurate as possible. Mr. Moodie said to me what do you remember, and I can remember.. I know one of them is wrong, must be wrong, but I can remember doing that, and I can remember winding it again at the station. Now, obviously, one of those is silly...

BY THE COURT: Why? Why must that be so? Why could you not wind it twice?---It was silly - not logical. I mean, once you have wound a watch, you have wound a watch.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

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But the two recollections are clear?---No, that is why... when you said what recollections are absolutely clear I did not mention that - let me put it this way... Yes! Yes, this will work nicely. There are four recollections. There is leaving home - that is quite clear. The leaving home is quite clear - I can remember driving out, and then there is standing at the station - that is quite clear. I can remember standing there quite clearly. Between those two recollections there are other two recollections, but they aren't as clear as the first one and the last one.

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Now, you can recollect, you have told his lordship, that you set that bomb by your watch and it was about five to four?---It was sometime a bit before four.

So there is nothing really vague about that recollection? One cannot expect one to be accurate to the minute. There is nothing vague about that, is there?---Ja, that is one of the two vague recollections.

Is that all that is vague about that incident?  
---No, no, no. You have got it wrong. No, no! That whole

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incident is not as clear in my mind, let us put it that way, not as clear in my mind as leaving home was.

What is vague about it then?---Well it is... I mean, if you ask me when I left home - I can remember exactly how I felt as I drove over the hump out of the driveway...  
BY ASSESSOR - MR. VAN DEN BERGH: What time did you leave home?---Oh, I don't know.

Is that also vague?---I didn't look at my watch. It is perfectly clear - I can remember it very clearly, and I can remember that very clearly. I can remember absolutely 10 clearly driving out over the hump - I can remember going over the hump, and I can remember thinking I must be careful not to damage the car again.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

Did you go over that hump every time you took the car from the garage?---No, every time you go out of the grounds.

Out of the grounds?---It is not kept in the garage. The garage is off centre and it is used as a store room.

You have driven over that hump many a time?--- 20  
 Oh, hundreds of times.

Something makes it clear in your mind on this day? ---I can just remember driving out... I will tell you what it was like - you know what a centaur is? Half man half horse. I felt like that with the car. Quite often with a Volkswagen - it steers lightly and so on - more than once (I won't say quite often), more than once...:

BY THE COURT: You didn't feel the bump because you were afraid because you had dynamite in your Court?---No, I felt lovely. I glided up, and over it. The car has got 30

independent suspension, and it floats up very nicely up and down.

CROSS-EXAMINATION BY MR. MOODIE (Continued):

Your recollection of what happened at the Brixton Tower is reasonably clear? You have given us some details, and you have given his lordship some times?---It is not so clearly in my mind, you know. It is funny, but it is not so clear.

What about your recollection at the station?--- I can recollect being at the station, and - this is sort of 10 half recollect, or semi-recollect - and this is a recollection of winding the watch. The watch was there, at the bottom of the suitcase, and I was winding it again, but if you produced a witness who could say... and you said to me: "Here is Mr. Smith. He somehow knows that you did not stop at the Brixton Cemetery", I could not argue with you. Or if you said "Here is Mr. Smith; he does you did not wind your watch at the station"... I could not argue with you.

Correspondingly if I produce two witnesses who saw you in a brown suit at the station at 4.15, could you 20 argue with them?---Well, I can tell you where I was at what time...

No, no, no!---Let me work it out...

By means of your recollection...?---I can't argue with 4.15.

You can't argue?---No.

So you might well have been at the station at 4.15?---It is not clear to me where I was at 4.15. I mean, I didn't look at the time, at 4.15.

Let me put it further then - 4.17? You might have 30

been there?---Let me work it out...

No, no! You might have been there?---No, working out by the time I was at the other place - the Jeppe Street Post Office - I doubt that.

That is simply because your memory is completely faulty in regard to that.---In regard to the Jeppe Street Post Office?

No, to when you left the parking meter to go to Jeppe Street Post Office - you don't know how long it took you?---No, that is true. That is quite true. 10

You cannot argue with me if I suggest that you were there at 4.17?---All I can say is that... hang on! Let us work it out! I don't know. I really don't know. I was there at four... between four and four five, I am sure of that. 4.05. And I was at the Jeppe Street Post Office between twenty and twenty five past. Between those two - who knows?

Well, the witnesses appear to know!---I just.. I am sorry - I don't. Personally I cannot tell you...

So you can't really deny that you were at the station at 4.17?---Well, it seems to me now pretty obvious that at 4.17 I was somewhere between the station and Jeppe Street. 20

Then the witnesses - at least one of them - Mrs. Fogwill must be mistaken?---About what?

About the time she saw you there?---When did she see me there?

At 4.17!---Well, obviously if I was between the station...

No, at the station. She said she saw you there...?30

---I understand.

... at 4.17?---No, I understand what you said; If she saw me at the station - if she says she saw me at the station at 4.16... 4.17, I mean, then it doesn't fit in with my being at the post office at 4.22, 4.23.

It would fit in if you happened to phone from the station, though!---I didn't phone from the station. I phoned from the Jeppe Street Post Office.

Now, she also says you were wearing a brown suit!

---Ja?

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That also cannot be correct, can it?---No, I wasn't wearing a brown suit then. I was wearing a brown suit from about just after half past four, it would have been.

Mr. Jansen also says he saw you at the station in a brown suit! He must have been mistaken?---Obviously!

And of course it would be correct if, indeed, you were in a brown suit and you changed into the other clothes at Damelin?---I am sorry - say that again.

It would be correct if you were in the brown suit and changed into your other clothes at Damelin?---You are 20 hypothesizing? Obviously if I had been wearing the brown suit at the station I changed into the green sports coat at Damelin - then obviously I was wearing the brown suit at the station.

Can you suggest how either of them, or both, could have known that you possessed a brown suit?---I don't know.

You don't know! Are you suggesting that at the parade they were coached to point out a man in a brown suit?

---They were coached to point out a man in a brown suit?

Yes?---No, I don't think they were coached to point 30

out a man in a brown suit?---

Because you were...?---I was wearing a brown suit at the parade.

You suggested, and it was put in cross-examination, that you would say that there was only one person on the parade in a brown suit?---That is true. That is quite true.

Captain Scheepers then apparently is wrong. He says there were two others with lightish brown suits?---Oh, well, I mean a brown suit of that sort. Hang on! This came up yesterday. I will tell you - there were one or 10 two light coloured suits. Like... I can't see anybody. Miss Hayman's sort of colour. I am talking about.. you know something almost as dark as Sergeant van Gent - his colour. Sergeant van Gent.

Well, that is very dark.....

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Well, that's very dark. --- Not as dark as that. More like the gentleman sitting next to Miss Hayman. Say between that and Sergeant van Gent.

Now it was put to Mrs. Hogwell that you would say that you were never on the station between 4.17 and 4.30. --- Yes, I know I wasn't. Obviously. I was 'phoning at that time, you see.

Now that inference you drew in your own mind from your recollection of the times? --- Well, look...

About 4.05 you were at the station? --- Yes. /10

You sat a few minutes in the glass shelter; you say that you went to the parking-meter in Jeppe street and you 'phoned about - what time? --- I was there between 4.20 and 4.25.

And you are drawing your own inferences that you couldn't have been at the station at 4.17? --- Well, I know I wasn't there between 4.22 - 23 and 4.30 and obviously you can't fly from the station to Jeppe Street, so obviously I was away from the station at least a few minutes before 4.22. /20

Now you came in to the Damelin College swinging a bag? --- Yes.

Now can you recollect anything else of significance? --- I can remember my tie was off.

Yes? Anything else? --- How do you mean, anything else?

Anything of significance? --- What sort of thing? I am not with you, I am sorry.

You see, it was put to her that you were swinging a bag and had a greenish jacket over your shoulder, and your tie was loose. --- Yes. /30

Can you remember now that you had your jacket over your shoulder? --- It wasn't on. I was carrying it.

That, you recollect? --- I can't remember which hand it was in.

It doesn't matter which hand it was in. Were you in fact carrying your jacket over your shoulder? --- I've got a very strong feeling, but I'm not absolutely certain.

You are not sure? --- I can remember that my collar was open. /10

She says in addition that you were "bleek en bekommerd." Do you remember her saying that? --- Yes, she said that.

Is that correct? --- I felt pretty happy. I didn't feel "bekommerd." I felt the opposite of "bekommerd." But I mean, you know, this is a subjective thing. I don't want to argue with her. I don't want to argue with Mrs. Bowden. I mean, she interpreted what she saw. /20

In fact it was put to her what clothing you had on, I think, and she said she didn't pay much attention to it. She said, "Ek weet nie." Do you remember that? --- Mrs. Bowden? She said she didn't remember what I was wearing. Definitely.

But she paid particular attention to your condition and she described it as "bleek en bekommerd." Do you remember that? --- She said that, yes. I remember her saying that. Definitely.

Do you remember speaking to Mrs. Combrinck? /30  
--- Yes.

Where was that? --- In the office, in the main office, the one that Mr. Wood sometimes uses.

What did you go to see her about? --- I didn't really go to see her. Miss Benade wasn't in the office. I just wanted to chat to Miss Benade, I think. She wasn't there. I don't remember her being there. I chatted to Mrs. Combrinck.

By then, you say, you had changed into a dark brown suit? --- Yes.

Now I am suggesting to you that you may be mistaken there, about the time you saw Mrs. Combrinck? --- I saw her about 4.35, 4.40.

And you say it was after you changed? --- Oh yes.

You cannot deny that you were seen at the station by Mrs. Hogwell and Mr. Jansen? --- They couldn't have seen me at the station, because the things they said, I didn't do. I mean I know I didn't because of the time. I worked it out.

You don't know what you did on the station because your recollection is blank from about 4.05 until you were on the seat, and you were next at your motor car at the parking meter? --- Yes.

Now you don't know what you did? --- I know that I was at the parking meter, and then I was at the car, and then I - I was at the parking meter with the car, then I was at the bench, and then after that I was near the car again.

And you remember sitting on the bench quite calmly? --- Yes, I remember that. Very clearly.

That's the bench in 5 and 6? --- It's the

entrance down to 5 and 6.

I think there are two benches there, separated by a rubbish bin? --- They are not joined. You are right.

You were on the town side? --- I was on the right-hand side, facing forward. If that's one bench and that's the other bench, and that's west, I was on the right-hand side.

With the glass all around you? --- Oh, yes.

Now in fact there was glass all around you, except for the front? --- Yes. There was a wall behind me, blue mosaic. /10

And there were glass sides and back? --- Yes.

And you said in evidence-in-chief you felt as though you were sitting in a glass ball? --- I felt as though I was sitting - I didn't mean it literally, I mean if anybody said to me 'are you in a glass ball now?' I mean obviously I wasn't in a glass ball. I felt I was - I'll put it this way: Do you know when you look under a microscope and you see an amoeba, a little organism, splitting in two? And it gets oval, and then it gets thin in the middle, and then it is two. And each one has got a little film around it. Yes, that's it! I felt like that. I felt I had this film around me. /20

BY THE COURT TO THE ACCUSED: During the course of your education, did you have occasion to study psychology? --- No.

Have you ever read on the subject at all? --- I've read one or two books on it, yes. /30

On psychology? --- Yes.

Have you read about people who have a complaint, and they feel they're sitting in a glass ball? --- No. I'll tell you what books I've read; I've read two books by Isink. H.J. Isink. Dr. Prof. Isink.

On? What were their titles? Introductions to Psychology or something like that? --- No, one is called "Sense and Nonsense in Psychology." There is a lot about I.Q. tests in it. You see, I was interested in that. /10

I.Q. tests? --- Yes, I've read quite a lot about I.Q. tests.

CROSS-EXAMINATION BY MR. MOODIE: (Contd.) Do you recollect being able to see all around you? --- Well, you can't really see all around you, I mean I don't really know what's behind me at this moment, but I had this feeling of being aware of the nature of the world around me, that's about what it is.

In fact, if you had looked, you could have seen all around you? --- Well, I mean all around me. Under me... /20

In fact, you could have seen all around you if you had wanted to? --- Yes. What I mean is, when I say 'all around me,' what I mean is all six sides of me. Top, bottom, left, right, front, back.

But in fact, on the station there, you could see all around you if you had wanted to? You had glass on three sides of you and nothing in front? --- I could see horizontally all around me, yes. But it was a better feeling than that, because it was a feeling of 'upness' and 'downness.' Follow? /30

ASSESSOR HART: Did you ever have that feeling before?  
--- I've never had that exact feeling before. That was well put - I've never had that exact feeling before. I've had a feeling of being a part of the world before, but not of such knowledge of the world, such understanding of the world. All six sides. You know, that sounds like a box, but it wasn't a box - it was round.

CROSS-EXAMINATION BY MR. MOODIE: (Contd.) When did you first mention this experience to anybody? --- I think when I was being questioned. I don't remember /10 whether it was Dr. Hurst who asked me how I felt then, or whether it was one of the lawyers. You see, this is what happened: Mr. Soggut was asking me some questions, I remember. He and Miss Hayman usually asked me questions, and Mr. Philips - the three. And Mr. Soggut asked me various things, and he got a bit annoyed because I couldn't remember some of the things. He said, 'But man, you must remember this'. So I said, 'I'm sorry, I don't remember it.' Well, a bit of a squabble, and then he said 'Well, hang on.' and a bit /20 later he said to me, 'Do you mind if I ask you some personal questions?' Well, I didn't want to be asked. You know, I didn't feel very happy about it. I said, 'It depends on what you ask.' So he asked some very personal questions, and I like him, so I didn't mind talking to him. He asked me some questions, a lot of questions about - personal questions. And then a couple of days later, a few days later, he said he thought it would be a good idea if I saw somebody, just to check that I was all right. /30

BY THE COURT TO THE ACCUSED: Why don't you come to

the point? Mr. Moodie asked you when you first told anybody about the glass ball feeling. --- Yes?

Well when did you do so? --- Well, it was either to Mr. Soggot then, or to Prof. Dr. Hurst a little bit later. One or the other.

CROSS-EXAMINATION BY MR. MOODIE: (Contd.) The first interview or second interview? --- With Mr. Soggot?

No, with Dr. Hurst. --- Oh, I don't know.

You don't know? --- I had four interviews with him.

/10

You can't recollect? --- Four. Definitely four.

You can't recollect when you told him this? --- About feeling the glass ball effect? No. He went over the same ground. He asked the same questions. Not always, but quite a lot.

Now your recollection of the 'phone messages that you gave. Are they clear still? --- Pretty good.

Now Capt. Vermeulen says he received a message, and he says the words 'main concourse' were not used. --- I might have said 'chief concourse.'

/20

Did you mention the word 'concourse.'? --- Yes.

Is your recollection clear of that? --- Well, I've gone over it in my mind so many times before.

Is your recollection clear in saying that? --- I said to him that there was a bomb in the centre of the main concourse. Or near the centre of the main concourse. In or near, I am not sure.

/30

Now to the "Daily Mail" did you say 'we

don't want anybody to get hurt.'? --- Yes, that was the very last thing I said.

You can recollect that clearly? --- That, I remember clearly.

Because Mr. Openshaw can't remember that, --- Oh, I can remember that clearly. That I am quite sure of. That was the last thing I said.

Now to any of these people did you say where it was, the bomb? Beyond, as you say, the main concourse. --- I said 'the centre of the main concourse' to the first bloke. /10

The centre of the main concourse? --- In or near.

Would that convey to the person receiving the message where the bomb was? --- I thought it would. It seemed to me that that would do the necessary.

I see. And you didn't trouble to tell the persons you 'phoned that it was at platforms Nos. 5 and 6? --- No. I just assumed that they would know.

That they would know that it was at 5 and 6? --- That they would know where it was. I mean, it was so clear in my mind, it just seemed to me that it would be clear in their minds. /20

Why was that? --- I don't know. I mean it was clear in my mind. It was so very clear in my mind that it seemed very clear in their minds.

Now you were asked why you put the note on top of the case, and you said just to convey that you would be back in ten minutes. That's what the note said, not so? --- That's what the note said, yes. /30

What was your intention? --- That it would

protect the suitcase.

Were you quite satisfied about that? ---  
That it would protect the suitcase?

Were you quite satisfied in your mind that  
that would protect the suitcase? --- Yes.

You don't agree with the suggestion put to  
you by his Lordship that that would be an invitation  
for a thief to come and steal the suitcase? --- Well,  
I can see that there is certainly logic in what he  
says.

There is also a certain amount of logic in /10  
what Mrs. Burleigh said. She said the note meant that  
it was just a message to a friend, that whoever left  
the note there, that he would back in ten minutes. Do  
you remember Mrs. Burleigh saying that? --- I'm sure  
she said that. I'm sure you can interpret it in any  
way.

And you can interpret that note in a number  
of ways? --- Yes.

Including an interpretation that whoever put /20  
the note there didn't want the suitcase disturbed?  
--- Yes.

Because that would have been disastrous to  
your plans, wouldn't it? --- Yes.

And someone would have taken the suitcase  
and the bomb would have been transported somewhere  
else? --- Yes. You mean if someone had have taken the  
suitcase the bomb would have been transported some-  
where else?

Yes. --- Yes, of course. /30

Yes, it might have gone off quite ineffective.

--- Quite right. If it had been transported, it would have been elsewhere.

Did you in fact convey the message that it would explode if it was touched? --- Yes, it struck me that this would be an extra bit to frighten people away. That this would add to the repulsion.

So that you took an extra precaution then, when you conveyed the message, that that bomb should not be moved, it must go off? Is that correct? --- I didn't want the bomb to be moved, I wanted the bomb to go off. That's quite right. Yes, of course. /10

And you wanted the people to be standing around where they could see it? --- Yes.

Now it was put to you earlier, did you consider that some foreigner might not understand the message, and go to the bomb. Did you consider that? --- No, I didn't think of that.

Did you consider perhaps that some Bantu who might not understand one of the languages might go to that bomb? --- I didn't think of that, but you don't have any Bantu in the concourse. /20

Well, in fact, we've had evidence that there was a Bantu in the concourse. --- I didn't think of it. It's a funny thing that,

Or a child that perhaps pays no attention might go there? --- It just didn't cross my mind.

ASSESSOR HART: A deaf person?

CROSS-EXAMINATION BY MR. MOODIE: (Contd.) The learned assessor asked you about a deaf person. Did you consider the position of a deaf person? --- No. /30

You considered nothing but that your bomb

should be there and that it must go off? --- I had what you could call an overall picture of just exactly what would happen, and it seemed to me so perfect. Everything fitted in so perfectly.

And had you ever effectively tried, by observation, the public-address system at the station?

--- Have I ever tried out the public-address system?

No. By observation. Follow what I mean?

--- You mean had I ever seen it working?

Yes, --- Of course.

/10

And had the demand ever come to clear the station or the concourse? --- Not while I've been there.

In fact the directions have been usually to passengers to go from one platform to another? --- Yes, you see, they usually come in from the south side, the town side, and I've seen once all the West Rand passengers directed to the East Rand - what is usually the East Rand - or another platform, one of the more 'up' platforms, and it was fun to watch.

/20

Because there are thousands of passengers there at this time of the afternoon? --- Yes.

At Johannesburg station. There are many there? --- Yes, there are lots.

And it is fun to see them rushing around? --- Well, it was fun to see them on that occasion, switch direction.

Now if this public-address system for any reason was ineffective, your plan would have resulted in disaster, not so? --- Yes, it just seemed so cut and dried. So organised. Such a beautiful plan. So

/30

beautiful.

Now, if it wasn't working, disaster would happen? --- If the plan didn't work?

No, if the address system wasn't working, then there would be disaster? --- I can see that now.

If they thought this was just another scare, and not put over the message, there would also be disaster? --- I can see that now too.

Or if people misinterpreted the directions and there was panic, there would be disaster? --- You /10 mean if people didn't listen to the directions?

Yes, or if they did listen and they panicked and ran in all sorts of directions like sheep. --- Then there would have been..?

Disaster as well. --- Yes, I can see that.

So your whole plan depended upon the effectiveness of the warning? --- Yes.

And that was the key to your whole plan? ---It didn't seem especially important as that, it seemed equally important. /20

But it was the most important feature of your whole plan. --- Yes, looked at from one way. It just seemed an element in the plan.

A vital element. --- Well, I can see now how obviously it was the vital element.

But if you contemplated the use of the public-address system, then you must have seen it was the key point of the plan? --- Well, the whole plan was hung together, fitted together, and if you took away anything then it wouldn't work. /30

BY THE COURT TO THE ACCUSED: You say you never

considered all this, but wasn't it Lloyd's argument, and he persisted in it to the end, that you can't do this thing without a remaining risk of injury? That's what he told us that is what he told you. Do you deny that? --- He might think he said that, but I said to him this warning will work out in a completely consequential and satisfactory way.

ASSESSOR VAN DER BERG: In other words, your whole scheme was based on this one fact only, that this public address will work. Otherwise, as you have replied to Mr. Moodie, disaster will follow? --- Well, that's what he asked me, yes.

/10

That's what it comes down to? --- That this was something that had to happen, I mean, this had to work.

That's what you tried to convey to Lloyd, to persuade him to accede to your plan going through? That's how I understand your evidence. --- No. Mr. Moodie put the same point. I still haven't got it across. It was like a sequence, a chain, and every bit in it was equally important. Follow?

/20

May I put it over to you again, Mr. Harris. According to your evidence Lloyd made mention of the fact that something might happen and some people might be injured. You assured him that this would not happen, on account of this loud-speaker? --- Yes.

In other words, Mr. Harris, if anything went wrong with the loud-speakers, if the message wasn't broadcast, then automatically it would follow that with this explosion, somebody would be injured or killed? --- Oh, I can see the logic of it now, yes.

/30

You never considered that? --- No. It made perfect sense to me.

CROSS-EXAMINATION BY MR. MOODIE: (Contd.) Having 'phoned the station police, you were sure that the public-address system, to your own satisfaction, would be used? --- Yes.

And they, being the police and on the spot, would put it into operation? You were satisfied about that in your mind? --- Yes.

What was the object in 'phoning the newspapers? --- I wanted to 'phone the newspapers. It just seemed to me there would be more publicity, and I also mentioned to them sort of details about it. /10

In fact, did you mention details to them about it? --- Sure. I said to them who it was, and where it was, and it would go off.

Now that was not in order to assist the station being cleared, but to claim credit for this explosion for your organisation, the A.R.M.? --- I just planned to 'phone them all along. I read the "Daily Mail" and the "Transvaaler" regularly, and it just seemed to me that these were logical newspapers to 'phone. /20

Why was it necessary to 'phone them? --- Oh, it wasn't strictly necessary to 'phone them.

Well, what was your purpose in doing so then? --- I wanted to let them know that it was going to happen.

Why? --- Well, if the newspapers know, then there is more publicity. /30

You wanted them to know that in fact it was

the A.R.M. which was doing it? --- Yes, partly that and partly that it was happening.

ASSESSOR HART TO THE ACCUSED: Was the sole object then in 'phoning the newspapers to create publicity? --- That was the basic idea. I remember also thinking - this is funny - the police will get cracking, and then they'll get a second call and a third call, and this will sort of act as challenge to them, you might say. They'll be in action, and then suddenly they'll hear again and again and again. It amused me to think of the police hopping around. /10

Instead of doing their best to clear the concourse? --- No, I mean getting cracking doing this quickly. When I said 'hopping' I mean not in the literal sense, I mean doing things fast.

CROSS-EXAMINATION BY MR. MOODIE: (Contd.) It never occurred to you, like it occurred to one of the police, that they wouldn't believe this story that you said over the telephone, that there was a bomb? --- No, you see, I thought about that, and it seemed to me, when I thought about it, this idea is in South Africa and South Africa is a place where there has been sabotage in the past - there'll be a snap reaction. /20

You see, one of the railway policemen, who is a man of some years says that "Ek het self nie geglo nie." Now would that be an abnormal reaction, do you think? That was the witness Benade. --- Well, you know, afterwards, when I was giving a statement to Lieutenant Fourie, somebody said to me - I think Mr. Brooderyk - said to me, 'What was your feeling about this?' You know, about the belief. I explained to /30

MR. PHILLIPS:

My lord, before your lordship resumes the cross-examination of the witness presently in the box I ask your Lordship's leave to interpose a short witness who is a specialist psychiatrist simply on the question of one of the relatives to whom reference has been made. The evidence will be therefore of a factual nature. It is not opinion evidence.

MR. MOODIE: My lord, it is difficult for me to say, because up to now I have no indication of what the nature of the defence is and it may be unfair to us. Your Lordship will recall there was no opening address. When the Defence was asked to - as they have the right to - it is not compulsory, but I don't know - we are perhaps still searching for that.

MR. PHILLIPS: If I had realised that my learned friend would have liked me to make an opening address I would have done so with pleasure, my Lord. But it is not habitual, as far as I am aware and I did not do it, but the defence case, as your lordship knows, on this aspect of the case, is that it will be submitted to the Court that at the times when the crimes alleged were committed the accused was not in a state of mind which rendered him responsible for the actions that he committed and it is in that connection that certain of the evidence that the accused gave yesterday is relevant and he made reference in the course of his evidence to the fact that there were members of his family who had had...

THE COURT: Yes, but is Mr. Moodie's difficulty not that you have not disclosed to the State what was the cause of this state of affairs? What mental illness is it alleged that...?

MR. PHILLIPS: Well my lord, I can tell your lordship

immediately. It will be submitted to your lordship that the mental disease from which the accused suffered and suffers is manic depression with a paranoid complex and the evidence that will be put before the Court in respect of the affliction that has struck members of his family it will be seen, relates to similar mental diseases and this is the first of them that I ask your lordship leave to lead now.

BY THE COURT Well will you be able to cross-examine knowing that, Mr. Moodie?---MR. MOODIE: I am still not clear. Does it mean that as the accused stands here to-day he is suffering from a mental disorder which prevents him from knowing the nature of these proceedings? Was he in that state when he was required to plead whereas the contrary statement was made when he was required to plead and was he in this condition at all times before and after this explosion? If that is the case of course then it is placed before your lordship in a different enquiry altogether. Section 182 of the Code makes that clear.

MR. PHILLIPS : My lord, it has never been suggested that the accused is not fit to plead and it has never been suggested that he is not fit to stand his trial. The submission is what I've told your lordship, that it will be submitted to the Court when the evidence is concluded that at the time when the crimes which are alleged to have been committed by the accused were committed, he was suffering from a disease of the mind which rendered it impossible for him to know the nature and quality of his acts and that they were wrong by reason of this mental disease of manic depression and the added complexes that are part of it.

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CERTIFIED a true transcript of the record of the  
proceedings which preceded the calling of the witness  
Rudolph Geerling on page 448 of the record in the case of  
STATE vs. F.J. HARRIS.

  
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him, and Lieutenant Fourie said that he thought exactly the same as me. That he, Lieutenant Fourie, thought that they should have acted. It made sense to him. It made sense to me.

-: COURT ADJOURNS :-

MR. PHILLIPS: Requests permission to interpose specialist witness.

MR. MOODIE: Opposes.

BY THE COURT: I'll allow the evidence to be given now, but if Mr. Moodie finds that he would like time to /10 prepare cross-examination I'll have to extend it. You may call the witness and we will debate what happens after his evidence.

RUDOLPH GEERLING, (s.s.)

EXAMINATION BY MR. PHILLIPS: Dr. Geerling are you a specialist psychiatrist neurologist, practicing as such in Johannesburg? --- Yes, sir.

Could you tell the court what your qualifications are, please? --- Arts Holland M.D. Amsterdam.

You also have degrees of the University of /20 the Witwatersrand, I think? --- Yes.

A B.A. and a L.L.B.? --- Yes.

And are you also the professor of neurology in the University of South Africa? --- Yes, in the Department of Psychology.

Now, Professor Geerling, in July, 1950, were you in charge of the case of a lady by the name of Miss. Faith Simpkins? --- Yes.

Have you with you the file that was compiled and kept in relation to her case at that time? --- I /30. have.

Would you please just refer to it? Now, is that correct, was she admitted on the 6th July, 1950?

--- Yes.

BY THE COURT: Admitted where?

WITNESS: Tara Hospital, my Lord.

EXAMINATION BY MR. PHILLIPS (CONTD.) Is that the hospital which is the section of the General Hospital in Johannesburg for nervous diseases? --- No, it is a hospital in its own right, a Provincial hospital, not a Government hospital.

/10.

I see, but does it deal only with...--- It deals with psychiatric conditions and a section for neurology.

And until what date was she an inmate of that institution? --- 27th November, 1950.

Now, what was the diagnosis of her complaint? --- The final diagnosis was that she had been suffering from a depression with a paranoid complex trend, and hallucinosis.

On reference to the file to refresh your memory, Dr. Geerling, could you tell us whether this was the first attack of this kind that this patient had had? --- No, this was the second attack.

/20

How long previously had she had an attack of this kind? --- 1946. Four years earlier.

And do you recall what sort of symptoms were present in her case? --- After refreshing my mind, she was suffering from a depression and then the paranoid complex consists in the fact that she had the idea, the delusion that the natives were after her and in her words 'would get her.' And going around in the

/30.

community if natives were seen, she thought that she heard them say, 'we will get you.'

Was her condition a psychotic or a neurotic one? --- It was a psychiatric condition. In other words, she was still fit to be in the community, she was not dangerous or anything of that kind, but she was not truly psychotic so that she could be certified.

Now is this condition from which you found that she was suffering, a depression with a paranoid complex, leave out the paranoid complex for the moment, this condition of depression, is that related to the condition known as maniac depression? --- We thought it was endogenous depression which is a part of the manic depression psychosis. /10

Now, would you explain to his Lordship and the assessors what is meant by endogenous depression? --- There is a group of people who suffer from manic depressive psychosis, this is either a depression or a mania, and it comes in cycles, and the depression is one for which there is no reason, in fact it comes from within, and that is the endogenous depression. /20

Is this condition in your experience and according to your knowledge, Dr. Geerling, a hereditary one? --- It is hereditary and familial.

I think I forgot to ask you what the age was of this lady, Miss. Faith Simpkins, at the time she was admitted? --- During the period of submission she was 51 years old.

ASSESSOR MR. HART: That was in 1950? --- In 1950 she was 51. /30

MR. PHILIPS: NO FURTHER QUESTIONS.

MR. MOODIE: I would like to reserve cross-examination.

FREDERICK JOHN HARRIS, (s.u.o.)

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) Now your time table called for your arrival at the station at about 5 past four and the explosion at 4.33? --- How do you mean my time table, Mr. Moodie?

You told us that you had planned this some time ahead? --- Yes.

And it was put to the witnesses in cross-examination that you would say you were at the station at five past four? --- Yes. /10

Between four and five past? --- Yes.

That was according to as it had been planned? --- Pretty well.

And it was put to the witnesses you weren't there between 4.15 and 4.30? --- No, I wasn't seen.

I'm just saying what was put to the witnesses. So your plan called for your presence at the station around about five minutes past four and the bomb was to explode at 4.33? --- Well, the bomb was definitely to explode at 4.33, but I had intended to be there a little bit earlier. /20

Now when had you intended to phone the police? --- Between the one and the other.

Now, when had you intended to phone the police? --- I've answered that.

Had you a time in mind? --- I was planning to get to the station, to put the thing down, to go and phone the police.

And as it happened the outside limit for the whole operation from arriving at the station until the bomb in fact exploded was half an hour? --- Yes, /30

about that.

Now did you make in your plans any arrangement for any possible hitches in that plan? --- No, I didn't.

So if anything went wrong there was going to be a disaster? --- Yes.

Now, reference in one of the EXHIBITS H7, to 4 p.m. and 4.32 p.m. --- Yes.

Now, that is the second item on that, and that is clearly in reference to the station? --- Yes. /10

So when this was written, the outside limit of your plan was 32 minutes? --- Yes. I don't know why I made it 4.33 later.

Bearing in mind that you had to get up to the Jeppe Street Post Office and telephone, which must have taken you five or six minutes, if not more? --- I don't know.

In the normal course of events would that be it? --- I really don't know, I'm sorry.

Friday afternoon traffic? --- You are asking me how long did it take me to get to the Jeppe Street Post Office? /20

How long do you think it normally would take you on a Friday afternoon? --- I don't know. Ten minutes. Let me think about the distance. I suppose about ten minutes, even a bit longer. Ten minutes I'd say.

And that would cut the time down desperately short, wouldn't it? --- Yes, it would get me there with about 15 minutes in hand. /30

Now was it your intention to have as short

a time as possible between the placing of the bomb and the explosion? --- I intended to have about a half an hour between putting the bomb down and the explosion. Does that answer you?

That was your intention? --- Yes.

You got there at five past four about, you placed the bomb, you sat for two minutes, and you had about ten minutes or so, at a rough estimate, to get to the post office to phone? --- Yes.

That already would make it very nearly twenty /10 past four? --- Yes.

That left at the utmost 13 minutes between the warning and the clearing of the whole of the station? --- Yes.

Is that correct? --- Ja.

Now, was it your intention to have as little period and as little time as possible given the authorities in which to clear the station? --- No, I just worked out a time that I presumed would be adequate to do it in. /20

All worked out beforehand? --- I worked this out - I don't know - when would it be, about three or two days before, something like that.

Now, I put it to you, that if you had given a warning of a full 30 minutes or an hour, your plan would have failed? --- I don't get it.

Well, if an hours warning had been given then the likelihood is that someone could find that bomb and place it somewhere else? --- Yes.

Or they could get hold of someone who could /30 render the bomb innocuous? --- Yes.

Did you have that in mind? --- That someone would get hold of the bomb and render it innocuous?

If you gave an hour's warning? --- You are quite right, if there had been an hour then somebody might have got hold of the bomb and rendered it innocuous.

And your plan would have failed? --- Yes, sure.

You cut it down at the utmost limit to 32 minutes? --- It just seemed an appropriate, correct length of time. /10

And you worked that all out? --- Worked what all out?

That that was the appropriate length of time to be given? --- I didn't calculate it how you have just calculated it, you know, bit by bit.

Why not? --- It just seemed - it didn't seem necessary, it just seemed that I knew.

Because your bomb had to go off, it was essential for your plan that your bomb goes off in the station? --- That was the whole point. /20

And nothing must interfere with that? --- The bomb had to go off, of course it had to go off. Of course, that was the whole point.

Now, this exhibit I show you H1, there is a number of notes on it. --- This was in my car.

That was found in your car? --- Yes.

END OF BELT 46.

Belt 47.

It looks like three receipts? --- Ja, I don't know why it's three strokes.

Would that mean perhaps receipts for the baggage room? --- This is quite an old thing - I mean, this was written quite early in that week. This was written about - ja, this was written on a piece of paper in my car, this was in my car, about the 21st.

Written about the 21st? --- What day was the 21st?

It was a Monday? --- Was the 21st a Monday.

Tuesday. 20th was a Monday, that's right. /10

--- Yes, about the Tuesday.

Then there is gloves, and the next word?--- Syphon, hats, tickies, telephone numbers, clothes.

And what's that? --- Bands.

BY THE COURT: What would this mean? --- I was supposed to write some notes for Damelin College, on the Republic's neighbours, South West, Portuguese East Africa and Southern Rhodesia, and I had come across a thing in reading about South West about the Germans in about 1905 it was - 1908 - that said bands of Germans had gone out, and had hunted Hereroes and I wanted to check about that. It's a mixture of different things. I don't know why they are mixed in, but I jotted them down, these different things together. /20

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) And it looks like 'dabs', what does that mean? --- That is a slang expression meaning fingerprints.

Was this something in connection with your plans? --- Most of them, yes.

In fact your plans to bomb Johannesburg station? /30 --- Most of it, yes.

And the gloves were to prevent fingerprints?

---- That was in making the bomb.

Syphon? --- No, that was something else. I wanted to keep a syphon in the car because I read a motoring magazine about it. I've still got it at home.

And hat? --- That was when I thought I should wear a hat.

When you went to the station? --- Yes.

Do you usually wear a hat? --- No, not often. I've got one, I wear it if it is hot, not always, sometimes.

/10

Tickies. Tickies was for the purpose of putting through your phone calls? --- Yes.

Telephone number. Numbers you wish to telephone? --- Ja.

Clothes. The clothes you were going to change so that you could disguise yourself? --- Actually no, I bought some new clothes from Markham's, they were having a sale, and they hadn't delivered them and I wanted to chase them, and they did deliver them eventually.

/20

Your plan in any event had matured in your mind on the 21st? --- I had these ideas for it.

Your plan had matured, you were starting to make your arrangements? --- I was starting to make arrangements.

You had the telephone numbers and you had to get tickies and you had to get a hat for the purpose of disguising yourself. Is that correct? --- I had to get the tickies, yes, and I had to get the telephone numbers - and what else, you said something else?

/30

Your hat, tickies and the telephone numbers,

that was all portion of your plan? --- Yes.

It had matured in your mind on the 21st?

--- I was certainly thinking along those lines.

And you had already taken active steps in this regard, because you started making the bomb on that day. Now, once that plan had matured in your mind, were you determined to see that it went through?

--- Well, it seemed - it was very important to me that this demonstration occurred. Very important to me. I mean really it was terrifically important, I mean when you feel very strongly about something you - well, it's up to you to do it. /10

Now, you had been placed in a position of authority when Lewin and Much left? --- I'd say I had been placed in a position of power - not authority.

It seemed that the organisation was broken up? --- Yes.

You had possession of explosives? --- Yes.

You more or less had a free hand what to do with it? --- Yes. /20

Up to then you had been rather ignored? --- Because I had been involved in one active project, and I was being involved in a second. There was a period when I wasn't involved.

And you were unhappy about that? --- I wasn't happy about that. I felt mixed feelings about that, I felt - I felt glad in a way because it didn't suit me to do anything then, and I was feeling a bit depressed in that period. I felt depressed in May, and it sort of tied in with the depression. /30

BY THE COURT: Did you feel that you were to blame,

because the first project had misfired, Mr. Harris?--  
 - I felt very - you know, I looked in the papers afterwards and nothing had happened, and I thought, now can I be to blame, and I thought, I can't be to blame, because I just tagged along. I didn't do anything, and then I asked Gee(?) afterwards, I didn't want to say to him, was it me, and I said to him what was it, and they said it was the timing device that hand't worked, and I was quite happy after that. It wasn't me at all, it was the timing device.

/10.

ASSESSOR MR. HART: And then you decided it was essential that this project be successful? --- Well, there was a time lag, you know. I mean they weren't so close to each other in time. When the timing device didn't work was end of February, beginning of March, and this was July.

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) And did you feel frustrated that the organisation was broken up? --- Could you explain what you mean by frustrated.

Well, you had been a member of an organisation whose aims and objects were to perform sabotage to bring home to the authorities and the Government that there was oppression and injustice? --- Yes.

/20

And that organisation was broken up? --- Yes.

As far as you were concerned two of the leaders, one had fled and the other was under arrest? --- Yes.

As far as you were concerned the organisation, from what you had heard of the arrest in Cape Town, had broken up? --- Yes.

/30

Was it not your intention then as an act of defiance to show that it had not broken up? --- Well, you couldn't really show that it hadn't broken up. All you could do was - I mean in this sense - as John pointed out to me, the Government knew it had effectively been broken up. All you could do was to think what was best to do, and I felt this is something that will be in the tradition, it will carry it on. Does that make it clear?

No, it doesn't. --- I felt this act - I felt /10 things had reached a stage in South Africa when they are just ready for the push, and then they will be changed. And I felt this is the push. If you push this way you've got a pretty near certainty of moving a centre of gravity.

It is also equally consistent with showing in a most effective manner that the organisation in fact was still very much alive? --- I didn't think of it as the organisation is still very much alive, I mean that was in a sense true, but that wasn't so /20. much what I thought of.

Why announce to the newspapers and the police that it was the N.C.O. or the A.R.M.? --- Well, I felt it was.

Exactly. Of course it was the A.R.M. that was doing this explosion. --- Logically, I don't know. In one sense it was the A.R.M., in the other sense it was me.

In what sense was it you? --- Well, it was my idea, it was my planning. I had done it. I did it. /30

In what sense was it the A.R.M. plan? --- I

had been an A.R.M. or N.C.O. member for - since September, nine months.

You being the person in effective authority were really acting through the A.R.M. and you so announced it? --- That's a good way of putting it.

Well, is it the correct way of putting it? I'm not concerned whether it is good or not? --- Well, it gave the impression that there was still a big organisation.

That was your object? --- And yet that was impossible. It sounded good though, it sounded important. /10

Tell me, what were you planning to do with the explosives that remained after you had done this explosion? --- That didn't occur to me.

Had you intended to keep them for future demonstrations? --- I should think so.

Did you think so? --- I wasn't concerned with a long term .. (coughing) .. future.

But you had control of these explosives? -- - Ja. /20

And what were you going to do with them? -- Well, I had these explosives, I put them away, I knew where they were. I didn't think about the future really, but quite logically, obviously after this the next step would have been, should have been logically to think about what to do with them.

Did you in fact think of that? --- No, it didn't seem to me as though the future after the 24th July mattered. /30

Why not? --- Well, I thought after the 24th

July we would be living in a different situation in South Africa.

ASSESSOR MR. VAN DER BERGH:

You mean the position would change over night?

--- I thought this. I thought that everybody in South Africa might not have been aware on the 25th July that the position had changed, but our country - everybody would have taken a healthy turning towards a completely different future.

What you are saying is that it would change the outlook of this country, is that what you expected? /10

--- Yes, I don't think it now, but it made very good sense.

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) One explosion in which there would be no material or personal damage? --- You see, it would have been - for the first time really have put pressure directly on public opinion, and the Government must be sensitive to public opinion, that is one of their jobs. And the Government through the intermediate stage of public opinion, the Government would experience this pressure, it would /20 spread - it would snowball - it would cause a deviation, it would put us on a different road.

And when you heard the result of your explosion that night, did you realise that the very opposite had happened or would happen? --- Well, that night I felt - that night I felt - I couldn't accept what had happened. I mean, to me - I knew in effect what had happened.

BY THE COURT: You knew something had gone wrong with your plan? --- Sorry, I'm not getting it across. I /30 mean I had worked it all out that a certain thing was

going to happen, and when I heard on the radio that this other thing had happened it didn't sink in - I mean, I felt as though it hadn't happened, as though what had happened had been what was supposed to happen. I mean, I intended it to happen. I intended (a) to happen and then (z) happened, but when I heard that (z) had happened, I more than half felt that (a) had happened.

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) You received a good formal education? --- Ja. /10.

Matriculation and university training. And I suppose in the ordinary matric sense you studied physical science and chemistry? --- No, I didn't.

And apart from your formal education you have read widely? --- All sorts of books. Things that interest me.

And you read literature - some of the literature that was before court? --- You mean...

The hand book. --- I've looked through practically every one. /20

This one is H15, it's a sort of... --- Yes, I looked at that one.

This is one that has been before the court, it is H15, and it has got a great deal of instruction in it. I take it you were referring to this, because of the type of explosion you were going to use.

Explosives you were going to use, dynamite? --- I was referring to that?

In order to make sure that your bomb exploded and that you had the necessary instruction and that your bomb didn't fail? --- Actually I looked at that /30

thing - it was funny I just didn't feel like reading those, I looked at them, I flipped through everyone, every single one, and bits I read carefully.

Would you have been interested in the, for instance...--- Hang on. Yes, I read that one.

You read this one. Yes, I thought so, it's a very simple manual. I want to refer to a passage, safety precautions, which is at page 4 of H15, under the heading 'Storage and Handling.' "In general explosives should be handled with great care.

/10

Familiarity as ever tends to breed contempt, and this must be prevented at all costs. In particular detonators are liable to explode if handled carelessly. They should be held as a cigarette, with the open end between the fingers. On occasions the heat from a person's hand has been sufficient to detonate the Tetral. It should also be noted that the charge can throw large lumps of masonry over 400 yards, and small splinters of metal up to 1000 yards. Remember also that in a confined space the fumes from an explosion are lethal." Did you read that? --- I can't recollect reading that. If I had read it, I would have been much more careful at home.

/20

Yes. But you told us that you read the thing? --- I flipped through it, definitely.

It is inevitable that a person who is not an expert with explosives will probably turn to the handling thereof. That is one of the first precautions, not so? --- I was very careless with it, I know. Mr. van der Merwe, I think it was, several times when I told him how I had handled the things and Major Brits

/30

said it was very foolish. Major Brits, I remember, he thought I was acting very dangerously.

Yes, we are dealing with what happened before you set the bomb off. --- Yes.

You read this book? --- I definitely had a look at the lot, every one.

You had a look at the lot and you read this one? --- I remember that one definitely, definitely.

Do you remember the passage I read? --- I don't especially remember it. /10

Do you deny that you read it? --- No, I wouldn't. I'm certainly not denying that I read it.

Now, apart from that, it would be crediting you with an incredible degree of ignorance, if you were to say you didn't know what the effect of 8 sticks of dynamite explosion would be. Is that right? --- All I can say is that I didn't know that eight sticks of dynamite would do more than make a heck of a bang, in an open space.

ASSESSOR MR. VAN DER BERGH: By a bang you mean like a big cracker? --- Like that. Terrific bang. A very loud bang. /20

ASSESSOR MR. HART:

Like a thunder crack? --- Like a very loud thunder crack. You see, it had been stressed to me previously, that if you - it had been stressed to me previously that dynamite's damaging force works when it is in a - under compression you might say - in a hole in the ground or something like that. And I remember there was mention of the fact that on one occasion of the pylons they had to dig right down to the foundations to tamp it in. That was told to me once. /30

CROSS-EXAMINATION BY MR. MOOBIE (CONTD.) While on that subject of explosions, the time you decided on, I think, was the time there would be a great number of people in the station? --- Yes, I wanted as big an audience as possible.

And that would be a Friday afternoon at about 4.30? --- Well, the afternoon of the week does not mean anything.

Are you a regular user of the station? --- Yes, in and out every day. /10.

In and out every day. And you know that at that time of the day there is a great number of people? --- Yes.

In fact the evidence is that between four and five between 14,000 and 15,000 people must pass through there? --- I never counted them.

No, you can't deny that, that many thousands pass through within that hour? --- Yes. I don't know how many, but a lot of people.

Now/<sup>as</sup> you didn't convey clearly to whom you spoke to on the telephone that the bomb was in the concourse, could that have included any other place, such as the platforms? --- Say it again? Sorry. If I didn't convey. /20

If you didn't convey to the persons you telephoned that the bomb was in the concourse, your bomb could have been anywhere, on the platforms, in public rooms, shelters, anywhere. --- Yes.

And you maintain that you said it was in the concourse to the railway police? --- To the first - yes /30  
How long are you going to be, Mr. Moodie, I am very tired.

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49.

ON RESUMPTION OF COURT:

FREDERICK JOHN HARRIS, (s.u.o.)

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) You made a confession to the magistrate? --- Yes.

And wanted to disclose all the important features of this happening? --- Yes, I wanted to tell the magistrate about it.

You also made a number of statements to the police officers, not so? --- I made a lot of statements to the police.

They were quite freely made? --- No. /10.

Did you wish to assist them? --- I felt I had to, I was pretty scared.

In fact you wished to assist them because you didn't want a repetition of this happening? --- No, that was suggested to me as quite a good idea, and it seemed to me that it made good sense to say that.

Because you repeated it to the magistrate in the following way: "By telling the police where dynamite and equipment was stored, I hoped to prevent any future occurrence like this. At all times I tried to co-operate with the police." Now that was made to the magistrate, is that correct? --- Yes, I said that to the magistrate, yes sure. /20

And is this correct what you said to the magistrate? --- I said at all times I tried to co-operate with the police?

I'll read the passage to you again. --- Yes, I did try to co-operate with the police, definitely.

"I hoped to prevent future occurrences like this and at all times I tried to co-operate with the police." --- When I said that to the magistrate I knew /30

and I certainly didn't want future happenings like this to happen - to follow.

"And at all times I tried to co-operate with the police." --- Oh, I co-operated with the police a lot.

Before you were formally charged with these offences, you were seen by doctors in jail? Before you were charged? --- No, I don't think so. I saw Col. Aucamp. Is he a doctor? Because he came and felt my jaw. Is he a doctor? I thought he was a doctor. And he saw me when I came into jail, and he saw me once or twice more, and Mr. Olivier saw me. /10

District Surgeon see you? --- They saw me several times, but I don't remember exactly. The magistrate came around.

Yes. You were visited by the magistrate? --- Yes. Now, about the District Surgeon - he saw me at least once, I can remember. He was English speaking I think.

To any of these persons did you mention about this ball of glass? --- Oh, they didn't talk to me - I mean they didn't talk to me properly, they just looked at me and said, 'any complaints', the magistrate said, of 'enige klagtes' and I said 'Nee' or 'no.' /20

And did you mention this ball of glass to any police? --- No, I didn't. When I said to the police I couldn't remember things they got very angry. Even little things like, well, they'd used my brother-in-law's typewriter - they gave me a list of typewriters that they had found.

The fact is that you didn't mention to them the glass ball? --- No, no. /30

You were asked by his Lordship whether you had perhaps read it in some book or other? --- About my being in a glass ball?

No, about somebody being in a glass ball? --- Yes, he asked me yesterday.

Can you recall whether you have ever read that somewhere? --- In real life - in a book? I mean have I ever in real life read it in a book. I read a Science fiction once, it was a ..(?) .. science fiction.

Did it have something like that in? --- I'll /10 tell you all about it. These people went to Mars and they put God in a glass ball, or they thought it was God. On Mars there were blue spheres.

Did this make an impression upon you? --- It just struck me, because it was familiar.

When did you first mention to anybody this feeling on the station that you were in a glass ball? --- I think, first when I was questioned by Dr. Hurst.

And how did that come about? --- He just asked questions, lots of questions. /20

What was the pertinent question in this regard? --- How did I feel when I was on the station, I think.

And then it occurred to you? --- The first time I saw him - I mean nothing personal - I didn't - nothing personal to Dr. Hurst, but I didn't like him so much, I won't say why. After that I felt he was more friendly.

Did you know why you were being examined? --- Mr. Soggot said that they were just making sure that I was balanced. So I felt he was more friendly after /30 wards. The first time I didn't feel so happy. I

won't say why.

You had never mentioned this to anybody else?

--- I had or have?

You had never up till then mentioned this to anybody else? --- No, nobody has asked me. I know when I have mentioned things like this to people before - or anything like this, if you talk about even telepathy it puts people off. They say it is unscientific, but it is not, it is perfectly scientific.

Did your parents know about your sabotage activities? --- No, I kept everything from them. /10

And your wife? --- I tried with my wife. I really didn't want her to know, because I didn't want her to know anything about it. I really tried, but she is not a fool and she might have some times - from things I let slip - she might some times have added things together.

Would your parents have approved? --- I can remember clearly....

It is a very simple question. Would they have disapproved? --- I was going to tell you. /20

Would your father have disapproved? --- My father, I know, was against anything. He is just absolutely standard United Party supporter.

And your mother would she have disapproved? --- Well, her ordinary political views are not the same as mine, and in that sense she wouldn't have thought like me.

She would have disapproved? --- I should think - you know, I sometimes had feelings that she knew and didn't disapprove, but I didn't want to talk /30 to her, because if you put something into words then

it's stuck, it has happened, and you can hurt things - you can hurt relations between you and people if you talk about things, but if you just feel with them it is much better, much better with mummy.

At school did you take part in school theatricals at all? --- No,

You took part, I think, in some radio competition? --- You mean the Quiz Kids.

Quiz Kids. That of necessity... --- I was a Quiz Kid.

That of necessity requires good knowledge and good memory? --- It's a - you just have to fluke at the words, I used to fluke at it, it works beautifully, it works beautifully sometimes. /10

But obviously it must require sound general knowledge, not so? --- When I was on the Quiz Kids they used to give us specialise. There was a bloke called Peter Louis who specialised in music, Antonette Edwards, she specialised in art, I specialised very largely in English literature.

Of necessity you need a sound knowledge? --- Of what you were doing, you mean. Of course you had to know what you were doing. /20

And you had to have a good memory? --- They put questions to you and you had to be able to answer them.

You have to have a good memory? --- Of course you had to remember exactly as much as you could of what you were doing..

Now, did that give you a sense of being in the limelight? --- Well, I used to feel - they used to have us sitting there on the table, as big as this one... /30

Will you be able to just cut this short, and say, did it give you a feeling of being in the limelight? --- Oh we were, they used to have a light shining on us....

In the limelight in the public eye? --- I was going to say literally we were in light and I enjoyed that.

Can you answer. Did you feel that you were in the public eye? --- Of course. Public ear is better.

So also when you were a member of Sanroc you were in the public eye? --- Ja. /10

And as a member of the A.R.M.? --- Ja.

Also in the sort of limited limelight of your organisation? --- Well, people in the organisation new about it, but people outside didn't.

You were doing something active? --- In sabotage.

Yes. --- Sabotage, sure, sure.

Now, we have heard a great deal of evidence of your history, I won't attempt to cover a great deal of it, but you said in your childhood you were happy and unhappy? --- Yes. /20

That is nothing unusual, is it? --- No. No. Everybody is happy and unhappy.

And you spoke about thoughts of suicide? --- Yes.

Did you think about it seriously? --- Yes, I often felt that - I was frightened by the thought of doing it, the physical side of killing myself, and I had often sort of feel recoil at that. The idea of just getting away from people who were against you, that was a very good idea. /30

I take it from that, that you have never attempted suicide? --- I didn't ever try to kill myself.

Did you tell anybody about these thoughts? --  
- No, I felt that is half the point, just one day I won't be there, and they won't know about it.

Did you tell anybody about these thoughts? --  
- But you asked me that.

Yes, but you haven't replied? --- I said no. I said no, I thought I won't tell anybody, I'll be gone, I won't be there. /10

Now, in the lower school you were somewhat teased by being the fat boy? --- I was fat until about Standard 8.

In high school? --- Yes.

You were teased about it? --- Ja.

And you associated yourself with the William Books? --- Yes.

Because there is a fat boy there? --- Not in all the books.

Was there anything unusual about that in your mind, the association? --- I felt - when I was in primary school at Rosebank I felt that Richmal Compton was digging at me, this fat chap was me. /20

Did you do anything about it? --- I had to try to get thin some times, but it didn't work.

Did you adjust yourself despite this teasing about being fat? --- It always worried me. In fact even now I am fat again, in jail. It is not there fault, I eat their food and food gets sent in. Mr. Aucamp said to me that I was getting fat. /30.

Did it effect your work at school at all? ---

Well, I did my work - they used to tease me about - they used to tease me about not getting top marks in some subjects sometimes.

But you were nevertheless very successful at school? --- I got good marks at school.

Were you really much over weight at school?  
 --- Yes, my mother sent for a course once. She took a picture of me on the side of the swimming bath at Walkerville, she sent this picture to a doctor.

BY THE COURT: It would be much better for your case if you answered the questions. It is a very simple question: Were you very much over weight at school? /10

MR. HARRIS: I'm trying to explain.

BY THE COURT TO ACCUSED: Is the answer yes or no? --- Yes, until about Standard 8 or 9.

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) At high school you were bullied a bit? --- Yes.

You didn't like the prefects? --- No, I didn't like the prefects, except Jones.

Did you do anything active about it? --- What can you do about it? /20

Did you fight back perhaps? --- No.

Did you adjust yourself to the discipline? --- I think you just had to do it or else they pushed you around.

Did you adjust yourself to the discipline? --- I just did what they told me to do.

And in fact despite that you did well at school, up to high school? --- I did well at school.

Your work didn't suffer? --- I tried to do my best at school. /30

Your work didn't suffer? --- Well, I used to

work as hard as I could and get the best marks that I could always.

BY ASSESSOR MR. HART TO ACCUSED: Where did you come in class when you were at school? --- I used to come in the first three or five, I dropped off a bit near matric.

Did you write the junior certificate examination? --- No. I did not have a J.C. at school.

CROSS-EXAMINATION BY MR. MOODIE (CONTD.)

Now, I think it was at Hyde Park where the principal was a disciplinarian, was he? --- Mr. Crossby.

Did you like him? --- At first I liked him a lot, but I didn't like him after that. /10

Did you adjust yourself to the discipline of the headmaster? --- You asked a question like that previously. Put it another way, I don't understand it, how I adjusted to the discipline.

Well, did you meet his requirements as regard discipline in the school? --- You had to or else....

Did you? --- Yes, of course.

Did you complain to him at all? --- I went into his office lots of times, and he is very rigid man you can't talk to him. /20

Did you complain to him? --- No, I was going to get out of his school.

Did you get out of his school? --- Ja. I left his school early. I had a permanent post there and I left it.

You went then to an Indian school, was it? --- No, I went to the Indian school later.

And at this Indian school were you happy there? --- It was very free and easy, I liked it. /30.

And you left that school to go where? --- Well,

I left that school - they asked me to leave in about September, and then the next post I went to was Damelin.

And Damelin you fitted in well? --- I certainly hope so.

No complaints there? --- I don't like mentioning names.

Did you have any complaints? --- I liked Mr. Kriel and Mr. Witt, I didn't like one or two of the staff members.

Was the discipline strict at this school? --- For the teachers? /10

Yes. --- I'd say that there were some things that you had to do, and if you did those things then they left you alone.

Now, were there ever any complaints about the quality of your teaching? --- The first term the exam results were poor.

Where was this? --- Damelin.

No, I'm talking about your teaching career? --- Well, that's what I'm saying....

That was the only place where there were any complaints about the quality of your teaching? --- No, we had an inspection at Hyde Park and Mr. Griffiths criticised me. He was the inspector. /20

So now that would be one complaint and the other one was at Damelin, because your results in the first term were poor. Were those the only two? --- That I can think of.

Now, you were married. Did that give you a feeling of responsibility? --- I didn't feel it positively. I mean, my wife was the same age as I was and she is qualified and able. /30

When your family arrived, the child, did that give you a feeling of added responsibility? --- I did not think of that.

Despite the risks you were taking in sabotage attempts? --- It's funny, I didn't think of it.

You never thought of it. Did you think of the personal risks you were running? --- When I was depressed sometimes, I would think that one of the things that can always go wrong - I used to run through them - one of the things that can go wrong is something can go wrong with this and I would be in a lot of /10 trouble, but when I felt up I didn't think about it.

You spoke in evidence about reading an article by a clergyman? --- Rev. Webb.

Yes. In the tenor of that article, as I recall your evidence-in-chief, was that people who stirred up trouble were disapproved of. --- Yes. It was a phrase or a sentence or something.

You saw this while you were here in jail? ---- No.

Before? --- Some time before. /20

It made you secretly feel guilty? --- No, not guilty. I didn't feel that I was doing something wrong.

Because at that time actually you were busy with sabotage, not so? --- Oh no, he was talking about Sanroc.

He was talking about Sanroc? --- Yes.

At that time were you busy with sabotage when you read this article? --- No, I had been pulled in, but I hadn't done anything.

You also mentioned a magazine article you read, /30 was that also before you were arrested? --- That was a

long time ago.

Did you think that article referred to you? --- It wasn't an article, it was a sort of test yourself thing, and there was a bit in it which was modelled on me.

With reasons? --- Well, it seemed to me that if you looked on the worst things that I did, the worst aspect of my personality, I should say, and you wanted to be nasty you could pull these things out.

And what did you consider the worst aspects of your personality then? --- That I was lazy, and /10 that I was selfish, and that I was not considered of people some times, but I thought I wasn't getting ahead.

You weren't getting ahead. Did that worry you? --- The whole article was nasty.

No, the fact that you weren't getting ahead? --- Ja, I mean it didn't worry me all the time, but sometimes it worried me.

Because that was in fact the case. --- That I wasn't getting ahead? No, I had done quite well when I was studying. /20

By your own history of your progress you weren't getting ahead. Even you had had several teaching posts, and you tried to get a position in a diary. You had been to England where your wife had worked. Is that correct? --- The diary was...

Is that correct? In fact you weren't getting ahead and this worried you? --- I was catching up. Professor LeMay thought that I was doing very well.

Were you satisfied that you had a weak personality? --- I was taking an American course on how to be /30 more positive. They send you a book every month for

65c. I thought they were right that you must try to sell your own personality.

Now, you felt that you were making something of a success in Sanroc, not so? --- Yes.

In fact you went overseas? --- Yes, that was a very nice trip.

And did you feel your mission overseas was a success? --- No, it wasn't, because the main thing was I was supposed to talk to the I.O.C. the International Olympic Committee's executive, and I didn't get a chance to, they wouldn't listen to me and it didn't work. I was hoping to persuade them that they should do certain things, and they wouldn't listen to me. /10

Belt 50.

And when you were banned, did you feel that an injustice had been done to you? --- I thought it was jolly unfair.

Entirely unexpected though?--- I didn't expect this to happen at that time because of sport. It struck me that it was hitting below the belt. But it wasn't unexpected, because there had been that business with the passport. /20

Now, you have spoken about ambitions. I take it you will agree with me that all or most young men have got these ambitions? --- Everybody has ambitions?

Yes, young men, they see themselves eventually as someone great. --- I'm sure everybody sees themselves as getting on in life and getting better. Getting more important.

And most of this that you spoke about is really day dreaming, not so? --- Yes, I just imagine things.

There is nothing wrong with day-dreaming, did you day-dream? --- Yes, sure. There is nothing wrong /30

with day-dreaming, I mean it is very common to day-dream, when you've got nothing else to do and you want to pass the time.

And you recognised these as day dreams? --- Well, I knew that these were not impossibilities.

But you recognised them as day-dreams? You knew you were day-dreaming? --- Well, I knew that these things could happen. I mean, put it this way....

I want you to just answer. You knew you were day dreaming? --- I knew these were day-dreams, which I hoped would go ahead. /10

Yes, you were day-dreaming? --- I mean I was awake.

Now, your domestic relations were they particularly happy? --- I had a happy relationship with my wife.

Perfectly happy? --- Yes.

She was happy with you? --- I hope so.

And as usual in any married couple I suppose, you had your arguments and quarrels? --- We didn't quarrel much. /20

Financially your household was never really in a strong position, was it? --- We were never rich, no.

You rarely had enough? --- We really had enough?

Rarely. --- We had enough to scrape by, but we didn't have a lot. There were times when it was difficult, there were times when we didn't have enough money, but we seemed to have things. We had a car.

Yes, you had a car and a house and a small family. Now while you were detained you spoke of an experience with telepathy? --- Not while I was detained. /30

I thought you mentioned that while you were in custody...--- Oh no, I misunderstood, sorry. I thought you said I spoke of an experience whilst I was detained.

Here in court you spoke...--- Oh, of course, yes, I had experiences. I didn't talk about them while I was detained because I was on my own.

And you said that with practise these experiences became clearer? --- Oh they were quite clear by then, they were perfectly clear, because I'd had the practise....

You realised that this was telepathy, and in fact you realised that your mother was not there? --- She couldn't have been there. /10

You realised that? --- That my mother wasn't there. Physically with me? No, she wasn't with me.

You realised that? --- Yes. Oh yes.

You could see that this was now something to do with telepathy? --- She was in contact with me, but she wasn't with me physically. Once with my father.

No, I didn't ask any further questions. I don't know if the court or learned assessors wish to. /20.

Have you ever consulted a psychiatrist before this? --- No. What for?

Have you ever consulted any other person, other than a medical man, about your personality? --- There is nothing wrong with my personality. There is no point for me if I see anybody.

Now, in July - that was the month of the holidays - July of this year, you were working on your dissertation. was it? --- Oh desultory.

You were working on it? --- Yes. /30

You were able to work on it? --- I got books

out I didn't work on it really. I should have.

BY THE COURT: It might have had something to do with your laziness? --- Quite possibly. About Easter - in the Easter holidays I had seen Professor LeMay and I asked him for help and so on, and I'd seen him a couple of times after that. In one of these American books they gave a very good idea, that if you set a specific time in advance and then work at that time then it will work. They said that you make the decision, then the carrying out of the decision is separate from making the decision, it's better. So /10  
I a couple of times in July decided that certain time is going to my study and my work, and I went into the study....

BY ASSESSOR MR. HART: Did you have to force yourself to get down to work? --- Usually I enjoyed it. Usually I like studying. It worked perfectly. I went into the study at whatever time I decided. Perfect.

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) Now, you had time to think and ponder during this month? --- It seemed a very busy month, I don't remember thinking. /20  
I must certainly - I wasn't doing any work, I must have had plenty of spare hours.

As a matter of fact I think you used the word that during that time you shifted your thinking. You used the phrase 'I shifted my thinking a bit', do you remember that? --- When I was talking about?

The month of July. --- Oh that doesn't take much time to shift your thinking, that you can do in five seconds. I mean, you have a certain idea and you realise it's wrong, and you reject it, or else you have /30  
a new idea and you accept it, and each time it just

happens.

And during that month you were doing a lot of thinking in relation to sabotage? --- I wasn't doing much thinking. I'm sorry, I don't want to argue with you, but some months I feel intellectual and then I read and I can think, and around Easter I felt like that, but July wasn't an intellectual month.

In any event you met and talked with Lloyd on sabotage? --- Ja.

And you talked with him seriously and rationally? --- I hope so. /10.

Did you in fact talk seriously and rationally with him? --- Yes, definitely.

You made up your mind now to sabotage? --- I certainly made up my mind several times.

In other words, you were not inconsistent in your thinking, there had to be sabotage? --- Oh no, I didn't change my mind about it.

Nothing was going to change you? --- Nobody tried.

Except Lloyd? --- Possibly /20

On the one project. --- Lloyd didn't try to stop sabotage.

Except on the one project, so he says. --- Yes.

But you didn't change? --- No, definitely not.

Your plans must go through? --- Ja.

And these discussion you had with him and with Mrs. Swersky, I take it, they were on a rational basis, you didn't get heated or irritable? --- No, with Ann I was particularly happy, I didn't get irritable with her at all. /30

And with Lloyd? --- He was my friend.

You didn't get irritable at all? --- I don't remember getting irritable with him, No.

In fact you were not to be distracted from your purpose? --- You mean I was determined not to give way? Nobody tried to make me give way, so there was never any clash, I knew what I wanted to do, and I was going to do it.

Actually your ideas were quite clear in your mind? --- Yes.

And during this period - call it the holiday period up to the 14th, I think. --- No.

/10

Was it longer? --- Yes, the holiday was up to about the 28th.

Did you live a normal life at home? --- I think so.

Did you sleep well? --- Oh, I didn't have any trouble sleeping.

And it was during this period that you made your plans for the station bombing? --- Yes, during July.

You had your time table and you had worked it all out what you were going to do, and finally it was decided that the explosion was going to be in the concourse. All that had been worked out? --- That was in July, yes.

/20

And also how you were going to get the bomb to the station, and how you were going to prevent detection? --- That was worked out, you can say, the week before.

That was all worked out? --- Over the three - five days before.

/30.

Now, as I understand your evidence, the last

acts - shall we call it a preparation - before you went to the station was near the Brixton tower, when you adjusted the bomb? --- It was there or at the station.

Do you say you didn't do it at Brixton? --- No, I can't say it. I think it is more likely that I did it at Brixton.

But that was the last act of the preparation as far as we know? --- Yes.

BY ASSESSOR: That's where you set the bomb in motion? --- Yes. /10

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) Did you have any feeling of anxiety or concern? --- No.

None at all? --- Do you mean for myself or for other?

For yourself, for others or anybody? --- No.

Was there anything that you felt compelled you to go and place this bomb? --- I was going to place the bomb there...

Was there anything that you felt compelled you to place the bomb there? --- Well, it was a decision /20 I had taken that I was going to carry out.

Now when you were at Brixton and had wound up the watch, this was the last act? --- Yes.

Was there anything that you felt compelled you to go and put the bomb there? --- Well, I had to go ahead. It was the right thing.

Did you have any feeling of apprehension about it? --- No.

None at all? --- No.

You made no effort to resist this? --- I felt /30 good - I didn't feel it was a bad thing, I felt good to

do it, that it was good to do it.

Now you were then concentrating on extremely dangerous acts? --- I can see - yes.

But were you or were you not concentrating on extremely dangerous acts? --- It didn't seem dangerous.

All right whether you considered it dangerous or not, but you were concentrating on this act? --- It was a dangerous act, I can see now.

No, no. Were you concentrating on this act? --- Yes.

Your whole attention was directed thereon? --- /10  
That was the main thing in my life.

And you had to see that the bomb properly made was placed where you wanted it to be placed? ---  
It had to be placed properly, yes.

Now you've told us that you knew of the Sabotage Act? --- Yes.

Now, insofar as your bomb is concerned, it being explosive and petrol, you knew that it would cause damage, not to leave persons out of it for the moment, you knew it would cause damage? --- I didn't /20  
think of it as causing damage. I thought of it as causing a show.

Now, you saw shelter where you placed the bomb? --- When.

Where you placed the bomb? --- No, but when?

When you placed it? --- Oh, obviously, yes.

Did you see it? --- I was aware. Completely aware of where I was.

Now, that had glass around it and it had a roof and wooden benches. Is that correct? --- Yes. /30

Now, you must have known that the petrol

would burn something? --- I'm afraid it sounds crazy, that is why when the police asked me I didn't say these things. Even Mr. Phillips, I didn't....

BY THE COURT: Will you answer the question.

ACCUSED: Yes.

BY THE COURT TO THE ACCUSED: Did you know that there would probably be damage caused to the benches and the cubicle you were sitting in? --- No, your Worship, I've explained to Mr. Moodie that it seems crazy, but that's the way it was.

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) Now, apart /10  
from the Sabotage Act, you knew that the possession of explosives was prevented by law? --- Yes.

I mean in an ordered society that must be so, no unauthorised person should possess explosives? --- Yes.

BY THE COURT TO ACCUSED: Now, tell me this, the previous bomb that you placed next to the cable, what sort of a cable was it? --- I was told it was a signal cable.

Yes, but a thick cable or a thin cable? --- /20  
About as thick as my thumb I suppose.

Was it an electric cable? --- Yes.

And how was the dynamite attached to the cable? --- Well, it was at night so I can't tell you exactly, but I can tell you reasonably well. There was a concrete post there and it was going to be tacked between the concrete post and this cable.

How many sticks of dynamite? --- It was a long passage. If this was the concrete post - the cable was supported from the concrete post, it was /30  
going to be tacked in like this - if this is the explosive

charge, it was going to be tacked in like this. With the concrete post and this thing tacked in and the cable.

And the blast would break the cable? --- Yes.

Destroy it? --- It would snap it. Tap it, was the word they used.

Yes. Now, your dynamite was inside the suitcase and it was between the jerry can and the side of the suitcase? --- If the suitcase was standing in front of me like this, there was the dynamite and there was the jerry can. /10

And you didn't expect that explosion to do any harm to the woodwork? --- No.

And do you expect me to believe it? --- Your Lordship I put....

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) You told us that the possession of explosives apart from sabotage you knew was an offence? --- Yes.

And you also knew that to cause an explosion, whether it does damage or not, would be an offence? --- Yes. /20

You always realised that? --- Well, I can't tell you exactly at which moment in my life I realised that, so I can't say always.

Now, at the time...--- Hang on. Sorry. I said I always realised that. I knew perfectly well that it was illegal to have dynamite and to cause an explosion. It didn't seem so then. That's at the end of July.

What did it seem in regard to the possession of explosives? --- Oh, you had to keep them safely.

Now, what was your feeling about it, your possessing them illegally? --- I had to keep them safely, /30

I mean I had to preserve the dynamite....

No, you possessing them illegally? --- Yes, of course.

You had control of them? --- Yes,

You moved them around? --- Yes.

You had a key made in order to control them?  
--- Ja, to get at them, yes.

Now, you knew that was illegal? --- Of course.

You also knew it was illegal to make an explosion with dynamite? --- Please, when are you talking about. /10

It doesn't matter where. --- When are you talking about. Time?

During July? --- Oh, early in July I knew these things, I knew them perfectly clearly, and I knew them I suppose - I don't know if you'd asked me every day at 10 o'clock - I suppose I would have known every day at 10 o'clock, but it didn't seem very important.

You also knew it was an offence to cause an explosion which might damage property or persons? --- Just the same as the previous things. /20

Now, those were the charges that were put to you. You admit complete control of the explosives, not so? --- Yes.

That you possessed them? --- Yes, I possessed them.

You admit the act of causing the explosion in the station? --- Yes definitely.

You knew it was wrong? --- Yes. I knew.....

You admit causing the act...--- You ask a question and you don't let me answer it. /30

You better answer it. --- You let me start off

saying something and you don't let me finish it.

All right, now let's go back to...--- It's not fair.

You admit you knew it was an offence to cause an explosion in the station? --- That was simple. I mean I put it to you this way a moment ago, and I put it just the same way, I think it is clear to me, if you had asked me, Mr. Moodie, if you had asked me every day at 10 o'clock, is it illegal to cause an explosion in the station - well, I suppose I would have said, yes it is. But if you had asked me, how do you /10 feel about this illegality, is it illegal, how do you feel about it - well around the Thursday....

BY THE COURT TO ACCUSED: Perhaps I can assist you. There are persons that have committed treasons that have become national heroes. Is that how you felt? --- I didn't feel that I was going to become a national hero.

No, but I mean you knew that a person committing treason knows what he is doing is forbidden by the law, that he does it because of a belief, and he doesn't /20 care whether he is breaking a law or not. Is that what you are trying to...--- Your Lordship, in a way I would like to say that, but that isn't it. If I said that then I can feel that I was doing the right thing and blow the law. But I didn't feel that. I felt there is room in me for certain thoughts, and that is one of the thoughts that there was room in me for. You see.

Yes.

BY ASSESSOR MR. HART: Was it no concern of yours that this was against the law? --- Yes, it didn't seem that /30. it had anything to do with what was going on.

But did you know that it was against the law?

--- Yes, it didn't seem that it had anything to do with what was going on.

But did you know that it was against the law?

--- Well, I just didn't think about it at all, so I don't know what I thought about it, because I didn't think about it.

ASSESSOR: Why did you go and remove the dynamite to the station and not keep it at your house? If you are innocent? --- No, I'm talking about the time - you are talking about the 11th 12th. I'm talking about - I think that gentleman is talking about the time of taking /10 the bomb in.

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Are you referring to the 24th, the afternoon' only? --- No, I'm talking about the last two or three days.

That is the impression you gave me, that prior to that you never considered it in the light of being illegal or not. But now when I questioned you, you came back with the 24th July, the afternoon? --- I thought you were talking about those few days. I thought that gentleman was talking about.... /20

I'm sure Mr. Moodie was not referring to the afternoon of the 24th July? --- I don't know.

BY THE COURT TO ACCUSED: During July did you know that it was illegal to possess dynamite? --- He said that, yes.

Now, do you agree with that? --- Oh, in the early part of July I definitely had knowledge that it was illegal to possess dynamite. I can remember feeling that quite clearly.

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) And also /30 that it was illegal to cause an explosion therewith?

--- Yes.

And also to cause an explosion whereby property and persons might be damaged and hurt? --- Yes.

Can you tell us when you lost this feeling that it was wrong? --- It just faded.

ASSESSOR MR. HART: Did you ever lose it? --- When Mr. Moodie said lost I thought he meant like that, you know. I felt this isn't something to consider.

Did you feel that you knew it was wrong, but you didn't care that it was wrong? --- No. I didn't think about its wrongness, but I can't say exactly when /10 it just seemed that way that I didn't - that the wrongness or non wrongness didn't have anything to do with me. I know that was a feeling which I didn't have at the beginning, which I did have at the end. I don't even know exactly when it came.

BY THE COURT: But when Much and Lewin handed over their leadership to you, they taught you how to make the bomb? --- They told me various things about it, yes.

And you accepted the position with the object of going and causing explosions? --- Yes. /20

And at that time you knew that it was against the law? --- Yes.

And you intended doing it, whether it was against the law or not? --- Yes. Yes, that's very clear.

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) Now, was this your state of mind when you spoke to Lloyd and Swersky? --- Was which my state of mind?

That you were losing your sense of feeling that it was wrong and against the law? --- I can't recollect really. I can't recollect. It didn't come up in either /30 case and I just don't remember.

Now, do you still have that feeling that it wasn't wrong to explode the bomb in the station? --- I can see that it was wrong.

Do you still have that feeling, that you described to his Lordship, that it wasn't wrong to explode the bomb in the station? --- What I intended - I'm sorry, I can't say yes or no, because I don't know what exactly you mean.

You described to us that you had to do this, because you felt it must be done and that it wasn't wrong? --- Yes. /10

Do you still have that feeling today? --- In my mind there are two things. There is what I intended to do and there is what happened. What I intended to do I just don't feel bad about. What happened, I do.  
BY THE COURT: Yes, but you intended to make a demonstration? --- Yes.

But as you say it misfired? --- Yes.

Now, your demonstration was so planned that it wouldn't harm any human? --- Yes.

And that's why you thought it wasn't wrong? --- Yes. /a

And your attitude about the Sabotage Act is that the Act is wrong, is that right? --- It's not wrong to have laws against sabotage.

But your view and political state is such that you would break that law, because of your political views? --- Yes.

And that was your attitude when you placed the bomb in the station? --- I wasn't thinking about sabotage or anything then. /30

You made up your mind before then that you didn't

care whether you broke the sabotage Act or not, in fact you had... --- Long previously I had decided that the Sabotage Act I was prepared to break.

CROSS-EXAMINATION BY MR. MOODIE (CONTD.) Let's put it this way. If today you knew you could explode a bomb with petrol in it in the station, without doing material damage to property or persons, would you still do it? --- I don't know. I feel yes and no.

Well, what does that mean? --- It means that I don't know, it means that I feel pulled towards it, and I feel very tired of everything. /10

What pulls you towards it? --- It seems still to be a good idea.

Why? --- I don't know - it just feels - I don't know, I don't feel that I would do it now.

All right. You don't feel that you would do it now? --- But it is so complicated. I mean I just want to get away from it.

Do you want a rest now? --- No, I'm fine, I'm fine.

Now, you know that in these proceedings you /20 were asked to plead to a charge? --- Yes.

You understood those charges? --- Yes.

In fact it was announced from the Bar that you were fit to plead? --- Ja.

Do you know these proceedings, do you understand what is going on? --- Yes.

Perfect? --- Yes.

You are being tried on the indictment alleging three counts? --- Ja.

Do you follow these proceedings? --- Yes. /30

The first charge is murder, and that involves

an intent to kill the lady, Mrs. Rhys? --- Yes.

The second one is the sabotage explosion of the bomb in the station? --- Ja.

And the third one is the possession of the explosives? Do you understand the proceeding perfectly? --- I think so.

You think so? --- You might find that there is a defect in my understanding, but I believe I understand it perfectly.

A defect in your understanding? --- No, I'm just saying that you might, but I believe I understand /10 perfectly.

Do you in fact understand perfectly? --- Well, as far as I know. You can prove me wrong perhaps.

Do you in fact understand the proceedings that have been going on here after you pleaded to them? --- I believe so.

No. Do you or do you not? --- Yes, to the best of my knowledge.

Is that the best you can say? --- What can anybody say? I believe so. /20

Now, yesterday it was stated from the Bar that the time the crimes were committed you suffered from a disease of the mind which rendered it impossible for you to know the nature and quality of your acts. Do you remember that statement? --- Mr. Phillips said that.

When did you first know that that was your defence in this case? --- When Mr. Phillips said that.

I see. Up till then you have no knowledge of it? --- Up to then Mr. Joffe said to me - he had seen me - I had spoken right early on to Major Brits, he will /30 remember, and I said to him, what are the charges going

to be - this was about two or three weeks after I was first arrested - and he told me. Do you want me to go on?

Yes do. --- And he said to me what the charges were going to be against me or what they might be against me. Quite as early as that. And I said, but that is impossible, I didn't intend to murder anybody, it was a mistake, I said, what do you mean, so he told me what a charge of murder is, and I could see straight away where the mistake was. And ever since then they told me that if I told the truth, all I were to worry about /10 was the fact that I didn't commit murder, because I didn't intend to kill anybody. Illegal with intent to kill.

That is the sum total of what was told you?  
--- They said that if I stuck to the truth that would come through.

You couldn't be convicted of murder, because you didn't have the intent to kill? --- That is true.

That is the sum total of the advice given you?  
--- Ja. /20

Are you sure? --- Of course.

Now, this is the first time you know that in reference to all charges that is your defence? --- Of course.

What about the second charge? --- Having explosives?

Causing the explosion which caused damage to property....--- I know....

MR. PHILLIPS: My Lord, perhaps I should make it clear, it is my own fault, and cut my learned friend's /30 question short on this, that when I said that yesterday

I wasn't referring to the third charge. I was referring to the charges only of what took place on the 24th July.

\* COURT ADJOURNS \*

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FREDERICK JOHN HARRIS, s.u.o.

CROSS-EXAMINATION BY MR. MOODIE: (Contd.) I want to ask you about Lloyd at the moment. Do you recall him saying in evidence, "We both realised that there would be risk of life when we discussed the bomb in the station."? --- Yes, I remember he said that.

Is that correct? --- It is not correct at all.

And he repeated it later: "He.." that is you, "..conceded that there was still a risk of life." /10  
Do you remember him saying that? --- I remember his saying that, yes.

Is that true or untrue? --- Mr. Moodie, it's like asking me if I still kick my sister. I can't say yes or no. Can I explain it?

The question is that you heard him say what I have just read to you: "He.." that is you, "..conceded that there was still risk of life," Was that true or untrue? What he said. --- No, not true. I didn't concede that. /20

Now would you know of any reason why he should, in this regard, tell untruths? --- Well, he is trying to whiten himself, and a good way to do so is to blacken somebody else. I mean, you know, they are going to let him go after this case. That's pretty well decided. I was told this, and I can tell you who told me.

Yes, but the motive for that statement is that after this case he will be released. --- No, I don't want to harm John, I'm just saying that this is /30  
his thinking.

BY THE COURT TO THE ACCUSED: Did you discuss with him the question of risk to life? --- I explained to him that there wasn't any.

But you talked about it? --- The subject came up, yes.

MR. HART TO THE ACCUSED: Mr. Harris, I've got a note here, that this is what Mr. Lloyd said in evidence in answer to your learned counsel: "I remember very clearly he said that a loss of life would be strategically justified in saving lives in the long run." Now is that true or untrue? --- That is completely untrue. /10

-: NO FURTHER QUESTIONS :-

MR. PHILIPS: My Lord, before I ask one or two questions in re-examination, the accused did yesterday refer to a close relative and I explained to your Lordship that the reason why that anonymous description is being used is because the individual in question has agreed that a psychiatrist can give evidence regarding the condition of that person, only on that condition. /20  
I would like the accused merely to look at this and to tell me whether this is the correct name, and the relationship of that person to himself, and whereafter the accused could hand that to your Lordship. I have given my learned friend a copy of that.

BY THE COURT: This ought to go on to the record.

MR. PHILIPS: My Lord, the difficulty is that if it goes on to the record, it may get publicity. That happened at an earlier stage in this case in regard to a medical report, which was supposed to be entirely confidential, but which went on the record and which /30

has received wide publicity in the newspaper.

BY THE COURT: Well, is it an exhibit?

MR. PHILIPS: My Lord no, with respect, it is not an exhibit. It's for your Lordship's information in order to tie up with the evidence that will be given by a psychiatrist in regard to this individual.

BY THE COURT: Yes, but I can receive it as an exhibit and order that the public shall not have access to that exhibit.

MR. PHILIPS: Well, my Lord, if the newspapers are /10  
bound by such an order and if they will obey it, then I will be complying with the conditions that the individual in question has laid down. But my attorney has specifically given an undertaking that this will be completely anonymous, in order merely to protect the individual in question.

BY THE COURT: I don't know. You tell us, but how do we tell the Appeal Court?

MR. PHILIPS: My Lord, I am content, if your Lordship /20  
pleases, that it should remain on the record as a close relative of the accused, and that the evidence be given in that context. My Lord, then just to clear up one other matter in a similar context, I asked you in the course of examination-in-chief (To the accused:) of a maternal aunt - your mother's sister. Would you just tell us what her full names were, because I don't think you gave us those in examination-in-chief?

THE ACCUSED: So far as I know, Faith Simpkins.

RE-EXAMINATION BY MR. PHILIPS: Now Mr. Harris, one /30  
or two questions. At the outset of your cross-

examination you were reluctant to reveal the name of the person who approached you to join the African Resistance Movement. At a later stage in the course of your evidence, you mentioned certain names. I think you should tell his Lordship now who it was that approached you to join the organisation. --- It was Hugh. Hugh Lewin.

Then my learned friend Mr. Moodie put it to you that on the 24th July you went to visit your mother, in the course of the day. Is that correct? /10  
--- I believe so.

Have you a recollection of it? --- Yes, I visited her.

Well now, are you able to tell his Lordship whether that was before you set out for the station, or whether it was at a later stage than that? --- It was before I set out for the station, I believe.

My learned friend Mr. Moodie suggested to you, I think, if I got it correctly, that you may /20 have gone there on your way to the station, wearing your green jacket and trousers, and that there you may have changed into your brown suit. What do you say to that? --- Oh no, I didn't change into my brown suit at my mother's. You see, put it this way, I visited my mother a lot of times, practically every other day, and that's why I couldn't recollect very clearly whether I had been to see her that particular day.

Well, I think the only point of the question /30 that my learned friend was putting to you was in

relation to your changing from the one set of clothes into the other. --- Mr. Ludorf said something about it. I heard him say something about it a minute ago.

You must refer to 'His Lordship.' --- His Lordship said something about it a minute ago, and I was trying to clear it up for him.

BY THE COURT: I said it to my assessor.

RE-EXAMINATION BY MR. PHILIPS: (Contd.) Now the only point that I picked up in this regard, Mr. Harris, that I am putting to you, is that my learned friend /10 suggested to you that you went to your mother's house after you left your own house on the afternoon of the 24th, and that there you changed into your brown suit. Now what do you say to that? --- No.

Then this morning you told my learned friend about your relationship with Mr. Crossley, the headmaster of one of the schools at which you taught, and you said that you left his school, where you had had a permanent job, and then you taught at the private Indian school, which you liked? --- That was a bit /20 later, yes.

Now at the Indian school were there any persons who you felt were against you? --- Yes.

Well, now, who were they? --- There was a chap called Ibrahim and a chap called Prinsloo.

Now another thing that my learned friend asked you about this morning was an article to which you had made reference in your examination-in-chief by the Reverend Webb. --- Yes.

Now you told my learned friend that in that /30 article the Reverend Webb was talking about SANROC,

the organisation for which you had done a great deal of work? --- Yes.

Now all I want to know from you is, did it refer expressly to SANROC, or was that your interpretation of it? --- No, he didn't say SANROC. I knew he meant me in SANROC.

That was your interpretation of it? --- Yes.

You say you knew that? --- Yes.

Yes, but did anybody tell you that, or is that the way you yourself read it? --- No, I understood it myself. /10

Then you told my learned friend that - something of your experiences of what you called telepathy. Now I would like you just to tell his Lordship these experiences. Did they happen suddenly or had they developed over a period of time? --- No, I've had them for years, since roughly when we came back from England.

And have they increased or decreased in intensity as time has gone on? --- No, they've improved. I've had more of them, and better ones. /20

And who features in these visions that you get? --- Usually my mother.

Anybody else? --- Once or twice my father and once my wife.

And would you perhaps explain to his Lordship just a little more clearly, precisely what is involved in these experiences? Is there any question of touch, or sound, or is it purely a vision? --- I see my mother there, she is thinking of me, so I see her there, and she says something to me. She says /30

something friendly, or reassuring, or praising. She is standing there or sitting there.

Yes, so you see and you hear. Is there any question of touch or feel at all? --- No.

Now in regard to your reaction or your realisation of the appearances to you, what is your own reaction when they take place? Are you aware at the time that is merely a vision of someone who isn't there, or does it create in you an illusion of reality?

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--- I know that if you felt what was happening - it's /10  
not like a mirage, if you took photographs of what was happening, you wouldn't see my mother. I mean, telepathy doesn't work like that. She is in my mind, and that's how it works, that's its principle.

When it happens, are you in any doubt as to the authenticity of the vision or the message that you are getting? --- No, no, no. I always know it's my mother and I know what she said. At first I used to see her and not hear her so clearly, but now I am hearing her much better. /20

So far as you are aware, Mr. Harris, does your mother have any belief in telepathy or practise it? --- I don't know.

Well, so far as you are aware? --- I don't know.

BY ASSESSOR: Mr. Harris, from what I have gathered, you are a man fluent in English, and you have at your disposal these pamphlets dealing with explosions. You had them in your possession for a number of days. I take it, Mr. Harris, that you were fully aware of /30  
the effects of such explosions? --- You mean that I

had read the pamphlets?

Yes, and you had seen, you say, about 100 photographs. --- I don't remember saying that I had seen 100 photographs, I am sorry.

Approximately, as far as I can remember. In the pamphlets. --- Oh, there are lots of drawings and photographs. Yes, I flipped through practically everything that was there.

I mean that's where you gained your knowledge, apart from what you were told? --- Yes, well, /10 they had told me enough.

The next thing, Mr. Harris, up until the afternoon that you left your house at Florida - I take it up until that time you were still in your sound and sober senses. You knew what you were doing, what you were going to do? --- I've had some memory lapses, but I am in my sound and sober senses.

Up to that stage - I mean as far as I understood your evidence - this break only appeared from the time you left, more or less, the Hertzog /20 Tower, until the time you reached the Johannesburg station. But prior to that, there was nothing the matter with you? --- I am sure there was nothing the matter with me.

Yes. Then the next thing is this, Mr. Harris, that I don't understand, is you then described to the Court that you went to this cubicle at No. 5 and 6 platform, where you left the suitcase. There you saw yourself in this glass ball. --- I didn't see myself. I was aware of myself. /30

In a glass ball? --- No, not in actually a

glass ball. I mean I wasn't in a glass ball, I just had this feeling.

In any case, it amounts to this, that you did not in fact know what was going on? --- Oh, I knew there were people there and so on.

Oh, you did? --- I mean I could see the people in front of me, moving around.

And you were fully aware that this suitcase containing the bomb, of which the mechanism was set in motion, was standing in front of you? You were fully aware of that? --- I can't recall, I can't put myself back.. I was certainly aware that it was there. I remember seeing it there. Your question was, I was fully aware it was standing there, containing the mechanism? Oh, I knew there was a suitcase standing there. I was fully aware of that. /10

And the next thing, Mr. Harris, you told the Court that you found yourself in this row of meters. You are at present in a position to take the Court to show the court where you stood? --- Yes, I think so. /20

In other words, Mr. Harris, if I follow your evidence correctly, at that stage you were then in control of all your faculties? --- Oh, I can remember very clearly where I was standing.

Yes. And you then remembered that in this cubicle there was this bomb waiting to be exploded? --- I don't remember thinking about it.

Otherwise you thought about everything else? I'll tell you why. Because you say from there you then went to the post office. You contacted the /30

police, you contacted the Daily Mail and the Transvaaler. --- Yes.

And from there you went back to your college? --- Yes.

Did you do that in a dream? --- I can remember doing most of that.

ASSESSOR HART: Mr. Harris, I want to ask you a few questions. Your evidence in regard to telepathy, when did you first become interested in telepathy? --- Oh, years and years ago. /10

And since then has your interest grown? --- I suppose I've thought about it more, yes.

I think you did mention in the course of your evidence that with practice it improved? --- Yes, that is common. The more it happens, it gets better.

And you genuinely believed in the existence of such a thing known as telepathy? --- Well, that's a scientifically proven thing.

It is a scientific fact, to the best of your belief? --- Yes. /20

BY THE COURT TO THE ACCUSED: Have you read on the subject? --- I read a book by Ryan.

ASSESSOR HART TO THE ACCUSED: And I take it you have taken such opportunities as you had, to study the subject? --- I haven't really studied it. I've thought about it and talked about it.

Now you've told us about these experiences you've had in which your mother, I think, figures? --- Yes.

Have you discussed it with your mother? --- She's impossible to talk to on that subject. Anything /30

like that.

Have you ever tried to talk to her about it?

--- I've talked to her once or twice, and she sheers away. She doesn't like talking about it.

Have you ever attempted to check with your mother whether she has experienced similar experiences to yours? --- No, it's one-way.

When was the last time you had such an experience, can you remember? --- Yes, about Tuesday afternoon. /10

Was that in Court? --- No, I was in my cell.

Oh, after the Court adjourned on Tuesday?

--- Yes.

And prior to that, have you had many such experiences? --- Oh, I suppose about a week and a half before that. You know, I can show you evidence for this. I mean, I wrote it in a letter to her, and she said that she knows that I am feeling this.

Yes. Now I want to just ask you one or two questions about your experiences - this feeling of being in a glass ball. This was the only time you have ever experienced that feeling, if I understand you correctly? --- Yes. I felt a certain aloofness, you could say. But I've never felt it as strongly as that. /20

That was on Johannesburg station, just after you had placed the suitcase next to the wall?

--- Yes.

Now you remember putting the suitcase down?

--- No. /30

Now how many times have you seen Professor

Hurst? Since he was brought in to advise in this case? --- He has spoken to me four times.

When did you tell him about this glass ball experience? On what occasion? The first time or the second time or the third or the fourth time? --- It wasn't the first time because I was a bit cool feeling then. It was one of the others.

Did you tell him on the second occasion? --- It was one of the others, the second or the third or the fourth. /10

And prior to that you hadn't mentioned this to a soul? --- No.

Now I just want to ask you one or two questions about the events of the 24th July. You told the Court that you made this bomb on the preceding three days, I think? --- Yes.

Now do I understand you correctly, you made it at Florida? --- At Hamburg, yes, at Home.

And you made it in the suitcase? --- Yes.

Was the suitcase kept in this garage? --- Most of the time, yes. All of the time, as far as I know. /20

Now when did you put the suitcase with the completed bomb into the car? --- On the Friday.

Was it just before you left home? --- I can't recollect. I remember putting it in the car. It was on the back seat. I remember seeing it there.

And you then set off with the intention of coming into Johannesburg? --- Yes.

Did you then intend to put in the station? Had you made up your mind to do so? --- Yes. Oh, yes. /30

Now one thing that puzzles me a bit. I'm not altogether clear from your evidence. When did you set the mechanism of this bomb in motion? --- I'm not clear myself. Either at the Brixton cemetery or at the Jo'burg station.

Now were you excited at the time? --- I remember feeling happy, I don't know about excited.

Did you regard this as something important that you were about to do? --- Oh, yes.

Now you've also been asked certain questions /10 about your evidence in regard to the dynamite. You are quite a well-read man, I think you told Mr. Moodie in cross-examination? --- Yes, I have read quite a lot of things.

Have you always been aware of the destructive effects of dynamite? --- I didn't know that they still used it for explosives. I thought they used T.N.T. Like in the "Wages of Fear."

Did you not think they used it in mines or for blasting purposes? Did you not know that? --- /20 I was told that early in '64.

When these men came to see you, I think it was the 9th July, and told you were the dynamite was, did you know for what purpose it was to be used? --- Oh, yes.

For what purpose? --- For sabotage.

Did you know that it was to cause destruction? --- To knock down pylons or else cables, signal cables.

And did you know that it was a dangerous substance, a dangerous explosive? --- Well, if /30 properly used, yes.

Just one last point, Mr. Harris. I think you also told Mr. Moodie that until you saw Professor Hurst you had never had any occasion to consult a psychiatrist? --- No, I once went to see my family doctor, and discussed things with him.

Now when was that? --- In June.

In June of what year? --- This year.

What was troubling you then? --- Well, I was having headaches and I wasn't feeling so wonderful generally. /10

Had you ever, during your childhood or young manhood - say at University or school, had you ever had occasion to go to anybody for mental treatment of any sort? --- Never any need for me.

Have you ever suffered from blackouts or anything of that description? Hallucinations? That you are aware of? --- No. No, not at all.

BY THE COURT TO THE ACCUSED: Do you say the statements you made to the police were not freely made? --- No. /20

None of them? --- Well, I was under pressure. I mean, I made about four statements, I suppose five statements, and all the time they had me and I was pretty scared.

You mean the pressure of being detained? --- And I was afraid I would be beaten again.

You were beaten? --- Yes.

Now then, Mr. Moodie asked you this, but I would like to clear it up. If you had not been beaten, would you not have made the statement? --- I've never /30 thought of that. I don't know, I might well have made the statement if I had been given a chance to. At one

the statement if I had been given a chance to. At one stage I felt I wanted to.. right at the beginning I felt I was prepared to talk to them and then they started beating me and I felt.. after that I just felt I had to do what they wanted. They said they would arrest my wife.

Well then, this is what you told the magistrate: "I was arrested late that same night and knowing by then that people had been seriously injured, I was in a state of confusion. Early the next morning, Saturday, I was questioned by the police. I told them that I had placed the bomb, and at the same time told them where all the sabotage materials were stored, as I did not want anything like this to occur again. By telling the police where dynamite and equipment was stored, I hoped to prevent any further occurrence like this. At all times I tried to co-operate with the police, I told them where I had obtained components which had to be bought." Now is that true? --- No, your Lordship. /10 /20

It isn't true? --- I did those things, yes, I did tell them where I bought components.

Yes, but is it true that you told the police 'in the hope to prevent a further occurrence like this.'? --- Your Lordship, I told them because I was pretty scared.

Yes, you told them because you were under pressure, and not because you wanted to co-operate with the police. --- Well, they pointed out to me I had to co-operate with them. /30

Yes. And they compelled you to talk? ---

Yes.

So this isn't true, that you told them in the hope of preventing a future occurrence? --- They went over that with me and they said that was the best thing I could say.

What was it that you didn't like about Mr. Crossley? --- He didn't like me. He once gave me some bad classes, poor classes. He just didn't like me. I could feel that very strongly, and if somebody doesn't like you, you don't feel very happy with them. /10

Did he persecute you, or did he just pay no attention to you? --- No, he made me do things like the library. I was fairly keen on it, but he made me do things his way, and I could feel all the time he was pushing me.

Was he a very strict man? --- Quite a strict man, yes. Definitely a strict man.

And very rigid? --- Oh, he was a rigid man.

And he wanted people to do things his way? /20  
 --- Well, he used to hold staff meetings - I'll say this in his favour, he used to hold staff meetings and he used to discuss most things. He tried to be reasonable.

And did he treat all members of the staff in the same way? --- No, he had favourites.

What was it that Ibrahim and Prinsloo had against you at the Indian school? --- I don't know what they had against me, but Prinsloo was always making cracks about my teaching. /30

Yes, and I assume you and Prinsloo didn't

see eye to eye politically? --- He wasn't at all political. No, that never came up. The fact that he was teaching at the school, it was a school with a mixed staff, and that was a sort of indication that ordinary political views didn't matter to him. No, we had no trouble on those grounds. Funny, that, but we didn't have any trouble.

He thought you weren't a good teacher? ---

Yes.

What about Ibrahim? What was the trouble with Ibrahim? --- I think he was just a bad egg. /10

Oh. You mean you didn't like him? --- Well, no. I am explaining why there was something wrong with him.

:- NO FURTHER QUESTIONS :-

CATHERINE ANNE HARRIS, s.s.

EXAMINATION BY MR. PHILIPS: Mrs. Harris, are you the wife of the accused? --- Yes.

Are you 26 years of age, Mrs. Harris? ---

Yes. /20

And have you a baby, of which the accused is the father, some 4½ months old? --- 4½ months, yes.

And are you yourself a teacher? --- Yes.

And do you possess the degree of Bachelor of Arts, having majored in English and Latin? --- Yes.

And did you graduate in 1957? --- Yes.

Now when did you first meet your husband, the accused? --- I met him when I was in Matric. It was in 1954.

And where was he working at that time? --- /30

He was working at Anglo-American.

And did you and he become friendly then?

--- Yes.

And were you students together in the same year? --- Yes.

Did he appear to you to have done as well at University as he ought to have been doing? --- Well, I think he could have done better.

And so far as his moods were concerned, was he a person who was always happy, an extrovert? --- Well, sometimes very happy, sometimes depressed. /10

What sort of a person is his father? --- He is very cheerful.

And is your husband like that, or not? --- No.

Now what were interspersed with periods of cheerfulness? --- He'd have times when he was very depressed.

Can you recall, during any of his fits of depression, anything that he may have said that was particularly striking in that regard? --- When he was depressed he used to get very angry with me sometimes. He used to pick me out for very small things and speak very unkindly to me. /20

And how did those incidents continue? How did you react? --- Well, I used to cry, usually.

And when you cried, what was his reaction? --- Well, then he would get crosser still, and he would say that I was crying on purpose to make him cross.

Were these incidents caused by legitimate or justifiable causes? --- You mean that he'd get /30

angry with me?

Yes, --- No, just often very small things.

Now did he ever, in any of these moods of depression, ever talk of doing away with himself, or anything of that kind? --- Well, when he was no longer feeling cross, he'd be very sorry and he would apologise to me and say that he hadn't meant it at all, and he would say what a dreadful person he was and that he felt like jumping over a cliff.

Can you recall an incident of June of this year, relating to a dog? --- Yes, we had a dog, and it was lost. /10

Yes, and what happened? --- Well, my husband cried when it was lost.

Well now, you say that when the dog got lost, he cried. Is that the only time he has ever cried? --- When he was depressed, he sometimes used to cry.

Now these moods of depression, or periods of depression, did they last a long or a short time? --- Sometimes a short time, sometimes quite a long time. /20

What would the longest period that such a mood lasted? --- Usually I think a few days or so, but I think I remember once being a longer period of depression, when he was depressed for more than a week.

And in regard to these occasions that you've already told his Lordship about, when he would get very cross with you, as you have stated it, did he himself ever say anything about them, after they had /30

taken place? --- Sometimes he would say that he didn't mean what he had been saying. It was if he could watch himself saying the things, but he couldn't do anything about it.

Now what was his attitude in regard to people in general, in regard to how people in general felt towards himself? --- He felt that some people were for him and some people were against him.

Well, could you just tell us a little more about that? Did he feel strongly...

/10

CONTINUED NEXT PAGE.

Well, could you just tell us a little more about that? Did he feel strongly about this or was it just an ordinary sort of reaction? --- He used to talk quite often about people being against him or having their knife in for him or picking on him or something.

Do you remember what sort of people particularly he referred to on these occasions? --- Well, I don't really remember. People at school, for instance, other teachers on the staff, the schools which he was at.

Can you remember any particular individual? --- /10  
One headmaster at one of the schools he was at, I remember

Who is that? --- Mr. Crossly.

Can you remember what he said about Mr. Crossly?  
--- He said that he was against him, that he had his knife in for him. He gave him extra work to do and unpleasant classes to teach, and that sort of thing.

Now during this year, the middle of this year, did he suffer from any sort of medical complaint? ---  
He had headaches.

Were they severe or slight? --- They were very /20  
severe headaches, because I told him that he had to go and see the doctor, so he did see the doctor about it.

And do you know whether anything was prescribed for these headaches? --- I know the doctor gave him some pills.

Of what nature were these pills? --- Tranquilisers.

ASSESSOR MR. HART: Did they cure his headaches? --- I think they used to help, but I don't think they cured it. I'm not so sure about that. /30

EXAMINATION BY MR. PHILIPS (CONTD.)

Mrs. Harris, you

told us about the incident with Mr. Crossly, who was the headmaster at one of the schools at which your husband taught. Are you able to tell us of instances of any other schools at which he taught where he had complaints? --- I knew he used to talk about people on the staff, but I don't remember the names of people.

Can you remember at which schools? --- All the schools really.

Do you know which schools he did teach at? --- At Randfontein High School and the Indian High School and /10  
Damelin College.

And you say that at all the schools there were similar complaints? --- Yes.

And what were the nature of the complaints of these other schools? --- That people were against him, and they didn't like him.

Now, you've also told us that his moods - sometimes cheerful sometimes depressed. Were the changes from one mood to the other gradual or rapid? --- Rapidly.

And in recent months, up to July of this year /20 did that tendency increase or decrease? --- I don't remember any change really. Just the same.

Your husband has told his Lordship that he contracted polio. Did you know him at that time? --- Yes.

What, so far as you can recall, were the after effects of that polio? --- Well, he had a shrivelled muscle in his leg and it made one leg slightly shorter than the other, and then he had trouble with his jaw, and I only noticed this when he came back to university, when he was in a crowd with a lot of people around his /30  
jaw used to shake. I'm not quite sure if it shook or

just dropped, and he used to try to push it back again, but he used to hold his hand over the bottom part of his face, and his face would shake.

Can you recall whether he was able to - did this happen often or seldom at that stage? --- Well, he only came back to university for a little while, and it happened a number of times. I think he was only there for a week or so, I'm not sure, it happened a number of times, and then he went to the doctor and the doctor said he should go away for a holiday, so he did. /10

And at the time that he was having this trouble with the jaw, shortly after the recovery from the polio, was there any other effect that you noticed? --- I don't remember anything else.

I'm not speaking now of his leg. I'm speaking of any emotional reaction at all that you noticed in him? --- I didn't really see such a lot of him then, because first of all he was in hospital and then he only came back to university for a little while and then he went on holiday, and then it was the university holidays. I think I only saw him again some time later. /20

At the time that he had this phenomenon with his jaw that you speak of, when it either dropped or shook, was there anything else that happened to him that you saw? --- Well, there would be tears in his eyes. I don't know if he was crying or what it was, but it looked like that.

And was there any psychological manifestation that you know of? Was there any sort of feeling that he spoke of in connection with this? --- Not to me, no. /30

I'm not sure that you understand me. If he

was inside a building, Mrs. Harris, when these things happened to him, did he show any reaction? --- No, it was when he was in crowds and a lot of people around him that he used to get them.

And if he was inside in a room or a house or a building of any kind, did he have any reaction that you noticed? --- I don't remember.

Have you ever seen this phenomenon in him since? Of the jaw accompanied by these tears in his eyes that you speak of? --- Yes. The first time that I saw him after he had been released from 90 days, when I went to see him in jail. /10

And in between have you ever seen it? Either here in South Africa or when you were in England? --- It happened once when we were living in Oxford. I think it was only very slight and I can't remember it very well.

Now, after he had recovered from the polio, did he return to university? --- Yes.

And passed his second year and thereafter his third year, and then did the two of you go to the College of Education in 1958? --- Yes. /20

And at the end of 1958 did you both get the Transvaal Teachers Higher diploma? --- Yes.

Was it your husband's intention to remain permanently in teaching? --- No, I don't know.

Did he never explain to you what his ambitions were? --- He planned to teach for a while and then to study some more at university.

You were married, I think, in April, 1959? --- That's right. /30.

And then you went to Oxford the end of 1959,

is that right? --- No...

Oh, I'm sorry, in July, 1960. And then he was unable to continue at Oxford because you were unable to continue with your teaching? --- Yes.

You then came back to South Africa? --- Yes.

What was your husband's reaction to having to leave Oxford and having to come back to South Africa? --- Well, it was a great blow to him. It was very important to him when he was accepted in the college at Oxford. and it was a very sad thing that he couldn't go on. /10.

Did you have the baby that caused you to come back? --- No.

You lost that baby? --- I lost the baby.

And you started teaching again? --- Yes.

Apart from these tranquillisers that you told us about that the doctor prescribed for your husband in June of this year, did your husband ever take any other drugs that you know of? --- Well, he used to take some pills called Rittelín.

Rittelín. Do you know what they are? --- Well, /20 they pep you up, they make you feel cheerful.

And do you remember when he started taking those? --- Yes, one year we both marked matric English literature and we had to stay awake late at night in order to get through with all the markings, a lot of work to do, and so we went and asked the chemist for something which could help us.

When did you say that was? --- I'm not sure of the date, I think it must have been at the end of 1959. It was Christmas time. Yes, it was 1959. /30.

And has he taken them since? --- Yes.

Now, your husband has told his Lordship about a belief that he has in telepathy. Do you know anything about his association with that subject? --- I know he is interested in it. He talked about it and sometimes told me about it. He told me once that there was a teacher at school who was very interested in it and did experiments, and - well, he has talked about it and he said that sometimes he knows what I'm feeling or what his mother is feeling or thinking.

Has he ever at any stage indicated to you an unusual sort of attitude to the world? Used any phrase that you can recall? --- He once told me that he had the sort of feeling - he said, if I could imagine how an angel sitting on a cloud would feel looking down on the world, he said he had that sort of feeling. /10

Now, when you returned from England, that was at the end of 1960, was it? Early in 1961? --- Yes, early in 1961.

And did your husband then start taking an interest in the Liberal Party? --- Yes. /20

When did he join S.A.N.R.O.C., do you remember? --- It must have been the end of 1961. I'm not sure of that.

Well, was it a couple of years ago? --- Yes.

Now, did you know Dennis Brutus? --- Yes.

What was the relationship between your husband and Dennis Brutus? --- Well, they were very friendly indeed, and my husband was very fond of Dennis.

And in this organisation, S.A.N.R.O.C, what positions did they respectively occupy? --- Well, Dennis Brutus was the President first, and my husband /30.

was first of all the vice chairman and then afterwards the chairman.

Now, what happened to Brutus? --- Well, he left the country.

Was he first banned? --- First banned.

And then? --- He left the country and went to Swaziland.

And then? --- Well, I don't remember all the details. He was brought back. Somehow he tried to leave Swaziland and he was brought back by the police, and I think he was escaping from Marshall Square and he was shot. /10

And then, was he thereafter tried? --- Yes.

And convicted? --- Yes.

And do you know whether these facts of what had happened to Brutus had any effect on your husband? --  
- He was very upset.

Now, did your husband ever go overseas in connection with the work of S.A.N.R.O.C? --- Yes, he went to the meeting of the International Olympic Committee at Geneva. That was then around about May last year. /20

May of last year or of the previous year? ---  
No, it must have been last year. Last year, yes.

And then on his return from that trip, was he to have gone on any further trips on behalf of S.A.N.R.O.C? --- Yes, he was going to another meeting of the International Olympic Committee at Innsbruck.

And what happened then? --- Well, then he was just about to get on the plane at the airport, and Special Branch men came and took his passport away. /30.

Then what happened to the job that he at that stage had at the Indian school? --- Well, he lost that

job.

And for the remainder of 1963, did he have any job? --- No.

What did he do with himself for the rest of the year? --- Well, he was studying and he was trying to get another job for the following year. He was studying.

And when did he start work again? --- He started teaching the beginning of this year again.

At Damelin College? --- Damelin College.

Now, what happened to him in February of this year? --- He was banned. /10

And what result did that have on his various activities? --- Well, he couldn't have anything to do with S.A.N.R.O.C. or with the Liberal Party.

And what effect did that have on him? --- Well, I think it was very difficult for him, because S.A.N.R.O.C. HAD BEEN VERY IMPORTANT TO HIM. He had really put in a lot of work, and it meant a lot to him.

Did the banning have any effect on his ability to move about the country? --- Yes, he had to stay in the magisterial district of Roodepoort and Johannesburg. And I know that that also was very upsetting to him, because we often used to go on holiday. Well, every school holiday we used to <sup>go</sup> camping and we couldn't get out any more. /20

Now, at the time that this happened, what was your own physical condition? --- Well, I was expecting a baby at the time.

And when did you have that baby? --- In June.

In June of this year? --- Yes. /30

Did you continue to work for a while? ---

Yes, I worked until April.

Now, can you remember in the month of July what sort of mood your husband was in? --- Very excited and on top of the world and very cheerful.

And do you remember, apart from being very cheerful, you say, was he actively engaged in doing things or not? --- Oh yes, he was very busy all the time. Rushing around here and back. He was not at home - hardly - always rushing off.

Was it holiday time? --- Yes. /10

And did he appear to be spending his holiday at home or not? --- No. Well, he was sometimes at home marking papers, but he always seemed to be rushing around. That was the general impression I got.

And was there anything noticeable particularly about his desire for recreation? Was there anything that he specially wanted to do? --- He kept on wanting to go and see films. And it was very awkward at that time really, because baby was only a few weeks old and it was the time when the weather was very cold in Johannesburg, and I used to have to leave the baby with my husband's mother, and it was very inconvenient. But he had to go and see the films, so we did go. /20

Now, did you know of any cause for any such elation and activity that you have spoken of? --- No.

Did you know whether anything had happened to various friends of your husband's? --- Yes, some of his friends had been arrested.

Did you know that? --- Yes.

Was he engaged on a study for an Honours degree? --- Yes. /30

And in connection with that was he obliged to do a thesis? --- Yes, he had to.

Did he do any work on that thesis during the July holidays? --- No. Actually I was very worried about it that he didn't. He didn't seem to do anything at all, because it had to be done by September, and he just didn't seem to do anything about it. I kept asking him and he was going to start work and he said he would, but he didn't do anything.

Did you know a friend of your husband's called Hugh Lewin? --- Yes. /10

Do you remember seeing him in July? --- Yes.

Will you tell us what the occasion was, please? --- He came to our house one evening.

With whom? --- With a man I didn't know.

And were you present when they had a conversation with your husband? --- No. They came just after supper and I made them something to eat, then I went to bed.

Were you told afterwards by your husband what had happened? --- Yes. /20

What did he tell you? --- He told me that most of the members of the organisation that he belonged to had either been arrested or were going to leave the country, and that he had been told that he must carry on, and they told him where he could get the equipment that he needed.

How did he behave after these people left that night? Anything noticeable about it? --- He kept walking up and down and talking, and he had a habit of when he was concentrating of throwing up a ball and /30

playing with the ball, and he walked up and down and he wouldn't come to bed. He seemed very excited and cheerful - I mean very excited.

Exhilarated? --- Yes.

Now, this mood that you have spoken to us about of excitement, did that disappear during July or did it continue until the time of his arrest? --- No, it went on all the time.

Did he ever say anything to you about his feelings resulting from what Lewin and the other man had said to him and entrusted to him? --- Yes, I can't remember exactly what he said, but on two or three occasions he said something to the effect of what an amazing position of power it had put him in, and that it was an extraordinary thing that he was in this powerful position. /10

And what was your reaction, Mrs. Harris? --- Well, whenever he started to talk about it I told him not to, I said that I didn't want to know.

Did you ever ask him to exercise care? --- Yes.

And what was his reaction? --- Well, he used to say, 'I'm intelligent and I know what I'm doing, you must not worry.' /20

At this particular period, how was he behaving in relation to money matters? --- He was very extravagant, not in anything big, but we were very hard up at the time so he hadn't really been able to finish paying the doctor's bills, and he kept buying lot of unnecessary things. Just small things, but you know I was being very careful at the time with housekeeping money and that sort of thing, and I got really very worried about it and I tried to suggest that perhaps during August /30

that I should look after the money.

And how was he behaving in regard to driving his motorcar? --- Well, he was driving very recklessly and I was worried about that as well.

Yes, will you please tell us? --- On two or three occasions he came home late at night, and he told me - well he used to say 'trying out the car', and that he had been racing. He used to say to me, "you know I managed to go around such and such a corner at such and such a speed." And how good the car was and he had been /10  
trying it out and racing the car.

ASSESSOR MR. HART: How long had you had that car, Mrs. Harris? --- Well, since the end of last year. About December last year we got it.

EXAMINATION BY MR. PHILIPS (CONTD.) Had anything happened to the car? ---He got some new shock absorbers.

Had the car suffered any damage at all at any time? --- Yes, twice during the month when he was going around corners very fast he scraped the side of the car.

Now, you told us about this conduct of his /20  
relating to money and driving the car, was this characteristic of his behaviour or was it unusual? --- He wasn't extravagant and he was careful usually with money. And he normally drives fast, but not recklessly - well, I thought he was driving recklessly in July, even when I was in the car. But I was more worried really by what he told me when he came home about these races that he had been having.

Bit 54 ASSESSOR MR. HART: Did this all take place since the visit of the two men? --- Well, it was all in July. /30

EXAMINATION BY MR. PHILIPS (CONTD.) Now, I wonder if

you can just try and think, Mrs. Harris, take your time and think about it, and tell his Lordship anything that he said, any sort of phrase that he used in regard to what he had in mind or proposed to do after the visit of these two men? --- Well, he talked to me a number of occasions about that he was going to do something terrific. He used the word pivotal, he said that it was going to make its mark on South African history or it would change South African history, I'm not quite sure exactly what he said, but something like that. /10

Any reference to any member of the Government, that you can recall? --- He said he was going to write a letter to Dr. Verwoerd, and I think he said, try and make him see reason.

And these statements that you have now spoken about, about changing history and about writing a letter to Dr. Verwoerd, were these only in the month of July or were they shortly before the station incident? --- That was towards the end of July, about the last week or so. /20.

Did you ever see any letter that he drafted to Dr. Verwoerd? --- No, I don't remember seeing one.

But you recall his telling you that he was going to write to him? --- Yes, I remember him saying that he was going to do it.

Were you yourself concerned with the baby at the time? --- Well yes. I was very worried about the baby.

What was the weather like? --- That was the time when we had very severe weather, and it is my first baby, and I didn't know whether I was wrapping it up too /30

warmly or letting it freeze and I was very worried about it.

Now, can you tell us, so far as you can recall, Mrs. Harris, what happened on the morning of the 24th July? --- Well, we went to town and I had to buy some flowers, so my husband took me to town.

BY THE COURT: By town you mean? --- Johannesburg.

MRS. HARRIS: And we drove around until I found exactly the flowers I wanted.

EXAMINATION BY MR. PHILIPS (CONTD.) How did he behave? -- /10  
 -- I remember that he sang all the way, and I found it rather irritating, I don't know what it was, but he only knew the first half of the song or the first few phrases and he kept singing the same thing over and over again, and I asked him to try and sing something else, because it got on my nerves a bit.

And how did he drive? --- He drove very fast.

Anything else that you can recall that happened that morning? --- After we had got the flowers he went and stopped at the Johannesburg station, and he said he /20  
 had to pick something up, from the luggage room. So he went and got something and he came back to the car. I sat in the car while he was away. And it was a small suitcase. I'm not sure if it was one suitcase or two suitcases, I don't really remember, that he put in the boot of the car, and then we went home, I remember being very agitated about the time, because I had to get home to feed the baby.

Did you see your husband's mother at all that day? --- Well, I had left the baby with my husband's /30  
 mother while I went to town, so after we had been in town

we went back to her flat so that I could feed the baby there.

And then from there? --- Well, after that we went home, and we had lunch and then my husband had a sleep.

And then? --- Well, then 3 o'clock or half past three, I'm not sure what the time was, he went to town again.

What clothes was he wearing that day? Do you remember? --- Yes, he had on greenish colour trousers and a tweedy coat, it was a greeny brown colour. /10

And what sort of shoes? --- Veldskoens. He always wore veldskoens.

Were those the clothes he was wearing in the morning? --- Yes.

And what clothes was he wearing when he left in the afternoon? --- The same.

Now, this singing of his that irritated you, and his fast driving and so on that day, had you at any stage had any fears that he might get into trouble at all as a result of his political activities? --- Well yes. You know when quite a lot of people who knew him seemed to be arrested I had been afraid, and I suggested to him that we should leave South Africa, but he laughed. /20

Did he ever appear to show any apprehension about the possibility of being detained or arrested? --- No.

Now, you say that he left in the afternoon, now when he left wearing these clothes that you have described, do you know whether he took anything with him? Did you see? --- I went with him to the car. He had a /30

brown suitcase with him.

And when did he come home? --- Well, I'm not sure of the exact time, but it was just before supper, because I was in the kitchen getting supper at the time.

Was it before dinner? --- Yes.

Apart from this brown suitcase, can you recall whether he took anything else with him? --- I have an idea that he took a canvas bag, but I'm not certain about that.

And when he came back that evening before dinner, how was he dressed? --- Well, then he was wearing a brown suit. /10

And what shoes, do you remember? --- He only had veldskoens.

Now, what was his mood when he came home? --- He was very cheerful and talkative, and his father came to our house just after my husband arrived, and my husband was chatting and talking to us both, well, very elated and exhilarated

Do you remember his doing anything as a result of his elation and chattiness? --- Well, I remember that he phoned somebody. One or two people may be he phoned, I don't know/<sup>who</sup>it was that he phoned, I remember he had been on the phone talking to somebody. And I remember I think that I came in to lay the table, the telephone is in the diningroom and I remember him talking - hearing him talk on the telephone about a new aeroplane that had come to Johannesburg just then. /20

Did anyone in your house that evening listen to the radio? --- Yes. /30.

Did you hear the news of the explosion at the

station? --- Yes. I don't remember if I actually heard it on the news or my father-in-law came and told me, but I knew about it.

And what did your husband do with himself that evening? --- I don't remember.

What was your own reaction to the news? --- A feeling of horror and in a great terror. And I remember my husband phoning somebody and then I remember that he went to bed early, but I don't remember anything else.

And after he had gone to bed did he fall asleep? --- I think so, yes. /10

And then the police came at about 11 o'clock that night? --- Yes.

When they came was your husband asleep? --- Yes

\* COURT ADJOURNS \*

ON RESUMPTION OF COURT: 2 p.m.

CATHERINE ANNE HARRIS, (s.u.o.)

EXAMINATION BY MR. PHILIPS (CONTD.) Mrs. Harris, there are just one or two points that I have omitted to ask you about, and they are therefore a little bit out of their sequence. I wonder if you can tell his Lordship at all the sort of things that your husband was talking about on the morning of the 24th when he went into town with you? --- I have a vague remembrance that he was talking about people and people in Johannesburg, and he is feeling sorry for them and the sort of lives they led. I have a sort of vague remembrance of that. /20

Sorry for them and the lives they led, did he say why, what was wrong with the lives they led? --- I don't really remember. I remember him talking about it, but I wasn't listening very carefully. /30

ASSESSOR MR. HART: Was this confined to people in general

or just people of Johannesburg, Mrs. Harris? --- I'm not really sure, I think in general, I'm not sure.

EXAMINATION BY MR. PHILIPS (CONTD.) Now, one other thing, Mrs. Harris. We have been told that early in 1964 your husband's mother was treated by a psychiatrist. You are aware of that fact? --- Yes.

We will be calling evidence shortly of what she suffered from and what the treatment was. Can you tell us what your husband's reaction was to that? --- He was terribly upset by it and especially by the fact that she wouldn't go and see a doctor. /10

Did she become acquainted with what in fact was wrong with her? --- Did she become acquainted?

Yes. --- No, she didn't ever tell us exactly what was the matter with her.

Do you know by whom she was treated? --- Yes, I remember it was Dr. Jeppe that she went to.

MR. PHILIPS: NO FURTHER QUESTIONS.

MR. PHILIPS: Asks permission to interpose Dr. Jeppe before cross-examination of Mrs. Harris. /20

BY THE COURT: Permission granted.

CARL LOUIS PICKARD JEPPE, (s.s.)

EXAMINATION BY MR. PHILIPS: Dr. Jeppe, are you a specialist psychiatrist, practicing as such in Johannesburg? --- I am.

Would you tell his Lordship what your qualifications are, please? --- Bachelor of Medicine, my Lord, Bachelor of surgery and Diploma in psychological Medicine, Specialist psychiatrist.

And how long have you been in practice? --- /30  
I have been doing psychiatry for about 20 years. In

specialist practice in Johannesburg about 14 years.

Now, I want you please to tell his Lordship and the assessors about two patients whom you treated. The one was Mrs. Harris, I think her full names are Thelma Leslie Harris, and the other one is a person whose name I don't want you to mention, please. The court is already aware of that person's name. Would you deal with Mrs. Thelma Leslie Harris first, please? --- My Lord, I saw this patient in April of this year at the request of her home doctor, and perhaps it might simplify the matter if I could read my letter to him, my Lord? /10

Yes. --- This is written on the 27th April, the day after I saw her:

"Dear Dr. Jacobson,

Many thanks for asking me to see Mrs. T.L. Harris.

I entirely agree with you that the picture is strongly suggestive of melancholia. The early morning waking despair and the uncontrolled weeping are typical. There have undoubtedly been various factors which triggered the condition, but it is fundamentally endogenous and should respond well to treatment.

She is averse to electro-shock which is the treatment of choice, so I have prescribed Parstelin Librium Drinamyl. This should help, but if the improvement is not maintained I think she should accept the more energetic treatment." /20

That was my letter, my Lord, after I saw her. I saw her a few days later and a little later still, and her response to the tablets was excellent and in point of fact she recovered from her endogenous depression.

BY THE COURT: How old was she? --- 62, My Lord.

ASSESSOR MR. HART: Did she make a complete recovery, as far as you know? ---- Yes, I have not seen her for some months, but from the point of view of the endogenous depression, she has made a complete recovery. /30

What does that mean? --- My Lord, this is a constitutional condition not reactive, if I may put it that way. To explain it, there are two kinds of depression, my Lord, one / <sup>reactive</sup> to circumstances, one exogenous and endogenous arising from within. I think this is a more biochemical thing, not particularly related to circumstances.

EXAMINATION BY MR. PHILIPS (CONTD.) Does this kind of complaint recur in patients? --- It does, not invariably, it does certainly some times recur. /10

Now, would you tell us about the other patient please, without mentioning his name? --- This patient I reported on in September, 1962, my Lord, having seen him a day or two previously. I said:

"Many thanks for referring him. He is undoubtedly suffering from a relapse of the endogenous depression he experienced 30 years ago. A rigidly uncomfortable condition, but the prognosis is excellent, particularly in a man of his calibre. I thought under the circumstances that it would be best for him to be treated in a nursing home. Electro-shock therapy is the treatment of choice if medication fails, and he has agreed to go in on Friday." /20

And his response to treatment was excellent, my Lord. He went into the nursing home, had a course of shock treatment and recovered.

ASSESSOR MR. HART: How long did the treatment last? --- About two to three weeks.

EXAMINATION BY MR. PHILIPS (CONTD.) What was his age, Dr. Jeppe? --- 61.

And this disease which you refer to here, is that the same as the one which you referred to in the case of Mrs. Harris? --- Yes, they were both suffering /30 from the same constitutional conditions and endogenous

depression.

And is this a case of what you said just now illustrates the possibility of a recurrence of attacks of this kind? --- Yes, this particular patient had had a previous attack some 30 years prior to the time I saw him.

MR. PHILIPS: NO FURTHER QUESTIONS.

MR. MOODIE: NO CROSS-EXAMINATION.

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CATHERINE ANNE HARRIS, (s.u.o.)

CROSS-EXAMINATION BY MR. MOODIE: Now, has your marriage /10  
been a happy one? --- Yes.

Nothing more unusual than the usual domestic quarrels perhaps? --- Well, except when my husband became angry with me which weren't really quarrels.

You merely felt it was unreasonable? --- Yes, he would...

Now all the years that you knew him at school and at university up to July of this year, did you notice anything abnormal about him? --- No. I mean he is /20  
different from me, but everybody is different, and I didn't think...

Each have their own idiosyncrasies, not so? Would that be right? --- Yes.

Would you describe him, in all the years you have known him as an immature person? --- I wouldn't know how to tell an immature person.

Well, is he childish in some regards? --- I don't know. I think I have just taken him for granted, that's the way he is. I have known him for a long time, and I haven't analysed him or anything like that. /30.

Did he strike you as being emotionally unstable?

--- He didn't strike me as unstable, but as I say, some times he would be very depressed and some times very cheerful, and I don't know if that's unstable.

Did that make a very great impact upon you? --- Well, I took it for granted that that was the way he was.

That was his nature? --- Yes.

Even at school and later at university and during your marriage? --- I didn't know him at school.

I thought you... --- I was still at school when I met him, but I didn't know him at school. /10

Now, having known him before and after marriage, would you be able to describe his personality? --- No.

Did he push himself forward at all? --- I don't think so.

Does he allow it - if I may use a phrase - to be pushed around? --- No.

Has he told you about his troubles at school? The various schools he was at? --- Yes.

And he didn't like the principal? --- Yes. /20

Did he tell you that he had taken exception to the principal's behaviour? --- Well, he felt that the principal was being unfair to him.

Did he tell you that he had taken it up with the principal? --- I don't remember him saying anything about that.

Did you advise him to, if he felt he was being unnecessarily harshly treated? --- No, I don't remember advising him to do that.

He had a number of posts, not so? --- Yes. /30

I think the Hyde Park School, the Indian school

--- Yes. Damelin College.

Any others? --- Randfontein High School.

And up to Damelin College date he left all those appointments? --- Well, Hyde Park he left because he went overseas, and he left Randfontein High School because he wanted to go on studying part time at university, and at the Indian school there wasn't any extra-mural duty, and it was very close to the university so it gave him an opportunity to study.

And you don't think he left because he couldn't get on well with the people or the principal there? Or may that partly have been the reason? --- I don't know.

Didn't he tell you? --- No.

Was he a very sensitive person? --- Well, I think so.

Now, he discussed with you that he had left the Randfontein school and the Indian school? --- Yes.

And now you say the reason for leaving the Randfontein was that he wanted to go where? --- To the Indian school. It was near university and there wasn't a lot of extra-mural work. /20

Is that the reason why he left? --- Well, that is what I understood.

Did he discuss these matters with you before they happened? --- I don't remember.

Now, you told us today principally about his behaviour in July, 1964? --- Yes.

Had you noticed any of these symptoms before? --- Which symptoms do you mean.

About you mentioning that he was up and then down /30 and he was restless? --- Yes, he had certainly been restless

and excited and that sort of thing before. He definitely had been like that, but in July it was much more noticeable.

And did these symptoms worry you? --- Some of them did. Like the extravagance worried me, certainly, and the way he was driving the car so recklessly.

I'm referring to the symptoms he showed before July, did they worry you at all? --- No.

They made no impact upon you? --- Well, I mean, I knew he was like that. /10

That was his normal manner? --- Yes.

You never thought of asking him to see a psychiatrist? --- I didn't think that there was anything abnormal in him being like that. I know I'm not like that.

It seemed normal, because he had always been? --- Well, yes I think I had known him being like that.

Now in July, I think it was July 8th, two men came to see him? --- Yes.

And thereafter he appeared to be elated, I think/20 is the word you used? --- Well, excited.

This was holiday time, and did this excitement worry you at all? --- I'm afraid that at the time I was concentrating rather a lot on the baby and not worrying about my husband.

You were not worrying about it? --- No.

And it was significant enough for you to remember today that he appeared excited and restless? --- Yes.

But not enough to cause you to think he should /30 see a psychiatrist? --- I didn't know that one should go

and see a psychiatrist if one was like that.

And then you say he had headaches? --- Yes.

For which you advised him he should see a doctor for? --- Yes.

And you say definitely he did see a doctor? --- He did see a doctor, yes.

Did he tell you that he was going to see a doctor? --- I was there and I went with him.

You went with him? --- Yes.

Did you tell the doctor about...--- No, I didn't /10 go in with him to see the doctor.

Did you tell your husband to tell the doctor about the state he was in? --- No. I didn't tell him to tell the doctor anything, I just said that he should go and see the doctor about the headaches.

Did the accused tell you about a matter, the material that had been left in his hands?--- No, he told me that he had some equipment, but he didn't tell me anything about it.

Did you ask him what sort of equipment? --- No, /20 I didn't want to know about it.

Did you infer what it was? --- Well, I guessed it was something to do with sabotage, but I didn't know anything about it.

Yes, it was something to do with sabotage, but you didn't want to know more about it? --- No.

Did you fear that your husband was going to use this material? --- Well, he told me that he was.

Did you try and dissuade him? --- Well, I told him that he must be very careful, because... /30

And when was this? --- I think lots of times.

After the 8th? --- Yes, during July. I suppose it must have been after the 8th.

Was it perhaps before the 8th, you told him to be careful? --- No, I think it was towards the end of July really.

Prior to the 8th July, do you know whether he went out and remained out late at night? --- I don't remember his doing so. But I couldn't be sure.

You can't be sure. Now, when you told him to be careful, what did you have in mind? --- That he didn't /10 hurt himself.

By reason of the fact that he was using explosives? --- Yes.

And did you have knowledge of what sort of objects would be aimed at? --- No.

Did you tell him to be careful that he was not caught or arrested? --- I don't remember specifically saying that.

That would be even more disasterous from your point of view, would it not? --- Yes. /20

If your husband was arrested? --- I don't quite know what you mean.

Did you have in mind that he had to take care that he was not caught or arrested? --- Yes.

And you told him to be careful in that regard? --- Yes.

When he left on the 24th in the motorcar, not the morning in the afternoon, you say you saw a brown suitcase? --- Yes.

Where did you see that? --- As far as I /30 remember he took it out of the garage, and he carried it

along the garden path and then he put it in the car.

Did you speak to him about it? --- No.

Did you know what was in the suitcase? --- No.

Did you suspect what was in there? --- Well, I guessed it must be something to do with this organisation but I didn't ask him about it.

You assumed it must have been explosives? --- Well, I don't know what sort of things they had. I don't know about that at all.

Did you ask him why he was going to Johannesburg? --- Yes, he was going to Johannesburg to get some exam papers from Damelin College. /10

That is what he told you? --- Yes.

And you assumed, I take it, that that is why he took the canvas bag with him? --- I don't remember thinking about the canvas bag at all. He used the canvas bag quite often actually for papers. It just didn't strike me at all.

But the big suitcase worried you? --- No, it didn't worry me specifically. /20

And he returned that evening about six? --- I couldn't be sure of the time.

In the evening? --- Yes.

And did you have supper together? --- I don't remember.

Why not? --- I don't know.

Are you clear whether or not you listened to the radio? --- No.

Who gave you the news of the explosion? --- I don't know, I might have heard it on the news, and perhaps my husband's father told me. I really don't /30

remember, I just remember knowing what had happened.

Mrs. Harris, is there anything that might have disturbed your memory or your recollection of that afternoon and evening? --- I don't know what you mean.

Well, you can't recall certain things. Is there anything that distracted you that afternoon or evening so that you can't remember clearly what happened? --- Well, I think the news over the radio.

I see. That upset you a great deal? --- Yes.

And on hearing that did you infer that your husband has been a party to this explosion? --- Well, I'm not sure if he actually told me or if I just, as you say, inferred, but somehow I just knew. /10

Somehow or other you knew? --- Yes.

Can you exclude the possibility that he did tell you? --- No. He might well have told me.

Now, if he had told you that would have been an outstanding feature of that evening, and you must have remembered it? --- Well, he did tell me earlier in the evening, he said - he had been talking a lot about this terrific thing that he was going to do. When he came home he said to me that he had done it, but he wasn't sure if it would work. /20

And did you ask him what he had done? --- No.

You mean to tell the court that the conversation ended on that note? --- Yes, I didn't want to know.

He just said he had done it, and he didn't know if it would work? --- Yes.

Now, was that before or after the radio news time? --- That was before. It was very soon after he came home. /30

Was there anybody else present? --- Not present when he told me.

There was no one else present? --- No. His father was there, but not when he told me.

Pardon? --- His father was in the house, but not when my husband told me.

Then you had your fears confirmed when the news came over? --- Yes.

Were you with the accused after that? --- Well, yes. /10

Did you speak to him about your fears that had been confirmed? --- I don't remember doing so.

You don't remember? In the normal course of events would you have done so? --- Well, it is difficult to say, because I tried always not to ask him about anything to do with this organisation, I didn't ask him, and he didn't tell me.

Then the accused's father remained with you that evening? --- No, he stayed a little while.

Did he go before supper? --- Yes, I think so, yes, he must have. /20

And I take it you and the accused had supper together then? --- Yes.

Did he appear normal to you then? --- I can't remember.

And you say he used the phone after supper? --- Yes, I remember that he used the phone.

And then he went to sleep? --- Yes.

He normally sleeps well? --- Yes.

He does? --- Yes. /30

I think you said the midday before he left on

the 24th he had a sleep? --- Yes.

So that day of the 24th he appeared calm? ---  
No.

He simply laid down and went to sleep, didn't he? --- Yes. Well, I didn't see him go to sleep. He told me he was going to have a sleep.

And he went to the room? --- Yes.

And what time was that? --- I don't know. It was after lunch.

Did you ask him when you saw him again whether he had slept? --- I don't remember asking him. /10

Now, did you ask the accused what he was going to write to Dr. Verwoerd? --- I don't remember discussing it with him.

You never saw this letter? --- No.

He never told you what he had written? --- No.

Can you recall when the discussion about this letter took place? --- No. I know it was quite recently, but I should think July, because I think it was after the baby was born. Yes, it was after the baby was born. /20

Now, that night you were obviously very disturbed in your own mind? --- Yes.

That is the night of the 24th? --- Yes.

Now, I take it, you didn't sleep much? --- No.

You realised then that something very serious had happened, that he had probably or undoubtedly been a party to the explosion at the station? --- Yes.

Now, he had been excited? --- When?

On that day and when he came back? --- Yes.

He had apparently been excited that day, so you say, and when he came back, would you say he was /30.

restless? --- Yes.

Until he went to sleep. So much so that you were worried? --- Well, I don't remember the later hours of the evening, but I remember that he was very restless when he first came home.

Were these symptoms that he was showing such that they gave you cause for worry? --- Well, he had been like that, as I say, for quite a while.

And did you think then that he was mentally disturbed? --- I don't know how you tell when a person is mentally disturbed. /10

Mentally abnormal? --- I don't know.

When the police came, did you tell them that you felt he was ill? --- No.

You weren't worried about his condition at all? --- I don't remember.

Now, you know that an application was made a little while ago for the accused to be examined by a psychiatrist? --- Yes.

You were told that by your lawyers? --- Yes. /20

And you saw Dr. Hurst on the 12th? --- I don't remember the date.

When there was a public holiday, do you remember, on a Saturday? --- Yes.

With the rest of the family? --- Yes.

And were you asked to recall any strange episodes in your husband's life? --- Yes.

No matter how trivial? --- Well, Professor Hurst asked me questions.

And that is about whether he was restless? --- Well, he asked me how he would behave and that sort of /30

thing.

And all these things came back to you then? ---

Yes.

Prior to that they had made no great impact on you? --- I mean I knew that he was like that...

They really hadn't been significant, had they?  
--- They had been significant. I mean it made a great deal of difference to our lives when my husband was depressed or when he was cheerful. But I took it for granted that that is the way he was. /10

You yourself must at times be depressed or elated? --- Yes.

No great significance in that? --- No.

And you were asked about his conveying his thoughts to you, like the angel on the cloud looking down on the world? You were asked to recall that? --- No, I wasn't asked, I just remembered that.

And were you told that the accused had done these acts, possibly the only defence would be that he was mentally unstable at the time? --- I don't think so. /20

You don't think so? --- Miss. Hayman told me that she was going to try and get a psychiatrist for my husband, and then I know that an order was made by the court - something to do with it, and then on Monday she told me that she had been an appointment for me to see Professor Hurst.

When Miss. Hayman told you that, did it strike you, what on earth is this for? --- I knew it was something to do with the Defence, because I mean Miss. Hayman is looking after my husband's defence. /30

And did that strike you as strange? --- What?

That an appointment should be made to see a psychiatrist? --- I took it for granted that Miss. Hayman must have some reason for doing so, and I left everything to her.

Were you asked to recollect any peculiarities in his behaviour during your married life? --- I can't remember the professor asking me that question.

But you were asked a lot of questions? --- Yes.

They were direct questions? --- Yes. I'm not quite sure what you mean by direct questions. /10

Were they questions that suggested the answer?

--- No.

Such that he was a restless man? --- No.

And did he sleep well? --- No.

Did he have flights of fancy? --- No.

Was he irritable? --- Yes, I think professor Hurst asked me whether he was a very even tempered person or not, and then I told him that my husband about nothing could get angry with me.

Yes. And did they ask you about his teaching life? --- Professor Hurst asked me to start about myself and when we got married and that sort of thing. /20

And were you asked about his behaviour during July? --- I don't remember the professor specifically said during July. I don't remember how he put it.

Perhaps a few weeks prior? --- I think he asked me how he behaved. He asked me about how he normally behaved and if I noticed any change this year. I'm not sure.

And you immediately thought of the behaviour during July? --- Yes. /30

And you described it fully? --- Well, I told him what I told everybody in court.

MR. MOODIE: NO FURTHER QUESTIONS.

MR. PHILIPS: NO RE-EXAMINATION.

ASSESSOR MR. HART: Mrs. Harris, I would like you to take your mind back to that afternoon, Friday 24th July. --- Yes.

Remember you told us that your husband went and had a sleep after lunch. --- Yes.

Do I understand that you went out with him to the car when he was leaving for Johannesburg in the afternoon? --- Yes. /10

What was his behaviour when he left the house? --- The same really. He was cheerful and elated.

Was there anything about his behaviour that worried you? --- No.

Did he kiss you goodbye? --- Yes. As far as I remember. I mean I don't remember noticing anything.

That's what I really want to know. Did you notice nothing abnormal about him when he left? --- No. /20

He was just leaving in a normal way? --- Yes.

Now, he returned, you told us, just before supper that evening? --- Yes.

And then he told you - I think I noted it down here - that he had done this terrific thing that he had been talking about. Did he tell you what it was? --- No.

Did you not ask him? --- No.

When did you realise what the terrific thing was? --- It must have been when I heard the news.

Did you then ask him about it? --- I don't remember asking him about it. I think, I'm sure I didn't. /30

Now, Mr. Moodie was asking you questions about what you were asked by Professor Hurst inter alia. I would like to know, can you remember now any peculiarity of your husband during your five years and 2 months of married life? --- I'm not sure what peculiarities are. He behaved differently from other people, but ...

Did he ever behave in such a way to cause you alarm or worry? --- No, not that I can specifically think of now.

The only time, that I understand, that you wanted him to see a doctor is when he had headaches? --- We had other times when I wanted him to see a doctor, but it was normal. /10

Thank you.

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BERT ALFRED HURST, (s.s.)

EXAMINATION BY MR. PHILIPS: Professor Hurst, are you the professor of psychological medicines and head of the Department of Psychiatry and Mental Hygiene at the University of the Witwatersrand? --- Yes, my Lord. /20.

Do you hold the degrees of B.A., B.S.C., M.B. Ch. B and P.H.D. of the University of Cape Town, and M.D. of the University of Pretoria? --- Yes, my Lord.

Are you also the chief psychiatrist of the Johannesburg Hospital and the associated teaching hospitals? --- Yes, my Lord.

And are you the head of the Department of Neurology and Psychiatry of Tara Hospital? --- Yes, my Lord.

And the Consultant Psychiatrist at Sterkfontein Hospital? --- Yes, my Lord. /30.

Were you formally the Physician Superintendent of the Sterkfontein Hospital? Between the years 1952 and 1958? --- Yes, my Lord.

And were you the court psychiatrist in Johannesburg between those same years, 1952 and 1958? --- Yes, my Lord.

I underst and, professor Hurst, you are also or were also the Assistant Physician Superintendent of the Weskoppies Hospital between 1948 and 1957? --- Yes, my Lord.

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Now, Professor Hurst, at the request of the accused's attorney in this case did you interview the accused, Frederick John Harris, on a number of occasions and also his wife and other members of his family? --- Yes, my Lord.

Would you tell his Lordship when you held these interviews? --- I interviewed the accused on Saturday the 10th October, 1964, from 10 a.m. to 1 p.m. and 1.45 p.m. and 5.15 p.m. On Sunday the 11th October from 9 a.m. to 1 p.m. On Friday the 16th October from 9.15 a.m. to 12 noon. On Sunday 18th October, from 10.15 a.m. to 1 p.m. On all occasions in the presence of Dr. A.J. van Wyk and Dr. van Niekerk, the Government psychiatrists.

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And then you also interviewed Mrs. Harris, who has just given evidence, is that correct? --- Yes, on the 12th and 17th October, I had contacted Dr. van Wyk to give him the option of being present, and he was unable to be, but was happy to receive my report of my findings when we met subsequently.

And did you also interview the father and mother /30 of the accused? --- Yes, my Lord.

And the sister and brother-in-law? --- Yes, my Lord.

And did you convey to Dr. van Wyk the information obtained by you at these interviews? --- Yes, my Lord.

I should have mentioned too that before you saw Mrs. Harris, the wife, for the first time did you have consultation with Dr. McMillan Specialist Physician in Pretoria? --- Yes, I saw him on Saturday the 10th October from 8 a.m. to 9.30 a.m. /10

Is Dr. McMillan a physician? --- Yes, my Lord.

And Professor Hurst, have you been present in court from the commencement of the hearing On Monday of this week when the accused went into the witness box? --- Yes, my Lord.

And have you heard all the evidence given by the accused in-chief and in cross-examination and the evidence given by his wife in-chief and in cross-examination, and also the evidence of Dr. Geerling and Dr. Jeppe? --- Yes, my Lord. /20

Would you tell his Lordship and the assessors what your findings were, please? --- My salient findings and conclusions are as follows, my Lord: Physical findings on the examination of the 11th October, 1964, I examined the accused in the presence of Dr. van Wyk and Dr. van Niekerk. His blood pressure was 138 over 85. He gave a history of headaches which had been severe intermittently since October, 1963. He said they commenced on the left side of the root of the nose, moving up to the mid frontal region and radiating posteriorly. /30 They became severe in May, was told by an optician he

consulted that it was not due to his eyes, and he was treated subsequently by his own doctor on the basis of these being tension headaches. Still under the physical examination and history he mentioned the following <sup>in</sup> illness diagnosed as poliomyelitis in 1956. He had some shortening of the left lower extremity, necessitating a built up shoe and he has also had wasting of the quadriceps and hamstring-muscles on the side as disclosed by examination. The attacks reported as dating from his poliomyelitis episode are characterised by weeping, fear /10 of having a roof over him and the difficulty of controlling movements of the lower jaw. These are in my opinion in the nature of hypo ventilation attacks secondary to anxiety, from the example witnessed by myself and my colleagues Dr. van Wyk and van Niekerk at the first interview. Proceeding with the physical examination, there is still some mild anaesthesia or lack of feeling in the vicinity of the left angle of the mouth in relation to the well now healed fracture of the left jaw that was present. The left lower molar tooth had been removed as /20 part of the operative procedure for treating the jaw. There was no history of epilepsy. This is a matter I went into very carefully, and one had also obtained with the concurrence of the Government psychiatrist who also received a copy of the report an E.E.G. EXAMINATION By Mr. G.K. Nelson of the National Institute for Personnel Research dated 9th October, 1964. I have the original report here, and I could comment on what I think the essential factors are. Mr. Nelson reports that the E.E.G was within normal limits. Occasional medium low voltage of /30 siftral and fronto-temporal, four to six cycle per second

waves were seen, of doubtful significance. These findings, my Lord, I think are so minimal that one can't put any pathological interpretation upon them. They might indicate some mild defect in caudal maturation, but in general very little significance can be put upon the E.E.G. Mr. Nelson reports that no satisfactory sleep record was obtained, but in view of the absence of any clinical evidence of epilepsy I did not consider a repetition indicated in the present context. Still on the physical examination he had formally described to Dr. /10 Mc Millan vertigo or dizziness, and some disturbance of balance, but these were no longer in evidence on the occasion of my examination. Turning to the psychiatric findings, during my interview and at the trial he showed objective evidence of fluctuations in moods, in as much as he was elated at times to the extent of chuckling /20 reminiscently at times, weeping at others, while at other times he looked despondent and dejected. My main findings can be grouped under two headings. The first heading would be evidence of a cyclothymic personality, a personality with fluctuating moods that fluctuate between elation and depression and of manic depressive psychosis. In this connection I would adduce the following salient findings and conclusions. He gives a history of mood swings between phases of depression and phases of elation lasting for a period of a few days to a few weeks. These fluctuating moods indicate that he has the type of temperament technically known as cyclothymic. The history further demonstrates that at times these moods become exaggerated to a pathological degree, and in these moods /30 he may in my opinion be diagnosed as suffering from a

mental disorder or disease known as manic depressive psychosis. The suicidal ideas that he has described both to me and the court are an indication of deviations of the more severe type in a depressive direction. The following are the suicidal thoughts he has described as having occurred at different stages of his life.

Firstly during the latter stage of his primary schooling while residing at Eikenhof he harboured the idea of committing suicide by jumping from a windmill, which he visited on several occasions and even climbed with this in mind. Secondly in Std. 8 he went to the Maraisburg station earlier than necessary with the view to throwing himself under the express train passing through the station, he would go up earlier than the train he required, and wait for the express and he would not draw back. But he didn't summon up the resolve to actually do anything of this kind. /10

Thirdly, during December, 1963, he contemplated running his Volkswagen into larger vehicles or off bridges with suicidal intent, but decided against it on the grounds that should he fail to kill himself he might maim himself in a way which would entail great suffering. Fourthly /Early during his detention and last Wednesday the thought was vividly with him to the extent of picturing the apparatus, the button that he would press, that if suicide could be achieved as easily as by pressing a button he would have no hesitation in doing it.

A feature of his depressive moods, according to the history, is being bad tempered and verbally unkind to his wife. /30

A test done in the presence of my colleagues

on the 18th October, 1964, designed by Professor R.B. Kattel of the Institute for Personality and Ability Testing of the University of Illinois entitled the IPAT test, these are the initials of the institution, IPAT anxiety scale, in addition to establishing a high degree of anxiety in this subject, shows that the anxiety is part of a psychotic depressive reaction. In other words, of the depressed form of manic depressive psychosis. I also have the record here of the schedule which was scrutinised by my colleague at the time. /10

The feature upon which I'm specially commenting is a factor that they defined in this test, which I name "O", is all guilt proneness would indicate that the high general anxiety he shows is a part of a psychotic depressive reaction. So that this was a test done to provide some objective and quantitative confirmation of the clinical impression.

BY THE COURT: Is that an anxiety state which is always present or present at the time of the experiment? --- My Lord, I would not necessarily assume it is an anxiety state, state as anxiety could be, part both of a manic depressive depressed fact or an anxiety state, but I take it my Lord's question is whether under the conditions of the examination - at the time of the examination - this might well heighten the amount of his anxiety, but it would not alter the qualitative feature of the test indicating that the anxiety belongs to the depressed type of reaction rather than the primary anxiety state type of reactions. /20

PROFESSOR HURST: Exaggerated forms of the elated phase /30.  
show the following features in him. Periods lasting two

or three weeks in which he is over active, very cheerful and confident and extravagant, such an episode having been described as having occurred in July, preceding the bomb planting episode in Johannesburg station.

Secondly, periods lasting for about 30 seconds on the average which he described as terrific surges in which he is very, very happy and in which everything seems perfect. Instances of this type of episode before his detention have occurred during his teaching at school in which he felt he made unusual contact with the minds of his pupils and this gave him this ecstatic feeling, On the way up to the station in the morning in which communion with nature has had this auro of being perfect, and in the act of driving in which the perfection of the idea underlying the construction of a motorcar, with which he at that time seems to have merged or become one, and the process of driving it strikes him with peculiar force and joy. /10

During his present detention such experiences of everything being perfect has struck him quite a few times, to use his phrase, he gives one example of such a state commencing during exercise time and extending to the subsequent meal, this was during his detention. /20

Now, the third example of the exaggerated form of this cyclothymic temperament in the elated direction is a state of manic ecstasy relating to the planting of the bomb on Johannesburg station on July 24th. He described this experience at interviews on the 11th, 16th and 18th October, as well as what we have heard in court. The following are the components of the experience: Firstly a feeling of exhilaration and an /30

impression of the unusual beauty of Johannesburg station as he stood at the parking meter preparatory to entering the station. This he described at the interview with me and my colleagues on the 18th October, and he has mentioned it in court.

So this was the one part what I would consider the manic ecstasy.

Secondly his experience whilst seated on a bench on Johannesburg station. The following are the features highlighted in his descriptions of the experience on the four occasions alluded to. The interview on the 11th October, he stated that he felt like an insect, a fly that could see all around it. To quote: "I could see all around me like cinerama. I knew what was all around me, as if there were two cineramas front and back. I had such a strong feeling." To continue quoting him. /10

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It seems funny he smirks and sniggers as he has been observed to do in court. "It would be useful if you could see all around you." On this occasion he estimated the duration of the experience as a few seconds.

At the interview on the 16th October, to quote him "I remember being seated on a bench opposite the waiting place on the railway station, the waiting place for the railway busses. The bench was empty at first, but later I was aware of a young man next to me on my left, although I was not aware of his coming there. I was aware of all around me, I was part of the world. The world and I are one you could say, even with the thing, the bomb which was on the ground on the right." This, I take to be, the feeling of merging - this experience of merging with the cosmos which occurs in manic ecstasy. /20 /30

At an earlier stage of this interview I am

referring to, he describes the opening phase of the experience on the bench as follows - because on that occasion he described it at different parts of the interview.

"I felt very holidayish, carefree, like being at the coast on a holiday. I felt on top of everything." At this stage he smiles and states: "It is quite nice thinking of it." He goes on to say: "I don't mind telling you this, I knew I was doing the right thing, it was terrifically important. I knew my mother knew that I was /10 doing the right thing." At this stage he becomes cheerful. He goes on to explain by referring to the nursery rhyme in which the horse's shoe fell off for want of a nail, Napoleon's decision not to fight a certain battle, and the role of a piece of metal in deflecting water in an irrigation furrow, just how vital and important the part he had to play that day was.

Then the next interview on the 18th October. On this occasion he stressed his ability to see all around him, that he felt physically part of the world, /20 that he felt very powerful, that he was doing something very important and very right, and that his mother was in contact with him and approved. To quote: "When you have a feeling that you must do something, it is very important that you must do it."

Then in court on the 19th October, he said that he remembers very clearly being seated on a bench, opposite the railway bus section of the station, and he identifies which of the two benches it was. He stated that he had a clear view of the world, "it was like two /30 cinerama screens, one behind and one in front, it was

like being in a glass ball with people around it. This was the first mention he has made of the glass ball. But in my opinion in these feelings of transcendence during manic ecstasy it is difficult to put into words this feeling of transcendence and merging with the rest of the universe, and I'd be inclined to interpret this new formulation as not in conflict with the feeling of what he told before, but rather a new formulation of it.

He states that he has two impressions. First that there was nobody on the bench besides him, and then /10 that there was a man there. He estimates the duration of the experience as a couple of minutes.

Then a third part of what I consider this manic ecstasy experience at the station, his expression of the displacement of his car from its previous position, on leaving the station. At all the interviews mentioned and at court on the 19th, he is consistent in describing an impression of his car as having been moved by several parking spaces from the place at which he had left it.

And the fourth component which I deal with, /20 present in this manic ecstasy, relates to the claimed episodes of vague recollection and amnesic periods between leaving and returning home on the 24th July.

First of all the vague recollection. The first of these concerns the place of the winding of the timing mechanism of the bomb. He has the impression that he wound it at Brixton cemetery on the way from Hamburg to Johannesburg, but after having done it on arrival at the parking area at Johannesburg station. He feels, however, that it is not logically possible that he wound /30 it twice. He considers it unlikely on general logical

grounds that he could have done it at Johannesburg station parking area, and presumes therefore he must have done it at Brixton cemetery.

The second vague recollection is of having been in a cafe in the vicinity of Newlands on the way home. For what purpose he does not know, and the only recollection being very impressed by the proprietor, who was a Greek speaking fluent Afrikaans to another man. This struck him as rather unusual. That is the vague recollection.

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Then the amnesic period. At all interviews and in court on the 19th and I think subsequently, he consistently claimed the following amnesic gaps. From leaving the parking meter outside the station to being seated on the station bench. Second 17 from leaving the station bench until the time of parking outside Jeppe Street Post Office to make telephone calls, and thirdly from leaving the post office to speaking to the caretaker at the lift at Damelin College. This last phase of what I call the ecstasy period, one would therefore call a patchy amnesia, that there are gaps of amnesia, and one must be very careful in dealing with a patchy amnesia before coming to the conclusion that this is a genuine thing and not a feigned thing, and I gave very careful consideration to it. Norwood East and his classic forensic psychiatry mentions how careful one should be before accepting a patchy amnesia of this kind mixed up with recollections, one should be careful before accepting this as genuine. Having said that, however, it is pointed out by Norwood East, however, that certain conditions including the manic state may have this consequence

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and that a second point in favour of the genuineness of the amnesia, is the consistent defining of the boundaries of the gaps at successive interviews, and I feel that he has done this consistently at the interviews that I had with Drs. van Wyk and van Niekerk with him, and in court. And so in view of it being compatible with the manic state and eminently compatible with the state of manic ecstasy, that there could be amnesic gaps. On weighing up the matter, I believe it to be genuine.

The next thing in my mind, my Lord, was the /10  
relevance of this state of manic ecstasy, which I believe to have existed, in relation to the question of criminal responsibility. As I weighed the matter up, and thinking of it in terms of our criminal law, I came to the conclusion that owing to the disease of mind that was present - this manic ecstasy, at the time defined by the total experience extending from the vague recollection of the Brixton cemetery to the Greek shop, during this time, that he would not realise that his actions were unlawful, and furthermore that the question of irresistible impulse, /20  
to my mind, is answered positively inasmuch as this state was such - this state of diseased mind was such that he couldn't have acted otherwise, whatever restraint had been placed upon him. So this is the one big phase of the evidence. The second big phase is...

EXAMINATION BY MR. PHILIPS: (Contd.) May I interrupt you? Before you pass on to the second theme, could I ask you to explain to his Lordship and the Assessors what, in your opinion, is the significance of the evidence given by Dr. Geerling and Dr. Jeppe? --- Yes, I would be /30  
prepared to do that, now that, now that we have the

evidence - I wasn't aware that we would be getting anything more. I think it is of great importance in this case, in view of the fact that manic-depressive psychosis is known to be an hereditary disease, that the genetic findings show that it is transmitted as a Mendelian dominant, that the family history is a very important part of the findings.

Could I ask you, Professor Hurst, have you made any special study of this particular branch of psychiatry?

--- Yes, my Lord, psychiatric genetics have been one of my major research interests. I have spent four separate periods since 1938 at the New York State Psychiatric Institute, working under Professor Franz Karlman, who is the leading world authority on psychiatric genetics, researching and conducting researches in this field. So that it has been a very important part of my activities. /10

The evidence from a study such as that of Professor Karlman of New York, Dr Elliot Slater of London, indicates that in the case of the manic-depressive psychosis, we are dealing with a disease which is transmitted as a Mendelian dominant. This means that one specific gene, or hereditary factor from one side of the family only, is necessary to transmit the condition. /20

The chances of any particular off-spring of such a parent getting the hereditary factor is 50%, but in view of the fact that the penetrance of the gene - that means the frequency with which it manifests - can be influenced by other genes or hereditary factor, the penetrance being 80%, one would only get the manifestation of the manic-depressive psychosis in 40% of the off-spring of one manic-depressive parent. /30

Now we have the evidence from Dr. Jeppe, who treated Mr. Harris's mother, that her depression was of the endogenous or constitutional type, which means that it is of the genetic or hereditary type. Dr. Jeppe explained that the essential feature here was the constitutional one, and not the external circumstances.

We also have evidence - and my scientific deduction is a little bit inhibited here by the fact that we have to remain anonymous. May I state whether the other case referred to is on the maternal or paternal side without a breach of confidence?

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MR. PHILIPS: I think you need not refer to it, Professor Hurst, because the Court is aware who the individual is. I think if you merely stated a conclusion.

PROFESSOR HURST: Yes. The evidence about the other case strengthens the probability of manifestation of the condition considerably from the 40% that would be the figure had we only cited this one case, to probably, in view of the computation I have made relating to this, to about 60%.

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This chance figure is a probability figure, my Lord, but in a small group there may be deflections from the figure. In a small family group there might be considerable deflection in one direction or the other, from this general expectation of 60%. This would be true of big sort of studies done by Karlman and Slater, in which pooling a number from which you could get a good probability figure, from such studies, one would expect 60%.

However, I feel the force of this is that we do have a very strong soil from which this condition

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could develop; that the fact that we are dealing with an hereditary condition and that we do have this genetic background here, is a strong confirmatory factor of these other findings. So these factors do apply specifically to the manic-depressive psychosis.

MR. PHILIPS: Professor Hurst, you have not made any express mention of the aunt in regard to whom Dr. Geerling gave evidence.

PROFESSOR HURST: The evidence then that Dr. Geerling gives further strengthens the matter. This was the sister /10 of the mother. The maternal aunt. And here again we have depression of the constitutional or hereditary type, the manic-depressive psychosis of the depressed type, with a paranoid trend, and this becomes interesting /with the <sup>in connection</sup> second theme that I would like to have handled. But Dr. Geerling's evidence further strengthens the family background.

The second finding to which I would like to allude, my Lord, is the following: The evidence of the existence of a paranoid trend. Under the concept of the /20 paranoid trend we include symptoms falling under the general heading of persecutory ideas, but also grandiose ideas.

The following features, in my opinion, point to the existence of a paranoid trend in the case of the accused: First of all, his suspiciousness in the working situation. At Hyde Park School, the Indian school and Damelin College he has been suspicious of the attitude of superiors and colleagues to himself.

Secondly, the ideas of reference. By ideas /30 of reference, my Lord, one means a symptom in the category

of persecutory ideas, but with this particular emphasis, that the subject or patient believes that innocuous, neutral events in the environment have some special, usually sinister, significance as regards himself.

Now the ideas of reference in the case of the accused, on sifting what we have heard and at the interviews with my colleagues: As a boy he felt the authoress of the "William" series of books had modelled one of her less likable characters on himself. During the recent years he has felt that the Reverend Webb has been criticising him by implication, in his sermons. And that a boy with whom he did not get on at school, who had subsequently become a journalist, modelled his second worst category of husbands, that appeared in a questionnaire in the magazine "Personality", on him. So these could be examples of ideas of reference. /10

The next feature to which I would like to point, my Lord, are these grandiose fantasies: He admits to spending much time, both before his detention and during his detention, on fantasies as to what he would do if he were a Minister of Education, Minister for External Affairs and even Prime Minister. He sees nothing incongruous in the belief that with his ability and high intelligence, given the right opportunities, of achieving these positions. /20

Moreover, in discussing his ultimatum, or letter, to Dr. Verwoerd, he sees himself as the protagonist of an opposed view, and tends to put himself in the light of having a comparable status to the Prime Minister - that they are the two big opposing forces. Furthermore, his naive view that his ultimatum would be likely to influence the Prime Minister shows so severe a defective judgment, as to suggest that the grandiose fantasies /30

have crossed the borderline into the realm of frank grandiose delusions.

This links up too with his feeling of great power in connection with the having been put in this position of trust in his organisation, having been given the necessary explosives, and also his belief that after the 24th - almost a Messianic belief - that a new order would exist as a result of his action, had it worked out as he had anticipated.

The next item to which I would like to point, my Lord, are the visual and auditory hallucinations. Since returning from Oxford, and more particularly in the past year, during the waking state, he has been seeing visions of his mother and hearing her speaking consoling messages to him. He states the more he practises the telepathy, which he believes to underlie, then the more vivid they become. He admits, however, that his mother is in his opinion not interested in this sort of sphere - but I got the impression she wouldn't want to tamper with telepathy - and therefore it would seem to be that he hasn't explained the transmitting side of this telepathy, and this makes one feel that there is an element of illogicality in the matter. /10 /20

Moreover, the way that this has developed, according to his description, that whereas he now sees his mother and hears her voice, originally this took the form of impressions on the mind. And although the content of the voices are benign, consoling messages from his mother rather than threatening persecutors, I have known cases developing in this way, that the benign hallucinations later become more malignant, and in /30

psychiatry, one has to think not of a single symptom, but the development of a constellation of symptoms.

With the long-standing ideas of reference, these grandiose fantasies which in the later instances of the sort of Messianic role have become a delusion, coupled with the increasing vividness of these hallucinatory experiences, the combination of these features are in my mind significant in pointing to a paranoid trend that may be regarded also as a pathological entity.

I have not completely finished the description, /10 my Lord, of these hallucinations. Before his detention he also had rarer experiences of this type, of his father. And during detention, he had had a less clear hallucinatory experience in the hypnogogic state, between sleeping and waking, during his period of detention.

At this stage I would like to refer back, my Lord, to the Catell's test, which also has a factor that measures this paranoid component, and we do find that he shows a high level of insecurity, with a paranoid factor on this particular test, which adds objective confirm- /20 ation to the clinical impressions.

As regards my opinion, my Lord, of this paranoid component in relation to his behaviour, I think it does help us from the point of view of understanding of the development of his extreme political views and actions, that we have found this paranoid cast of mind: the fact that he had in fantasy thought such a lot about an elevated role; the fact that he envisaged his action in terms of his political philosophy would bring in a new order. /30

So that I do think that although I do not

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consider the paranoid trend in itself would render him free from criminal responsibility in this regard, I do think that the paranoid trend, which has been developing slowly over the years, has impaired his judgment in a way that I think is likely to have contributed to this strange episode of which we have heard.

So these, my Lord, are my main conclusions, that we are here dealing with a case of manic-depressive psychosis, and that the feature of manic-ecstasy was the relevant one in relation to the station episode.

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I have, in case the Court were interested, collected some of the definitions from standard textbooks, of this manic-ecstasy state, in case the Court would feel that it would be in line.

BY THE COURT: Yes. I see you have been reading from a report. Have you got a copy available for the Court?

MR. PHILIPS: My Lord, unfortunately the only copy I have is one I got from Professor Hurst.

BY THE COURT: Well, perhaps you can hand it in afterwards.

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PROFESSOR HURST: This report, I must explain, my Lord, as I have been spending so long with the accused and his relatives, was a report that was more for guidance, and isn't in the finished literary form in which I would like it for presentation to your Lordship. And I might say that it doesn't include the latest Court proceedings, especially the factor of this sort of Messianic role of liberating the country to this order which he thought better. So that if I could hand in my copy with these reservations in your Lordship's mind?

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MR. MOODIE: My Lord, in fact, if your Lordship would be

disposed to adjourn at this stage, it might give Prof. Hurst an opportunity to complete his report on these factors that he hasn't dealt with hitherto, and he might be in a position to hand it in tomorrow morning.

BY THE COURT: Yes. I presume you prefer to cross-examine tomorrow morning, Mr. Moodie.

MR. PHILIPS: Would your Lordship prefer Professor Hurst, since he has them here, to give the Court the definitions that he has? They are not included in the report as it exists at present.

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PROFESSOR HURST: In a standard text-book of psychiatry, my Lord, by Noyes & Kolb, professor of psychiatry at Columbia University, New York, he gives, I think, a rather good comprehensive definition of ecstasy as occurring in the manic state, on page 80 of his text-book, which I have available should it be necessary. They state:-

"A less frequent affective disorder - and by affective disorder we mean the group of manic-depressive psychosis and involuntional melancholia - is ecstasy. In this, the mood is one of peculiar, entrancing, peaceful rapture, and a tranquil sense of power. A religious feeling is an essential part of the state. The patient identifies himself with an immense cosmic power. He feels detached from outside things, and on a new plane of existence, accompanied often by a feeling of having been re-born. That is attained, beyond which there is nothing better.

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"After having emerged from the experience, the patient retains a vivid recollection of it." I have omitted two sentences of psycho-dynamic interpretation.

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"It has been observed in associative, epileptic, schizophrenic and affective reactions."

Then Bumke in translation, Bumke in his standard text-book of German psychiatry, in 1929, "Hehrbuch der Geisteskrankheiten", 3rd edition, Munich. On page 35, speaking of ecstasy, he says:-

"The narrowing of consciousness, which one obtains in hypnosis, shows analogies to ecstasy, that is, to the behaviour of those who are completely pre-occupied with one idea of strong emotional tone, and who proceed to put this idea into effect without any scruple, forgetting dangers, moral considerations and the effect of their actions, but omitting nothing which could further the execution of their purpose," /10

And Dr. R.M. Bucke, Medical Superintendent of the Asylum for the Insane, London, Canada:-

"The prime characteristic of cosmic consciousness is a consciousness of the cosmos, that is, of the life and order of the Universe. Along with the consciousness of the cosmos, there occurs an intellectual enlightenment, which alone would place the individual in a new plane of existence." /20

Would make him almost a member of a new species. The cosmic consciousness is one of the dimensions of this experience. There is an interesting study of this ecstasy in manic state by Prof. E.W. Anderson, which appears in the "Journal of Neurology and Psychiatry" 1938 - 1939, pages 80 to 99, in which the features in definitely manic cases with ecstasy, the signs are "Joy with calmness, an altered experience of the ego, a feeling of merging with the cosmos or with God, and a time disorder," and he /30

describes four cases in detail, and I have the article with me, in which very specifically in four case-histories of manic, this ecstasy is carefully described. So I think these could be some of the references one would have in mind.

I should say, however, that this phenomenon, as occurring in psychotic states, has been described by a great number of classical psychiatrists. The famous E. Bleuler in his text-book of psychiatry takes this point of view. Kleist, in 1928, deals with this phenomenon. /10 Gruhle, in 1922 in "Handbuch der Vergleichende Psychologie" describes this condition in psychotic states as well. So these are the main features of the literature which I think, my Lord, leaves no doubt that this state is a standardly recognised psychiatric condition, and it has been described in detail as occurring...

BY THE COURT TO PROFESSOR HURST:

What do you say his condition is now? --- At present, my Lord, I should say that he is merely showing a cyclothymic mood state, that he would not be mentally /20 disordered. As we have seen him in court, I think we have seen him, in the earlier part of the day especially, in an over-confident mood in which he gesticulates, in which he is rather over-familiar, I thought, with Mr. Moodie for instance, and which would represent an elated mood, but not to a pathological degree. And then one has seen, especially when there is a reference to his mother, that he would have a momentary sad episode. At the opening, I think, of the first day in the afternoon, he seemed depressed for about half-an-hour. He seemed a bit /30 under-productive, having difficulty in answering Mr.

Philips and rather playing-down. I would say he had emotional instability, but still falling within the limits of the normal.

That is his present condition? --- Yes, my Lord.

Would you describe it as pathological? --- No, my Lord, I think it has been within normal limits as we have seen in this court.

Now do you know this book "Sense and Nonsense in Psychology"? --- Yes, my Lord.

Would you make it available to the Court? --- /10  
I had a copy. It appears in a Penguin or Pelican. I have lent it out and it has not been returned, but I will do my very best to obtain it.

Yes, I would be grateful if you could produce it in evidence. Would there be a reference to the manic-depressive condition in that book? --- Not to my recollection, my Lord. It is a very general book of Professor Eysenck, who is a Professor of Psychology at the Maudsley Hospital. It is a little critical of the psycho-analytical approach, and deals with certain of the /20 more standard basic psychology. I don't think it deals with any psycho-pathology, but I am open to correction on that point.

But even an ordinary course of psychology includes a study of the manic-depressive? --- Yes. I do not think the accused took psychology as a subject, but in most courses there is a reference to abnormal psychology. I don't think it is in Eysenck, but I will try and get it to your Lordship so we could check up on that point. /30

BY THE COURT TO MR. PHILIPS: That concludes his

evidence-in-chief?

MR. PHILIPS: My Lord, subject to the additional points that Professor Hurst may care to include, arising out of the evidence that has been given since Monday.

-: COURT ADJOURNS :-

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-: COURT RESUMES : 22ND OCTOBER, 1964 :-

B.A. HURST, s.u.o.

EXAMINATION BY MR. PHILIPS: (Contd.)

Professor Hurst, have you now a report which you are in a position to hand to his Lordship? --- Yes, /10 my Lord, and also I have this book by Eysenck, "Sense and Nonsense in Psychology" which his Lordship asked for.

Now in regard to the report, Professor Hurst, is there something which indicates that a correction is necessary to one statement that you made yesterday? --- Yes, my Lord. In the rather hurried putting-together of the first draft, I incorrectly counted up the number of periods of amnesia as three, whereas in fact there are four, and they are embodied in the new report. This was not a mistake of the accused, but a mistake I made /20 in my compilation of the first provisional report, so that has now been adjusted.

MR. PHILIPS TO THE COURT: The amnesic periods, my Lord, are shown on page 5 of the report at the top, under the heading (b).

BY THE COURT: Are there any copies available, Mr. Philips?

MR. PHILIPS: I have a copy to give to my learned friend, sir, but I don't know if we have any more than that. Professor Hurst, would you refer his Lordship now to the authorities to whom you made brief reference yesterday? /30 Whom you want to cite?

PROFESSOR HURST: Yes, I should like to do so, and I would value the opportunity after that of somewhat elaborating my report, which is rather summary form.

In particular, my Lord, I wish to refer to an article that appears in the "Journal of Neurology and Psychiatry" by Anderson, 1938 - 1939, entitled "A Clinical study of States of Ecstasy Occurring in Affective Disorders.." affective disorders being manic-depressive psychosis - ".. and Involutional Psychosis." This is a factual study of four cases of manic ecstasy, and the point in it strikes me as of special relevance to this case. So that if I may quote extracts from the reports on these actual cases, I think it would illustrate certain of the points. As regards the first case, the extract:- /10

"her moods described by her showed a definite alternation between depression and elation. Soon after admission, she became more calm, during which phase she had the experience described below.

"She said that she had had a kind of religious conversion. One day, when working in the garden she suddenly felt very uplifted - an ecstasy. She felt the world increased in beauty. Everything was more real: the beauty of reality. 'There wasn't any fantasy about it, (these are her words) the realisation of all those things being more beautiful than I could conceive my self.' /20

"She felt her ability for the tasks in hand was of the nature of an inspiration. At this time she saw two trees growing together, and this taught her a lesson, that one need be neither a martyr nor /30

"an aggressor. Since the ecstatic experience, she had felt calmer.

"She spoke with God the whole time - not an actual voice, but a knowledge of just exactly what to do. The ecstasy described lasted about six weeks, with fluctuating intensity."

I would draw attention, my Lord, here, to the feeling of being uplifted and the beauty of things, and that in this case it lasted six weeks. Quoting further from the same case:-

/10

"An alteration of time perception was present. 'I just lived in the present, without worrying about the past or the future. You absolutely have to be living in the present to get that feeling. I didn't care how long I was kept waiting for anything. I gave up thinking in time at all. I didn't watch the clock anymore - it gave me more a sense of 'being' than of 'doing.'" The feeling of being merged in the cosmos appeared in experiences like these. 'You have just the feeling you are part of the earth, not a person on your own - sort of melt into it. It's a kind of sympathy and fellow-feeling for all the things, trees and birds and everything, and a feeling of harmony - just part of it; there's nothing you could want more than that, certainly not at any time.'"

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So this feeling of "merging" and oneness with the cosmos, one would stress there. From the second case, a little extract:-

"She felt as if she had been born anew, and saw only good in others. Everything had increased beauty

/30

"and everything seemed to speak of God. The presence was real."

And in the third case she described the experience as follows:-

"I seemed to merge into everything. There was an intense consciousness of power, and absolute ecstasy. I am awake all night if I happen to have it. Sometimes it wakes me up. It comes in a sort of flood, over the body. A terrific consciousness of power in surges, like the sea coming against you."/10

So here we have the experience of "merging" and also this feeling of power. In the same case there is another passage that strikes me as relevant:-

"On the 4th July, 1937, she had another ecstasy which she describes as follows: 'A stillness gradually came over my whole being, and a sense of expectancy impossible to put into words. There seemed a trembling vibration over my consciousness, a veil between me and what I should know, as if I were hovering beyond a great mystery. Then a dawning of a sense of exquisite harmony, without being lifted into the first state of ecstasy. Thought, fate and time dropped away.' This experience occurred at 11.30 p.m.; came suddenly, like its predecessors, and lasted for about half-an-hour." /20

So in this case we have a shorter experience of half-an-hour and a feeling of harmony with the Universe around. Another little extract:

"The recent occurrence of an ecstasy seemed to have enabled her to analyse her experience better." /30

"The difference in the merging in the ecstasy is that in this state, it seemed as though everything were coming into her, associated with a feeling of forward motion: 'Something calming, and then a sense of everything moving in me.'"

And in the last, or fourth, case, there is a paragraph that strikes me as helpful:-

"After four months in hospital, during which her condition slowly improved, she passed abruptly into a state which she described as follows: 'The /10 first and most persistent impression was one of great tranquility and freedom from anxiety, and an underlying conviction that this condition was unassailable. I was very remote from my natural surroundings, and the entrance of people was a nuisance, as I had to pull myself away from the realms of bliss and make some effort to cope with facts which seemed unreal. People did not disturb this state except insofar as it meant coming out of it temporarily. They seemed vaguely unreal, and it /20 was I who was real. An international event of some importance, which occurred while I was in that state, floated into my mind now and then in such a way as to make me think I had dreamed it. Gradually there crept into the sensation of tranquillity a vivid impression of sunshine, and summer at its best. I wandered, or rather, floated, in flowered meadows and gardens. The thought now and then was, this must be where the idea of the Elysium fields originated. All the sensations of a perfect /30 summer's day were present. The hum of the bees and

"the clear brilliance of the atmosphere. As I disliked really hot weather, it was evidently early summer, as the feeling was of perfection. The flowers were many and perfect, almost artificial in their perfection, and the fruit also. The colours were violent, almost crude, and it was almost as if everything had had a coat of varnish. I was quite alone in these wanderings, and there was never an impression of anyone else being present. Time passed quickly, and I was unconscious of its passage./10 Periodically, say at meal times, I looked out of the window to assure myself that the trees were leafless, and metaphorically pinched myself to see if I were awake.' This condition lasted for six days, diminishing toward the end. During this experience she was outwardly calm and unperturbed. A few weeks later she was discharged improved."

So here again we have the feeling of perfection, a state that lasted six days, and during this experience she was, to the external observer, calm and unperturbed. /20

So this was the one reference. I have referred to the other references already, but I don't think I need elaborate any, except perhaps that of E. Bleuler in his text-book of psychiatry, in 1924, includes in his concept of ecstasy, as being present, in some cases, a state of clouding of consciousness, in which perceptions are not clearly recorded by the person concerned. This was all that I wished to do, my Lord, by way of elaboration of the literature.

MR. PHILIPS: Arising out of what you read to his Lordship a few moments ago, Professor Hurst, I wonder if /30

you would tell his Lordship what your view is on the likelihood or unlikelihood of ordinary laymen being able to discern a state of mania in a person like the accused?

PROFESSOR HURST: In the first place, my Lord, in the milder stages of mania, such as hypo-mania, the sort of condition that I would postulate as being present for the first part of July until the occurrence, in which the person is over-active - as in this particular case, reckless, talkative and extravagant, these features do not strike the layman as indicative of mental disorder. The /10 average layman, I think, in seeing a person in this sort of state, would be inclined to consider the person to be normal.

In the state of manic-ecstasy in which tranquillity, and for periods cessation of activity is the rule, as the quotations have shown, the layman might well not recognise that abnormality was present.

MR. PHILIPS: Now also, in your report, Professor, on page 5, where you deal at the foot of that page with the subject of grandiose fantasies and delusions, and you /20 refer to certain of the incidents deposed to in the evidence, could you tell his Lordship a little more about your view as to the evidence relating to the accused's mood from about the 8th July onwards?

PROFESSOR HURST: The impression, my Lord, that I have gained of his state of mind, especially his mood at this time, was that he was cheerful, over-active, reckless in driving, inclined to be talkative, and during this time there is evidence of riding about with explosives, and the questioning would suggest that he /30 didn't have the normal judgment about the risk of such

things exploding.

So that I would consider that during this period his condition could be described as hypo-manic, a milder type of condition, in which his judgment would nevertheless have been affected.

MR. PHILIPS: Can I summarise it so that I understand it, that at that stage, you say, there wouldn't be an ecstasy - there wouldn't be the psychotic condition of the ecstasy, but there would be a condition arising from his mental disease, which would affect his judgment? /10

PROFESSOR HURST: Yes. I would like to particularise the feeling of power that he describes when he received the news that he was in charge of operations, and that he had access to explosives. This feeling of power fits in with the Messianic-like type of grandiose delusion, culminating in his plan, and his belief that after the explosion there would be a new order in South Africa which would be, in his mind, a better order in terms of his political beliefs.

MR. PHILLIPS: Did you, in the course of this last answer - I'm afraid I wasn't listening to everything - refer to the letter that he drafted, to the Prime Minister? /20

PROFESSOR HURST: I have mentioned this in my report, that his letter - almost an ultimatum - to the Prime Minister indicated a sort of attitude as if they were protagonists on two sides, of comparable status. This has been borne out by certain of his conversation, and I would link up this feeling of power that he had as being in the same category psychologically.

MR. PHILIPS: Now, Professor, in the course of question- ing the accused and his wife, my learned friend suggested /30

that some of the matters described, some of the symptoms described, might have been the result of leading questions put by yourself or by someone else at the interviews that you held with these persons. Would you tell his Lordship what the position was, in relation to that?

PROFESSOR HURST: No, my Lord, there were no leading questions. As a psychiatrist, my colleagues and I, we are trained and, I hope, skilled, in being able to put questions in a neutral way - it's part of our training, and in fact I did not put any leading questions in these /10 interviews.

MR. PHILIPS: Then, Professor, would you tell his Lordship how this information relating to the ecstatic state that the accused says he experienced on the railway station, came to your knowledge. Was it at the first interview, or was it at a subsequent interview?

PROFESSOR HURST: No, it was at the second interview on the 11th October, my Lord.

MR. PHILIPS: What was it that he described to you at the first interview? /20

PROFESSOR HURST: If I may refer to my notes to refresh my memory? Yes, at the interview on the 11th October, my Lord, he stated that he felt like an insect, a fly, that could see all around it. To quote him: "I could see all around me, like cinerama. I knew what was all around me as if there were two cineramas, front and back. I had such a strong feeling. It seems funny.." - at this stage he smirks and sniggers - "... it would be useful if you could see all around you." On this occasion he estimates the duration of the experience as /30 a few seconds.

MR. PHILIPS: Now Professor, an allied question that has been raised, of course, by my learned friend, is the possibility that these symptoms described to you by the accused might have been concocted by him. Now I would just like you to explain to his Lordship your view in regard to the two themes that you have told us that you have found here, and whether they are related to one another; whether they interact upon one another, and whether what is described to you is a simple or a complex situation. /10

PROF. HURST: My Lord, the analysis and putting together the case makes me arrive at the diagnosis of the manic-depressive psychosis as the one component, but also we have another component, which I have called the paranoid theme with the ideas of reference, the suspiciousness, the grandiose fantasies and the grandiose delusions.

These two themes, from the hereditary point of view, probably originate separately, and with the development of his case with the increase of the paranoid component and hallucinations it is probable that one might more definitely label the paranoid condition as paranoid schizophrenia, in which case the total condition would be called by some authorities as schizo-affective reaction, whereas other people, like Mygroth, Slater and Ross, prefer to keep these themes separate. /20

However, in answering the question as to complexity, this does make a very complex picture of symptoms. Does the question ask me to relate this to any matter of simulation?

MR. PHILIPS: Well, what do you think of the possibilities of simulating a complex condition of this kind? /30

PROF. HURST: As I have intimated yesterday, my Lord, I had considered very carefully this question of simulation, and I first reviewed this in connection with the periods of claimed amnesia. Norwood East in his classic text does mention the account of a clear-cut amnesia, not expanding or contracting from day to day, and supported by the known facts of the case, is some indication that the accused is speaking the truth. This is on page 355, and higher up he mentions a series of conditions which may be accepted as associated with a degree of amnesia, /10 and he includes melancholia and mania, which would be the two phases of manic-depressive psychosis.

I thought very carefully from the point of view of the consistency of the bounds of these claimed amnesia gaps, and on all occasions he has been consistent as to the onset and as to the termination of these gaps. This impressed me as making for genuineness. Added to this we have the question of the complexity of the picture which has just been reviewed. It is a highly complex picture. This state of manic-ecstasy is a rather /20 specialized one within the realm of manic-depressive psychosis. If you add the paranoid theme, it would be impossible, to my mind, and even a person trained in psychiatry, to sustain these symptoms in a way that is inter-connected and logical.

So that this complexity militates against the possibility of even a highly-trained psychiatrist sustaining this picture. For instance, consistency is shown in such matters of a consistent manifestation of thought content and mood. That is, he describes some /30 experience of a very happy nature. He reacts with

appropriate indications of emotional happiness.

A further feature that strengthens the case against simulation is the Cattell's Test that I mentioned, that showed that one of the components on the test was appropriate to the melancholic or depressive form of anxiety, and also showing the paranoid component also at a high level. So this is some test confirmation.

So, taking into consideration all these features, my Lord, I am convinced that he is not simulating.

MR. PHILIPS: I might just say for the guidance of his Lordship that the test to which the Professor referred, the Cattell Test, is at the foot of page 2 and the top of page 3 of the report, my Lord. Called the IPAT Anxiety Scale. /10

BY THE COURT: How is that test executed?

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PROF. HURST: It is in the form of a questionnaire, my Lord, and it consists of an answer to 20 questions on the right and 20 questions on the left, one showing the overt and the other the covert reaction, which are a check on each other, and it has been devised on the basis of showing /20 of certain personality traits which in exaggerated form are pathological. It deals with the degree of development of the integrated self-sentiment, the lack of ego strength, patho-protentional paranoid insecurity and a guilt proneness and urgic tension - the extent to which people are driven by their instinctual urges. He scored high levels on all these points at the pathological level.

The test has been very carefully constructed. Professor Raymond Cattell is the leading authority in the sphere of fact analysis. He presided at the section /30

of tests at the American Psychological Association meeting in 1939, where I heard him. So it's a test that has been worked out very carefully on the quantitative fact analysis statistical basis. The result of the test is available.

MR. PHILIPS: Professor, what do you say in relation to the accused's demeanour in the witness box while he was giving evidence? Is that consistent or inconsistent with the diagnosis that you have arrived at?

PROF. HURST: It is completely consistent with it, my Lord. As I remarked yesterday, I considered he showed the cyclothymic swings which we have discussed. At times he was confident, over-familiar, verbose and prolix, and this prolixity of his talk if somewhat more exaggerated, would become the flight of ideas which occurs in the pathological form of the manic reaction. /10

Instead of answering a question correctly, he went into a number of side channels which would make me consider this the embryonic stage of flight of ideas, which is a feature of the manic phase. And at other times he became depressed. There was a period of one afternoon in which he was under-productive in his thinking - he looked depressed. There was a depression of mood and slowing and unproductiveness of thought that fits in with the depressed phase. /20

He also weeps on occasion, especially when the matter of his mother is brought up, that would fit in with the depressive picture. However, as I stressed yesterday afternoon, my Lord, although he showed this emotional instability and these cyclothymic moods, they were not of a degree that I would have considered /30

pathological.

MR. PHILIPS: Professor, it was suggested also, in the course of the accused's evidence, that he might in the course of his studies or in his reading have come across information that would have enabled him to produce these symptoms, simulating them for you and for the other psychiatrists. I would like you to tell his Lordship your opinion as to the ability of an ordinary layman to acquire that sort of knowledge, sufficient to enable him to do that. /10

PROF. HURST: This, my Lord, relates to my previous reply that I consider that even a trained psychiatrist could not consistently simulate and sustain the picture of these symptoms. A fortiori, even the educated layman could not do so. The only sort of inter-relationship that I could see - that our normal mental content, our interests - can become the content of delusions or other mental symptoms like hallucinations when we are disturbed.

But the sort of delusions one has depends on the sort of background one has. For instance, a person /20 in England some years ago who thought for instance that he was - or we could take any of the Prime Ministers, say Chamberlain at that time, that could be considered as delusion of grandeur, whereas in Russia at this time it might be a delusion of unworthiness. The mental content - what is in one's environment can become incorporated in a situation.

For instance, a person who reads science-fiction and whose mind has these concepts and ideas appropriate to it, one could well find in such a person /30 in his delusions or hallucinations, ideas that had been

found in his reading. It is not that this reading causes it, but this being part of his mental content, when he becomes disordered, the mind works on material that is ready and available there.

MR. PHILIPS: Can I just elaborate that in this way, Professor: the accused said in evidence that he did not do psychology as a subject at University, I think. The sort of books normally available to undergraduate students at a University on psychology, would they contain information of the kind that you have furnished to the Court, /10 from standard psychiatric works? I mean from works of the kind that you have cited.

PROF. HURST: The specialized type of works that I have quoted from would not be available to the undergraduate student; and a person who wasn't doing psychiatry as a subject would not in the ordinary way make a thorough study even of the standard works.

MR. PHILIPS: Finally, the book that you have obtained for his Lordship, "Sense and Nonsense in Psychology" which the accused said he had read, by Prof. Eysenck, does /20 that contain information about manic-ecstasy, such as you have described in his case?

PROF. HURST: No. No, my Lord, it's a very general text-book. It does contain sections on telepathy from a scientific point of view. It does contain a section on hypnosis, but in general it deals with dream interpretation, intelligence testing and the like, but nothing of the content of the state that I have been describing to the Court, and that the Court has seen in action before it. /30

-: NO FURTHER QUESTIONS :-