

IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA
(TRANSVAALSE PROVINSIALE AFDELING)

A 55.2

SAAKNOMMER: CC 482/85

DELMAS

1986-04-08

DIE STAAT teen:

PATRICK MABUYA BALEKA EN 21

ANDER

VOOR:

SY EDELE REGTER VAN DIJKHORST EN

ASSESSORE: MNR. W.F. KRÜGEL

PROF. W.A. JOUBERT

NAMENS DIE STAAT:

ADV. P.B. JACOBS

ADV. P. FICK

ADV. W. HANEKOM

NAMENS DIE VERDEDIGING:

ADV. A. CHASKALSON

ADV. G. BIZOS

ADV. K. TIP

ADV. Z.M. YACOOB

ADV. G.J. MARCUS

TOLK:

MNR. B.S.N. SKOSANA

KLAGTE:

(SIEN AKTE VAN BESKULDIGING)

PLEIT:

AL DIE BESKULDIGDES: ONSKULDIG

KONTRAKTEURS:

LUBBE OPNAMES

VOLUME 59

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COURT RESUMES ON 9 APRIL 1986.

MR BIZOS: My Lord we want to apologise to Your Lordship for the delay but it was as a result of the untimely passing away of Mr Mokoena's mother, accused no. 6. I am not sure whether it is precisely covered by the section but would Your Lordship consider allowing Mr Mokoena and myself to absent ourselves whilst the case is going on for a short while?

COURT: When would that have to be Mr Bizos?

MR BIZOS: As soon as possible.

COURT: When did his mother pass away? (10)

MR BIZOS: A couple of days ago but it was hoped that arrangements would be made but unfortunately they have not been made which has led to a crisis.

COURT: Can this wait till teatime or not?

MR BIZOS: Oh yes My Lord. We may have to have a delay in that because the fifteen minutes is not going to be sufficient.

COURT: I would like to discuss this matter with you in Chambers, I think that would be advisable. I will take an adjournment. (20)

COURT ADJOURNS. COURT RESUMES.

COURT: Accused no. 6 on behalf of the Bench we offer our heartfelt condolences on the departure of your mother.

SEBEHO PETRUS MHMOHAJANE: d.s.s. (Through Interpreter)

FURTHER CROSS-EXAMINATION BY MR YACOOB: My Lord may I place on record that Thabiso Andrew Ratsomo, accused no. 22, is still absent.

COURT: Is he still in hospital?

MR YACOOB: Yes that is so My Lord. It is anticipated that he would not be there for too long, whatever that might be. (30)

COURT: Is he being operated on?

MR YACOOB: He has already had an operation in connection with his wisdom tooth and he is in the process of recovering.

COURT: Thank you.

MR YACOOB: Councillor am I correct in understanding that you considered the problem of the aged pensioner in terms of the difficulty of paying rent as a very urgent one? -- Yes that is my evidence.

And is that the reason why you would have wanted to raise the matter urgently, as urgently as you could? -- That is so.

Now the would have been something I would imagine then(10) which prevented you from raising this matter before the Council. What would this have been? -- That was because of the attention which was being paid on the other demands by the community.

Did you find that as an independent you were a sort of lone voice in the Council? -- That is true, my voice would not have had the necessary weight in the Council.

And did you assess the atmosphere in the Council in such a way that you came to the conclusion that it would be pointless for you to raise it? -- I did have an opportunity to (20) raise that after it was made known or announced that the services rendered, the money involved therein will have to be increased. It is only then thereafter that I had an opportunity of raising this question.

Right, but before that did you think that it would be pointless to raise it because of the atmosphere within the Council? -- That is true.

Did you gain the impression that most of the other Councillors were not particularly interested in the problems of the aged for example? -- That is prior to my having said(30) anything to them about this.

COURT: What is the answer? What does the answer mean? --
What I mean is I had not yet mentioned this to the Councillors,
that is pertaining to the aged people.

Yes and the question is did you gain any impression as
to their feelings towards pensioners, can you express an
opinion on this? -- No I cannot give an opinion because I
did not know what their attitude was towards the aged.

MR YACOOB: When you did raise it eventually what attitude
expressed itself? -- I have not as yet mentioned that to
other councillors, therefore I do not know what their (10)
attitude is.

I see. Right. Now would you agree that many of the
people in your ward are poor people? -- That is so.

You also agree that during the period 1982, 83 and 84,
food prices had gone up considerably? -- That is so.

Would you also agree that the majority of the people in
your ward were finding it more and more difficult to make
ends meet? -- That is true. That is correct.

Did you speak to many people who would complain to you
that their wages are not going up as fast as the prices (20)
are going up? -- That is so.

And did you feel that yourself as well? -- That is so.

Now in addition to food prices and so on the rent had gone
up in the Vaal Triangle, also in your area, again and again
since 1977? -- That is so.

And would you agree that in 1984 you had been paying
about four times the amount of rent which you would have been
paying in 1977? -- Well I do not know about that.

But your feeling is that rent had gone up quite a lot?
-- That is true, that is my feeling. (30)

And one of the reasons why the rent had gone up so much

is that it was necessary, quite often, to ensure that all the facilities which were provided in the area of the Vaai Triangle were provided with money got from the Vaal Triangle itself from the people living there and from nowhere else really? -- That is so.

And in the light of the increasing cost of living people generally found the rent increases very burdensome did they not? -- That is so.

And people were not happy each time the rent was increased? -- That is true, there were those who were very (10) much against the idea that rentals be increased and there are those who had some demands to be met by the Council. That is why in one of the meetings I addressed I made mention of the fact that if there are any projects to be started in order to meet the demands of the people then it will be necessary that money be found in order to meet those demands.

Were there a lot of people who found it difficult to pay increased rents and who would complain about it? -- Yes there was a lot of people who in fact were not happy, who had a grievance about the increased rents. (20)

Would I be correct in saying that when the rent was increased eventually, when the decision was taken that rent would be increased on 29 June you personally found the decision particularly disturbing? -- That is so.

Now you said in your evidence that you had a meeting in your ward in July, after 29 June? -- That is so.

And that you said to the people in July that their demands had actually been taken through to the Council and the Council was in the process of considering them? -- That is so. (30)

Was that because you could not bring yourself to tell the

people in July that rent had already been increased, or a decision had already been taken to increase the rent on 29 June? -- In this meeting in July, after the meeting of 29 June, I told the people there that rent has not been increased although I have taken their grievances and mentioned them to the Council. I only made mention of the increased rent at a meeting which was held on 5 August. It is only then that I told the people that the rentals are going to be increased by R5,90.

No that is right, I understand that. But you see on (10) 29 June a decision had already been taken to increase the rent, is that right? -- It was not said that the rent is being increased. What was said was there is a possibility of the rentals being increased by that amount.

So your understanding of the meeting of 29 June was that there was just a possibility of the rent being increased? -- Yes that it may be increased because of the demands of the people which were submitted to the Council.

Now was that not the meeting, the meeting of 29 June, when you in fact considered a written budget which was given (20) to you? -- That is the meeting, yes.

And did you look at the budget and study it? -- Yes I did.

And you understood that the implementation of that budget would mean that rent would be increased I am sure?

-- That is so.

And the Council meeting on 29 June approved that budget?

-- That is so.

Would you please have a look at AAT2. Do not worry I do not want you to study the document now. Just look at it very quickly. (30)

COURT: Well did you have this document in front of you

previously?/.....

previously? -- Yes I did.

MR YACOOB: Thank you My Lord, that is all I wanted to establish at this stage. So that was the budget which was approved subject to some qualifications according to the Town Clerk who said that some capital projects, like the building of Council offices and so on, were left out? -- That is so.

And the Town Clerk made it quite clear that the approval of that budget meant, and it was clear at that meeting, that the decision was that the rent would go up by R5,50 in (10) respect....

MNR JACOBS: Edele met alle respek kan ek net iets sê hierso. Dit is, al die getuies het gesê dat dit geantisipeer word dat dit sal op gaan, net teenoor die getuie billik gewees. Hy het nie gesê dit gaan op gaan nie. Daar is sekere voorwaardes, daar kan besware kom dan moet die Raad dit weer kom oorweeg, dit moet bekragtig word deur die Departement, selfs in die briewe word gesê dit word geantisipeer dat die huur sal soveel verhoog word.

MR YACOOB: My Lord I would add the word "probably" after (20) the word "would".

COURT: Yes. I would like some clarity please. You considered this budget which you have in front of you, AAT(2). Is it correct that that budget was considered at the end of June 1984? -- That is so.

Was it at that stage clear that the rents would have to be increased? -- That is so.

Was it at that stage clear by what amount the rents would be increased. -- Yes it was quite clear.

So at the end of June 1984 was it then clear that by (30) R5,90 the rents would be increased? -- Yes it was just like

that./.....

that.

Now if that is so why at your report meeting in July 1984 did you not mention this fact to your constituents? -- The reason why I did not make mention about that to my constituency at the time when I held the meeting in July was because it was said in this meeting on 29 June that we have to wait until it was gazetted. It is only after it having been gazetted that we can make mention of it to the constituencies and therefore I did not make mention of it.

MR YACOOB: I want to understand that answer. Was it said(10) at the meeting of 29 June that you should not mention it to your community until it was gazetted? -- Yes that is what was said in the meeting which was held in June, that we make no mention about this until on 5 August when we will all be holding meetings after it had been gazetted, it is only then that we can make mention of it.

Was this a resolution taken by the Council on 29 June, to your recollection? -- Yes that is my recollection.

Can you remember who said this? -- Yes I believe the Chairman is the person who said those words. (20)

And did you think that it may be a good idea for the people to have advance warning of the increase in rent which may well come about? -- Yes I did but because of the decision which was taken in this meeting that it will only be mentioned on the 5th at a meeting I did not.

COURT: Mr Yacoob I would like to take a short adjournment, my Assessor is indisposed.

COURT ADJOURNS. COURT RESUMES.

SEBEHO PETRUS MHMOHAJANE: d.s.s. (Through Interpreter)

FURTHER CROSS-EXAMINATION BY MR YACOOB: Now, so you must (30) have been unhappy at this meeting in July not to be able to

tell/.....

tell the people that the rent had been, that a decision had been taken to increase the rent? -- That is true.

Would it be true to say that one of the other factors operating in your mind was that you were uneager to convey this sad and grave news to them as well? -- The question is not clear.

Would it be correct to say that you were yourself uneager to convey to the people at the meeting in July the grave and sad news that a decision had been taken to increase the rent? -- No that is because of the reason that the Council (10) had decided that this must not be divulged to the people until at the meeting of 5 August, therefore it could not have been the position in July.

And you said earlier after it was gazetted, is that right? You said earlier that this was to be done after the increase was gazetted? -- What I said is that the decision by the Council was that this must not be mentioned to the people, that is the community, until it was gazetted that the rent will be increased by R5,90.

And you understood that gazetting would take place, (20) or would have taken place by 5 August? -- What I understood from that was it could be that just before 5 August that this thing will already have been gazetted or it will be in the process of being gazetted. That is why they said we can only make mention of it on 5 August.

COURT: So was it certain that by 5 August it would already have been gazetted or was it only certain that it would be in the process of being gazetted? -- In a meeting which was held in July by the Council it was said to us that we are now going to hold meetings on 5 August, that is at which meetings we (30) were now being given authority to tell the people about the

increased/.....

increased rents and even tell them by how much the rent was going to be increased, namely R5,90. I understood that then to mean that the previous instruction that we were not to tell the people prior to the 5th was being overruled by this one.

Yes but that is not the question. The question is whether you understood that it would be gazetted before 5 August or whether you understood that it would be in the process of being gazetted before 5 August? -- I understood it to mean that by 5 August it shall have been gazetted already.

MR YACOOB: Thank you My Lord. And when you were told at (10) the meeting in July that the matter would now, or that the people could be given the information on 5 August did you understand at that stage that the increase had already been gazetted? -- That is so.

And as far as you were concerned therefore you were obliged to pay the increased rent on 1 September? -- Yes according to my knowledge that was the position and I was prepared for that.

And that is what you told the people on 5 August? -- What I said to the people was the rent may be increased by (20) 1 September, they find themselves having to pay the increased rents.

And is it correct that you received no light account, or at that stage sorry, is it correct that as at July/August/September 1984 no accounts, no monthly accounts were received by tenants in respect of rent? -- I do not know about that being done.

COURT: What is the answer then? Is the answer that there was a lapse and that it should have been done or is the answer that it was not the practice previously to send out accounts?(30) -- What I know as a practice there then was that people who

are/.....

are just tenants in the houses belonging to the authorities would just take their cards, that is what is referred to as rental cards, to go and pay their rents without having been sent any account as to how much they have to pay. And then those who had bought their houses would then receive an account which would indicate as to how much that person is to pay in respect of what it was.

MR YACOOB: Now did you understand that because the increase in rent had already been gazetted the time for debate and objection and so on had passed and that the rent increase (10) was a fait accompli? -- That is true.

That was your understanding as at 5 August? -- That is so.

Therefore I would imagine that you yourself paid the increased rent on 1 September? -- That is so. Yes that is correct.

And where did you pay that, at the Sebokeng office? At which office exactly did you pay rent? -- Zone 7 office.

And the Township Manager there required you to pay rent in the increased amount, is that right? -- No I had not (20) paid for September.

Did you not pay any rent for September? -- No not at all.

When did you, have you since paid September rent? -- I have not paid, because there is no structure at my address where I used to live.

Alright. Now you see there has been evidence here of the Town Clerk who says that the increase, the rent increase, had not yet been gazetted by 1 September. Are you surprised about that? -- I am not because he is the person who receives everything, or whatever information. (30)

Now there was actually an advertisement which appeared

in/.....

in a newspaper concerning the increase in rental. It appeared on 1 August asking people to object to increases in rental by 15 August, by 22 August, did you know anything about that?

-- I saw that in a newspaper, yes.

I see. Alright. Now I want to deal very quickly with the meetings in connection with the increase in rent. Now you have agreed that EXHIBIT AAT(2) ...

COURT: Which meeting are you referring to?

MR YACOOB: The meeting of 29 June.

COURT: That is the budget meeting of the Council? (10)

MR YACOOB: That is right. You agreed that EXHIBIT AAT(2) was considered by you at the meeting of the Council on 29 June 1984? -- That is so.

Now at that meeting having studied the budget did you understand that the rent in respect of business premises was not to be increased? -- I became aware, or I was aware of the fact that that rent is not being increased, that is pertaining to the business sites. I did not know what the reason was why was it not being increased.

Did you think it was unfair? -- I beg your pardon? (20)

Did you think this was unfair? -- That is true, that was my feeling.

Did you raise the matter? -- Yes I did. On 29 June when this budget was being discussed in the Council I questioned that pertaining to the rental which was not being increased in respect of the business sites, on which I was overruled by the Chairman, namely the Mayor, saying they have already concluded about that. Therefore I had no right to raise any objection about it.

Did you find that this sort of thing happened to you (30) often at Council meetings? -- What now? What happening often?

Where/.....

Where you raise a matter and you are simply told that look this matter has already been concluded.

COURT: Well let us first determine what the facts are Mr Yacoob. At what stage of this meeting did you raise this matter? -- It was during the time when we were discussing this very budget, before it was accepted by the Council in that meeting, when I raised the question of these sites not being increased, the rentals not being increased in respect of these sites.

Had by that stage the question of the rentals for (10) business sites already been discussed? -- I am not in a position to tell His Lordship whether they had discussed it before I came there or not because I was late for the meeting.

MR YACOOB: Thank you My Lord. How long beforehand did you get this budget AAT(2) to study? -- Seven days before the day of the meeting.

Now when it was said that this matter had already been concluded, that is the question of the rent of business sites, did you leave it alone after, did you not push the matter at all after that? -- In a meeting with the Council once the (20) Chairman, namely the Mayor, overrules you and says we have passed that there is no other way you can pursue a fact in that meeting.

Alright. Now on two occasions in relation to the Council you in fact conveyed that you were instructed, or ordered, to do things in relation to the rent. Now do you regard yourself as a person who receives instructions and carries them out and that you receive these instructions from the Council?-- That I will explain as follows. What happens is this, in that Council there are people who belong to a certain political (30) party and who are forming members of the Council and you being

all by yourself there raising something or an objection about something then they are inclined to take in votes and therefore automatically you lose on vote, which then means that if you lose on vote the Council is accepting the majority in voting which then results in your having to accept what the majority accepted because they belong to the same party.

Did you come to the conclusion at some stage that it was pointless for you to object or to state your point of view because you were an independent? -- That is so.

And did it happen on many occasions that you thought (10) you would raise a particular matter and decided not to because you knew what would happen? -- That is so.

Now let us look at another matter and that is the question of liquor licences. Would you agree that if the bottlestores and other liquor outlets were in fact run by the Council they would be the source of some revenue for the Council? -- That is so.

But in fact what happened was that the Council approved the sale of liquor outlets to certain private individuals by the Development Board, is that right? -- That is so. (20)

You were very unhappy about that? -- Not at all.

Did you not think it would be better if the Council owned the bottlestores and other liquor outlets, that the Council got the profit out of it, so that the money could be used for the benefit of the people as a whole? -- I considered that very important that if the liquor outlets were given to the Council or taken over by the Council then it was going to serve a good purpose.

Now the fact that they were being sold to private individuals meant that the Council was not going to have the (30) liquor outlets, is that not so? -- That is true.

That/.....

That means that the Council would not make the profit?

-- That is so.

And I am suggesting to you that you would have been unhappy about that? -- That is true.

COURT: Would the Council not get R6 447 000 out of the sale of these liquor outlets? -- It would have.

MR YACOOB: In any case what did you think was better, for the Council simply to get a lump sum now or to have the bottle-stores and get income for a long time, which is better? -- I felt it was worth more for the Council to have taken over (10) the bottlestores because then in so doing it was going to be able to avoid the increment on services and rentals by making use of whatever revenue would come from the bottlestores.

And did you know that a number of the people who were taking over these liquor outlets were your fellow councillors? -- Yes I do know about that.

And were you at the meeting at which the matter of the sale of the liquor outlets was approved by the Council? -- Yes I was.

And did you raise any objection? -- Not me, I did not (20) take part in that but some people drew a motion, some councillors drew a motion in opposing the sale of the liquor outlets.

Yes. A motion has been put before the Court but that motion was in fact tabled or an attempt was made to table that motion after the decision about the sale of the liquor outlets had been already taken by the Council. Is that the resolution you are talking about? -- I am not in a position to tell His Lordship as to whether the motion was brought there before the decision or the agreement about the selling of the liquor (30) outlets or after that but what I can say with certainty is

that/.....

that a motion which was against the idea of selling the liquor outlets to private individuals was brought in there.

Right. What happened to that motion? -- As far as I know that motion was not accepted.

Was that again because of the attitude of the party in control do you think? -- Yes that is what occurred in me because of the fact again that most of the people who wanted these liquor outlets for themselves as individuals were the majority I referred to in the Council who always overruled in voting. (10)

Now this majority in the Council actually approved a budget which did not bring about any increase in the rents of businesses, right? -- That is so.

That decision you would agree was in the interests of businessmen and not in the interests of the people as a whole? -- That is exactly like that.

And the decision in connection with liquor outlets was also a decision in the interests of certain businessmen and in your view certainly not a decision in the interests of the people as a whole? -- That is so. (20)

And would you agree that, or did you have the feeling that the Council, because it was controlled by this majority, do you agree that generally speaking it did not operate in the interests of the people? -- That is true because most of those people I refer to as the majority in voting in this Council are businessmen and some of them only acquired some businesses immediately when they were voted into the Council.

COURT ADJOURNS FOR TEA. COURT RESUMES.

SEBEHO PETRUS MHMOHAJANE: d.s.s. (Through Interpreter)

FURTHER CROSS-EXAMINATION BY MR YACOOB: Immediately before (30)
the adjournment you agreed that your impression was that

generally speaking the majority of the councillors worked in the interests of businessmen rather than in the interests of the people as a whole? -- Well I will say it is possible that that was the attitude.

COURT: I want to know what was your perception. -- My perception was that they are working for their own interests.

MR YACOOB: And was that, as far as you were concerned, the perception of many of the people as well? -- Yes according to my judgment that was the perception from the community as well.

Now it is correct is it not that you got in your ward (10) 509 votes against your opponent's 16 votes? -- That is so.

Would you agree that you got the single highest number of votes for a single councillor? -- That is so.

Is it not correct that apart from the people who had an intimate knowledge of the kind of person you were the rest of the community would in a sense have lumped you with the rest of the councillors because you were a councillor? -- That is so.

Is it correct that because of the conduct of others the majority of the people gave you a bad name as well? -- That (20) is so.

Right. Let us get to the meeting of 29 June, the meeting of the Council of 29 June 1984 once again. Was or were the problems relating to those who could not afford the rent, relating to the, I will take them one at a time. Were the problems relating to those who could not afford the rent discussed at this meeting? -- No it was not discussed.

COURT: Were these problems discussed previously when the budget was dealt with? -- No not as far as I can recall, no mention was made of that. (30)

MR YACOOB:
Were the problems of the unemployed relative to the

increased/.....

increased rental discussed at this meeting? -- I cannot recall that either being mentioned or being discussed in any of the meetings where this budget was discussed, except when I had a meeting in my ward I did make mention of that.

COURT: No we are talking about the Council meetings. When did the meeting, the budget meeting start and at what stage did you arrive at this meeting? -- If my memory serves me well this particular meeting was supposed to have started at 18h00. In view of the fact that I was struggling to find or locate the venue of the meeting I only arrived at this (10) meeting after 18h30 but before 19h00. On my arrival the item which was being discussed there was about the question of the increase on rentals, whether that can be effected or not.

MR YACOOB: Now to your knowledge were the problems of the aged discussed at this meeting? -- No it was not.

At any other meeting? -- Not as far as I can recall.

To your knowledge did the Council have any policy about these three categories of people, that is to say the unemployed, the aged and of course those who could not afford to pay rent? -- If my memory serves me well at one stage while we were (20) holding a Council meeting there was a letter which was received from a certain firm and if I am not mistaken the name of the firm was Cape Gate, which is African Cable. It was saying something about unemployment. It is only then that something was said about people who were not employed.

And do you remember what happened, what the decision was about those people who were not employed? -- If I remember well the contents of that letter were that there were people who were retrenched from their firm and this was requesting that those people must not be worried about their rentals, (30) that is they must not be worried by the authorities or the

Council/.....

Council pertaining to their rentals.

What was the decision of the Council pertaining to that letter? -- If I remember well again the decision by the Council was that those people referred to in this letter will have to go to different Township Managers of the different areas in which they live about that question.

But there was no, as you remember it, no general policy, no guidelines set out about how unemployed people would be catered for? -- I do not quite remember as to whether there was any guideline laid out in the Council as to what is to (10) be done or what was to happen to those people.

COURT: Tell me councillor was the budget meeting the first meeting you attended of this Council? -- No it was not the first meeting.

Now how is it then that you got lost on your way to the Council Chamber? -- What happened is this, the usual venue for meetings by the Council was decided on it being changed on this particular day for this particular meeting and therefore that was my problem. This meeting was being held at a place called Masiza Hostel. I was trying to locate the place (20) myself because I did not know where it is. It was a new venue.

MR YACOOB: Now if, I mean you would have regarded this policy and guidelines in relation to how unemployed people should be catered for as a very important matter would you not? -- Yes that was my feeling, that if possible there should be a guideline and how to go about doing things about such people.

And I want to suggest to you that if these guidelines, these very important guidelines, had been discussed in your presence and laid down you would certainly not have forgotten it? -- That is true. (30)

Would the same apply to guidelines relating to those

people/.....

people who could not afford to pay their rent for other reasons? -- That is so.

And is it the same then in relation to guidelines about aged people? -- That is so.

Alright. Now after this meeting of 29 June you say you held a meeting in your constituency during July? -- That is so.

Before that you knew that two street lights, high rise lights they are called, were to be

COURT: High mast.

MR YACOOB: High mast lights, sorry, were to be installed (10) in your area? -- Yes according to my request to the Council.

How many wards are there in Zone 7? -- Five My Lord. I am sorry three.

Three wards. I have looked at this capital budget, AAT(2), according to that the two high mast lights to be installed in Zone 7, one in Zone 7A and the other in Zone 7B. Would you agree with that or do you have a problem with that? -- No I do not agree with you because my request was about the area which is a dark spot that had to be lit by means of the high mast lights. Those were the lights I requested for. (20)

COURT: Where was that area, the dark spot? -- In the outskirts of Zone 7, on your way towards the railway station named Eating Side and Kwaggastroom.

MR YACOOB: Do you know whether that would be in Zone 7A or B or in neither of them? -- They are falling under Zone 7A.

I would imagine then that Zone 7A, or your ward is situated in Zone 7A? -- That is so.

Your ward does not actually extend to Zone 7B at all? -- No, not at all.

But if one looks at the budget AAT(2) the budget (30) does not say exactly where the high mast lights were to be

installed./....

installed, in terms of the position in which you have given it. -- I do not know how they put it on paper there but that was my request that these lights be installed in the area referred to by me.

And you did not know on 29 June whether the light was in fact going to be installed where you had requested it, or did you? -- I was convinced that they were going to be installed at the places where I requested them to be installed.

But you say you requested high mast lights to be installed and you say at the places, at at least two places in Zone (10) 7A? -- Yes, two different places.

Both certainly in Zone 7A? -- That is so.

I see. Now when you called this meeting in July you were in fact aware that a number of people would have very serious problems about the increase in rents because of the bad economic climate which prevailed at the time, is that right? -- -- That is so.

And you were actually correct because when the meeting did take place in July the problems of the unemployed, of those who could not afford to pay rent and of the aged were(20) pertinently raised?

COURT: What is the last portion of the sentence Mr Yacoob?

MR YACOOB: Were pertinently, and

COURT: Pertinently raised. Yes thank you. -- That is true, those questions were raised at this meeting on which I said those who are not in a position to pay those rentals can go and see the Township Manager.

MR YACOOB: Right. But these were the only groupings of people, those who could not afford rent, those who were unemployed and the aged, who need to be considered seriously(30) when increases in rent are discussed, is that not right?

-- That/.....

-- That is so.

And the people who were raising these problems were generally speaking in fact saying this, they were saying lots of people are unemployed, there are lots of people who cannot afford to pay rent, there are the aged who have problems and that is why we have some difficulty with this increase in rent? That is what they were really saying to you, is that not right?

-- That is true.

So that it is true to say that there were a number of people, tell me if I am wrong, that there were a number of (10) people at your meeting in July, sorry My Lord, in fact the evidence is that all these problems were pertinently raised on 5 August and I have actually been going at a totally incorrect tangent. I apologise.

COURT: Could we not deal with one meeting at a time Mr Yacoob? You have come to each meeting, back to each meeting about twice or three times.

MR YACOOB: My Lord I just place on record that I have not yet dealt with the July meeting and that all the things that I have been putting to this witness has been in connection (20) with his evidence at the meeting of 5 August.

COURT: You need not place that on record, the record will speak for itself.

MR YACOOB: That is so My Lord.

COURT: Go ahead.

MR YACOOB: Thank you My Lord. Now this was actually the meeting of 5 August where all these problems were raised, is that not so? -- That is so.

COURT: Now let me get clarity. At the meeting in July were questions of inability to pay raised or not? -- The meeting (30) which I held in July was a report back to the constituency

about/.....

about their demands which I had conveyed to the Council and what was being done about their demands.

So the question of inability to pay only arose when the quantum of the increase of rent was mentioned? And that was on 5 August? -- That is true, on 5 August.

MR YACOOB: I am indebted to Your Lordship. Alright at this meeting of 5 August therefore it was quite clear that there were a number of people present who were unhappy about the rent being increased? -- I do not know whether they were dissatisfied about that being introduced to them at the (10) time there because their expression to me was not that of a person who was not satisfied. Instead some of them said if only their demands were going to be met it was okay. In addition to that what was said was provided they will not be evicted from their houses should they fail to pay their rentals, or not be in a position to pay their rentals.

And of course you knew that, you unhappily were aware of the fact that if people did not pay their rental they would most likely be evicted? -- I was very much against the idea of people being evicted from houses though the Superinten- (20) dants were doing that in their practice. But it was against my policy.

So you were unhappy about it but the fact was that people would be evicted if they failed to pay whatever the reason? -- That is true but all the same I was still going to fight against it because since I was in that ward no person was evicted from the house by the Superintendent. For instance I have somebody which I can remember who was out of employment for seven months and on my request there were no problems at all about that person having not paid (30) his rental.

COURT: But I understood you to tell me in evidence-in-chief that a cripple had been evicted? -- It is true. I said it was being done by the Superintendent and the new applicant for that house. It was not the question of this cripple failing to pay his rental.

MR YACOOB: Right. Did you think that even if three or four hundred people became unemployed, unable to pay their rent, that you would be able to stop their evictions? -- I was going to do all within my powers to stop that because I even felt that I was going to ask whoever decides that (10) they be evicted from the houses to show me a place where they can go and live under a roof while they are still out of employment because otherwise it is inhuman for them to be evicted out of their houses while they are out of employment.

Tell me did the people in your area, and in any other area for that matter, regard the Superintendent as fair, just, understanding, balanced people?

COURT:/.....

C182 COURT: Do you want a general assessment on all Superintendants or on the Superintendant of Ward 16 where he is the Councillor?

MR YACOOB: The general assessment My Lord. We will get to the specifics. -- Not that I know of.

Is it correct that it is the Superintendants who are responsible for evictions in the eyes of the people? -- Yes they are the people who are doing that.

And in your view the Superintendants are responsible for a number of unfair evictions? -- That is true.

And the people would know about this, is that right? (10)
-- That is true.

And this perception of the people would apply also to your ward? -- That is true.

And their perception is that when they suffer in any way, when the people lose their accommodation and so on the perception of the people is that the Superintendants agree with this and actively participate in creating problems for them?
-- That is true.

COURT: Now let me get some clarity on this please. Was it standard policy that anybody who leased a house knew about (20) that if he would not pay his rent he would be evicted? -- The procedure was should a person owe rent then this person would be investigated and this matter was being taken to the housing committee who in turn would decide what to do with this person. But they would not just decide to evict a person. They would try other avenues as well. For instance in introducing a sub-tenant to stay with this person who is failing in his rental so that the sub-tenant can assist in paying the rental for the house.

Were the housing committee entitled to order the (30)
eviction of a tenant who did not pay his rent? -- Not at their

own alone. The councillor of that particular ward involved would be present with them, that is the housing committee, even though he is not a member of the housing committee.

Would the housing committee plus councillor be entitled to evict a person who did not pay his rent? -- No they do not have those powers to evict a person out of a house.

Who has the powers? -- Only with a Court Order can a person be evicted out of a house. Without that nobody has any authority.

Now who gets the Court Order? -- The police will (10) deliver the Court Order to the person.

What does the Court Order consist of? -- The Court Order I saw was in fact to the effect that the person applying for the Court Order here is according to law allowed to do so, in fact according to law the occupant of that house is according to law being informed that he will have to vacate the house or be evicted from the house.

Now is your complaint that there were evictions without Court Orders or is your complaint that persons who had not paid were evicted with Court Orders but that they had been (20) unable to pay? -- What I am against was, though it did not happen in my ward, a Superintendent who just takes a decision and says "I am evicting this person out of this house" without any Court Order, because it would mean that he is taking his own decision.

Yes, now how often did this happen? -- This would happen for instance to a person who was owing rental for one month.

I am asking you how often did this happen? -- I would say for instance if they had quite a number or a few this month after some few months again they would do the same and (30) evict some persons.

I want to know from you the prevalence of these evictions. Were there one a month or a thousand a month? -- For instance if there were ten this month and if there is another ten next month still it will go on, they will be evicted.

I want to know from you in a year's time how many evictions would there be, illegal evictions? If you do not know just tell me you do not know. Do not hedge. -- No I do not know.

MR YACOOB: Right you may not know how many a month but do you know that there would be policemen with locks going around (10) to lock up the houses of people who had not paid rent? -- That is true.

And although you may not know how often this happened would you say that the people that you would have spoken to would discuss this sort of problem very often or not? -- You mean pertaining to the locking of the houses?

Yes, and their illegal evictions? -- Yes that is so.

And, alright, now talking about this you said that your impression was that some of the councillors were there for their own benefit. Now my instructions are that sometimes (20) councillors work hand in hand with township managers to secure certain evictions. What would you say about that? -- I do not know about other councillors but I was very much against the idea of evicting people from houses.

Did you hear stories floating around in your area to the effect that councillors had been responsible for these evictions for the purpose of ensuring either that the house was sold or that it was given a member of the family of councillors? -- That is very much true, very much true, that was what was being said. (30)

It was also being said, was it not, that councillors

were/.....

were making a profit out of these evictions? -- Yes that is true, there is a case which I personally found to be like that.

Could you give the Court some particulars of that please?

-- A person by the name of Johannes Monhagotla(?), who was a councillor before, he is now no longer a councillor, what happened is this people came to me complaining about the behaviour of this councillor as a result of which then I took the initiative of talking to this councillor at a office where a woman was complaining that I must talk to this man and tell him to return her money which she had paid to him. (10)

COURT: For what purpose had she paid the money she said? -- That she had given him some bribe.

For what purpose? -- To get somebody evicted out of a house so that she, this woman, acquires the permission and be allocated the house of the person who would be evicted.

Now in what year was this? -- It is some time during the year 1983 when we were still a Community Council.

MR YACOOB: And was the complaint of this woman that having paid the bribe she did not get the house? -- That is so.

Alright. In any event at this meeting of 5 August (20) you said that those three categories of people who had difficulties should see the Township Manager? -- That is so.

Now even in your ward, as you have said, the perception of the people in regard to the Township Manager was not the best, right?

COURT: Well has he said that?

MR YACOOB: Yes My Lord I ...

COURT: You asked his general view on all the Township Managers, or Superintendants are they have been called so far, and I asked you whether you wanted to particularise and you did (30) not.

MR YACOOB: And then I immediately, I finished the general question I said that that applied to your ward as well and he said yes My Lord.

COURT: Well does it? -- Yes that is so.

What applies to your ward? -- They would come and lock the houses of the people who were not able to pay. And for instance going behind one's back and take decisions with those who are in moneys, the rich people, that a person be evicted from a house because now this house is wanted for one of the relatives of the rich man. (10)

Did you report this? -- Yes I did.

To whom? -- To the Superintendant himself.

But I thought the complaint was about the Superintendant? -- By reporting to the Superintendant what I mean is this, I told the Superintendant himself about what the people are saying pertaining to his behaviour and what he does to the people and I told him again further on what the people allege is happening or was happening during the time of the previous Superintendant before he came because what was happening there was they would change the Superintendants, or transfer them, (20) frequently and therefore one would just complain to the one who was there at the time and tell him what the allegation is.

MR YACOOB: What do you think would have happened if you had raised this matter in the full Council? -- This was discussed in a Council meeting, that is the behaviour of the Superintendants and Township Managers where it was decided that it be referred to the Executive which Executive was to call the Superintendants together in a meeting to reprimand them in fact and take whatever step necessary about their behaviour as alleged by the complainants. Now unfortunately I am not (30) a member of the Executive. I am not in a position to tell His

Lordship/.....

Lordship as to what happened in that meeting, as to whether there was any decision taken or not, nor was there any report back made to the Council.

Counsel has spoken of a Superintendant and of a Township Manager. Are these two different people or are they the same people? -- This addresses the same person. One can call him a Superintendant or a Township Manager.

MR YACOOB: Was this matter raised before the Community Council or before the new Town Council? -- That was during the time when we were still a Community Council. (10)

What year would you say it was? -- I cannot quite remember as to during which year it was but what I can remember is that during the time of the Community Council.

And if my instructions are correct overall there was no change after, at any stage up to September 1984, in the attitude of these Township Managers and Superintendants? -- That is so.

Right. Now you had asked people in your ward to approach the Township Manager. Is it correct that bearing in mind the perception of the Township Manager in your ward they would not have regarded that as perfectly satisfactory? -- Yes I did that with a view to get a report from this very person who would come and tell me that I have been to the Superintendant and this is what he tells me.

Then your idea was that you would take it up? -- That is true.

COURT: Tell me is there a Superintendant in every ward or in every zone? -- There is a Superintendant in a different zone.

So for each zone there is a different Superintendant? -- That is so. (30)

MR YACOOB: Now it has not been possible to obtain very

specific instructions in regard to the meeting of 5 August but generally speaking my instructions are that a number of people were very unhappy about the increase in rental announced at that meeting.

COURT: Is it put that this unhappiness was expressed or not?

MR YACOOB: It is put that the unhappiness was expressed.

COURT: Yes. Put that to the witness. -- Not to me, it was not expressed. I do not know if it was expressed to different people or other people.

MR YACOOB: I see. Then my instructions are that you your- (10) self, at that meeting, indicated that you were not particularly happy about this increase in rent? -- That is true.

And my instructions are that you said that you were not happy as well in response to the unhappiness of the people as expressed at that meeting? -- That is true.

Now I want to move on to what happened on 3 September. Now you went outside your house as soon as the report was made to you and I have you recorded as being interpreted as having said that you noticed a "klomp persone" coming towards your house? -- That is so. (20)

Now I would imagine that when you got out of the house this "klomp" of people was far away still?

COURT: You can translate "klomp" with "lot", with "lots of people".

MR YACOOB: With "lot" My Lord?

COURT: A lot of people.

MR YACOOB: A lot of people. -- Not very far.

About how far would you say they were away from you? -- About from where I am standing in the witness stand right up to the main entrance of this building, that is the court(30) building in front.

About fifty metres My Lord?

COURT: Yes, less than fifty metres.

MR YACOOB: What does Your Lordship say?

COURT: I said less than fifty metres but it depends on whether we are speaking of the same main entrance. Where is the main entrance you are referring to? -- I am talking about the main entrance from the corner of the street here when you turn around into the building, that is the entrance facing that direction.

That is the entrance facing west? -- West yes. (10)

That is further Mr Yacoob. Well we will determine that at seventy metres roughly.

MR YACOOB: Alright. And I would imagine that when you saw these people you were in a very excited frame of mind? -- That is true.

Because of that excitement it would have been extremely difficult for you to make an assessment or an estimate of the number of people in that lot? -- That is true. I was not in a position to count them.

Yes. Not only were you not in a position to count (20) but I am putting to you that you were not in a position to make a reasonable estimate because you were so excited? -- That is true.

Right. Then you went to the house which is diagonally behind yours and watched, I would imagine, through their kitchen window, is that right? -- That is true.

Now there is actually some sort of wall or structure between your house, between the back of your house and the back of this house in which you were which actually has a gate? -- No there is no structure at all. (30)

COURT: What separates the one yard, the one back yard from

the/.....

the other back yard? -- A wire fence.

MR YACOOB: A wire fence. And is there a gate in that wire fence? -- Yes there is a gate.

Right. And looking through that kitchen window you actually had to see through the gate towards the front of your house, is that right? -- No the gate is on the side from where I was standing. I could see direct from where I was standing without my eyes having gone to through the gate.

COURT: Could you see over the fence or through the fence? -- This fence is about four feet high so I could see above the(10) top of the fence and even through the fence itself.

MR YACOOB: Right. I can quite understand that you could see people entering the house, you could also see smoke coming out from it, is that right? -- That is so.

But again it will be extremely difficult for you, watching in those circumstances, to make a reasonable estimate of the number of people present? -- That is true.

Are there some outbuildings which obscure your view through that window? Partially obscure? Are there outbuildings which partially obscure your view from that (20) window? -- What kind of building are you talking about?

Alright it does not matter, we will leave that for the moment. But in any event you gave His Lordship yesterday an estimate that there were a thousand people in this lot of people that you saw. Do you remember that? -- That is so.

I would imagine that because of the excitement and because of the difficulty in seeing you would be happy to concede that it could have been much less than a thousand? -- Well I do not know. That is what you put to me.

Yes, do you think that it could have been less than a (30) thousand and that you could have been mistaken in that

estimate? -- I said plus or minus a thousand. I never said it was a thousand.

Yes I understand that. What I am putting to you is could it have been considerably less than a thousand, say three or four hundred? -- Well I do not know. If that is what you put to me that is how you understand it.

But you cannot

COURT: Is that what you put to the witness, that the crowd was three hundred to four hundred strong?

MR YACOOB: No I am not putting it to him My Lord, I make (10) that very clear. Now

COURT: Well then what is the purpose of the cross-examination?

MR YACOOB: My Lord the purpose of the cross-examination is to test the estimate because a conclusion

COURT: Well if it was five hundred or whether it was a thousand, what is the difference? His house was burnt down.

MR YACOOB: As My Lord pleases. Alright now as far as the singing that you, you say you heard people shout out the name of Oliver Thambo, is that right? -- That is so.

Would this have been just a couple of people shouting (20) loudly or what? -- They were shouting loud.

Would it have been just a couple of people shouting? -- I do not know how many of them were shouting.

Did you gain the impression that there were just a few or many? -- The voices were high. It was definitely more than one person and I am not in a position to tell whether they were few or many, those who were shouting.

Is it correct that you heard singing going on at the time when this crowd was at this house but that you do not know what they were singing? -- That is so. (30)

Now you said, if I understood you correctly, that you

thought/.....

thought that AN15(2) and 15(4) were documents which may have somehow been responsible for the troubles which you faced in your constituency?

COURT: Well AN15(2) and AN15(4) are two pamphlets to which you were referred and you will be shown them now. -- Yes I see the documents.

Now it is put to you that you said previously that you thought that these pamphlets were responsible for what happened later? -- Yes that is what I thought.

MR YACOOB: But these are simply pamphlets advertising a (10) meeting are they not? -- That is so.

It is also true that when you were asked, before you were shown the pamphlets, what caused the problems that you experienced yesterday by My Learned Friend you said you did not know? -- It is true, that was the answer to the question by the Prosecutor but even in this case after having seen the two documents put before me I am not saying they were the cause. I am saying, what I am saying is it is possible that it could have been caused by these documents. I am not necessarily saying that they were the cause. (20)

So really you stick to your first answer which is that you do not know what caused the problems? -- That is true, I do not know.

I have no further questions, thank you My Lord.

HERONDERVRAGING DEUR MNR. JACOBS : Mnr. Mhmohajane, u het gesê dat die polisie gaan met slotte na die huise en sluit hulle. Wat bedoel u met die polisie? Is dit die Suid-Afrikaanse Polisie of is dit iets anders wat u bedoel? -- Ek praat van die Administrasieraad se polisiebeamptes.

Hulle is eintlik sekuriteitsbeamptes, is hulle nie? --(30)
Ja, dit is so.

Bekend as inspekteurs en nie polisie nie? -- Ja, dit is korrek.

In jou gebied self, met uitsettings in jou gebied self, het daar plaasgevind sedert hierdie Raad, die Swart plaaslike besture aan bewind gekom het vir die verkiesing na 29 November 1983 - het daarna enige uitsettings gekom soos jy dit beskryf het hier, die Raad se mense wat mense uitgesit het in jou gebied? -- Nee, dit het nog nie gebeur nie.

En in ander gebiede wat jy persoonlike kennis van dra?
-- Nie wat ek van weet nie. (10)

Kan jy vir my sê, het jy gestem vir die aanname van die begroting en wat dan meegebring het dat daar 'n verhoging in die huur sou kom? -- Ja, ek het saam met hulle gestem.

Afgesien van die feit dat daar 'n verhoging gaan kom op die ou end van R5,90 en R5,50? -- Ja, om eerlik te wees, ek het saam met hulle gestem.

Kan jy vir ons sê hoekom jy saam met die ander raadslede gestem het? Is daar enige rede? -- Wat ek daarby bedoel is, met die stem het die meerderheid my gewen. Met die gevolg, terwyl ek daar was in my teenwoordigheid het die meerder- (20)
heid dit aanvaar as 'n lid van die Raad. So, 'n mens kan aanvaar dat ek by was toe dit aanvaar was. Dit is aanvaar deur die Raad ingeslote myself.

HOF: Kan ons net 'n bietjie duidelikheid daaroor kry. Dit klink vir my eienaardig. Hoe kan 'n mens bepaal dat die meerderheid vir 'n voorstel is sonder dat daar 'n stemming plaasvind?
-- Ek kan nie meer presies pertinent onthou of daar gestem was vir hierdie begroting of nie, maar wat ek wel van bewus is is dat die meerderheid in die Raad op die betrokke dag dit so aanvaar het. (30)

Tot dusver het ek hier in hierdie hof gehoor dat dit 'n

eenparige besluit was van die Raad, die begroting. Is dit reg of is dit verkeerd? -- Dit is reg.

Het jy op enige stadium gesê "Ek stem daarteen"? -- Ja, op die stadium toe ek daar opgestaan het en daaroor begin praat het, het hulle vir my gesê dat hulle klaar verby is op daardie punt. Dit is op daardie stadium wat ek hulle bewus daarvan laat word het dat ek teen die begroting was.

U is al lankal in die Raad. U is nie onnosel nie. U weet baie goed dat 'n mens eers 'n bespreking het en dan 'n stemmery oor 'n mosie of 'n voorstel en ek vra u nie oor die (10) bespreking nie, ek vra u oor die stemmery. Het u toe die stemming ter sprake gekom het gesê u stem daarteen? -- Nee, ek kan nie onthou dat ons ooit gepraat het van die stemmery daar nie.

Is daar nooit deur die voorsitter gesê "Nou ja, is ons dit almal eens, sal ons die begroting aanvaar" nie? -- Dit is wat hy gesê het.

En het u toe opgestaan en gesê "Ek is nie daarmee eens nie"? -- Ja, ek het. Ek het opgestaan en vir hulle gesê "Mense, ek is teen hierdie besluit en daardie geld is baie." (20)

Dit is vir my nuus, moet ek vir u sê. Dit is die eerste raadslid wat vir my sê dat daar 'n teenstem was teen die begroting. -- Dit is heeltemal reg. Dit mag wees dat niemand daarvan gepraat het nie, maar ek is die eerste een. Dalk kom daar nog iemand anders wat dit gaan sê, want ek weet ek is die persoon wat daarteen was.

ASSESSOR (MNR. KRÜGEL) : Sal u net kyk asseblief na AN(15) nr. 2. In antwoord op 'n vraag van mnr. Yacoob wat soos volg geformuleer was, was die antwoord "Yes." "These pamphlets simply advertise a meeting." -- Ja. (30)

If you look at the pamphlet I can only judge on the

translation at the back of it. You will find that the last two lines of the wording reads "we have a meeting at Roman Catholic Church Small Farms at 09h00 - 9 a.m. on Monday morning, 3 September 1984." -- Ja, ek kan dit sien.

In this sense it only advertises a meeting? -- That is correct.

Above that we have got twelve lines of resolutions by residents, children, parents and workers at previous meetings? -- Yes, that is correct.

"Meetings against increases of rents, payments of (10) water, electricity and the eviction from houses by the male/female councillors on Monday 3 September." Then the next line reads as follows "No children or workers must go to school or to work on Monday, 3 September 1984"? -- Yes, that is true.

"Just to show that councillors must resign from their positions"? -- Yes, that is so.

There is more there. Why then do you say or why then do you agree that this pamphlet simply advertises a meeting? -- I admit that it advertises a meeting which was to be (20) held and then I further said I thought, that was an afterthought, that these were the reasons why these, the contents, were the cause of the problems which later erupted.

The fact is that there are various other matters except advertising the meeting which are dealt with in the pamphlet? -- That is true.

So, it is not correct to say that the pamphlet is simply advertising a meeting? -- Well, I took it this was a pamphlet advertising a meeting which was to be held at which meeting these other matters are going to be discussed. That is (30) the matters referred to further in the pamphlet.

NO FURTHER QUESTIONS.

MNR. JACOBS : U Edele, die volgende getuie is Esau Chake Mahlatsi. Die getuie sal ook getuienis in die algemeen gee en dan ook oor paragraaf 77 15.4 van die gevalle in die Vaal.

ESAU CHAKE MAHLATSI, v.o.e. (Deur tolk)

ONDERVRAGING DEUR MNR. JACOBS : Mnr. Mahlatsi, u is woonagtig waar presies of was u woonagtig op 3 September 1984? -- 13330 Zone 11, Sebokeng.

Dit is in die Vaal Driehoek? -- Ja.

Het jy deelgeneem aan die algemene verkiesing vir die Swart plaaslike besture wat plaasgevind het op 9 November (10) 1983?

HOF : 29 November.

MNR. JACOBS : 29 November 1983, ekskuus tog. -- Ja, dit is korrek.

En in die verkiesing wat daarop gevolg het, was u verkies as raadslid? -- Ja.

Kan u ook net vir ons sê, is u 'n besigheidsman in die Vaal Driehoek? -- Ja, ek is 'n besigheidsman in die Vaal Driehoek.

In wat se hoedanigheid is u daarso? Wat se besighede (20) het jy daar? -- Ek is die eienaar van 'n slaghuis.

Is jy die alleen eienaar of is dit 'n maatskappy? -- Dit is 'n maatskappy. Ons is verskillende persone wat aandele het in hierdie maatskappy.

Is jy die besturende direkteur van die maatskappy? -- Ek is een van die direkteure.

Kan jy dan vir ons sê watter maatskappy en waar hulle geleë is word beheer deur die maatskappy en wat die naam van die maatskappy is? -- Die naam van die maatskappy is Mahlatsi Holdings (Pty.) Ltd. (30)

En watter besighede besit hierdie maatskappy dan? --

Tabong Butchery.

Waar is die besigheid geleë? -- Zandela.

En Zandela is waar? -- Sasolburg.

Ja? -- Mahlatsi Butchery, Zone 14, Sebokeng. Pahamong Butchery, Zone 11, Sebokeng. Matlahathou Butchery, Zone 7, Sebokeng. Sechaba Supermarket, Zone 7, Sebokeng. Tuxedo Supermarket, Zone 14, Sebokeng.

Voordat jy verkies is tot die Raad, het jy pamflette gesien wat daar versprei was in die gebied in die tydperk 1983 en voor 29 November? -- Ja, ek het sulke stukkies (10) papiere daar gesien.

Ek wil hê jy moet kyk na 'n bewysstuk wat reeds hier in is, BEWYSSTUK AM(38).-- Dit is een van die dokumente wat ek van praat wat ek gesien het.

Wat sê die dokument? -- "Do not vote for apartheid."

Kan jy daarvolgens sien watter organisasie daardie dokument uitgegee het? -- Ja, ek kan die UDF stempel sien.

Jy sê die dokument was versprei daar in die gebied daar in die Vaal Driehoek? -- Ja.

Ek wil ook hê jy moet kyk na BEWYSSTUK AN(15) nr. 8. (20) Kan jy vir die Hof sê of jy daardie dokument voorheen gesien het? -- Ja, dieselfde geld vir hierdie een. Ek het dit al vantevore gesien.

HOF : Waar het jy dit gesien? -- Te Sebokeng.

Voor daardie verkiesing? -- Ja.

MNR. JACOBS : Kan jy sien daar op wie is die organisasie wat daardie een uitgee? -- Vaal Civic Association.

Nadat jy verkies is tot die Raad en die ander raadslede nou verkies was op die Raad, kan jy vir die Hof sê, was jy toe verkies as burgemeester van die Lekoa Stadsraad? -- Ja, (30) dit is korrek.

Wanneer is jy verkies? -- As ek reg onthou was dit op 1 Desember.

HOF : Van 1983? -- Ja.

Het u al vantevore 'n termyn as burgemeester gehad onder die Gemeenskapsraad? -- Aan die einde van daardie termyn was ons na verwys as die voorsitters van die Gemeenskapsraad nie as burgemeesters nie.

So, u was voorsitter gewees van die Gemeenskapsraad? -- Ja, dit is korrek.

Vir hoeveel termyne al? -- Net een termyn. (10)

MNR. JACOBS : In die Lekoa Swart Plaaslike Bestuur, wanneer het dit begin funksioneer toe, wetlik begin funksioneer? -- In die jaar 1984. Die lste van die jaar 1984.

Dit is 1 Januarie 1984? -- Ja.

Nadat die nuwe Raad nou verkies is en jy ook verkies is as burgemeester, het die Raad 'n besluit geneem omtrent die bekendstelling van die Raad en indien so, kan jy net vir die Hof sê wat presies was daardie besluit gewees? -- Ja, 'n besluit was geneem deur die Raad dat die Raad as geheel sekere plekke sal moet besoek, met die oog daarop om hulle voor te stel (20) aan die gemeenskap van daardie omgewing.

Het die Raad toe ook besluit op watter datum dit sou gebeur en op watter plekke dit sou gebeur? -- Ja, daar was so 'n besluit geneem, alhoewel die datums miskien op 'n stadium verander was, maar daar was so 'n besluit geneem.

Kan jy vir ons kyk na hierdie dokument en sê, is dit 'n uittreksel van die resoluëie oor hierdie beslissing van julle? Met die Hof se verlof sal dit genommer word AAT(13). -- Ja, dit is.

HOF : Die dokument dra as opskrif 6.7 "Introductory (30) meetings of the Town Council of Lekoa to residents in the area

of jurisdiction of the Town Council of Lekoa." Dit bestaan uit vyf bladsye. Wat is die datum van die resoluëie, mnr. Jacobs? As u nou in die vervolg weer van die goed inhandig moet u asseblief net bo-aan skryf wat die datum is, want dit is nou 'n uittreksel uit 'n hele notule.

MNR. JACOBS : Ek wil hê u moet kyk daar onder is 'n handtekening en dan verskyn daar ook 'n datum daarnaas. Kan u vir ons verduidelik wat se datum is dit? -- Ek kan nie onthou wat die datum was nie. Dit is die datum wat die resoluëies geneem was. (10)

In die resoluëie was gevra dat die stadsklerk moes dan briewe geskryf het? -- Ja, dit is so.

Die bladsye wat dan daarna volg wat die Hof genoem het, is daar blykbaar vier briewe. Hulle is gedateer 18 Mei 1984, 27 April 1984, 22 Mei 1984 en 29 Mei 1984. Wat se briewe is dit? Kan jy net vir ons verduidelik? -- Die briewe was gerig aan die Raad se lede by die betrokke plekke wat ons sou besoek het, dat hulle die nodige voorbereidings moes doen vir hierdie doel van ons besoek.

So, die eerste brief wat gedateer is 18 Mei 1984 is (20) gerig aan die raadslede van Sharpeville en Refeng Kgotso? -- Ja, dit is so.

By Sharpeville sou 'n vergadering gewees het op lyk my 20 Mei 1984 en ook dieselfde dag te Refeng Kgotso? -- Ja, dit is reg.

Het julle toe as 'n raad gegaan na hierdie twee plekke toe op 20 Mei en daar 'n vergadering gehou? -- Ja, ons het.

En die vergadering, was dit vooraf geadverteer gewees? -- Ja, dit is korrek.

Op die vergadering wat daar toe gehou was, was al die (30) raadslede toe teenwoordig op hierdie vergadering? -- Nee, ek

sal nie sê dat almal teenwoordig was nie. Daardie mense wat dit kon bywoon, het dit bygewoon en die mense wat dit nie kon bywoon nie, het dit toe nie bygewoon nie.

Het jy toe die raadslede wat daar was voorgestel aan die gehoor daar? -- Nie deur myself nie, maar hulle was voorgestel.

Het jy die gehoor daar toegespreek of daardie twee gehore? -- Ja, ek het.

Wat het jy verduidelik aan die mense? -- Ek het aan die gehoor verduidelik wat dit is wat 'n mens na verwys as 'n dorpsraad. (10)

Wat het jy in daardie opsig verduidelik? -- Ek het aan die mense verduidelik dat dit die tipe Regering is wat beheer uitoefen wat deur die inwoners gekies word om dinge van die inwoners te reguleer. Ek het toe samewerking van die inwoners gevra.

Het u aan die mense verduidelik of daar 'n verskil tussen 'n Dorpsraad en 'n Gemeenskapsraad was? -- Ja, daar was so 'n verduideliking gewees, maar dit was nie sommer so verduidelik nie. Dit was op die tydstip toe die mense vrae gevra het dat daardie verduideliking uitgekom het. (20)

Wat se verduideliking is gegee? -- Wat aan die mense verduidelik was as 'n verskil is die volgende. Voor die bestaan van die Dorpsraad het die Gemeenskapsraad besluite geneem wat hulle self nie kon uitvoer nie, maar wat hulle eers moes gaan ingee het by die Administrasieraad wat dan later stappe sou neem om daardie besluite uit te voer namens die Gemeenskapsraad. Dit was toe vervolgens aan die gemeenskap verduidelik dat die Gemeenskapsraad geen reg gehad het om hulle eie besluite of eie plaaslike bestuurwette te maak nie, terwyl ons as 'n Dorpsraad die volle reg het om dit te doen op ons eie. (30)

Is daar nog iets? -- Wat die derde punt is wat aan hulle

verduidelik was was dat met die Gemeenskapsraad het hulle nêrens gepraat van die grond nie. Dit wil sê die besit van grond, terwyl met hierdie Dorpsraad daar melding gemaak word van die besit van grond.

Is dit al of is daar nog? -- Wat verder verduidelik was is dat ons dit so aanvaar het en ons glo daaraan dat in die loop van die tyd sal ons dan "freehold" ook kry.

GETUIE STAAN AF.

HOF VERDAAG.

HOF HERVAT.

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ESAU CHAKE MAHLATSI, nog onder eed (10)

ONDERVRAGING DEUR MNR. JACOBS (vervolg) : Mnr. Mahlatsi, u was besig met hierdie vergaderings, hierdie twee wat op hierdie eerste brief gevolg het te Sharpeville en Refeng Kgotso. Kan jy vir ons sê het jy op daardie vergadering as burgemeester ook vir die mense verduidelik wat u soort van beleid is as die Raad en hoe dat u gaan optree in die toekoms? -- Ja, ek het dit verduidelik.

Wat het u verduidelik? -- Wat ek aan die mense verduidelik het was, aangesien hulle nou lede van die Raad gekies het vir hulle wyke, alles wat hulle te sê het, wat hulle wil hê (20) die Raad moet van weet, moet na die raadslede toe geneem word dan kan daardie betrokke raadslid dit oorbring na die Raad toe.

Op die ander plekke waaroor die volgende brief gaan, naamlik 29 April by Zandela en dan daarna is dit 'n brief van 22 Mei van 'n vergadering van Zone 13 en 14, Sebokeng, Residensia en Zone 7A en B en dan die laaste een Residensia - dit is ook Residensia, 3 Junie. Blykbaar is daardie vergadering verskuif van 27 Mei na 3 Junie toe. Op hierdie ander plekke waar vergaderings gehou moes word en waar kennisgewings (30) gegee is, het dit net so verloop soos hierdie, het die Raad

daar verskyn en die mense voorgestel? -- Ja, dit was dieselfde gewees.

HOF : Is die vergadering in Zone 7A, Sebokeng gehou op 3 Junie of is hy aan die einde van Julie gehou? -- Ek kan nie meer so goed onthou nie, maar wat ek wel kan sê is, die vergadering was gehou gewees by die kantore van Zone 7.

MNR. JACOBS : Jy sien, as jy kyk na daardie brief van Zone 7 wat 3 Junie is en dit vergelyk met jou resoluëie, Sebokeng punte 1.6, 1.7 8 Julie en 22 Julie en op hierdie brief van 29 Mei sê dit dat op 3 Junie is die vergadering gehou. -- (10) Dit is korrek. Soos ek alreëds vroeër in my getuënieis gesê het dat datums verander was.

En is hierdie vergadering toe gehou in hierdie gebied van Sebokeng in Junie? -- Ja, dit is so.

Afgesien van hierdie vergaderings om die Raad nou bekend te stel aan die inwoners, kan u vir ons sê, het jy in jou eie wyk 'n vergadering gehou, 'n verslagvergadering na die verkiesing? -- Ja, ek het vergaderings gehou.

Kan jy vir ons sê watter maand dit was ongeveer? -- Dit was in Februarie. (20)

Van watter jaar? -- 1984.

Die vergadering, het jy dit vooraf geadverteer dat jy so 'n vergadering in jou wyk gaan hou? -- Ja, ek het.

HOF : Vir watter wyk is u verkies? -- Wyk 13.

MNR. JACOBS : Dit is Wyk 13, Sebokeng? -- Ja.

Wat was die doel van hierdie vergadering? -- Dit was om die mense daar te gaan verwittig hoe die verkiesings verloop het. Tweedens was dit om die mense daar te laat verstaan dat hulle hulleself moet voorberei op dit wat hulle graag wil hê deur die Raad bespreek moet word sodat ons in die volgende vergadering, dat hulle dit vir my moet gee en dan sal (30)

ek dit oordra aan die Raad.

Nog iets? -- Dit is al wat ek eintlik as belangrik beskou het.

Op die vergadering self die dag toe dit gehou was, wat was die opkoms gewees? -- Die opkoms was goed, want dit was tussen drie- en vierhonderd gewees.

Wat het jy toe op die vergadering gedoen? -- Is dit die vergadering wat ek nou gehou het?

Ja, die verslagvergadering?

HOF : Dit is in Februarie 1984? -- Al wat ek daar gesê het (10) was aangaande die twee feite wat ek reeds vir die Hof genoem het.

MNR. JACOBS : Het jy iets gesê omtrent jou opponente, wat miskien vir jou opponent gestem het? -- Ja, ek het aan die gehoor gesê aangesien ek nou gekies was met die meerderheid se toestemming, gaan ek nie net daardie klomp verteenwoordig wat my gekies het nie, maar die hele wyk gaan ek verteenwoordig waar dit ook al nodig is.

HOF : Hoeveel teenstaanders het u gehad? -- Daar was net een gewees. (20)

Wat was die stemme wat u gekry het en wat het hy gekry? -- As ek reg onthou was myne 480 plus. Syne was 150 plus.

MNR. JACOBS : Uit die gehoor, het daar toe reaksie gekom op jou voorstelle en stellings? -- Hulle was almal bly gewees.

Het hulle vir jou enigiets gevra of 'n versoek aan jou gerig op daardie stadium? -- Nee, daar was geen versoeke gewees nie, want ek het alreeds vir die mense gesê die volgende vergadering is die vergadering waar hulle met versoeke kan kom.

Het jy vir hulle gesê wanneer jou volgende vergadering sal wees dan? -- Al wat ek gesê net was dat die vergadering (30) aan die mense bekend gemaak sal word net soos hierdie een, voor

die dag van die vergadering.

Het jy toe 'n tweede vergadering gehou? -- Ja, ek het.

Wanneer was dit? -- Dit was in Meimaand.

1984? -- Ja.

Was dit toe vooraf geadverteer? -- Ja.

Op die vergadering self, die mense wat daar teenwoordig was, het jy met hulle enigiets bespreek of meegedeel? -- Nee, behalwe dat ek nou al reeds vir die mense voorgesê het dat op ons tweede vergadering sal hulle met versoeke moet kom. Ek het vir die mense gesê hulle kan nou met hulle versoeke kom, (10) wat gedoen moet word in die wyk.

En wat was die reaksie? -- Die versoek wat ernstig van die gehoor was aangaande die kliniek in Zone 11.

Wat omtrent 'n kliniek? Wou hulle 'n kliniek gehad het? -- Ja, hulle wou gehad het dat daar 'n kliniek gebou word.

HOF : Wou hulle gehad het daar moet 'n kliniek kom? -- Hulle wou gehad het dat daar 'n kliniek, dit wil sê 'n gebou, opgerig moet word waarin die mense sal werk as 'n kliniek.

Is Gebied 11 - val wyk 13 onder gebied 11? -- Ja, daar is drie wyke daar in Gebied 11. 13 is een van die drie (20) wyke in Gebied 11.

MNR. JACOBS : Dit is nou 'n kliniek vir daardie gebied. Wat nog? -- Hulle wou 'n hoërskool ook daar gehad het, senior sekondêre skool.

Wat is die posisie met 'n hoërskool? Verskaf die Raad hoërskole of wat is die posisie? -- Dit val onder die Departement van Onderwys en Opleiding.

Het jy aan die mense verduidelik daaromtrent? -- Ja, ek het aan die mense verduidelik, maar toe later vir hulle gesê "Kyk, ek gaan 'n versoek rig aan die Raad dat daar 'n erf (30) verskaf moet word vir die oprigting van daardie gebou.

Het jy vir hulle ook gesê omtrent wie gaan die Departement nader vir 'n skool? -- Ja, ek het.

Wat het jy gesê? -- Wat ek aan die mense verduidelik het was dat die Raad eers sal moet besluit of die versoek aanvaarbaar is of nie. Indien dit aanvaar word deur die Raad, sal die Raad 'n brief rig aan die Departement namens die gemeenskap om daardie versoek te rig.

Was hulle tevrede daarmee? -- Ja, hulle was.

Was daar enige verdere versoeke? -- Dit was aangaande die hoofpad tussen Zone 13 en 11. Dat voertuie daar vinnig(10) ry. Ons moet vra of iets doen dat die voertuie nie so vinnig moet beweeg daar nie.

HOF : Moet hulle 'n stopteken insit of iets? -- Hulle het nie pertinent gesê dat ons stoptekens moet laat insit nie, maar hulle het net gesê ons moet 'n plan beraam en iets doen daaromtrent, dat die voertuie nie so vinnig beweeg nie. Die derde versoek was oor die teer wat opgesit moes word in die strate daar.

MNR. JACOBS : Waar moet die teerpaaie aangebring word? --
In Zone 11. (20)

En nog? -- Dit het ek ook genotuleer en vir hulle gesê dat ek dit sal gaan oordra. 'n Ander versoek was dat die Administrasieraad se mense moet ophou of dit 'n bietjie verminder hierdie praktyk van hulle om die mense te arresteer vir sinkplaathuise wat op erwe gebou word.

HOF : Is dit nou ekstra huise of kamers wat aangebou word of nuwe huise op kaal persele? -- Dit is die ekstra vertrekke wat opgerig word op die perseel waar daar 'n huis is.

MNR. JACOBS : Het jy daarvoor enige verduideliking vir die mense gegee? -- Ja, wat ek aan hulle gesê het is dat ons (30)
dit sal moet bespreek met die Administrasieraad se mense om

dit opgelos te kry.

Het jy ook daarvan 'n aantekening gemaak? -- Ja, ek het.

Was daar nog versoeke gewees? -- Nee, daar was geen ander versoeke nie.

Daardie Gebied 11 was hy in die geheel geëlektrifiseer gewees? -- Nee, nie in geheel nie.

Het daar niks gekom omtrent elektriese ligte nie? -- Ja, ek vra om verskoning, dit het my ontgaan. Dit is eintlik 'n versoek wat omtrent elke keer gekom het.

Wat was die versoek? -- Die versoek was dat die huise (10) wat nog nie elektrisiteit het nie, sal ook elektrisiteit moet kry.

Het jy ook hierdie een genotuleer? -- Ja, ek het.

Het jy aan die mense verduidelik dat blykbaar vir party van hierdie projekte sal daar heelwat geld nodig wees? -- Ja, ek het.

Vertel vir ons wat jy verduidelik het? -- Ek het aan die mense verduidelik dat ons eers ondersoek sal moet gaan instel en kyk hoeveel dit gaan kos om hierdie projekte wat hulle versoek aan te pak. (20)

En het u enige verduideliking gegee as julle dit aanpak waar die geld vandaan sal kom? -- Ja, ek het.

Wat het jy gesê? -- Ek het aan hulle gesê daardie dinge sal nie soos die manna wees wat van die hemel af kom nie. Hulle sal verplig wees om daarvoor te betaal.

Wat was die reaksie daarop gewees? -- Hulle het daarop aangedring dat hulle hierdie versoeke wil hê.

Het hulle enige kommentaar gelewer op moontlike verhoging van tariewe om hierdie dinge te finansier? -- Ja, toe ek daarvan gepraat het dat dit nie sommer sal kom sonder dat (30) daarvoor betaal word nie, was wat ek eintlik na gemik het dat

hulle moet verstaan dat daar sekere gelde van hulle ingevorder sal moet word.

Wat ek probeer vasstel is, wat was hulle reaksie toe jy gesê het hulle sal daarvoor moet betaal? -- Hulle het net gesê hulle soek die goed van hulle wat hulle gevra het.

Die vergadering, hoe het hy uiteen gegaan? Was daar enige ontevredenheid, enige teenkantige reaksie op die vergadering of nie? -- Die vergadering is normaal uitmekaar. Daar was niks snaaks nie.

Het jy toe hierdie eise van die mense wat jy daar op (10) skrif gestel het - wat het jy daarmee gedoen? -- Dit wat genoem was wat die mense nodig het, het ek neergeskryf en toe geneem na die Dorpsbestuurder van Zone 11, want dit moes in die begroting bereken word, sodat hy aantekeninge daarvan kon maak.

Gaan dit van hom af deur na die Tesourie-afdeling? -- Ja, dit is so.

En die ander raadslede is hulle s'n ook almal by die Dorpsbestuurders ingehandig? -- Ja, dit is wat van hulle verwag word. Dit is op daardie manier wat hierdie vereistes by (20) die tesourie sal uitkom.

As die tesourie dit het, word dit in 'n konsep begroting opgestel? -- Ja, dit is so.

En daarna, as die konsep begroting opgestel is, wat word dan van die begroting? -- Dit word na die Raad toe gebring.

Na die Raad of na die Uitvoerende Komitee of wat is die posisie? -- Nee, na die Executive Committee toe.

Dien jy op daardie Uitvoerende Komitee? -- Ja.

In watter hoedanigheid? -- As 'n voorsitter.

Ek wil hê jy moet kyk na BEWYSSTUK AAT(1). Is dit die (30) konsep begroting wat toe opgestel was ... (Hof kom tussenbei)

HOF : Dit is die konsep kapitaal begroting.

MNR. JACOBS : Die konsep kapitaal begroting nadat al die raadslede se behoeftes vasgestel was? -- Weens die feit dat dit die vereistes bevat wat van my gevra was in my wyk deur my mense, sal ek sê dat dit die begroting is.

Kan jy hom identifiseer as die een wat julle ontvang het daar om te bespreek, die Uitvoerende Komitee? -- Ja, dit is korrek.

Wat het gebeur toe julle dit bespreek het? -- Toe ons dit bespreek het, het die Dorpstesourie ons toe ingelig hoeveel(10) dit gaan kos om hierdie projekte aan te pak soos genoem in hierdie begroting.

En toe? -- Hy het ons ook ingelig hoeveel dit per huis gaan kos om te betaal in daardie hele omgewing van ons om hierdie geld te bekom vir die aanpakking van die projekte.

Wat het toe gebeur? Het julle wysigings aangebring aan die ding of iets uitgelaat? -- Ja, ons het.

En daarna, wat het julle toe daarmee gedoen toe julle besluit het om afskalings te doen en wysigings aan te bring om dit te verminder? -- Na ons klaar die wysigings aange- (20) bring het, het ons dit deurgevat na die Raad toe. Dit wil sê die hele Raad se vergadering. Die begroting is toe aan die hele Raad verduidelik deur ons wat die wysigings was en wat dit beloop en wat die begroting was voor daardie wysigings, dit wil sê voor die ander goed afgeskaf was wat die bedrag beloop het.

Is dit toe so aanvaar met die wysigings en terugverwys na die Tesourie-departement? -- Ja, dit is so aanvaar met die wysigings en toe terugverwys na die Tesourie-afdeling.

Is daar op 'n later stadium toe weer 'n begroting aan (30) julle voorgelê, BEWYSSSTUK AAT(2)? -- Ja.

Is die begroting uiteindelik aanvaar? -- Ja.

Wat was die effek gewees? Sou daar verhoging wees in tariewe? -- Ja, dit was aanvaar tot die effek dat daar 'n verhoging nodig gaan wees vir die aanpakking van daardie oorblywende vereistes wat aangepak moet word deur die volle Raad.

En die verhoging sou dit R5,90 vir 'n raadshuis gewees het en R5,50 vir privaat huise? -- Ja, dit was eintlik die besluit op die heel einde van die ding.

Dit is wat ek van praat, die uiteinde? -- Ek sal u sê hoe-kom ek melding daarvan gemaak het. Wat ek wou verduidelik (10) het, is. Alvorens ons by hierdie besluit gekom het van die R5,50 en R5,90, sou die verhoging oorspronklik R11,00 beloop het, as ek reg onthou of R11,00 plus.

Gaan aan? -- Weens die feit dat 'n ander bedrag gebruik was wat ontvang was van die Administrasieraad ... (Hof kom tussenbei)

HCF : Net 'n oomblik. U vertolk Development Board met Administrasieraad. Administrasieraad se benaming het uitgegaan, dit is nou Ontwikkelingsraad. -- Ja, ek stem saam.

Goed, kom ons begin weer voor. As gevolg van geld wat (20) ontvang is van die? -- As gevolg van geld wat ontvang was, het ons toe die oorspronklike verhoging waarvan ons reeds geweet het verminder na die twee bedrae wat ek alreeds genoem het.

MNR. JACOBS : Was daar toe 'n verdere besluit op 'n stadium gewees dat die raadslede sou teruggaan na hulle wyke toe en die verhogings verduidelik aan hulle mense op 5 Augustus 1984? -- Ja, ons het so besluit.

Op 5 Augustus was daar toe so 'n vergadering gehou in die gebied waar jy 'n wyk het? -- Ja, dit is so.

Die vergadering, het jy alleen in die wyk vergadering (30) gehou of was daar meer as een raadslid vir daardie gebied? --

Ek self en twee ander raadslede het bymekaar gekom en hierdie vergadering gehou.

Is dit ook twee ander raadslede van dieselfde gebied, Gebied 11? -- Ja, dit is so.

Wie is hulle? -- Meshack Mahlatsi en Caeser Motjeane, die een wat gewees het.

Die oorledene? -- Ja.

Die vergadering, was dit vooraf geadverteer? -- Ja.

En waar is dit gehou? -- By die kantore van Zone 11.

Wat se kantore? -- Administrasiekantore. (10)

Hoe was die opkoms by die vergadering? -- Dit was baie gewees.

Kan jy vir ons 'n aanduiding gee hoeveel mense was daar? -- Ek skat dit op ongeveer vyfhonderd.

Op die vergadering het jy gepraat? -- Ja, ek het.

En wat het jy toe aan die mense vertel? -- Ek het die boodskap aan die gehoor, dit wil sê die gemeenskap, oorgedra soos dit besluit was deur die Raad aangaande hierdie betrokke begroting.

Wat het jy gesê? -- Ek het hulle begin vertel van hulle versoeke. (20)

Wat? -- Dat van hulle versoeke aanvaar was deur die Raad.

Het jy gesê watter dit is? -- Ja, ek het.

Watter? -- Die kliniek.

Dat daar 'n kliniek gebou sal word in Zone 11? -- Ja, dat die Raad aanvaar het dat daar 'n kliniek gebou moet word by Gebied 11. Asook die aanlê van elektriese krag in verskillende huise wat nog nie krag gehad het nie en die teer van die strate alhoewel dit nie van toepassing is op al die strate nie, maar daar is 'n sekere gedeelte van die strate wat deur die Raad (30) goedgekeur is vir teer. Ek het toe aan die mense verduidelik

hoe word 'n begroting uitgewerk. Ek het verder aan hulle gesê ons is nie die enigste mense in hierdie wyk wat versoeke gehad het nie, maar ook die ander wyke se raadslede het met die versoeke gekom van hulle gemeenskap, waarop ek toe vir hulle gesê het as dit nou bymekaar gebring word in die berekening van hierdie begroting, was dit gevind dat elke persoon, dit wil sê die huurder van 'n huis, sal R11,00 plus moet betaal. Ek het toe aan hulle verduidelik van die geld wat gebruik was wat dan die geld verminder het tot die bedrag van R5,90 en R5,50. Die mense was almal tevrede daar. (10)

Het hulle enigiets gesê? -- Behalwe dat hulle gesê het dat dit so gou as moontlik gedoen moet word, het hulle niks verder gesê nie.

Was daar enige mense wat ontevredenheid uitgespreek het op daardie vergadering? -- Niemand het enige woorde gebesig wat aanleiding gegee het dat 'n mens kon aanvaar dat die persoon nie tevrede was nie.

As burgemeester van die Lekoa gebied het jy enigiets voorsien of probeer om die samewerking van mense te kry, onder andere die predikante? -- Ja, nie net die predikante nie, (20) ingeslote die huurmotors te Vereeniging en ander liggame.

Ten aansien van die predikante, wat het u daarso voorgestel en wat is gedoen? -- Aangaande die predikante het ons twee vergaderings gehou, een te Sharpeville en een te Sebokeng.

Vooraf ten aansien van die een in Sharpeville is daar briewe uitgestuur na al die predikante van sekere gebiede? -- Ja, briewe was uitgestuur. Die briewe was nie eintlik gerig aan die predikante nie, maar hulle was gerig aan Church Leaders.

Kyk net na hierdie dokument voor my. Dit is 'n brief van die Lekoa Stadsraad. Die opskrif is "Discussion between (30) church leaders in the Vaal Triangle and the Town Council of

Lekoa." Dit is ten aansien van die vergadering in Sharpeville.

-- Dit is die brief, ja.

Het die vergadering toe plaasgevind met hierdie mense in Sharpeville? -- Ja.

Dit is BEWYSSSTUK AAT(14). Op die vergadering, wie het daar opgedaag? Hoeveel predikante? -- Ek kan nie meer so goed onthou hoeveel van die predikante die vergadering bygewoon het nie. As my geheue my nie in die steek laat nie, is die syfer tussen 25 en 30 predikante wat die vergadering bygewoon het. (10)

En hoeveel van die raadslede was daar? -- Omtrent 10.

Kan jy vir ons sê, beskuldigde nr. 3, Vader Moselane, was hy op die vergadering? -- Ja, hy was ook teenwoordig.

HOF : Dit was hierdie vergadering op 16 Augustus 1984? -- Dit is reg.

MNR. JACOBS : Toe die predikante nou daar teenwoordig is en julle en die raadslede, julle is nou daar vergader, wat het jy aan hulle verduidelik, wat was die doel van die vergadering? -- Wat ons versoek het daar was dat daar samewerking moet wees aangaande die "welfare". (20)

Samewerking tussen wie?-- Tussen die Raad en die predikante as geheel.

HOF : As u nou praat van "welfare", bedoel u die algemene welstand van die gemeenskap of bedoel u die welsynsdienste in die gemeenskap? -- Toe ek die woord "welfare" gebruik het, het ek dit in hierdie sin gebruik, dat daar samewerking moet wees tussen ons en die predikante aangaande die bejaarde persone en die persone wat nie kan bekostig om hulle lewe te laat bevorder nie en dan die derde rede was, ek het daarvan gepraat omdat ek in gedagte gehad het die proefbeamptes (30) wat miskien nie daarin slaag om in aanraking te kom met

hierdie persone nie, dat daar samewerking moet wees in daardie sin.

MNR. JACOBS : Het jy dit so verduidelik aan die predikante?

-- Ja, ek het.

Is daar nog ander aspekte, behalwe die welsyn? -- Nog 'n ding wat ek in gedagte gehad het toe ek gepraat het van die samewerking was dat ons moet saamwerk en sien of ons nie 'n "week of goodwill" kon reël of dit kon laat toepas in ons omgewing nie.

Jy sê jy het dit in gedagte gehad. Het jy dit geopper(10) daar op die vergadering? -- Ja, ek het dit geopper.

Het jy verduidelik wat jy presies bedoel met 'n "week of goodwill"? -- Ja, ek het.

Sê vir ons wat het jy verduidelik? -- Ek het dit soos volg verduidelik, as ons ooreenkom tussen ons, dit wil sê die Raad as geheel en die predikante, dat 'n sekere week gekies moet word en in daardie week moet daar net goeie dinge gedoen word.

En hoe sou dit gedoen word? Hoe sou dit gepubliseer word? Kan jy vir ons sê wat het jy verduidelik? -- Wat ek in (20) gedagte gehad het was ons sou dit ook gedoen het, dit wil sê om die mense daarvan te laat weet wat moet gebeur en watter week dit is. Dieselfde sou gegeld het vir die kerke om dit aan te kondig in hulle kerke wat dit is, waaroor dit gaan en wanneer dit gehou sou word.

Nog iets? -- Nog 'n versoek was aan die kerkleiers dat hulle nie moet toelaat dat hulle kerkgeboue gebruik word deur ander organisasies nie, behalwe verenigings of organisasies wat betrekking het op kerklike dienste.

En as ander organisasies wat nou nie betrekking het (30) op kerklike dienste nie, vergaderings wou hou, het jy enigiets

gemeld waar sou hulle dan vergaderings hou? -- Ja, ek het dit aan hulle duidelik gemaak dat daar gemeenskapsale is wat oop staan vir almal om te gebruik in die omgewing.

Is daar nog iets of is dit net hierdie drie aspekte? -- Dit is al belangrike punte, die drie waarvan ek gepraat het wat daar bespreek was of waaroor ek daar gepraat het.

Kan jy vir ons sê, het jy 'n agenda gehad vooraf of het jy dit net aan die mense oorgedra? -- Ek het nie 'n agenda gehad nie. Ek het net oor daardie aspekte gepraat wat oop was vir almal om oor te praat. (10)

GETUIE STAAN AF.

HOF VERDAAG TOT 9 APRIL 1986.