

RED BOOK CAME IN POST—

EVIDENCE

Pretoria Bureau

MR INDHRASEN MOODLEY (27) one of the accused at the terrorism trial in Pretoria was astonished to receive a communist magazine in the post, Mr Justice Snyman heard yesterday.

Mr J. Browde SC (for Mr Moodley) made this submission during his cross-examination of Mr A. Naidoo, a final-year pharmacy student.

Mr Naidoo said in his evidence-in-chief that Mr Moodley had handed him a copy of No 1 Inkululeko, organ of the South African Communist Party.

Appearing in the Old Synagogue, Pretoria, on a main charge under the Terrorism Act and alternative charges under this Act and the Suppression of Communism Act are Mr Mohamed Sahim Essop (22), Mr Yousuf Hassan Essack (21), Mr Indhrasen Moodley (27) and Mrs Amina Desai (51).

They have all pleaded not guilty.

Mr Naidoo knew Mr Moodley as a pharmacy lecturer at the University of Durban, Westville.

In cross-examination he said he may have discussed the policies of the Progressive Party with Mr Moodley.

Mr Browde put it to him that they had also discussed the political prisoners on Robben Island and that the subject of the conversation was that the prisoners were courageous but also foolhardy.

Mr Naidoo agreed that this was so.

Mr Moodley, submitted Mr Browde, made it clear he believed in effecting change in South Africa through legal means.

Mr Naidoo did not recall what Mr Moodley said when he (Mr Moodley) gave him the Communist Party magazine.

Mr Moodley may have said it came in the post, but he could not remember.

Mr Browde submitted Mr Moodley would say he was astonished when the document arrived by post. The trial continues today.

'Imagined evidence is denied by Naik

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is denied by Naik

Pretoria Bureau

MR DINESH NAIK, a witness at the Pretoria terrorist trial, denied in cross-examination today that he had worked up his evidence in his imagination because he had been in solitary confinement.

Mr Naik, a 26-year-old upholsterer, said his evidence was not in his imagination. "My evidence is about things that happened," he said.

Appearing in the Old Synagogue, Pretoria are: Mr Mohamed Sahim Essop, a third-year medical student, Mr Yousuf Hassan Essack (21), a clerk, Mr Indhrasen Moodley (27), a Durban pharmacy lecturer, and Mrs Amina Desai (51), a Rodepoort business-woman.

They have all pleaded not guilty to a main charge under the Terrorism Act and alternative charges under the Terrorism Act and Suppression of Communism Act.

SOMETHING NEW

Mr Naik's evidence relates to the allegation that Mr Ahmed Timol (a detainee who jumped to death from the 10th floor of John Vorster Square, Johannesburg) asked the witness in Mr Essop's presence to establish a contact so that "Africans could solve their documentation problems."

Mr Naik said today that he thought Mr Essop and Mr Timol "were trying to make money out of the whole thing."

Mr Browde submitted that this was something new and Mr Naik had not mentioned it before.

Cross-examined earlier Mr Naik said he had no particular contact in the Bantu Affairs Department.

He knew an African film projectionist at the municipal cinema, and "he would have known somebody in the department."

Mr Browde put it to him that had he wanted to contact this man the witness could have done so.

Asked further questions, he said he thought Mr Timol and Mr Essop wanted to make money out of the whole thing.

Mr Browde referred to an occasion on which it was alleged that Mr Essop suggested that Mr Timol should see a film because it gave an

idea of how an underground organisation could work.

He said Mr Essop would admit he saw the film and told the story of it, but Mr Essop would deny that there was any suggestion of anything of a political nature arising out of the film.

Mr Naik repeated that it was his word against that of Mr Essop.

Questioning Mr Naik on an estimate he had made, Mr Browde asked him whether he had made the estimate to make it appear as if Mr Essop and Mr Timol were "up to something." Mr Naik denied this.

Mr Naik said that Mr Essop had said in another conversation with Mr Timol that he (Mr Essop) got along well with "Moh" (Mr Essack). Mr Browde submitted to Mr Naik that evidence would be that Mr Essop and Mr Essack had not got on well together.

Mr Naik replied: "Well, that's what he (Mr Essop) said to Mr Timol."

STUDIO

Mr Browde then questioned Mr Naik about evidence he had given relating to the establishment of a photographic studio by Mr Essop and Mr Timol. Mr Naik said the two intended to take "snaps" and develop and print films.

Mr Browde asked Mr Naik whether he had told everything he remembered about a certain night on which he was with Mr Timol and Mr Essack. After Mr Naik had told the court he had, Mr Browde said that Mr Naik said in his evidence-in-chief earlier in the trial that the men had talked of Mr Essack, but he had not repeated this today.

Mr Browde also said that Mr Essop would flatly deny that he and Mr Timol discussed Mr Essack. Mr Naik replied that there were discussions about Mr Essack.

Later he said that he had confused two occasions when giving evidence about a conversation between Mr Timol and Mr Essop.