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Police: No 'undue pressure' on Timol

— Freedom, he was in possession of certain unlawful documents and he had the prescription for making bombs which distributes papers. Also, he was related to the Communist Party in London.

Lt.-Col. Van Wyk: Mr. Maisels wants to make out that Timol was guilty only of trifles. In my opinion these things can be the start of murder and revolution.

Mr. Maisels: I have read Marx and Lenin in my time.

Lt.-Col. Van Wyk: I can well believe that.

He knew of no further facts against Mr. Timol, he said.

He talked about Mr. Timol's death to Sgt. Rodrigues, who was present at the time, he said, but could not remember how long after the incident this was. Maj.-Gen. Buys became the investigating officer in the inquest case a few days later and he had no further knowledge of it.

Sgt. Rodrigues had said to him that Mr. Timol had asked to go to the toilet.

As Sgt. Rodrigues was walking around the table Mr. Timol suddenly jumped up, he allegedly said, pulled the window open and jumped out.

"But I cannot remember. It is a long time ago" Lt.-Col. Van Wyk said.

Mr. Maisels: You have very strong powers under the Terrorism Act — They are still too weak.

Why too weak? — Because you sometimes have to give evidence in court? What are your reasons? — What has that got to do with you? If I had my way I would make it even stronger. But I don't want to discuss politics.

Shall I suggest a way? You don't want the court to inquire into your methods. What does a man with such limited powers under the Terrorism Act do when you are getting nowhere? — We just continue

You just wear him down? — I just sit and wait.

You tell him about what happened to other people in custody? Do you know about a man called Saloojee? — Which Saloojee? There are many.

One Saloojee committed suicide by jumping from the window of The Grays. I did not remind him of Saloojee and nobody else reminded him in my presence of Saloojee.

Mr. Maisels then asked what the Security Police officers did

when the man they were questioning fell asleep.

Mr. Timol had apparently been at a party on the Friday night of his arrest and according to the evidence was questioned continuously until 8 pm on Saturday, he said.

Lt.-Col. Van Wyk: I don't know. It was the first time I had interrogated anybody under the Terrorism Act. He was probably tired, but I was tired as well. He did not complain.

Mr. Cilliers asked Lt.-Col. Van Wyk how he had planned to proceed with his questioning of Mr. Timol.

Lt.-Col. Van Wyk answered that he would have tried "to win him over."

"It looked as if he was coming over to our side," he said. He knew of no reason why anybody would have "made him commit suicide."

"The police wanted to keep him alive," he said. "We wanted to get more information."

Mr. De Villiers said that the police had often been criticised lately because of people dying while in detention.

Lt.-Col. Van Wyk: Only a few people died.

There was no "undue pressure" on Mr. Timol, he said.

Capt. C. J. Dirker then handed in letters found in the boot of the car in which Mr. Timol and Mr. Essop were found by the police.

These included letters from Mr. Timol and letters from one "Stephanie" to Mr. Timol.

The letters from "Stephanie" dealt with supposedly ordinary events of her daily life — the matrimonial difficulties of friends, babies arriving, Beethoven and Bach concerts in London, the weather, etc.

On the back of these letters were decoded messages. Included in the letters were also methods for decoding and recipes for invisible ink.

Mr. Timol was asked to "keep up the good work and the fine revolutionary ardour which he was displaying."

He was also given instructions for obtaining a printing

machine, told how to pay for it and given instructions on its servicing and maintenance.

He had difficulty in reading "one or two" of the decoded letters, he said.

Some of the documents



Major-General C. A. Buys, chief of the CID, during a lull at the inquest yesterday.

found in Mr. Timol's possession had not been handed in to the Inquest Court, he said. He did not think that they should be handed in in view of the fact that there were criminal cases pending against the other detainees.

Mr. De Villiers said that if he heard of other documents which might help him to come to a correct finding, it was his duty to call for them.

Questioned further by Mr. Maisels, Capt. Dirker said that there were about 30 more documents. He could not produce them because they were at his office, he said.

"We are not obliged to accept everything you say just because you are saying it," Mr.

Maisels said. He said that the Judge-President of Transvaal had found Capt. Dirker to be an unconvincing witness in the case against the Dean of Johannesburg.

Capt. Dirker said that he had not read the judgment in this case and that he did not know of the judge's finding.

Mr. Maisels read the relevant passage to Capt. Dirker. Even worse, he said, when the appeal case was heard in Bloemfontein, counsel for the State told the court that he could not rely on Capt. Dirker's evidence.

If medical evidence should be led that Mr. Timol sustained injuries between the Friday night when he was arrested and the day of his death, he knew nothing about it, Capt. Dirker said.

It was quite impossible for Mr. Timol to have sustained any injury during the time he was in his custody, he said. Mr. Timol never complained to him about any injuries. Nor did he complain that he was suffering pain at the time of his arrest.

Questioned by Mr. Cilliers, Capt. Dirker said that he knew that instructions were issued by the Communist Party to members as to what they should do if there was a possibility that they might divulge evidence.

During the Rivonia raids in 1962, he found a roneoed book called "The Road to South African Freedom" in which members of the Communist Party were told what to do when arrested.

Detainees were instructed to withstand interrogators, he said. They were further told to commit suicide if they could not withstand any longer.

Mr. Maisels asked him to bring documents substantiating this.

"If you read the national anthems of many countries you will find similar instructions," he said.

Mr. Cilliers later handed in a

copy of Inkululeku-Freedom of 1962. Mr. Maisels agreed to accept this as corroboration.

This read: "Harass your enemy by going on hunger strikes, act insane, lodge complaints whether true or false, resort to criminal and civil actions in courts as often as possible, make sure your complaints and actions against the suppressors get the utmost publicity. Rather commit suicide than betray the organisation."

This was issued by the Communist Party of South Africa, he said.

Capt. J. H. Gloy told the court that when Mr. Timol was handed to him by Lt.-Col. Van Wyk on October 23 he had no injuries or wounds. He questioned him.

Mr. Timol tried to convince him that "Quentin" was the surname of a Coloured who was a social friend of his, he said.

Mr. Timol was "friendly" but unwilling to give evidence on other people. The interrogation was conducted in "a friendly atmosphere".

On the afternoon of the 27th at about 3.50 pm, Sgt. Rodrigues brought him and Timol some coffee. An official came in who said that Quentin, Martin and Henry had been traced.

Mr. Timol was "obviously shocked".

He and a Capt. Van Niekerk, who was with him, left the office. A few moments later he received a report that Mr. Timol had committed suicide by jumping through the window, he said.

In his opinion, Mr. Timol committed suicide "because he was afraid of going to jail for a very long time".

The hearing continues today.

Mr. I. A. Maisels, QC, and Mr. G. A. Bizos, instructed by Cachalia and Loonat, appeared for the Timol family. Mr. S. A. Cilliers, instructed by the State Attorney, appeared for the police and Mr. P. A. J. Kotze and Mr. A. Beukes led the evidence. Mr. J. J. L. de Villiers was on the bench.