

anger sometimes approached funeral this weekend.

round.

fluence his decision.

Detainee found naked and battered - dad

Continued from Page 1

is an extraordinary story," said Mr. Maisels.

Accompanied by his daughter and a reporter, Mr Essop's father went to the Kassim Adam ward of the H. F. Verwoerd Hospital, Pretoria.

There a nursing sister denied that Mr Essop was a patient in the ward. The reporter suggested that Mr Essop was there under another name.

The nursing sister checked and denied this too. Mr Essop's father asked if he could go into the ward and see if his son was there. He was told this was not allowed.

UNDER GUARD

They asked people coming out of the ward if anyone inside was under police guard and three or four people said this was so.

At visiting time, said Mr Maisels, Mr Essop's father went into the ward.

Peering into one of the rooms he saw his son lying naked on a bed. He had bruises and blood clots on his chest

and a bandage below his navel.

Mr Essop's father immediately contacted attorneys to help his son.

At the beginning of the case, Mr Justice Margo first granted an application that the case be heard.

He then told Mr Maisels that the papers in the case had just been served on him and that he would have to be led through them.

Assisting Mr Maisels is Mr George Bizos, Mr F Stoff, SO assisted by Mr. T. T. Spoelstra is appearing for the Commissioner of police.

SUGGESTED

After hearing argument, Mr Justice Margo suggested private doctors of the parents' choice should be allowed to examine Mr Mohamed Essop in view of the public disquiet in the wake of a wave of security police arrests at the weekend.

Mr Essop was being treated in Pretoria's H. F. Verwoerd Hospital yesterday for undisclosed reasons and was transferred later to the Pretoria Central Prison Hospital.

After listening to the argument of Mr I. A. Maisels, QC, for the applicant, Mr Justice Margo noted that there was much public disquiet at the allegations made and the affidavits produced by the police so far had not disproved these allegations.

EXAMINED

If the diagnosis of two highly-placed physicians was correct that there was no evidence of abnormalities in Mr Essop as alleged, such as bruises and blood clots on the patient's chest, the authorities could allay the fears of the family and the general public by allowing doctors of the family's choice to see the patient.

Referring to the parents' visit to the hospital, Mr Mar-

battered - dad

sels said the nurse had denied any knowledge of Mr Essop's presence.

According to an affidavit by Dr H. Koch, the senior State pathologist in Pretoria, the doctor said he had examined Mr Essop at John Vorster Square.

He decided to call in a neurologist, Dr Law, who diagnosed a condition of hysteria.

There was no evidence, however, of clotting of blood on the patient's chest. There were scratches on his chest and ribs which could have been caused by a person in a condition of hysteria scratching himself.

SUBMITTED

Mr Maisels submitted he was not saying the affidavits produced by the respondents were incorrect, but he had been unable to test them.

He said he would like to know if the respondents would object to the patient being examined by the family's own doctors on conditions which the family would like to impose.

Mr. Essop was then transferred to H F Verwoerd Hospital where he was examined by a Dr. Combrink and by a neurologist, Dr. Guldenspleting. They confirmed Dr. Law's diagnosis, but added they would not rule out simulation of the condition.

TRANSFERRED

Mr Maisels continued that Mr. Essop was transferred yesterday from the H F Verwoerd Hospital to the prison hospital for further treatment.

He submitted it was a strange statement to make by the doctor that he found no "serious head injuries." This indicated that there were, in

fact, head injuries but that the doctor did not consider it serious.

In an affidavit submitted by the respondent by Dr. Guldenspleting said he examined Mr. Essop on Tuesday this week at 6-45 pm.

He found no evidence of organic abnormalities but he did find a condition of hysteria. The patient, however, was breathing peacefully. There were no blood clots on his chest and no bandage around his waist.

X-RAY

But X-rays were taken of Mr Essop's chest. Why were these X-ray taken and who ordered them to be taken if there were no injuries on his chest, Mr Maisels asked.

X-rays were also taken of Mr Essop's hand and he would ask for these to be produced as well.

The judge said he had only heard one side of the matter and could make no order on the evidence.

But on the surface the evidence was that Mr Essop was suffering from bruising and was seriously ill in hospital and his parents had been unable to get any information or help.

The allegations of the family could, however, be completely refuted by the respondents who would show their goodwill in giving private doctors limited access to Mr Essop the judge said.

Mr Eloff said he would have to receive instructions about this from the respondents. Mr Justice Margo said he would be available throughout the day and the court then adjourned indefinitely. (Proceeding.)