

I SAW NO BRUISES—SGT.

son, he said. Mr. Timol said they were the same.

He was anxious to trace International because Mr. Timol told him that International and Quinton went overseas together. He thought that International could lead the police to Quinton.

Mr. Bizos: Evidence was that Mr. Timol had said that Quinton untruth. The reason for this was covered. This was an might be two old; that Mr. Timol was Quinton's accomplice and he wanted to protect him and that Quinton was an innocent man whom Mr. Timol did not want to be arrested under Section 6.

Capt. Van Niekerk answered that he had found the second version to be untrue.

The documents were shown to Mr. Timol, he said.

When Sergeant Rodriques came into the office, the documents had already been removed, however.

When he heard that Mr. Timol had jumped, he and

Captain Gloy went back to the interrogation office. He then went to the ground floor. He paid no attention to other people who might have been near the body of Mr. Timol. He was only interested in Mr. Timol, he said.

Mr. Bizos: Information had been supplied to us that charge office people had been phoned before Capt. Van Niekerk reached the ground floor.

Mr. De Villiers: How do you know this? Intuition?

Mr. Bizos: I am not a mystic.

Mr. De Villiers: If you can't tell me, I won't allow the question. You must give me the source. I think it is your duty.

Mr. Bizos: Very well sir, I can't divulge my source without the person's permission.

He continued with another question.

Capt. Van Niekerk said other people must have known about Mr. Timol jumping before he did because he was told the news by a member of the force who had nothing to do with the case.

Mr. Timol was carried into the building by other members of the force. He was so shocked that he paid no attention to these people.

He did not know if Mr. Timol was dead when he reached him because he never touched him. Mr. Timol only started bleeding later, he said.

During the questioning, Mr. Timol sometimes laughed, but then again his attitude was changed. Capt. Van Niekerk said. On one occasion Mr. Timol bent his head and said: "The prosecutor need only hand

in these documents, one after the other, and I would get at least 20 years."

"My immediate words were: 'Get rid of this idea as soon as possible. You might know of a revolution festering and if you give this evidence you could be free tomorrow'."

Mr. Bizos: You tried to get his confidence by reassuring him —

Capt. Van Niekerk: The police are not persecutors, we are investigators.

You told Mr. Timol that there was a way out. — It is not my job to decide who must be charged.

He said he did tell Mr. Timol that the court did not impose fixed sentences, but that each case was judged on its own merits.

He admitted having told Mr.

Timol before the 27th that he could possibly go free and that people that had actually served on the central committee of the Communist Party had been sentenced to only five years' imprisonment.

Mr. Timol did not seem to be impressed by this, Capt. Van Niekerk said, and it was discussed again.

He admitted that Mr. Timol's later notes were not as neat and symmetrical as those made during the first two days of interrogation. But he was not using the same pen and deleted some names, he said.

Mr. Timol never complained of pain and he never saw him make any gesture of pain. If there was evidence that Mr. Timol had pre-death injuries, which would have made him

uncomfortable, he never saw any evidence of this during the interview, he said.

He had nothing to do with Mr. Essop, Capt. Van Niekerk told the court. He only heard that he was in hospital.

Mr. Bizos said: "Mr. Essop collapsed the day before Mr. Timol died."

Questioned by Mr. Cilliers, Capt. Van Niekerk said Mr. Timol had three meals a day with him and Captain J. H. Gloy.

He also gave Mr. Timol two bottles of lemonade. "The bottles are still in the office," he said. At no time had Mr. Timol had any trouble in swallowing.

Detective-Sergeant F. R. Bouwer was then called to give evidence.

He said he and a Sgt. Louw reported for duty to Captains Gloy and Van Niekerk at 7 pm on the night of October 23. He found the mand Mr. Timol in the interrogation office. They told him that Mr. Timol would sleep in the office.

There was a mattress and blankets on the floor.

He and Sgt. Louw guarded Mr. Timol every night during his detention, he said. Mr. Timol always slept well, he said.

They never questioned Mr. Timol.

Questioned by Mr. Bizos, Det.-Sgt. Bouwer admitted he and Sgt. Louw spent 50 hours with Mr. Timol during his detention.

He and Sgt. Louw never slept during that time.

There were cells in a different part of the building, he said.

Mr. Bizos: If the intention is that a person should sleep, it seems strange to me that two people should have to guard him.

If the man is put into a cell and an ordinary constable put outside to guard against the possibility of escape, some purpose would have been served.

— Det.-Sgt. Bouwer: My instructions were to guard the prisoner.

Mr. De Villiers: I saw the building. It is very large. How long would it have taken you to take the man to the cells? — Det.-Sgt. Bouwer: It is a walk of 15 minutes from the 10th floor to the cells.

Mr. Bizos: One city block? — Det. Sgt. Bouwer: I do not know. I was such a fast walker.

It would have been quite easy to isolate a cell or a couple of cells if the reason was that Mr. Timol should not come into contact with others, he said.

Mr. Bizos: The office was not

Timol 'hiding' claim

STAFF REPORTER

The mother of Mr. Ahmed Timol told the Inquest Court yesterday that a Security Policeman had said to her: "We are giving him a hiding."

Frail, 53-year-old Mrs. Hawa Timol, obviously struggling against tears, said she was told this on the day before her eldest son died by falling from the 10th floor of John Vorster Square, Johannesburg.

When the police left her home, she asked them why they were doing this. "Please don't kill my son," she allegedly told them.

"I'm still in distress," she said. "I'll never forget."

Previously, Captain J. Z. van Niekerk, of the Security Police, one of Mr. Timol's interrogators, told the court that he had told Mr. Timol "to get rid of the idea" that he would go to jail for at least 20 years.

"A revolution might be festering," he allegedly said. "If you give us evidence on this you will be free tomorrow."

Sergeant F. R. Bouwer, who guarded Mr. Timol at night, said that he and his colleague, Sergeant J. W. S. Louw, played "honeymoon bridge" and "rummy" while Mr. Timol slept.

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Mr. Bizos: The office was not a very comfortable place for three persons to spend a night? — Det.-Sgt. Bouwer: It is 10 by 18 paces.

It would not even pass municipal regulations. Why was it necessary for two sergeants to spend the night in the room? It is usual for two guards to guard a prisoner. I think this is a regulation.

It is a pity it was not kept when Mr. Timol jumped from the window. What did you do during this 50 hours?

We read the newspapers and played cards: honeymoon bridge and rummy.

Mr. Timol usually went to sleep about one hour after they took over, he said. Before lying down he always asked to go to the bathroom and they took him there. He used the office towels. Mr. Timol slept in his underpants because he said it was hot in the office. Det.-Sgt. Bouwer told the court.

He sometimes woke up during the night and asked to go to the toilet. Sometimes he drank water and then lay down again.

He never asked him questions or chatted to him apart from asking him if he wanted coffee. Det.-Sgt. Bouwer said. He sometimes offered him coffee from the thermos flask which he brought along.

Mr. Timol sometimes had some.

On one occasion Mr. Timol offered to join their card game. He said he played five cards, but they did not know this game.

Mr. Timol never complained of pain. He never saw him holding his chest. When he washed, he used his arms freely. Det.-Sgt. Bouwer told the court.

Because he slept in his underpants he saw his body. Det.-Sgt. Bouwer said. He never saw any bruises. The light was good.

Questioned by Mr. Bizos he repeated that if there had been any bruises before the Wednesday when Mr. Timol died he did not see them.

Mr. Bizos then handed in several photographs of Mr. Timol's body.

Mr. Bizos: You see what looks like bruising right down the left side and on the left upper arm. There are also bruises on the left upper shoulder, but they are not clear because of the post-mortem incision made there.

If there is evidence that those bruises were caused some time before Mr. Timol's death they must have been there while you saw Mr. Timol's naked body. — I saw no bruises on any part of Mr. Timol's body. I did not examine the body microscopically.

Questioned by Mr. Cilliers, Det.-Sgt. Bouwer said Mr. Timol was sallow and darker than a white.

(Mr. I. A. Maiseis, QC, and Mr. G. A. Bizos, instructed by Cachalia and Looft, are appearing for the Timol family. Mr. S. A. Cilliers, instructed by the State-Attorney, is appearing for the police. Mr. P. A. J. Kotzé, assisted by Mr. A. Benkes is leading the evidence. Mr. J. L. de Villiers is on the Bench, assisted by Dr. I. W. Simson, professor of pathology of the University of Pretoria.)