

IN THE REGIONAL COURT, PAARL.

REGINA VERSUS

JAMES ANDREWS AND OTHERS.

FURTHER PARTICULARS SUPPLIED IN TERMS OF
SECTION 179(1) ACT 56 OF 1955.

PARAGRAPH A. 1.

(i) (ii) (iii) (iv)

✓ 1. J. Rhode. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries and pieces of iron.

5ick. 2. F.W. Rhode. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries and pieces of iron.

✓ 3. V.N. Marais. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries and pieces of iron.

4. J.A. van Zyl. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries and pieces of iron.

5. F.H. van Zyl. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries and pieces of iron.

6. K.J. van Molendorff. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries and pieces of iron.

7. J. Fortuin. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries and pieces of iron.

8. C.J. Marais. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries and pieces of iron.

9. H.M. Marais. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries and pieces of iron.

10. H.W. Cupido. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries and pieces of iron.

11. D.D. Phillips. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries and pieces of iron.

12. H. Losch. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, he was stabbed with knives and stones were thrown at him and he was struck with kieries. It will be alleged that accused Nos. 8, 9 and 66 were responsible for the stabbings.

13. C.H. Brozel. On 9.11.1959 at 9 p.m. in Klein Drakenstein Road, Paarl he was struck with kieries and pieces of iron and stones were thrown at him.

14. A.E. Cornellissen. On 9.11.1959 at 9 p.m. in Klein Drakenstein Road, Paarl he was struck with kieries and pieces of iron and stones were thrown at him.
15. A. de Vos. On 9.11.1959 at 9 p.m. in Klein Drakenstein Road, Paarl, he was struck with kieries and pieces of iron and stones were thrown at him.
16. Charles Beresford. On 9.11.1959 at 9 p.m. in Klein Drakenstein Road, Paarl, he was struck with kieries and pieces of iron and stones were thrown at him.
17. D.J. du Plessis. On 9.11.1959 at 9 p.m. in Klein Drakenstein Road, Paarl, he was struck with kieries and pieces of iron and stones were thrown at him.
18. G. van Schalkwyk. On 9.11.1959 at 9 p.m. in Klein Drakenstein Road, Paarl, he was struck with kieries and pieces of iron and stones were thrown at him.
19. J.P. Hugo. On 10.11.1959 at 10 p.m. in Klein Drakenstein Road, Paarl, he was struck with stones and kieries.
20. David Francke. On 10.11.1959 at 10 p.m. in Klein Drakenstein Road, Paarl, he was struck with stones and kieries.
21. H. van Zyl. On 9.11.1959 at 5 p.m. in Klein Drakenstein Road, Paarl, he was struck with a piece of wood by accused No. 69.
22. P.E. Fourie. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl, and Barbarossa street, Paarl, stones were thrown at him and he was struck at with kieries.
- On 10.11.1959 during the afternoon and at the same places stones were thrown at him and he was struck at with kieries.
23. S.J. van Taak. On 9.11.1959 at about 9 p.m. in Klein Drakenstein Road and Barbarossa Street, Paarl, stones were thrown at him and he was struck at with kieries.
- On 10.11.1959 during the afternoon and at the same places stones were thrown at him and he was struck at with kieries.
24. V.B. Sullivan. On 10.11.1959 at 8 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries.
25. A. Solomons. On 9.11.1959 at 6 p.m. in Klein Drakenstein Road, Paarl, stones were thrown at him and he was struck at with kieries.
26. R. Holloway. On 9.11.1959 during the evening in Klein Drakenstein Road, Paarl, stones were thrown at him and he was threatened with kieries and pieces of iron.
27. J.J. van Zyl. On 9.11.1959 during the evening in Klein Drakenstein Road, Paarl, stones were thrown at him and he was threatened with kieries and pieces of iron.
28. E.C.W. Bower. On 9.11.1959 during the evening in Klein Drakenstein Road, Paarl, a stone was thrown at him by accused No. 33.
29. A.S.J. Strauss. On 9.11.1959 during the evening and in Klein Drakenstein Road, Paarl, stones were thrown at him.

30. D.J. van Deventer. On 9.11.1959 during the evening and in Klein Drakenstein Road, Paarl, stones were thrown at him.

31. J.J. Myburgh. On 9.11.1959 during the evening and in Klein Drakenstein Road, Paarl stones were thrown at him.

32. A.J.A. van Wyk. On 10.11.1959 at 9.30 p.m. in Klein Drakenstein Road, Paarl, fire was set to the house in which she and her children were at the time with the intent to murder or injure her and her children.

Paragraph A. 1. (v) Where not specifically stated the following accused, ~~with some other accused who may still be identified in Court~~, are alleged to be responsible for the above acts:

Accused Nos. 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 38, 46, 52, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74.

See also the reply to paragraph D. in which details of the acts committed by each accused are given.

PARAGRAPH B.

(i) (ii) (iii)

- (A)
1. The motor lorry of Jacobus Rhode was damaged on 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl.
 2. The motor car of Van N. Marais was damaged on 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl.
 3. The house and shop of van Zyl Bros. were damaged and destroyed and looted at about 9 p.m. on 9.11.1959 in Klein Drakenstein Road, Paarl.
 4. The motor vehicle of Kiliaan J. van Molendorff was damaged on 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl.
 5. Car of C.J. Marais was damaged on 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl.
 6. Car of H.W. Cupido was damaged on 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl.
 7. Car of D.D. Phillips was damaged on 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl.
 8. Car of H. Brosell was damaged on 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl.
 9. Car of A. de Vos was damaged on 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl.
 10. Car of D.J. du Plewsis was damaged on 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl.
 11. Car of G. van Schalwyk was damaged on 9.11.1959 at about 9 p.m. in Klein Drakenstein Road, Paarl.
 12. The motor vehicle of J.P. Hugo was damaged on 10.11.1959 at about 10 p.m. in Klein Drakenstein Road, Paarl.

13. The motorvan of the Paarl Municipality was damaged on 10.11.1959 at 8.15 p.m. in Klein Drakenstein Road, Paarl.

14. The window panes in the bottle store of David Esau in Klein Drakenstein road, Paarl were broken during the veneing of the 9th November 1959.

15. The motor lorry of Frank Marquard was damaged on 9.11.1959 at about 8 p.m. in Klein Drakenstein Road, Paarl.

16. The street lamps of the Paarl Municipality in Klein Drakenstein Road and Barbarossa Street, Paarl were damaged during the period 9th to 10th November 1959.

17. The telephone of the General Post Office in Klein Drakenstein Road, Paarl, was damaged during the period 9th to 10th November 1959.

18. The car of Vincent B. Sullivan was damaged on 10.11.1959 at about 8 p.m. in Klein Drakenstein Road, Paarl.

(iv) ~~It will be alleged that the following accused together with some other accused who may still be identified in Court committed the above acts:-~~ *

Accused Nos. 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 38, 46, 52, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74.

See also the reply to paragraph D. in which details of the acts committed by each accused is given.

19. The Police vehicles were damaged during the period 9th to 10th November 1959 in Klein Drakenstein Road, Paarl, by the following accused and ~~some of the other accused who may still be identified at the trial.~~ *

Accused Nos. 9, 11, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 28, 39, 40, 41, 42, 43, 44, 45, 47, 48, 49, 50, 51, 67, 68, 75, 76, 77, 78, 79, 80.

20. The house of Alida J. van Wyk was damaged on 10.11.1959 at about 9.30 p.m. in Klein Drakenstein road Paarl, by ~~some persons whom she is unable to identify but it is possible that some of the accused may be identified, and connected with this act, at the trial.~~ *

PARAGRAPH C.

It is intended to allege that the events detailed in paragraphs (a) and (b) of the Charge Sheet constituted on continuous transaction.

PARAGRAPH D. (i) (ii).

See annexure attached hereto.

PARAGRAPH E.

(i) and (ii)

It is impossible for the Crown to say whether the accused or any of them convened a meeting or that they merely joined a crowd which had already gathered. It is felt that this is a matter of evidence.

5.

(iii)

It is not possible to reply to this item in detail. When the alleged acts took place a crowd had already gathered and it is not known when each accused joined the crowd and left it.

The only details the Crown can furnish are that the accused must have joined the crowd in either Klein Drakenstein Road and/or Barbarossa Street, Paarl, during the late afternoon or evening of the 9th and again during the day of the 10th November, 1959. It is not known when the accused left the crowd.

(iv)

The accused marched through Barbarossa Street and Klein Drakenstein Road, Paarl.

(Sgd) ? Smit

REGIONAL COURT PROSECUTOR.

Stamped

PROSECUTOR, REGIONAL COURT

C A P E T O W N

11-1-1960