

TOTALITARIANISM - POLI. TRIALS

1 April 1980 → 24 May 1980

Publication - UCT man in court

MR Richard Stevens, 36, no address given, today appeared briefly, for the second time before a Cape Town magistrate on a charge of possessing a banned publication at Malmesbury on March 21.

Mr Stevens, a co-director of the Centre for Inter-group Studies at UCT, was not asked to plead.

No evidence was led. The hearing was postponed to May 29 for trial in the Regional Court, Cape Town.

Mr Stevens was warned to appear.

H. Peckham was...
N. Jones appeared...
and Mr R. V...
Stevens.

Fairly good
mine...
minerals

15.11.2

AD114/80 ~~18~~ 331
Sabata judgment today

PORT ST JOHNS — Judgment will be given here today in the trial in which the leader of the opposition Democratic Progressive Party, Paramount Chief Sabata Dalindyebo, is appearing on charges under Transkei's Public Security and Constitution Acts.

He is appearing before the Chief Justice of Transkei, Mr Justice G. A. Munnik.

Transkei Attorney General, Mr G. B. Muller, who is prosecuting, has

called for a conviction stating that a speech made by the paramount chief at a political rally intended to injure the dignity of the State President of Transkei.

Defence Advocate Mr Ismael Mahomed said the state had failed to prove beyond reasonable doubt that certain views propagated by the chief were repugnant to the sovereignty of the government or the constitutional independence of Transkei. — DDR

endeavour so earthy as farm
"philosophical" discussion that
is staggering. Witness, e.g.,
[14], Kelso [17], Ruttan
particular note is the recent
though unabashedly limited
what has happened there.

of F-M and its relation to production, have been becoming increasingly apparent among those earning of F-M and, as ever, somewhat is. In general, the criticism can be that training in F-M based on cost or must inevitably lose sight of the practicality of farming and is, therefore, largely

There is no conceptual difficulty in production economics in terms of criterion, nor in conceptualizing processes. The difficulty lies in applying processes (both physical and non-physical) to specific processes (both physical and non-physical) relevant degree — particularly uniqueness of individual farms. So dynamic, not static, both in the organization in a changing environment, the pervasive role of biological processes in its technical subsystems have been taken to account within the production economics.

NEEDED REORIENTATIONS

At the same time, production economics has a lot to offer FM and has led to fruitful developments in FM. In particular I would cite: the concept of opportunity cost; the recognition of diminishing returns (with its implication that maximizing output does not generally imply utility maximization); the conceptualization of factor/product, factor/product relationships; the recognition of substitution possibilities and of marginal cost and gain considerations; and especially the guidelines to choice provided by gross margins analysis and linear programming procedures. Of most practical use, I believe, have been gross margins analysis and associated programming procedures (see, e.g., [27]) — certainly in Australia they have had a significant impact in assisting farmers. However, they are often used with too much faith and too little recognition of their roughness due to assumptions of linearity, inadequate data (often historically-based rather than forward looking), intermediate product problems, and a failure to recognize time dependencies and uncertainty. Nonetheless, these developments appear to be having a good effect in stimulating the reorientation of professional farm accounting services away from a custodial to a managerial focus. Likewise, production economics has performed an increasingly useful role in providing an analytical framework for a variety of production-oriented research by agricultural scientists though, just as in the accounting sphere, these spin-off effects relate only to a part of the farm system.

even if data were available to specify the required production processes adequately, the task of analysis even under perfect information would be both too complex and too costly for either farmers or computer-aided professionals. "Non-optimizing" modes of behaviour have to be used[34]. Fourth, the problem of uncertainty has to be handled. Again, this is pervasive in agriculture due to the stochastic vagaries of climate and markets especially, but also because of uncertainty about technology, policy and people. While techniques have been suggested to handle such uncertainty [2] [7], their cost on anything approaching an individual farm basis makes them impractical. Fifth, even if all farmers faced the same production functions and made the same judgements about the probabilities they faced, they could still have different preferences and so need different prescriptions for utility maximization across their individual multiple goals. It is obvious, therefore, that the dominance of production economics which followed from the watershed confrontation between the traditional empiricists and the young-turk production theorists at Black Duck [12] [14] in 1949 was in large degree a "blue duck", particularly if we assess production economics in its formalist academic mode.

As usually formulated, production economics emphasizes physical processes in a static setting and uses a money criterion for optimizing gain. While money is often seen by laymen and used by economists as synonymous with economics, this is a serious mistake. The criterion of economics should be utility not money, and though a money-

The swing to emphasising production economics as the major component in FM training, of course, occurred as a growth out of (if not a reaction to) the initial development of FM by professional agriculturalists with little or no background in analytical economics — as more or less documented for Europe by Nöu [23], for the U.S. by Jensen [12] and Johnson [14] and for Australia by Dillon [6]. Under the teaching and research influence of Earl Heady and Glenn Johnson in the 1950s, the production economics paradigm was rapidly (and often fervently) adopted as the basis of FM training in North America and then overseas (particularly in Australia, France, Germany, India, Japan, South Africa, Sweden and the U.K., not to mention FAO which saw every farm project as needing a production economist and every potential farm management specialist from its client countries as needing production economics). Such stress on production economics has not been without its critics (see, e.g., [14], [17], [12], [32], [36]), largely on the grounds that it concentrates too much on static analysis of production functions, i.e., on the management of the technical subsystem, and ignores other aspects of the farm system. Such criticism is true in so far as production economics is usually specified. In an ideal sense, however, it is somewhat misplaced.

There has generally been, however, a significant deficiency in the professional training in FM provided relative to such definitions of farm management. Such training has either overemphasized the technical aspects of farming under a strongly empiricist approach — as still occurs in some Eastern European countries — or more latterly has concentrated too much on the production economics paradigm as the major guide to successful farm management — as I believe tends to occur today in most FM training programs in Western developed countries. In either case, major components of the farm system have been ignored.

"Farm management may be thought of as the art of or applied science of organizing and operating the farm firm in a manner that satisfies the goals and objectives of the principals involved" ([20] , p.20); or from my own 1977 lecture notes in an introductory FM course:

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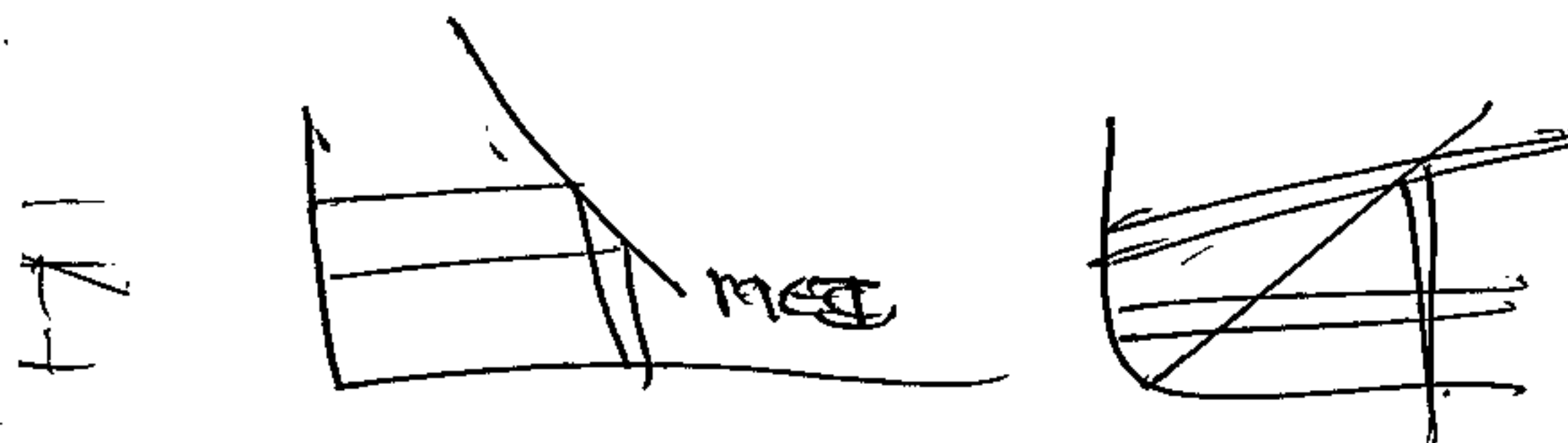
"Farm management may be thought of as the art of or applied science of organizing and operating the farm firm in a manner that satisfies the goals and objectives of the principals involved" ([20], p.20);

(331)
**Friends pay
R100 fine**

Own Correspondent

CAPE TOWN—Mrs Dorothy Cleminshaw, taken into custody on Friday after refusing to pay a R100 fine for the possession of two banned publications has been released from Pollsmoor prison after friends and relatives had paid the fine.

Mrs Cleminshaw (57), secretary of the banned Anglican priest, the Rev David Russell, said in court she was not prepared to pay the fine. She had claimed many people who tried to take an intelligent interest in South African affairs had banned books on their shelves.



ROI ↑ Investment A GNP.

Chief Sabata is fined R700

PORT ST JOHNS — The Leader of the Opposition in Transkei, Democratic Progressive Party, Paramount Chief Sabata Dalindyebo, was fined R700 (or 18 months) in the Supreme Court here yesterday.

Chief Sabata, who was convicted by Chief Justice G. A. Munnik on a charge of violating and injuring the dignity of the State President, had R200 (or six months) of the sentence suspended conditionally for three years.

He was given up to April 15 to pay the fine to Umtata magistrate's court.

He was found not guilty on a charge of subverting the sovereignty of Parliament or the constitutional independence of Transkei and to an alternative charge of subverting the authority of officers of the state.

The charges against Chief Sabata arose out of a speech he made at a political rally of his party at Qumbu on June 30 last year and from newspaper reports in the Daily Dispatch and the Xhosa weekly newspaper Imvo.

The Transkei Attorney-General, Mr G. B. Muller, for the state asked that Chief Sabata be given a substantial fine that would have a deterrent effect as a prison term would give him a position of a martyr.

Mr Muller was speaking



CHIEF SABATA

after Chief Sabata had been found guilty.

In his speech in Qumbu, Chief Sabata said:

The Transkei President visited Pretoria at the instance of the Boers and accepted independence on terms dictated by them, that the President had an abundance of the necessities of life whilst his people had to live on excreta, and that the President maltreated his people.

On the first extract, Mr Justice Munnik said the words gave the impression that Chief Matanzima did not negotiate independence but simply allowed the whites to dictate to him.

There was no doubt that the words were likely to injure the President's reputation and make him, in the eyes of the people, a weakling who could not stand up on his own.

The judge said the second extract, that the President had an abundance of the necessities of life, lowered the esteem of the President. The accused meant that the President was living a life of luxury while the rest of the people lived below the breadline.

In the extract where it said the President maltreated his people, Mr Justice Munnik said Chief Sabata had not been referring to the Matanzima government but to Matanzima the man, and had injured his reputation.

The judge said the other extracts from his speech in the indictment did not contravene the section under which Chief Sabata was charged.

The state case was led by Mr Muller, and the defence team was led by Mr Ismail Mahomed, of Johannesburg, assisted by Prof Leonard Gering, of Natal. — SAPA.

as a result of guns & clearing
seed returns to hunting

However they failed to
develop, as they had done
with their pine trees & commercial
plantations — elephants & rhinos
perished too

— When the elephants perished
and turned to cattle and
rhinos with their guns

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A motion which was tabled in the National Assembly yesterday by the acting leader of the Oppo-

In his motion, Mr Dweba asked that the House associate itself with the "Free Mandela" campaign and that the Government of Transkei continue to

Chief Matanzima objected, saying the motion was out of order because it duplicated one passed by the House in 1977 calling for the release of all Transkeians detained on Robben Island under South African security laws.

He said: "What my Government will not countenance is to be seen to be drawn into the campaign by organisations and newspapers in South Africa."

Chief matanzima said he agreed with the kwaZulu homeland leader, Chief Gatsha Buthelezi, who has said he considered the timing of the "Free Mandela" campaign to be politically ill-conceived.

The Speaker upheld the Prime Minister's objection.

STUD NO	SURNAME	FIRST NAMES	COURSE	DESCRIPTION	SYMBOL
101795X	PERAIEP	SHEILA JOSEPHINE HOWARD	105703	LATIN HONOURS	2+ (70)
1207760	RUBIN	VIVIANNE	109701	HEBREW HONOURS	3 4 1207760
* TOTAL NUMBER OF STUDENTS			2		
DEAN					
REGISTRAR (ACADEMIC)					

CCF

180%

Renfrew Christie on terror charges

Own Correspondent

PRETORIA. — Dr Renfrew Christie, a former Nusas deputy-president, appeared briefly in the Pretoria Magistrate's Court yesterday on seven charges under the Terrorism Act.

Defence counsel, Mr Raymond Tucker, told the court Dr Christie objected to pleading on the charges, as he had only been told of them at 11 am yesterday.

"My client is at a material disadvantage as he has had only about 45 minutes to discuss the matter with counsel. Since he is facing seven charges under the Terrorism Act, with alternatives under the Atomic Energy Act, the Internal Security Act and an alternative charge of theft of a document, I ask for a week's postponement."

The magistrate, Mr B J O van Schalkwyk, postponed the case till April 11. Mr Jan Swanepoel appeared for the State.

The Attorney-General ordered that Dr Christie not be allowed bail, in terms of the Internal Security Act.

Dr Christie was detained on October 23 last year under Section 6 of the Terrorism Act.

Research

He holds a doctorate from Oxford University and was attached to the South African Labour and Development Research Unit at the University of Cape Town. Dr Christie was busy with a research programme on the coal mining industry when he was arrested.

It is believed that the charges relate to information on South Africa's first nuclear power station at Koeberg, which was allegedly passed to the African National Congress (ANC).

He is accused of intending to make available information on all aspects of the South African energy situation to the ANC, the International University

Exchange Fund, to Lars-Gunner Eriksson, to Frené Grinwala (an ANC official) and to Horst Kleinschmidt.

The offences are alleged to have taken place between 1978 and October 23 (date of arrest) 1979, in the Republic, Britain, Switzerland and Germany.

It is alleged that he acquired information regarding the region where the Atomic Energy Board regarded it seismologically safe to explode a nuclear device in the Republic.

This information was allegedly conveyed to Eriksson in a letter on February 8, 1978.

It is alleged that between September 12 and 18 1979 he took from the Escom library at Megawatt Park, Johannesburg, a drawing of the general layout of Koeberg and took a report entitled "public reaction to nuclear power and the influence of public relations techniques" and attempted to send this to Grinwala by posting, each in a separate envelope to C Needham in London.

Site licence

It is alleged that during this period he unlawfully and without the permission of the Atomic Energy Board transmitted information connected with investigations or negotiations with a view to acquiring a site licence.

It is alleged that during the period September 12 to 18 during a visit to the Escom building he obtained information and photocopies to send to the previously mentioned individuals and organizations.

It is alleged that on September 19 he visited the Duvha power station near Witbank to obtain information. On the 19 and 20 of September he visited Kriel power station and unlawfully and with intent to endanger the maintenance of law and order obtained two drawings: a flow diagram of Camden power station and an electric track diagram of Camden power station.

(Chicago, 1975)

Distribution (Gray)

Fairness and env.

Organization in
Indiana UP, 1973)

Compared, (Blackwell,

Self-Management, in
1975) Introduction.

Year, 1978) Chap. 3.
Office-Hall 1967)

Ch. 2, 3 & 5.
x's Theory of Exchange
1975), sections 3, 4

(Pelican, 1961) parts II

Hunt E.K. & Sherman H.J. : Economics: an Introduction to
Traditional and Radical Views (3rd ed. Harper & Row 1978), Ch. 4-6

Alternative property arrangements - a critique of the exchange economy

Lectures 17 & 18

AFR 35 (1945), p. 519-30

Class I: BAI 12, Hayek F.A. "The Use of Knowledge in Society"

Information, uncertainty and futures markets.

Lecture 16

Academic on SA nuclear spy charge

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4/4/80
331
329

PRETORIA — Dr Renfrew Christie, a former National Union of South African Students deputy president, appeared briefly in court here yesterday on seven charges under the Terrorism Act.

Defence Counsel, Mr Raymond Tucker, told the court that Dr Christie objected to pleading on the charges as he had only been told of them at 11 a.m. yesterday morning.

"My client is at a material disadvantage as he has had only about 45 minutes to discuss the matter with counsel.

"Since he is facing seven charges under the Terrorism Act, with alternatives under the Atomic Energy Act, the National Security Act and an alternative charge of theft of a document, I ask for a week's postponement," Mr Tucker said.

The magistrate, Mr B. J. van Schalkwyk, postponed the case to April 11 and the Attorney-General ordered that Dr Christie not be allowed out on bail, in terms of the International Security Act. Dr Christie was detained on October 23 last year under Section Six of the Terrorism Act.

He holds a doctorate from Oxford University and was attached to the South African Labour and Development research unit at Cape Town University. Dr Christie was busy with a research programme on the coal mining industry when he was arrested.

Details of the charges are:

- He is accused of intending to make information available on all aspects of the South African energy situation to the ANC, the International University Exchange Fund, to Lars-Gunner Eriksson, to Frene Ginwala (an ANC official) and to Horst Kleinschmidt.

The offences are alleged to have taken place between 1978 and October 23 (the date of his arrest) 1979, in South Africa, Britain, Switzerland, and Germany.

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- It is alleged that during this period he unlawfully, and without the permission of the Atomic Energy Board, transmitted information connected with investigations or negotiations with the view to acquiring a site licence.
- It is alleged that during the period 12 to 18 September, during a visit to the Escom Building, he obtained information and photocopies to send to the previously mentioned individuals and organisations.
- It is alleged that on September 19 he visited the Duvha power station near Witbank to obtain information.

He also visited Kriel power station and unlawfully and with intent to endanger the maintenance of law and order, obtained two drawings: A flow diagram of Camden power station and an electric track diagram of Camden power station.

Man faces Terror⁽³³¹⁾ Act case

star 5/4/80.
Own Correspondent

A man has appeared briefly in Pretoria Magistrate's Court charged under the Terrorism Act, alternatively the Atomic Energy Act.

Dr Renfrew Leslie Christie (30), no address given, did not plead to the charges of stealing certain documents.

He is also charged alternatively under the Internal Security Act.

Mr J Swanepoel from the Attorney-General's office, who is appearing for the State, said he had been instructed by the Attorney-General to put the charges to Dr Christie.

Defence counsel, Mr R Tucker, objected to the charges and plea being put to his client at this stage.

He said that although his client had been in custody since October 23 last year, Mr Tucker had only been able to see the charge sheet the day before the court case.

The magistrate, Mr B J O van Schalkwyk, remanded Dr Christie to April 11.

The Argus

APRIL 7 1980

Booyens — and Mandela

POLICE spokesmen wasted no time in using the Booyens terrorist attack on Friday to discredit the campaign to release Nelson Mandela. Such a campaign, said Minister of Police Mr le Grange and Commissioner of Police General Geldenhuys, was for the release of 'terrorists not political leaders.'

The Minister can be expected to exploit the incident politically. He is a politician. Not so officers of the SA Police.

Urban terrorism hit South Africa before pleas for Mandela's release became a political issue. Rhodesia set off the recent debate. This was largely because ex-terrorist Robert Mugabe became acclaimed leader in his country and won acceptance from erstwhile opponents. It was natural for South Africans to think afresh about jailed black leaders in their country and to question the chances of reaching a political settlement in peace while prominent political figures remained in jail or under other restriction.

The questioning goes on and further calculated or insensate deeds of violence will not stop it or remove the need for it.

Whatever the merits of the Mandela campaign — and it may

be that the Booyens terrorists don't think much of it since their action could be calculated to stop it dead — it is but part of the wider issue of finding political accommodation between black and white peoples.

It is no good ducking the fact that the most widely backed black political parties and leaders outside the homelands have been placed under restriction of one kind or another. Tough Government action has not suppressed black political awareness and it has not prevented the start of urban terrorism.

Nelson Mandela was an ANC leader and the ANC claim responsibility for recent terrorist acts but it makes no sense to blame Mandela for them since he was jailed 16 years ago.

There is evidence of sympathy for the terrorists among the black population. We hope it won't last. We believe violence is the worst way to bring change in South Africa. And the hardest.

The Government has a duty to root out terrorism. In this it will receive wide and resolute public support. But it will not have the support of the whole population, we fear, unless it roots out apartheid as well.



John Connally



Edward Kennedy



Ronald Reagan



George Bush



John Anderson



Jimmy Carter

ARGUS

7/4/80

WHAT IT COSTS TO REACH THE TOP

THE road to the White House is paved with dollars, every twist, every turn, every inch of the way.

Already the candidates for the Democratic and Republican Party nominations have spent more than R60-million in their sometimes successful, sometimes desperate, sometimes hopeless battle for convention votes.

And, once the nominations have been decided, each election candidate will almost certainly spend as much as he can — right up to the legal limit of about R30-million for the campaign.

Despite these apparently enormous sums, most of the campaigns are pressed for money because of the degree to which inflation has run wild on the campaign trails.

● Charges for a minute of prime-time network television advertising have nearly doubled since 1976 to about R90 000. At the same time, the cost of producing television commercials has also doubled.

● The bill for a 96-seat chartered jet for a four-day trip to nine eastern cities has rocketed from R30 000 in 1976 to R80 000 this year.

● Because of inflation, a

sions in the present campaign, candidates have been forced to ask their workers to go on party-pay or no-pay as the financial managers scratched around the bottom of the cash barrels for still more money for the most voracious element of the campaigns: television advertising.

In an attempt to prevent undue influence on election candidates at all levels, the United States Congress over the years passed laws which

Expenditure on the US presidential campaign trials has soared this year as competition becomes hotter. The Argus Washington Bureau reports.

strictly limit candidates' expenditure and the way in which they raise money.

If a candidate meets certain requirements — and accepts the legal limits — he can recover a considerable amount of his expenditure from the

He raised R9-million more than any of the other candidates had managed to raise (without Federal matching funds) at the time. But all this gave him only one delegate and he is now out of the race and owes more than R600 000.

According to the latest information disclosed by the Federal Election Commission, President Jimmy Carter, the Democratic front-runner has raised more than R9-million and spent R8-million. He has no debts and more than R1.4-million on hand.

Challenger Senator Edward Kennedy has not fared nearly so well. He has

The Argus

APRIL 7 1980

Booyens - and Mandela

POLICE spokesmen wasted no time in using the Booyens terrorist attack on Friday to discredit the campaign to release Nelson Mandela. Such a campaign, said Minister of Police Mr le Grange and Commissioner of Police General Geldenhuys, was for the release of 'terrorists not political leaders.'

The Minister can be expected to exploit the incident politically. He is a politician. Not so officers of the SA Police.

Urban terrorism hit South Africa before pleas for Mandela's release became a political issue. Rhodesia set off the recent debate. This was largely because ex-terrorist Robert Mugabe became acclaimed leader in his country and won acceptance from erstwhile opponents. It was natural for South Africans to think afresh about jailed black leaders in their country and to question the chances of reaching a political settlement in peace while prominent political figures remained in jail or under other restriction.

The questioning goes on and further calculated or insensate deeds of violence will not stop it or remove the need for it.

Whatever the merits of the Mandela campaign — and it may

be that the Booyens terrorists don't think much of it since their action could be calculated to stop it dead — it is but part of the wider issue of finding political accommodation between black and white peoples.

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The Government has a duty to root out terrorism. In this it will receive wide and resolute public support. But it will not have the support of the whole population, we fear, unless it roots out apartheid as well.

labour in industrial areas. This has led to the
become sep from means of prod. But in this
process they have obtained wealth undreamed of in
previous centuries, better health facilities and we find
that in more advanced countries like America the urbanisation
process has led to
high. Share in Eng &

PFP denies division over Mandela release

Star 7/4/80

331

Political Staff

MR Japie Basson and Dr Alex Boraine denied today that the Progressive Federal Party was divided over the campaign for the release of Nelson Mandela, leader of the African National Congress, from imprisonment on Robben Island.

Mr Basson, MP for Be-zuidenhout, said the party had at no stage become involved in the Nusas campaign for Mr Mandela's release, he doubted whether it would become involved and talk of a row over the matter remained no more than talk.

Dr Boraine, MP for Pinelands, said the Nationalist Press was merely trying to recover

ground the party had lost during the parliamentary session.

CONSISTENT

He said his speaking in support of the Release Mandela campaign was consistent with the belief of his leader, Dr van Zyl Slabbert, that all the country's true leaders, of whom Mr Mandela was just one, would have to negotiate a peaceful future.

Mr Basson said the PFP had at no time given its support to the nature of the Nusas petition or the demonstrations that accompanied it.

Dr Boraine said he accepted that there could be a difference of opinion as to whether the current

campaign for Mandela's release would be productive. It was debatable, and he could understand this.

However he felt it should be kept before the public that peace in South Africa could be achieved only if the total leadership were involved.

THE MINISTER

Meanwhile the Minister of Police, Mr Louis le Grange, has explicitly connected the campaign with active terrorism, as occurred at the Booyens police station this weekend.

He said those agitating for Mandela's release should realise that they were seeking the release of a terrorist organisation's leader, not a political figure.

Dr Boraine said he found this insinuation distasteful. He abhorred violence, and he was seeking to prevent further terrorism of this sort by getting leaders such as Mandela involved in a peaceful exercise of negotiation.

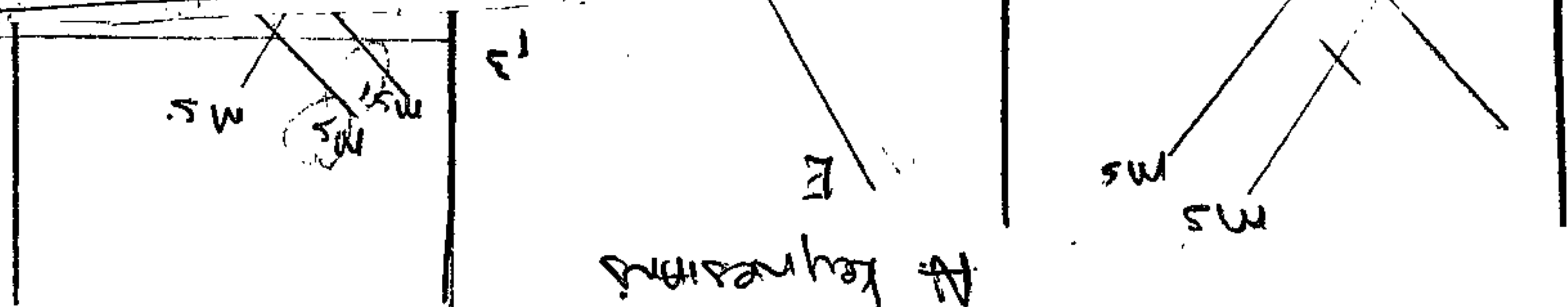
CONTACT

Dr Boraine challenged the Government today to say whether it has had any contact with Nelson Mandela.

'If so, what was the outcome? Perhaps he's a very different man now from what he was 18 years ago.'



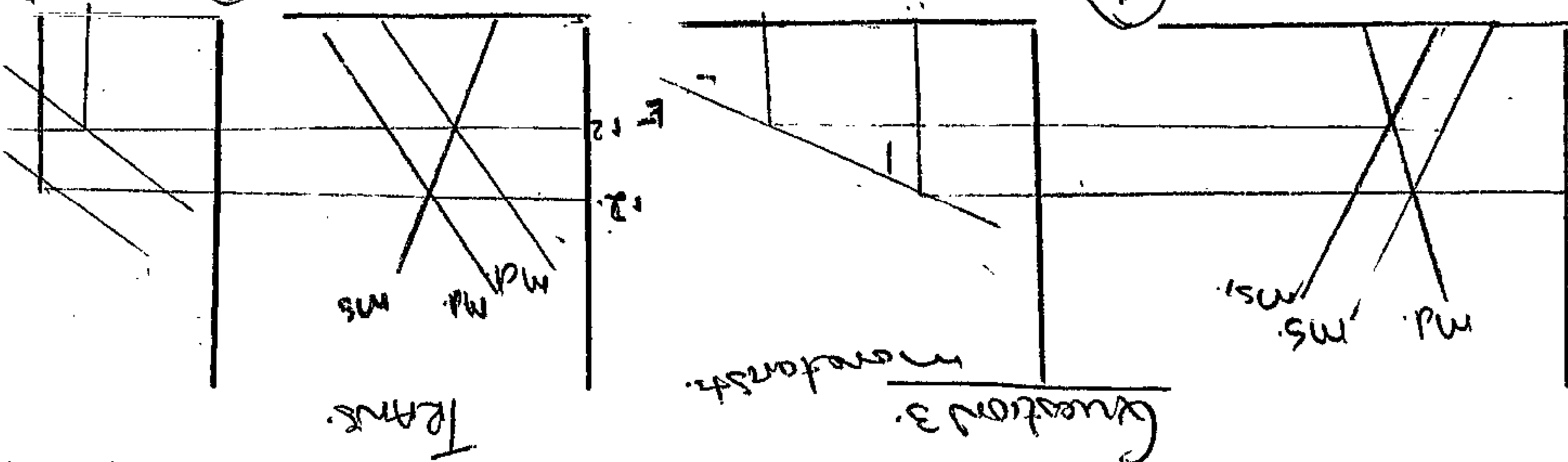
11



At Keynotes

monetary policy

② & E 22 fiscal pol.



Trans

Question 3

126 3/11

Thus if you budgets for a deficit it could be that the multiplier process so increases NY that you reduce the multiplier's effect will be.

mpc 8 k

sukcesvolle maatreëls termynprobleme soos in die korrektiewe maatreë en/of negering van die damentele verskille - erger.

Die doeltreffendheid van aksie sal meetbaar verhoed kennisname van die ondestabiliteit van die Suid-Afrikaanse ekonomie, gebaseer op 'n basis - en daaraan uitvloeiende rensiële beleidsbenadering.

2 26
C.T. 8/4/80.
Captain (33)
a witness
Own Correspondent
JOHANNESBURG. — Captain Craig Williamson, the security policeman who infiltrated the International University Exchange Fund (IUEF) in Switzerland, will give evidence in the trial of Dr Renfrew Christie, who will appear in court in Pretoria on Friday.
Captain C. M. Williamson is number 12 on a list of a dozen policemen named as intended witnesses.
Dr Christie, who faces seven counts under the Terrorism Act, with alternative charges under the Atomic Energy Act and the Internal Security Act, is alleged to have conspired with the IUEF and with the African National Congress.

in kort en medum-erspieël, terwyl by geringskatting onderliggende funksionering kan verloop kan ver-

ramme en korrektiewe meer besondere te en die Suid-Afrikaanse ekonomie, asmede op streeksbasis - en daaraan uitvloeiende rensiële beleidsbenadering.

Die noodsaaklikheid vir differensiële benadering in die Suid-Afrikaanse ekonomiese opset ontstaan soos volg:

- soos in die geval van die ontwikkelde volkshuishoudings - en hier is die marksektor van die Suid-Afrikaanse ekonomie ter sprake - is die hoofdoelstelling:
 - stabiele groei, wat impliseer kontrasikliese maatreëls en prysstabiliteit terwyl die markmeganisme behoort te sorg vir uitbreiding van werkgeleenthede en innoverende ontwikkelings.
- in die minder ontwikkelde sektor van die Suid-Afrikaanse ekonomie is die taakstelling - nes by ander volkshuishoudings in 'n vergelykbare stadium van ontwikkeling - om 'n verstedelikende bevolkingstoename by ekonomiese aktiwiteite te betrek teen 'n tempo wat ver bo die absorpsievermoë van die bestaande ekonomiese groeikoers is.
(In die volgende hoofdelike paragraaf word enkele opmerkings weergegee oor die toenemende stedelike werkloosheid nieteenstaande korrektiewe aksieprogramme.)
- op streeksvlak in die Republiek, behoort die werklike determinante van die aard van toepaslike aktiverende/korrektiewe voorskrifte, derhalwe eintlik te wees

The Cape Times

WEDNESDAY, APRIL 9, 1980

C.T. 9/4/80

Why release Mandela? (331)

THE discussion in the Nationalist press about Mr Nelson Mandela and the campaign for his release, although it sometimes misses the point, is nevertheless serving a good purpose. It is drawing attention to the central question facing the country. The choice before South Africans is simple. It is a choice between fighting one another or talking it out. There will be negotiations — or else there will be escalating civil warfare, a long-drawn-out conflict which will take a terrible toll of young South African lives and scorch the earth for generations. In the end, when South Africans have fought each other to a standstill, there will be negotiations after all.

So why not negotiate from the start? Why wait, as the white Rhodesians waited, until thousands have died, and the bargaining position of the whites is fatally undermined? Why not negotiate now, when the whites are in a position of immense strength, and their position pretty well impregnable? All reasonable men and women will see the force of this argument, particularly the parents of the young men whose lives will be sacrificed if the option of negotiation is spurned.

Let us say, then, that the decision is to negotiate. The question then becomes, with whom to negotiate? It is no use talking to people who represent nobody but themselves, such as the nominated members of a Coloured Council, people who are in no position to stem the drift to violence. As we have suggested in these columns, we have no doubt that Mandela is one of those with whom to negotiate. We say this not especially on account of his personal merits but rather because of his standing in the banned

African National Congress, the principal organization which is engaged in armed struggle in the Republic. Whatever its present, highly undesirable, associations which have been forced on the ANC by circumstances — such as its links with the South African Communist Party and its reliance on Moscow for arms and training — it remains the oldest African nationalist organization in South Africa and, in the past, the most significant black political organization in the country.

As we have argued, the rational course in South Africa is the road of patient negotiation. The first thing is to head off violence, to call a halt to the urban and rural guerilla war which is now upon us, albeit at a low level of intensity, and to replace the dialectic of violence with negotiation. Mr Mandela has the authority to call a halt to ANC violence. And that is the priority. The Rhodesian conflict also began at a low level of intensity and remained so for a long time. The important thing is to swing the emphasis from violence to negotiation. And, as we have suggested, it would need to be a condition of Mandela's release that he declare his commitment to peaceful negotiation. Or else the exercise would be futile.

This, then, is the context in which South Africans should consider the campaign for the release of Mandela. To support this campaign is not to condone terrorism. It is to forestall terrorism. To advocate the release of Mandela, we believe, is clear-eyed, hard-headed realism, of the kind which could have prevented much of the dreadful pain and loss which has been suffered in Rhodesia. Whatever the minister of police may say, this is the rational course for South Africa.

Argus 9/4/80 (331)

Banned man in court

Argus Bureau

PORT ELIZABETH. —

One of five restricted Port Elizabeth Black Civic Organisation (Pebco) leaders, Mr Daniel Dumile Qeque, 51, appeared briefly in the magistrates court here yesterday on a charge of contravening his banning order.

He is alleged to have visited Uitenhage on March 3, thereby contravening a banning order restricting him to the

Port Elizabeth magisterial district.

No evidence was led and the case was postponed until May 7.

Mr Qeque, a prominent sports administrator and businessman, is out on warning.

The other banned Pebco leaders are Mr Thozamile Botha, Mr Mono Badela, Mr Lizo Pitayana and Mr Palo Tshume.

Mr Qeque and Mr Tshume are reported to be the only two who have been able to remain employed.

Pretoria prison warder on bail

(331)
WDM
12/4/80

Pretoria Bureau

A PRETORIA Central Prison warder, Sergeant Francois Daniel Vermeulen, 57, appeared briefly in the Pretoria Regional Court yesterday on a charge of assisting three prisoners to escape.

Sgt Vermeulen, who appeared before Mr C J R Naude, was not asked to plead. No evidence was led and the case was postponed to April 15.

Bail of R300 was extended on condition that he reports daily between 7 am and 9 am to the

Sunnyside Police Station.

The State alleges that he assisted three convicted men, Alexandre Moumbaris, Stephen Barnard Lee and Timothy Peter Jenkin, to escape from the maximum security Central Prison on December 13 last year.

Moumbaris and Jenkin were each sentenced to 12 years' and Lee to eight years after they were found guilty under the Terrorism Act by a Pretoria Supreme Court judge in June 1973.

Christie trial for Supreme Court

STAR 12/4/80

331

Own Correspondent

PRETORIA — Dr Renfrew Leslie Christie, who allegedly stole plans from Eskom of the general layout of Koeberg nuclear power station, has pleaded not guilty to all charges.

Dr Christie (30), no address given, appeared in the Pretoria Magistrate's Court yesterday charged under sections of the Terrorism Act, and alternatively the Atomic Energy Act and Internal Security Act.

Dr Christie's attorney, Mr R Tucker, read out a statement containing certain admissions by his client: he pleaded not guilty to all charges; admitted the ANC was declared an unlawful organisation; and made no further admissions — placing all matters at issue in dispute.

REMANDED

Mr J Swanepoel appearing for the State, said he received instructions from the Attorney-General to refer the trial to the Supreme Court.

Mr Christie was remanded to May 19 and the trial is expected to last until May 30.

Mr Christie allegedly posted the nuclear plant plans to England.

He allegedly conspired with the International University Education Fund (IUEF) and/or Lars-Gunnar Eriksson and/or the ANC and/or Frene Ginwala.

It is alleged he did this in order to make available to them information on all aspects of energy in South Africa.

Mr Christie will remain in custody in terms of the Internal Security Act.

Mr B J O van Schalkwyk was on the bench.

Christie pleads not guilty to 7 charges

PRETORIA — Dr Renfrew Christie, a University of Cape Town academic, appeared briefly in the magistrate's court here yesterday on seven charges under the Terrorism Act.

The case was postponed to May 19 for trial in the Supreme Court and will last 10 days. Dr Christie pleaded not guilty to all the charges, although he admitted in a statement read out by his defence counsel, Mr Raymond Ucker, that he knew the African National Congress had been declared an outlawed organisation.

The state named a dozen police officers who will give evidence, including Captain Craig Williamson.

The Attorney-General ordered that Dr Christie should not be allowed bail, in terms of the Internal Security Act.

Dr Christie was detained on October 23 last year under Section 6 of the

Terrorism Act.

He holds a doctorate from Oxford University and was attached to the South African Labour and Development Research Unit at the University of Cape Town when arrested.

Dr Christie is accused of intending to make available information on aspects of South Africa's energy situation to the African National Congress, the International University Exchange Fund and its director, Mr Lars-Gunner Eriksson, Mr Frene Giniewala, an ANC official, and Mr Horst Kleinschmidt.

It is alleged he acquired information regarding the region where the Atomic Energy Board regarded it as seismologically safe to explode a nuclear device.

This information was allegedly conveyed to Mr Eriksson in a letter on February 8, 1978.

It is also alleged that Dr Christie:

- Took a drawing of the general layout of the Koeberg station from Megawatt Park and attempted to send it to Mr Giniewala.

- Transmitted information in connection with Atomic Energy Board investigations or negotiations connected with acquiring a site licence.

- Obtained other information between September 12 and 18, during a visit to the Escom building, to send overseas.

- Visited several power stations to gather information with intent to endanger the maintenance of law and order.

The charges were under the Terrorism Act, with alternatives under the Atomic Energy Act, the Internal Security Act, and theft. — DDC.

Production

205

Another crew member on the boat in catch on shore, he owns some part of product over his share on board. Community board would bid initially all that exist on five people are product on the boat on shore. The gain, shaded area output is equal. It is at a maximum

the entire social gain.

A fifth person (still assuming the owner stays on shore) could be admitted, but that would not be more profitable for the boat owner. If their total catch is divided equally among all five fishermen, each would get 6.8 fish, which is only 2.8 more than the four each could catch on the shore. So they would each offer at most 2.8 fish for the right to be on board. With five people that again gives the owner exactly 14 fish. If you examine the table, you will see the fifth person has a marginal product of four fish, exactly what he could catch on shore. So there is no social increase by adding him, nor any loss. The rental value of the boat is still 14 fish per day. That is exactly the maximum gain in fish that can be caught through use of the boat. Essentially, all of it is paid to the boat owner. But, of course, he is part of society.

Review again Figure 9-1, which shows the gains in output on board as more crew members are added. The constant marginal-product line of four fish indicates what each one could have

from the number of fishermen on board gives a marginal catch on board just equal to the marginal catch on shore.

If six had been on board, the marginal on-board catch would be two, but four fish from shore are sacrificed with a net social loss of two fish. The fee from each would be at most 2 ($= 6 - 4$, the per capita average on board minus what could be caught on shore). That difference—the fee he could charge—from six people is 12 ($= 6 \times 2$), and is less than the 14 with four (or five) people on board. So the boat owner would refuse six on board. Under the present private-property arrangements, five at most are allowed on board; the community catch of fish is maximized, with all the gain going to the boat owner by people's competitive bidding to get on board. The social total is 4014 fish. (Remember there are 1000 people fishing, either from shore [995] or on board [5].)

What is pertinent in this example is that five fishermen on board is the number that maximizes the social total. That is achievable only if: (a) someone has the right to determine how the boat

STUDENT CHARGED WITH TREASON AND MURDER

S. Post 13/4/80 (331)

A FORMER KwaMashu student, Phumulani Grant Shezi (24), who was held under the Terrorism Act, is to appear on charges of high treason and murder.

Shezi will appear in the Pretoria Magistrate's Court tomorrow, and the trial date has been set for June 2 at the Pretoria Supreme Court.

Mr Shezi's parents were informed this week

by his attorneys that he was about to face several charges including a charge of high treason and murder.

A spokesman for the Police Directorate of Information, Colonel Leon Mellet, yesterday could not confirm Mr Shezi's appearance, neither could he say if he was held in connection with any of the recent guerilla activities.

STAR 14/4/80 331

9 face high treason charges

Own Correspondent

Nine alleged members of the African National Congress have pleaded not guilty in the Pretoria Magistrate's Court to charges relating to the Silverton siege and the attack on the Soekmekaar police station earlier this year.

The accused are Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo

Mashigo (20), Mr Naphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hlolile Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremiah Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

They are all charged with high treason, two counts of murder following the death of two hos-

tages, 21 charges of attempted murder and one of robbery with aggravating circumstances.

Mr C R Mailer, of Johannesburg is appearing for Mr Shezi. The remaining accused have no representation.

Mr A F du Toit is prosecuting and Mr B J O van Schalkwyk is on the Bench.

(Proceedings)

Not far from Delville Wood, a street named for a terrorist

French Red's Mandela campaign

Mercury Correspondent

PARIS—The northern French town of Amiens, about 20 km from the Delville Wood, World War I, battlefield, on Saturday renamed one of its main streets after a member of the African Nationalist Congress hanged in Pretoria last year.

The town of Amiens was a major Allied centre for troops fighting in the battle of the Somme.

Many thousands of South Africans were killed in July, 1916, at Delville Wood and survivors made an annual pilgrimage there until only a few years ago.

Now a new pilgrimage will be made, this time to the 'Rue Solomon Mahlangu' named after the convicted terrorist who was hanged on April 6, 1979.

The communist mayor of Amiens at the renaming ceremony on Saturday, made it clear

that he wanted his townspeople to remember the 'crimes of apartheid' every day they used the street, which leads to the university.

He stressed this through his guest of honour, Alexander Mombaris, who escaped from Pretoria Central Prison last December.

ANC members at the ceremony recalled that it coincided with the return to France of French Communist Party leader Mr Georges Marchais after his first visit to black Africa, including talks with President Samora Machel of Mozambique. Mr Marchais has stated that he intends launching a nationwide anti-Pretoria campaign, which will include demands for the release of Nelson Mandela.

The historic town of Amiens has many of its streets named after personalities, including Jean Moulin, World War II resistance leader, and authors Alexander Dumas and Paul Claudel.



Alexander Mombaris, guest of honour.

Heated STAR 15/4/80 row over witness

A Johannesburg regional magistrate adjourned a terror trial today after the magistrate and the defence counsel were involved in a heated argument, shouting at the top of their voices.

Mr J L de Villiers, the magistrate, requested Mr M Basslian not to shout his questions at the State witness in his cross examination.

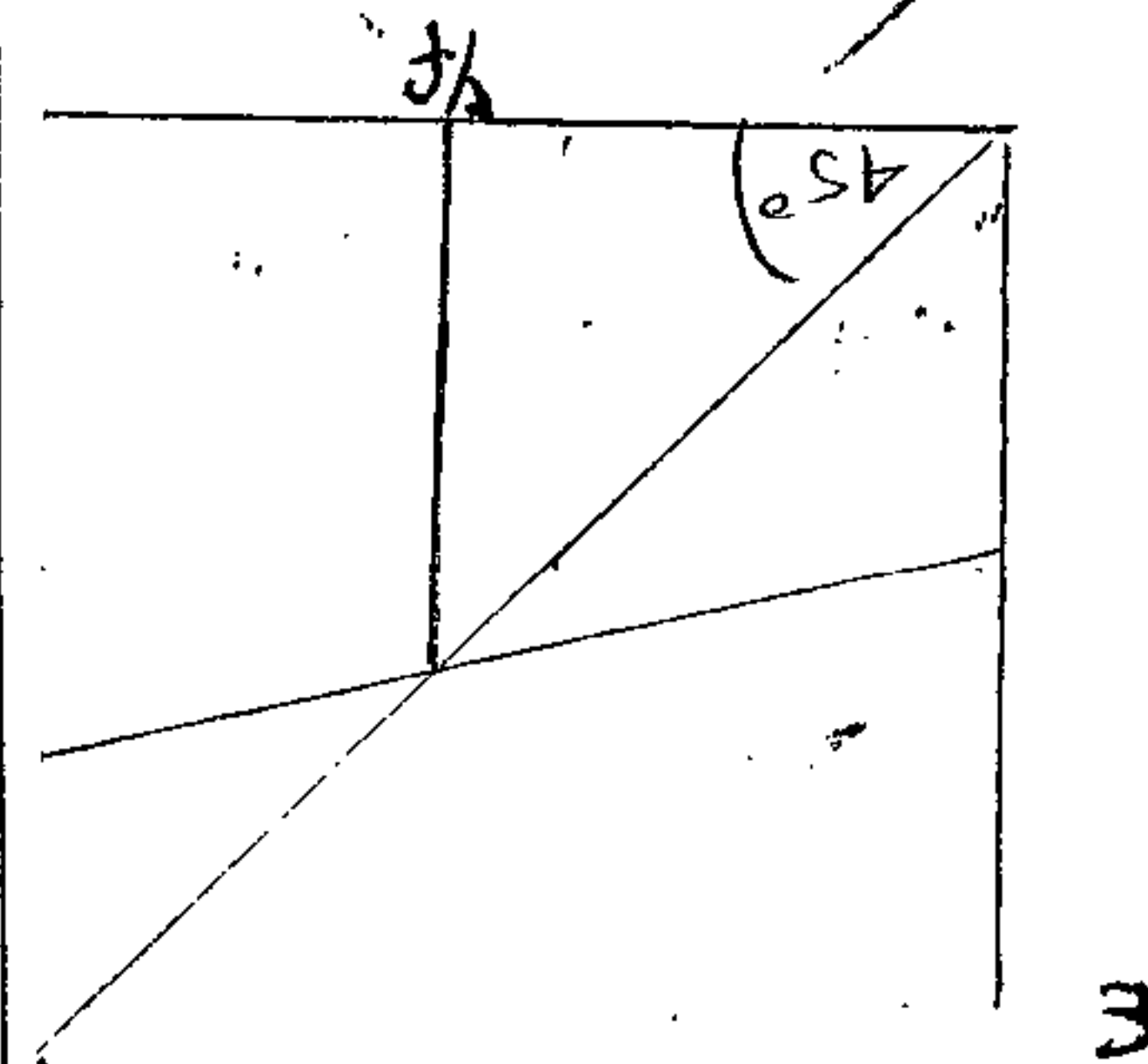
"I can't resist it," said Mr Basslian who was annoyed when the State witness, who may not be identified, evaded answering questions.

"I'm not going to stand here shouting anymore. I'm going to adjourn the hearing until after lunch and until you've stopped your shouting," Mr de Villiers said.

Mr Basslian is defending Mr Elias Nkumbi and a 17-year-old youth who have pleaded not guilty to a charge under the Terrorism Act of attempting to recruit several youths for military training in Botswana last year.

(4) E (Basslian) (Expenditure) (Johannesburg)
C
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Investment (Not)
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(3) The 45° line shows aggregate demand / expenditure where the 45° line cuts the 45° line.



(2) There are three methods of showing the relationship gap - the expenditure-output method will be used here

(1) Some of the arguments in this question arise from the assumptions of the Keynesian model (Page 3) are applicable here. This answer is an expenditure of the current production of the Keynesian model (Page 3) are applicable here.

NOTE PLEASE
Question 2 b (i)
(20)
Page 6

Eight terror- accused claim ANC membership

STAR

15/11/80

331

Own Correspondent

Membership of the banned African National Congress was claimed by all but one of the nine accused in the court case, which started in Pretoria yesterday, relating to the Silverton bank siege and an attack on the Soekm-keer police station.

Mr Phumukani Grant Sheni (24), no address given pleaded not guilty to all charges but declined to make a statement in his advocate's absence.

All the men have pleaded not guilty to 39 charges involving high treason, two murder counts following the death of two bank hostages, 20 charges of attempted murder and one of robbery with aggravating circumstances. Four are alternatively charged with participation in terrorist activities.

The accused are: Mr Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphtali Masama (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hlolele Benjamin Tan (24), Mr Phumukani Grant Sheni (24), Mr Jeremiah Radebe (26), Mr Boyce Johannes Motala (26) and Mr Thomas Masadi (29). No addresses were provided.

HIGH TREASON

Concerning the high treason charge, the charge sheet reads that the accused conspired with members and/or active supporters of the ANC by committing certain acts with intention of furthering aims with hostile intent against the State.

It further alleges that they were aware of the

treasonable deeds of the organisation and failed to report them to the South African authorities.

Mr Tan was allegedly in conspiracy with the terrorists who besieged the Silverton Volkskas Bank in Pretoria on January 20, 1980, which two hostages, Mrs Cynthia Valerie Anderson and Mrs Anna Magdalena de Klerk were killed.

The state alleges that when the accused conspired with the ANC they should have foreseen the possibility that people would die.

Nineteen of the attempted murder charges are concerned with the crimes suffered by the remaining hostages and policemen.

The other two similar charges deal with the attack on Soekm-keer police station in Soutpansberg on January 4.

Mr Mankutu Emmanuel Mashaba and Mr Thani Mthlford Mthlubi were injured in the attack.

RUSSIA

All the accused allegedly underwent military training in Angola and returned to South Africa.

Mr Masadi also is alleged to have undergone training in Russia. He refused to comment.

The Magistrate, Mr B J O van Schalkwyk postponed the case till tomorrow for the Attorney-General's decision concerning the Supreme Court trial date.

Many security police were present at the trial guarding the exit and entrance to the courtroom.

Advocate A P du Toit is prosecuting.

Silverton bank siege: 9 in court

Own Correspondent

PRETORIA. — Nine self-confessed members of the African National Congress pleaded not guilty in the Pretoria Magistrate's Court yesterday to a charge of high treason, two charges of murder, 21 of attempted murder and participation in terrorist activities connected with the siege of the Volkskas Bank at Silverton in January.

On a social maximum output criterion the optimal number of fishermen on the boat is four or five. (There could be five, since the marginal product, four fish, with a fifth crew-member on the boat would exactly offset the lost marginal product, four fish, from the shore. For arithmetic convenience we shall arbitrarily take the larger crew size whenever there is this equivalent double possibility.) The no-waste social-maximum output rule is to enlarge the boat crew until the marginal product on board decreases to that on shore. (When people aren't fishing, they sleep, eat, rest, and bask in the sun. Only fish are produced and consumed.) In Figure 9-1 the marginal social gains are the areas of plus signs in the first four marginal-product bars.

Control, Property Rights, and Incentives

Now we come to the point of interest: How many people will be allowed on the boat and who gets the increased output?

Share and Share Alike with Controlled Entry

In our first scene of this fishing saga, assume the boat discoverer is entitled to decide how many persons can be on board, and all those on board will share alike in the total catch. Our discoverer will allow only one or two other people, for then the average catch on board, which he and each other person gets, is at the maximum:

The nine (no addresses given) appeared before Mr P J O van Schalkwyk to notify the State of their pleas. All admitted leaving the country in 1976 to join the ANC.

The two charges of murder and 21 of attempted murder related to the siege of the bank on January 25 when two women were killed and 21 people held hostage.

Other charges were robbery with aggravating circumstances and four alternative charges of participating in terrorist activities.

They were charged with conspiring with three men — Stephen Mafoko, Humphrey Makhubo and Wilfred Madela — who were responsible for the siege and who subsequently died in a shoot-out with the police in January.

The nine charged men were: Mr Johnson Lubisi, 28, Mr Petrus Mashigo, 20, Mr Naph-tali Manana, 24, Mr Moses Molebatsi, 27, Mr Benjamin Tau, 27, Mr Grant Shezi, Mr Jeremiah Radebe, 26, Mr Johannes Mogale, 26, and Mr Thomas Mngadi, 29.

According to the charge sheet, the accused left the country in 1976 to join the ANC and received military training in Angola and/or Russia, returning in November/December last year to establish military bases in the different parts of the country from which they operated.

Bank deaths

It was also alleged that on January 25 near Silverton, Pretoria, the accused conspired with the three men responsible for the Silverton siege, and that Mr Tau planned the siege and the attack on the bank with the three men and caused the death of Mrs Valerie Cynthia Anderson and Mrs Anna Magrieta de Klerk.

It was further alleged that the accused conspired with the three terrorists and attempted to kill the other hostages.

The other charges alleged participation in a conspiracy resulting in the armed attack on the Soekmekaar police station on January 4 this year.

Hand-grenade attack

204
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It was also charged that the men were found in possession of explosives and weapons.

The State alleged that Mr Lubisi returned to South Africa in November last year after undergoing military training in Angola and established a base near Tzaneen, from where they planned the attack on the Republic.

It was claimed that he, Mr Mashigo and Mr Manana were responsible for the shooting and hand-grenade attack at the Soekmekaar police station.

The State further claimed that Mr Molebatsi returned to South Africa last year and with Mr Tau established a military base at Garankuwa, from where they planned to attack the Republic.

All the accused refused to make statements before the magistrate yesterday, but said he should record that they had been members of the ANC and indicated that they would make statements at their trial.

The hearing was adjourned to tomorrow.

State: SSL not a peaceful body

By IKE MOTSAPI

THE Soweto Students' League (SSL) is not a peaceful body but uses violence to achieve its aims, the State in the Kempton Park Terrorism Act trial submitted yesterday.

State counsel Mr J Henning said this during argument at the trial of four members of the SSL, who are appearing before Mr Justice D J le Roux.

The four, Kedibone Christopher Mathabe (21), Collin Makhato Kotu (23), Simon Masigo (19) and Elias Modiga (19), pleaded not guilty to charges under the Terrorism Act, alternatively sabotage, public violence, attempted murder and malicious damage to property.

Mr Henning said the SSL was not a peaceful organisation as people

were made to believe.

He quoted burials of people and described them as "political funerals" as platforms where the SSL demonstrated its political aims and objectives. One such funeral is that of Johannes Matsobane, who

died at Robben Island.

He submitted that it were these people who took part in acts of violence together with the accused at "these political funerals."

He also said SSL had some secret funds.

He further said all the ac-

cused lied when giving evidence.

Mr Henning is prosecuting. Mr G Farber and his pupil Mr Tsietsi Kgalegi are defending. They are instructed by Mr George Ledwaba. Mr Justice le Roux is on the Bench.

Post 15/4/80 (331)

'I was scared of cops'

A YOUTH, who said he was scared of the police, told a Johannesburg magistrate yesterday that he co-operated during interrogation to save himself.

The youth was giving evidence for the State in a Terrorism Act trial of Mr Elias Nkumbi, who is appearing with a 17-year-old youth. The two are charged with having enticed other youths around Soweto to undergo military training and endan-

ger law and order in South Africa.

They appeared before Mr J L de Villiers.

The youth, who was giving evidence under cross-examination by Mr M Basslion (appearing for Mr Nkumbi), said he was enticed by Mr Nkumbi to undergo military training. He told the court that he was also promised schooling in Botswana.

The youth said Mr Nkumbi had told him that they were going to fight for Soweto and kill the

whites after undergoing training. He said Mr Nkumbi also explained to him that the kind of training they were to receive was not like the one at the Lenz Military Base, near Soweto.

The youth, in reply to a question by Mr Basslion, said while questioned by police in Brits after their arrest, he realised the danger lying ahead and had co-operated to protect himself and his own interest.

Mr Basslion: Is it correct then to say that you

implicated the accused to save yourself?

The youth: But not falsely.

The witness said he was scared of the police because he had seen them assaulting somebody while he was in detention at Jabulani police station, Soweto.

He told the court, however, that he had never been assaulted by police.

The trial continues today.

Nine ANC members plead not guilty

Mercury Correspondent

PRETORIA—Nine young, self-confessed African National Congress members pleaded not guilty in the Pretoria Magistrate's Court yesterday to a charge of high treason, two charges of murder, 21 counts of attempted murder and participation in terrorist activities connected with the siege of Silverton early this year.

The nine were appearing in court to notify the State about their formal pleas. They all admitted leaving the country in 1976 to join the ANC abroad.

The two charges of murder and 21 of attempted murder relate to the siege of the Volkskas Bank at Silverton on January 25 this year where two women were killed and 21 people held hostage.

Natal links in Silverton siege hearing

NM 15/4/80 (331)

Other charges are robbery with aggravating circumstances and four alternative charges of participating in terrorist activities.

They are charged with

conspiring with three men, Stephen Mafoko, Humphrey Makhubo and Wilfred Madela who were responsible for the siege of Silverton and who subsequently died in a dramatic shoot-out with the police in January.

They pleaded not guilty before Mr P J O van Schaikwyk.

The nine men, who also refused to make statements, are: Mr Johnson Lubisi, 28, Mr Petrus Mashigo, 20, Mr Naphtali Manana, 24, Mr Moses Molebatsi, 27, Mr Benjamin Tau, 27, Mr Grant Shezi, 24, Mr Jeremiah Radebe, 26, Mr Johannes Mogale, 26, and Mr Thomas Mngadi, 29.

According to the charge sheet, the accused left the country in 1976 to join the ANC and underwent military training in Angola and Russia and returned during November and December last year to establish military bases in different parts of the country from which they operated. It is alleged that a number of the accused were involved in a conspiracy to attack the Soekmekaar Police Station, and had attempted to murder two men during that attack.

Explosives

It is said that some of the men were found in possession of explosives, ammunition and weapons, and that Mr Grant Shezi had enticed and persuaded two Lamontville men in Durban to receive military training outside the country so as to endanger the security of the State.

The State alleges that a number of accused had been found in possession of communist-made weapons.

Mr Shezi is alleged to have conspired with Mr Radebe between December last year and January this year in the attack on the Port Natal Administration Board building in Durban, and during that time they were allegedly found in Malangen in Natal to be in possession of Makarov pistols and ammunition, and that Mr Shezi allegedly recruited a Lamontville man for military training.

Military base

Mr Bogale is further alleged to have conspired with Mr Mngadi during February and March this year after their return from abroad to establish a military base in the neighbourhood of Bloedrivierpoort near Vryheid from which they would attack the Republic.

The State further claims that the two accused were found to be in possession of Makarov pistols, 14 rounds of ammunition and different kinds of grenades at Mondlo, near Vryheid, during February and March this year.

All the accused refused to make statements before the Magistrate but said he should record that they had been members of the ANC, and indicated that they would make statements at their trial. They also refused to answer questions.

The hearing was postponed until tomorrow pending the decision of the Attorney-General.

NINE alleged members of the ANC have pleaded not guilty in Pretoria Magistrate's Court to charges relating to the Silverton Siege drama and the attack on Soekmeaar Police Station earlier this year.

Appearing before Mr P J O van Schalkwyk were Ncimbiti Lubisi (28), Petrus Mashigo (20), Naphtalie Manana (24), Ikanyeng Molebatsi (27), Hlolile Tau (24), Phumlani Shezi (24), Jeremiah Radebe (26), Mr Boicie Bogale (26) and Thomas Mngadi (29).

They are all charged with high treason, two counts of murder, 21 charges of attempted murder, one robbery with aggravating circumstances and four alternative charges concerning participation in terroristic activities.

They all pleaded not guilty to the charges. The case was postponed until tomorrow.

9 men in court

Silverton

Siege

15/4/80
331
9054

POST Reporter

Mr Shezi was represented by Advocate C R Mailer, instructed by P Jana and the others were not represented.

The State alleges that the men were related to or responsible for the Silverton Bank Siege in which two hostages died and the attack on the Soekmeaar police station earlier this year.

All the accused allegedly joined the ANC in 1976 or 1977 and underwent military training in Angola and Mr Mngadi also

went to Russia for training. The State also alleges that the men committed the offences between November 1979 and January 1980.

They are alleged to have conspired with members or supporters of the African National Congress by committing all the offences with the intention of furthering the aims of the ANC with hostile intentions of endangering the State security or they were aware of these but failed to report it to the police.

It is also alleged that Mr Tau had planned with Wilfred Madela, Humphrey Makhubo and Steven Fanie Mafoko to attack the Volkskas Bank in Silverton, Pretoria.

Mr Lubisi is alleged to have operated a base in Tzaneen from which the Soekmeaar Police Station was attacked.

The men are further alleged to have assaulted Mr Pheela Ellisent Montle and took away his car to advance the plans to attack the Soekmeaar Police Station.

Date set for bank siege trial

(84A)
(HA)
(331)
16/4/80
Argis

Argus Correspondent

PRETORIA. — The Supreme Court trial date has been set for the nine alleged ANC members accused of high treason and murder following the Silverton bank siege and the attack on the Soekmekaar police station.

They will appear in the Supreme Court Pretoria, on June 2 following the Attorney-General's decision, until the trial has been disposed of.

A Pretoria magistrate, Mr B. J. O. van Schalkwyk, today ordered that all men will remain in custody until the trial.

The men have pleaded not guilty to nine charges involving high treason, two murder counts after the death of two women hostages, 21 attempted murder charges, and one of robbery with aggravating circumstances.

TERROR ACTS

The remaining four are alternative charges dealing with the participation in terrorist activities.

The accused are Mr Neimbithi Johnson Lubisi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Naphtali Manana, 24, Mr Ikan Yeng Moses Molebatsi, 27, Mr Hloli Benjamin Tau, 24, Mr Phumulani Grant Shezi, 24, Mr Jeremia Radebe, 26, Mr Boyce Johannes Bogoale, 26, and Mr Thomas Mngadi, 29. No addresses were given.

HIGH TREASON

The State alleged the men committed high treason by conspiring with members and/or active supporters of the ANC by committing certain acts with the intention of furthering aims hostile to the State.

They are further alleged to have been aware

of the treasonable deeds of the organisation and failed to report them to the South African authorities.

The murder charge concerns two hostages, Miss Cynthia Valerie Anderson and Mrs Anna Magrieta de Klerk, who were killed when three terrorists besieged the Silverton Volkskas Bank on January 25. Mr Tau allegedly conspired with the terrorists namely Humphrey Makhubo, Stephen Fanie Mafoko and Wilfred Madela.

Nineteen of the attempted murder charges deal with injuries suffered by hostages and policemen.

POLICE STATION

The remaining two charges concern the attack on Soekmekaar police station in Soutpansberg on January 4 where two men were injured.

Mr Molebatsi and Mr Tau, are also alleged to have made plans of a petrol depot for a future attack and Mr Molebatsi is said to have made plans to attack the Villeria police station.

They all allegedly underwent military training in Angola but they refused to comment on this, when asked in explanation of plea.

They are also alleged to have set up military bases in South Africa to undermine State security.

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JOHANNESBURG, WEDNESDAY, APRIL 16, 1980.

Mandela: Ask the blacks, says PFP

331 ADM 16/4/80

By HELEN ZILLE

Political Correspondent

HOUSE OF ASSEMBLY

THE Government had a duty to establish the extent of Nelson Mandela's support among blacks, to establish if he was a representative leader, Dr Fredrik van Zyl Slabbert, Leader of the Opposition, said yesterday.

If it was found Mandela had significant support and that he was prepared to negotiate, the Government had a responsibility to negotiate with him, as South Africa was involved in "survival politics", Dr Slabbert said.

He was addressing Parliament on the campaign to free Mandela, shortly after the Minister of Police, Mr Louis le Grange, said the Government's response to the campaign could be summed up in a single word: No.

Adopting an uncompromising attitude towards the campaign, Mr Le Grange said the aims of the African National Congress and Mr Mandela did not fall within the framework of the Government's total national strategy, which rejected power-sharing.

Mandela was a communist who had plotted to overthrow the Government. He had been sentenced to life imprisonment for high treason.

"He will serve out his sentence," Mr Le Grange said.

In a masterly reply, Dr Slabbert quoted from the speech of a former State President, Mr C R "Blackie" Swart, supporting amnesty for men jailed or sentenced to death for high treason.

Amnesty had been necessary and desirable in the interests of reconciliation and resolving conflict, Mr Swart said in Parliament shortly after the Government came to power in 1948.

Dr Slabbert said the same course had been followed in Rhodesia, where black nationalist leaders had been released in the interests of reconciliation.

This was done with the active encouragement of the South African Government, he pointed out.

And in South West Africa, the Administrator-General, Dr Gerrit Viljoen, had extended an amnesty to all Swapo fighters in the interests of reconciliation.

All these steps had been taken to involve people who had turned to violence and were often regarded as communists -- in negotiated political settlements, in order to end the killing.

"Were the lives of the police and security forces in Rhodesia considered more precious than the lives of people inside South Africa?" Dr Slabbert asked.

It was nonsensical to claim the supporters of the campaign to free Mandela were communists or propagators of violence.

It was precisely because such people rejected violence that they sought to involve representative leaders of all population groups in a negotiating process.

While admitting there were differences in the PFP on the campaign to release Mandela, Dr Slabbert said there was complete agreement on the necessity of establishing the extent of Mandela's support in the black community.

If it was established that Mandela enjoyed significant support, it was the Government's responsibility to South Africa to negotiate with him -- and other representative black leaders -- to work out a constitutional dispensation to which the majority of South Africans subscribed.

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15/4/80

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Wednesday, April 16, 1980

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Terror trial told witness 'petrified'

Staff Reporter

A STATE witness told a Johannesburg magistrate in a Terrorism Act trial yesterday that he wanted to please a security policeman by "telling the truth" because he was "petrified".

The witness, who has been warned as an accomplice and cannot be named, told Mr J L de Villiers in the Johannesburg Regional Court that he wanted to protect himself and avoid going to jail.

The youth was giving evidence under cross-examination in the trial of Mr Elias Nkumbi, 20, and his 17-year-old brother, both of Soweto, who are charged with recruiting others for military training outside the country.

He told the court that on the day he gave his statement, he was warned that if he did not tell the truth he would be convicted and charged.

He was aware that the policeman had powers to hold him in detention indefinitely.

Mr M Basslian (for Mr Nkumbi): "You are doing things to please him in order to secure your release?" — "No."

Mr Basslian: "But you are petrified of the police officer, aren't you?" — "Yes."

The youth denied he had been told by the police that if he gave satisfactory evidence he would be released.

Mr Basslian told him: "The whole of your statement has been rehearsed. You are not able to answer anything, except what's in your little statement."

"All your evidence in this court has been a pack of lies. Even with your name you haven't been honest with the court, it has suddenly changed today."

The witness told the court he was arrested with Mr Nkumbi at Brits while on their way to Botswana for schooling and to undergo military training.

Mr Nkumbi had told him they would receive free education in Botswana and be trained as soldiers so they could fight against the whites in South Africa.

The case continues today.

26 March 1980

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Moumbaris escape: warder's trial set

Pretoria Bureau (331)
THE trial of the prison warder who allegedly helped three prisoners escape from a maximum security wing last year has been set for May 5.
Sergeant Francois Vermeu-

len, 57, was not asked to plead and no evidence was lead.

Bail of R300 was extended. He has to report daily to the police.

The State alleges he helped Alexander Moumbaris, Stephen

Lee and Timothy Jenkin escape on December 13 last year.

Moumbaris and Jenkin were each sentenced to 12 years and Lee to eight years after being found guilty under the Terrorism Act.

ON YOUR DOORSTEP is YOUR column about happenings in YOUR area. Pass on any snippets you come across to The City Editor, Rand Daily Mail, P O Box 1138, Johannesburg 2 000. Or phone the News Editor's secretary on 28-1500.

payer first buys his residence security to raise a loan for business. The residence interest will be deductible, either in hands or, if the residence is collateral mortgage bond and

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adds to the risk of a fall. Under these circumstances, as in 1969, it pays everyone to sell equities or commercial property to avoid taking a new mortgage bond or even to liquidate an old one.

What of the taxability of the proceeds of the house when eventually it is sold? It is only in the rarest of circumstances that the proceeds might be subject to tax, even in the hands of a dealer in property, since the purpose of buying and holding is to provide residential accommodation. It is suggested, nevertheless, that circumstances could arise where the profit could be taxable. Suppose that a taxpayer buys a series of residences, lives in each house while renovating and extending it, and resells it very soon after purchasing it with the purpose of making a profit. He then seriously exposes himself to an argument by the Receiver of Revenue that the making of a profit has become the dominant motive of the transactions, and so runs the risk of being taxed on his profits.²

system must be changed in such a way that their present frustrations and angers are removed and they come to like and trust their white superiors.

'Truth on SSL crimes absent'

By IKE MOTSAPI

THE TRUTH about offences allegedly committed by the accused in the Kempton Park Terrorism Act trial did not emerge in court, the defence submitted yesterday.

Mr G Farber was arguing at the trial of four members of the Soweto Students' League (SSL) before Mr Justice D J le Roux.

They are: Mr Kedibone Christopher Mathabe (21), Mr Collin Makhalo Kotu (23), Mr Samuel Mashigo (19) and Mr Elias Modiga (19).

Mr. Farber said both the accused and the State were in "great difficulty" because the truth about the alleged offenses did not emerge.

He said the danger was not met by the corroboration of the accomplices

in implicating the accused.

He said what was required was that the court should warn itself of the special danger of convicting on the evidence of an accomplice.

Mr Farber said an accomplice was not merely a witness with a possible motive to tell lies about an innocent accused, but the witness equipped, by reason of his inside knowledge of the crime, to convince the unwary that his lies were the truth.

The risk that an accused might be convicted wrongly would be reduced in the most satisfactory way if there was corroboration implicating the accused in a commission of the offence, he submitted.

CONDUCT

Mr Farber said conduct of this nature did not in itself establish the guilt of the accused.

"It is simply a factor which a trial court is entitled to take into account together with all other relevant factors as part of the totality of the evidence in deciding whether the guilt of the accused has been established beyond all reasonable doubt," he said.

The accused have pleaded not guilty to taking part in terrorist activities, alternatively, sabotage, public violence, incitement to public violence, attempted murder and malicious damage to property.

Mr G Henning is prosecuting Mr Farber with his pupil, Tsietsi Kgalegi, are defending. They are instructed by Mr G Ledwaba.

¹ See also *A S Silke Silke* (1975) § 241.

business activities. By refusing he is forfeiting the possibility of earning of higher income. An asset that would have to be considered is added the deductibility of the more circumstances, the balance generally lie in his taking exception will arise in the of equities and common event been driven too far

relative positions with and on the basis that interest out of his income net of taxes in the question whether that will have to be liquidated are of an equity if they are fixed-interest, since no capital gains are sold and the interest will be slight. Thus fixed mortgage financing will be sold and mortgage financing The investments to be made or a stake in a privately owned business presupposes the purchaser's investment in equities or

When a taxpayer pays tax on the purchase of a house, he distinguishes interest on the mortgage from the equity he commits to his high marginal rate of return. But a further consideration is that he has the capital to invest to his advantage to obtain mortgage funds. As far as tax is concerned, the usual one, that is to say, a domestic expenditure, is distinguished by s 23 of the Income Tax Act from buying a home then having

ВитумО

Tax implications of mortgage finance

lasting and really effective remedy for the current low level of black productivity is to change that system. Moreover, for Blacks to be motivated the

Rewards for black employees-

Contd

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HOUSE OF ASSEMBLY. — The Nationalist Minister of Justice in 1948 and South Africa's first State President, Mr C R Swart, said a man's head could simply not be chopped off because he was guilty of high treason.

He made this statement on September 9, 1948 when justifying his Government's decision to grant pardon to political prisoners sentenced during the Second World War.

Yesterday his words were recalled in the House by the Leader of the Opposition, Dr Fredrik van Zyl Slabbert, when he replied to the Minister of Police, Mr Louis le Grange, who had attacked the "Free Mandela" campaign.

Mr Swart, replying to Opposition criticisms about the Government's decision to release Robey Leibbrandt, who had been convicted of high treason and who was under sentence of death, said then:

"We have two races in the country and things have happened which stirred up bad blood, and which caused us to take the field against each other.

"Always afterwards, the position was that mercy had to be shown and that things had to be done in order to calm down feelings, and it was done."

"One example which we have always reminded of is that of Dr Jameson and the raid into the Transvaal in 1896. There is there anyone in South Africa who regrets that mercy was

During the war of 1914-1918 there was also high treason in South Africa. Men took the field with arms and there were fights between them.

"After the war and during that war, those men were convicted of high treason and put into jail.

...Subsequently, those men who had been convicted of high treason sat with the present Prime Minister on these benches — sat with him in the same Cabinet. Did he and his government regret that they had shown mercy?

"One of those men who had been found guilty of high treason was appointed by the Hon. Leader of the Opposition and his government to act as administrator of the Transvaal."

"I mention these things to show that in this country one

South Africa faced the dilemma of survival politics and the campaign to release the convicted ANC leader had nothing to do with the Progressive Federal Party. Any member taking part in the campaign did so in a personal capacity, Dr Slabbert said.

Differences of opinion existed within the party on the issue, but those had been discussed openly and the PFP was not maintaining a merely cosmetic unity, as had been alleged; because the matter did not involve any fundamental principles.

The PFP has never said, nor has any of its members said, that Mandela is the only black leader of importance in South Africa. There are numerous truly representative black leaders and they must be found.

"It is possible that Mandela

had itself released from prison people convicted of treason in an effort to affect a climate of reconciliation between divided white South Africans.

More recently, the South African Government, through the Administrator General of SWA, had offered total amnesty to any Swapo terrorists who laid down their arms, and had also encouraged the release of Mr Joshua Nkomo, the Rev Ndaningi Sithole and Mr Robert Mugabe from detention in Rhodesia to negotiate that country's future with its white Government.

The steps had been taken to try to de-escalate violence in SWA and Rhodesia and while South Africa differed from those countries, it also was fighting terrorism and had political detainees.

"This Government has encouraged the governments of the other two to involve co-

party supported terrorism. By releasing Mandela or other political prisoners, the Government would not necessarily indicate support of communism, but rather an intention to end violence.

South Africa should not look to the police to solve the problem of terrorism on their own. "The Defence Force tells us the solution to terrorism is 80% political."

Parliament should enter into a debate of survival. It should take a realistic look at the situation and consider methods to prevent the country from being caught up in violence such as had happened in Rhodesia.

The most outstanding symbol of constitutional bankruptcy was the new Coloured Persons Council.

The disbanded Coloured Persons' Representative Council had failed because the Government wanted to negotiate with coloured leaders on its own preconditions. If those conditions proved unacceptable to other leaders, "then we say we will decide to whom we will talk".

The PFP would not deviate from its standpoint that peaceful consitutional developments depended on negotiations between whites and the representative leaders of other groups, Dr Slabbert said.

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16/4/80

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shown to him?

"Did President Kruger not put a wonderful example to South Africa that we should not bear any hatred towards each other? Did he not set the example that we should not at the first opportunity chop each other's heads off?

"In the war of 1899-1902 there was a rebellion. No one less than the Hon Leader of the Opposition (then General Jan Smuts) crossed the borders of the Cape Province and induced people to commit high treason. He persuaded them to commit high treason against their Gov-

cannot so lightly shout that a man's head should be chopped off because he is guilty of high treason," Mr Swart said.

Continuing his speech, Dr Van Zyl Slabbert said that today, peace in South Africa depended on negotiation between whites and the true leaders of other population groups.

"The most important thing is for us to find a constitutional dispensation acceptable to all the people in South Africa.

Dr Slabbert said it was the Government's responsibility to determine the extent of Mandela's representative leadership.

and we should not close our eyes to that."

The possibility of effecting peaceful change would be diminished if truly representative black leaders were ignored.

Dr Slabbert noted that it was general international practice to review cases of political detainees from time to time and to release political prisoners.

A judicial commission could be appointed to review such cases in South Africa, and he believed that Mandela should not be singled out.

He then turned again to the fact that the National Party

munists in negotiations. I say we must find ways for peaceful negotiation towards a dispensation acceptable to all our people."

South Africa was involved in a struggle for survival and the PFP was committed to holding a national convention of all representative leaders who rejected violence.

If the Government found that Mandela represented a majority of blacks, it should ascertain whether he was prepared to reject violence.

Dr Slabbert rejected "with contempt" a suggestion that his

570K 16/4/80 Date set for 231 treason trial

Own Correspondent

The Supreme Court trial date has been set for the nine alleged ANC members accused of high treason and murder following the Silverton bank siege and the attack on the Soekmekaar police station.

They will appear in the Pretoria Supreme Court on June 2 following the attorney-general's decision, until the trial has been disposed of.

A Pretoria magistrate, Mr B J O van Schalkwyk, today ordered that all the men will remain in custody until the trial.

The men have pleaded not guilty to 29 charges involving high treason, two murder counts following the death of two women hostages, 21 attempted murder charges, and one of robbery with aggravating circumstances.

The remaining four are alternative charges dealing with the participation in terrorist activities.

Security policemen today guarded the court entrances. The courtyard in which the truck taking the accused back to Pretoria Central Prison was locked and guarded by armed policemen.

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Insurance: Pooling Risks

Court is (33) RDM told of 17/4/80 police threats

Staff Reporter

THE "accomplice witnesses" who testified for the State only, did so as a result of assaults and threats, the defence counsel in a terror trial submitted in the Kempton Circuit Court yesterday.

Mr G Farber, said this in argument at the trial of four members of the Soweto Students' League, charged under the Terrorism Act.

Appearing before Mr Justice Dale Roux are Mr Kedibone Christopher Mathabe, 21, Mr Colin Makgalo Kotu, 23, Mr Simon Mashigo, 19, and Mr Elias Modiga, 19.

All have pleaded not guilty to participating in terrorist activities, alternatively to sabotage, attempted murder, arson, malicious injury to property, and public violence.

The various accomplice witnesses, Mr Farber said, did not make their statements to the police freely, but were induced to do so because of promises relating to their release, and in fear of being further assaulted and threatened.

He said it was apparent the various accomplice witnesses were in contact with each other during the course of making their statements to the police. The opportunity consequently clearly presented itself for them to harmonize their stories or to obtain information from each other.

Mr Farber said the so-called 'black power salute' was described during the State case as a "slogan signifying solidarity among the people" and "as a sign of identification", the use of which in itself did not convey the use of violence to those who associated themselves with that salute.

He said the function of the so-called 'freedom song' was described during the State case as "signifying a coming together of a nation" and "what would be hoped to be attained by such solidarity".

"The so-called 'freedom song' was also described as recording the aspirations of black peoples of the Republic and in this sense was said to play a constructive role in the black community.

"Certain of the so-called 'freedom songs' were said to indicate a degree of oppression and to that end, were clearly negative in their operation", Mr Farber said.

The hearing continues today.

Silverton: date set for trial of accused

PRETORIA — The Supreme Court trial here of nine alleged ANC members accused of high treason and murder in the Silverton bank siege and the attack on the Soekmekaar Police Station has been set for June 2.

Announcing the Attorney-General's decision in the Regional Court here yesterday, the magistrate, Mr B. J. O. van Schalkwyk, also ordered that the men remain in custody.

They have pleaded not guilty to 29 charges involving high treason, two murder counts relating to the death of two women hostages, 21 attempted murder charges, and one of robbery with aggravating circumstances.

The remaining four are alternative charges dealing with their participation in terrorist activities.

The state alleges the men committed high treason by conspiring with members and/or active supporters of the ANC to

commit certain acts with the intention of furthering aims hostile to the state.

They are also alleged to have been aware of the treasonable deeds of the organisation and failed to report them to the South African authorities.

The murder charge concerns two hostages, Miss Cynthia Anderson and Mrs Anna Magrieta de Klerk, who were killed in the Silverton Volkskas bank siege on January 25.

Mr H. B. Tau allegedly conspired with the three terrorists — Mr Huphrey Makhubo, Mr Stephen Fanie Mafoko and Mr Wilfred Madela.

Nineteen of the attempted murder charges deal with injuries suffered by hostages and policemen.

The remaining two charges concern the attack on Soekmekaar Police Station in Soutpansberg on January 4 when two men were injured.

Mr I. Molebatsi and Mr Tau are also alleged to

have made plans of a petrol depot here for a future attack, and Mr Molebatsi is said to have made plans to attack the Villieria Police Station.

Mr J. Radebe is charged with planning to attack the Port Natal Administration Board offices in Durban.

Mr Molebatsi is further alleged to have had control and/or knowledge of an arms cache found in Springs.

Sub-machineguns, Bayonets, Makarov pistols, magazines, detonators, explosives, hand-grenades, photographs of President Neto of Angola, copies of the South African Communist No. 78, 3rd quarter 1979, and stickers worded "Unite and fight to liberate new motherland, Amandla" were found at the site.

The courtyard in which the truck taking the accused back to Pretoria Central Prison was locked and guarded by armed policemen as the men were led into the truck. — SAPA.

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eight fish, four more than each could catch on shore. He will not tolerate four men (counting himself) on board because the average (which each gets) on board would fall from 8 to 7.5 and he would have less fish—even though the social total would increase. The fourth would enable six more fish for a net social gain of two over the total if that fourth person had stayed on shore. The self-interest of the boat controller here prevents a larger social catch. Indeed, if we changed the rules and allowed all those who are on board to decide whether any more will be allowed to come on board, the outcome is the same. The first three would not admit any more, because another person reduces the average to be shared by all from 8 to 7.5.

This is a characteristic problem of socialist firms; "workers" control the enterprise and share

On a social maximum output (no-waste) criterion the optimal number of fishermen on the boat is four or five. (There could be five, since the marginal product, four fish, with a fifth crew-member on the boat would exactly offset the lost marginal product, four fish, from the shore. For arithmetic convenience we shall arbitrarily take the larger crew size whenever there is this equivalent choice possibility.) The no-waste social-maximum output rule is to enlarge the boat crew until the marginal product on board decreases to that on shore. (When people aren't fishing, they sleep, eat, rest, and bask in the sun. Only fish are produced and consumed.) In Figure 3-1 the marginal social gains are the areas of plus signs in the first four marginal-

of 14 fish is divided will be important, as we shall see.

By **IKE MOTSAPI**

THERE is no direct evidence advanced by the State as to the manner in which the Soweto Students League (SSL) was to achieve its objectives, the defence in the Kempton Park Terrorism Act trial submitted yesterday.

Mr G Farber for the defence, said this when he continued with his argument at the trial of four members of the SSL.

The four, Kedibone Chris Mathabe (21), Collin Makhalo Kotu (23), Simon Mashigo (19) and Elias Modiga (19), are appearing before Mr Justice D J le Roux.

He said: "It is respectfully submitted that the probabilities strongly suggest that the then SSL executive did not give effect to its organisation's change in policy or for that matter inform its ordinary members thereof. It is moreover clear that at the time the activities of the SSL were under scrutiny by the police and that each of its bearers were either shortly thereafter apprehended or fled the Republic.

"The State has failed to establish that the SSL under the chairmanship of accused number two had

SSL defence: State lacks proof

adopted a policy of violence in so far as the attainment of its objectives were concerned," he submitted.

Mr Farber further said accomplice witnesses who testified for the State were initially reluctant to make statements to the police, but did so as a result of assault or threats.

"It is moreover apparent that the various accomplice witnesses made their statements to the police as a result of promises relating to their release and in fear of being further assaulted or threatened," he said.

The accused pleaded not guilty to three counts of participating in terrorist activities alternatively sabotage, incitement to public violence, public violence, attempted murder and malicious damage to property.

(Proceeding)

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By IKE MOTSAPI

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(Proceeding)

Nine to be tried for Silverton terror raid

NM

17/4/80

(331)

PRETORIA—The Supreme Court trial here of nine alleged ANC members accused of high treason and murder in the Silverton bank siege and the attack on the Soekmekaar police station, has been set for June 2.

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The State alleges that the men committed high treason by conspiring with members or active supporters of the ANC to commit certain acts with the intention of furthering aims hostile to the State.

They are also alleged to

have been aware of the treasonable deeds of the organisation and failed to report them to the South African authorities.

The murder charge concerns two hostages, Miss Cynthia Anderson and Mrs Anna Magrieta de Klerk, who were killed in the Silverton Volkskas Bank siege on January 25.

Conspired

One of the men allegedly conspired with the terrorists — Humphrey Makhubo, Stephen Fanie Mafoko and Wilfred Madela.

Nineteen of the attempted murder charges deal with injuries suffered by hostages and policemen.

The men are also alleged to have set up military bases in South Africa to undermine State security.

Security police yesterday guarded the court entrances.

Armed police escorted the accused to a truck to take them back to Pretoria Central Prison. — (Sapa)

Mandela

not a

leader, says Raw

17/4/80

THE ASSEMBLY. — South Africa had not reached the stage where a proven, convicted Marxist revolutionary such as Nelson Mandela should be taken from prison to try and sue for peace, the leader of the New Republic Party, Mr Vause Raw, said in the House yesterday.

Speaking during the second reading debate on the Budget, he said that calls for freeing Mandela had now become a political issue.

The very fact that Mandela's release was raised in Parliament was making him a symbol of leadership and giving him a status vastly different from that of a convicted prisoner.

"He is not a leader, even among his own people. We cannot say we will come to terms with revolutionaries.

"Let us get our priorities right. Let us first gain the goodwill and support of our black and brown moderates in South Africa. I cannot say let's never talk to the Mandelas, but let's get our priorities right first.

"The worst arrogance of the whites is in telling the blacks who their leaders are."

Mr Raw said that in his speech yesterday, the Leader of the Opposition, Dr Van Zyl Slabbert, had called for Mandela's release and had implied a likeness between the situation in the Republic and the situation in Rhodesia.

"This is a serious implication. What he is in effect saying to moderate black and brown leaders is that we will never get a peaceful solution by talking to you. We must take the revolutionaries from jail to be able to achieve this.

"I reject this wholeheartedly. I say we cannot come to terms with revolutionaries.

"We cannot take people like Mandela from jail and sue for peace with them now. We have not reached that stage," he said. — Sapa.

$$\frac{P_{N \cdot x}}{P_{L \cdot x}} = \frac{\pi_{N \cdot x}}{\pi_{L \cdot x}}$$

Presidents discuss condemned SA man

By Hugh Leggatt
Political Correspondent

CAPE TOWN — The State President, Mr Marais Viljoen, has been in touch with his Kenyan counterpart about the conviction and death sentence on a South African for treason.

This follows representations by Kenyan President Mr Daniel Moi for a stay of execution for James Daniel Mange, convicted in the Maritzburg treason trial.

Mr Viljoen told Mr Moi that Mange had been granted leave to appeal.

A government spokesman in Cape Town confirmed today that there has been correspondence. Mr Moi had sent Mr Viljoen a telegram to which the State President had replied.

A lawyer who was involved in the Maritzburg treason trial confirmed that Mange, who was born in Transkei and grew up in Soweto, had been granted leave in the Maritzburg Supreme Court to appeal against the death sentence.

Mr S Kentridge, SC, appeared for Mange and for Vusumuzi Zulu, who was sentenced to 13 years imprisonment at the same trial.

Zulu's plea for leave to appeal was turned down but Mange's was successful.

Mange was sentenced to death for high treason and to two years jail for contempt of court.

regard- on riskier common stocks) than fixed interest rate (though lower than more like moneylenders who are however, indicates that some employed their own resources. The third ar- by bear the risks of the market value comes over the future; like stock- employed inputs bear more of the risks of red, wage. In the first two arrange- as (3) a steadier job at a lower, but Neither alternative is necessarily as employment if the wage rate is not employment is not changed, or (2) instant either (1) instant changes in wage / predictable fluctuations in demand, demands for their services. Transient, resources (and people are resources) face facts (formal or tacit) at agreed wages. mple, some employees make longer-

to monitor performance of the re- of success, and the ability to usefully attitudes toward risks, beliefs about the tract the risk-bearing depends on differ- t; they lease it; they hire (rent) labor. In as well as use their own. They buy lled owners of the firm borrow or hire

Wage
Firm: Wage
Security

termine the uses of resources are more likely to bear the (upward or downward) capitalized value effects of future events.

tions. In a private-property system, those ability of their respective risk-distribution and socialist property systems is over part of the issue between the private litical allocation of profit-and-loss risk one's political power. Because socialists in which case the assignments will d losses could be assigned by the politic crease their value. The bearing of p (b) stimulating the uses of resources; losses themselves) over various peopl risks of profits and losses (and the p against a given system of: (a) distrib properly rights, the issue is whether one profits and losses occur regardless of it of risky consequences—profits and loss how the rights and contracts permit d changeability by contracts are, in part, Attitudes toward property rights and stituted source of future income—not a surprit them. These *ojidos* invest in more chilferred to those most optimistic or willin prospects of value increases cannot or invest in the farmland is weakened, allocation. Furthermore, the incentive permit as much discretionary risk-sharir rights. These restricted rights to resourc ban on sale of the land.) They have only ting the lender take the land—circumve against the land. (If they could borrow the land, they could borrow and then de sell the crop, but they cannot sell o farmers (called *ojidos* in Mexico) cannot sell the land and they farm and occupy. They can use it and In some countries (Mexico, for example) some

By MOLOSE
MATSEMELE

THE Pretoria high treason case against nine alleged members of the ANC was postponed in the regional court yesterday.

It will be heard in the Supreme Court on June 2.

The men have pleaded not guilty to charges relating to the Silverton Siege drama and the attack on Soeknekaar Police Station earlier this year.

They are Petrus Mashigo (20), Naphtalie Manana (24), Ikanyeng Molebatsi (27), Hloliile Tau (24), Phumani Shezi (24),

Jeremiah Radebe (26), Boicie Bogale (26) and Thomas Mngadi (29).

They are charged with high treason, two counts of murder, 21 of attempted murder, one of robbery with aggravating circumstances and four alternatives of participating in terroristic activities.

The magistrate, Mr. P J O van Schalkwyk, said the Attorney-General had decided that the case be heard by a judge in the Supreme Court.

He said the Attorney-General had also decided that the men be tried on all allegations made against them.

Silverton bank siege case is postponed

Post 17480 B31 549

They are alleged to have conspired with three guerillas, Wilfred Madela, Humphrey Makhubo and Steven Fanie Mafoko who died in a shootout with police during the Silverton bank siege.

They are further alleged to have conspired with others to plan the attack on the Soeknekaar Police

Station on January 4 this year.

It is also alleged that the men left the country in 1976 or 1977 to join the ANC and underwent military training in Angola and/or Russia and returned late last year to establish military bases in different parts of the country.

THURSDAY, APRIL 17, 1980

NELSON MANDELA

ONE THING South Africa can certainly do without is a mindless tug-of-war between a strident 'Free Mandela' lobby on one hand and a totally obdurate and inflexible Government on the other.

Yet that is the direction in which we seem to be heading after the uncompromising statement by the Minister of Police, Mr Louis le Grange, in Parliament that Nelson Mandela will spend the rest of his life in jail.

In justifying his refusal even to consider the release of the former African National Congress leader, Mr le Grange has revealed that the Government is no less guilty of failing to think the matter through than those who have been stampeded by Mr Robert Mugabe's triumph in Zimbabwe into believing that the same is likely to happen here unless Mandela is unconditionally released from Robben Island to take his place messiah-like at the head of his people.

The Minister reminded the House that the Rivonia raid had proved that Mandela stood for the violent overthrow of the Government and the total eradication of the white man, and claimed that Mandela had not changed his views, was still a communist, and was still in touch with the banned ANC and other anti-South African organisations.

Mr le Grange did not explain how this contact was possible in South Africa's maximum-security prison, nor did he venture to discuss whether the views Mandela held at the time of his conviction 16 years ago might conceivably change if he were fully acquainted with the changes that have taken place since then and the new

dispensation of co-operation and constitutional progress that has been proclaimed since Mr P W Botha became Prime Minister.

The question is relevant because the substance of Mandela's plea from the dock was that he had been driven to do what he did because he could see no other way of furthering the legitimate aspirations of his people.

That eloquent address is, of course, banned in South Africa. It in no way excuses Mandela's crimes, but if it were unbanned now we should at least all know what we were talking about in our dramatically changed situation in Africa.

There are many unanswered questions — and glib assumptions — about Nelson Mandela: his current beliefs, his capacity and willingness, if any, to play a constructive political role, the nature and extent of his following, and so on.

The very least the Government should be doing is finding the answers to those questions by means of a judicial tribunal or commission and whatever other inquiries may be necessary.

If Mandela refused to give assurances that he would abide by the law and behave in a politically responsible manner if he were released, then that would be the end of the matter. He would stay in jail and history would take its course.

But the Government should realise that flexibility does not mean weakness or a surrender of values or of control over one's destiny. Rather it is a sign of strength, confidence and the wisdom to seek the correct responses to the challenges of the time.

First, it implies that the return on the bank's loan portfolio, and thus its profit for the planning period is stochastic. This is of immediate interest if the bank is risk averse, the discussion of which, however, we have just postponed. It is also of interest, though, even for an expected profit maximizing bank, if there are some objective (in an expectational sense) costs associated with this variability. This is the case a) because the realization of defaults not only means a capital loss, but also affects the bank's reserve flows, so that the variability of reserve changes is influenced not only by the withdrawal risk connected with the bank's deposits, but also by the default risk connected with its assets; b) because variability of the bank's income implies the possibility of situations of capital shortage (insolvency or near-insolvency) and corresponding costly re-arrangements. This point will be discussed in more detail in section 2. In this connection, it is of interest that the variability of defaults and thus of its income is influenced by the extent to which its volume of loans is split up between (some-what) independent customers. 16)

Second, the expected default rate for a particular loan is a

function of the size of that loan, if the respective customer's

repayment ability (his "end-of-period") is fixed (or,

at least, limited).

Loans are classified into different types or groups according to the quality of the collateral given by the borrower. The most important factor is the elasticity of the collateral.

Loans are also classified according to the type of security given by the borrower. The most important factor is the quality of the collateral given by the borrower.

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Minister had banned Bilko's book by Woods

CHICAGO, May 18 (AP) - A book by a Chicago writer, David Bilko, was found guilty by a Chicago judge yesterday of being a banned publication, "Bilko" by Donald Woods.

He was also found guilty of two charges of contravening his banning order and breaking the publication act in terms of the Internal Security act, whereby he participated in the distribution of a Crossroads pamphlet.

At a previous hearing he pleaded guilty to one count of breaking his restriction order.

He also pleaded guilty to the violation of the book "Bilko" on April 9 last year. The book was banned on May 8, 1971.

When he left his Manhattan home on April 23 and 24 of last year.

He was found guilty by a Chicago judge yesterday of being a banned publication, "Bilko" by Donald Woods.

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GENERAL:

- (a) We note that the wording of the exposure draft closely follows International Accounting Standard No 4 (IAS4). Save where we have commented to the contrary we accept the various small changes made to the wording from the original IAS4.

- (b) The exposure draft is silent on the question of accounting for the surplus which arises on revaluation of an asset and the extent to which the surplus is affected by subsequent depreciation of the asset. This matter should be covered by an extra paragraph.

- (c) IAS4 used sub-headings "Useful life", "Depreciation methods" and "Land and buildings" which have been dropped in the exposure draft. These should be reinstated as they make the exposure draft more readable.

- (d) The exposure draft does not make any recommendations regarding the accounting treatment when assets, which have not formerly been depreciated, are depreciated for the first time as a result of the provisions of the exposure draft. There are two possible ways of treatment:

- (1) By means of a prior year adjustment to bring the depreciation figure up to the fig from the date
- (11) to depreciate

There is a precede statement 1.002 pa balance of deferred follow this preced

- (e) The contentious as the depreciation of the result of depreciation of the building may be used in the order to accommodate the value of the building residual value of which there are w definition of use asset is expected no longer be used residual value the

- (1) Changes or depreciation e.g. re Woodst

- (11) Changes amount a group a Changes
- (111) Changes

SSL 'not to blame'

VIOLENCE which erupted during the funeral of Johannes Matsobane in Sebokeng last year, cannot be blamed on the SSL.

This was said by defence counsel in the Kempton Park Terrorism trial yesterday.

Four SSL members, Kedibone Chris Mathabe (21), Collin Makgalo Kotu (23), Simon Mashigo (19) and Elias Modiga (19) are appearing before Mr Justice D J le Roux.

Matsobane died at Robben Island last year and it was said in court that he was not a member of the SSL but a supporter of the organisation.

Mr G Farber said acts of violence which occurred en route to the cemetery happened at the time when the crowd had swelled "considerably and was still in the process of swelling".

He said the SSL organised transportation for only a small contingent of Sowetans to attend the funeral at Sebokeng. "To this extent it may be said that only a limited number of people fell under control of the SSL."

The accused pleaded not guilty to three counts under the Terrorism Act

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exposure draft should

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in conjunction with para. 02.2).

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replacement of such buildings.

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Act: 13 (31)

18/4/80 (331)
students

in court

A UCT student, Mr Gavin Evans, son of Port Elizabeth's Anglican Bishop, the Right Rev Bruce Evans, today appeared briefly for the second time with 12 students in the Magistrate's Court, Cape Town, in connection with allegations of contravening the Internal Security Act.

The students were not asked to plead. No evidence was led.

The students were: Mr Gregory Zinn, 19, of 16 Dunkley Street, Gardens; Miss Susan Murdal, 21, of 4 Crown Street, Observatory; Miss Anita Kupper, 19, of 1 Park Lane, Worth Street, Gardens; Miss Sarah Brigitte Cullinan, 19, of 12 Alfred Street, Observatory; Miss Claire Moore, 19, of 6 Upper Chamberlain Street, Woodstock; Mr Vernon Brent Matzopoulos 19, of 3 Bedford Street, Observatory; Mr Christopher John Giffard, 19, of 24 Grant Street, Observatory; Miss Michelle Solomons, 19, of 24 Grant Street Observatory; Miss Sarah Ward, 19, of 6 Chamberlain Street, Woodstock; and Mr Richard Goode, 18, of 23 Welmoed Court, Harrow Road, Rondebosch.

One accused student is a minor.

Mr Chrispian Garth Oliver, 21, of Hope of Klein Constantia, Constantia Road, Constantia did not appear. All were warned to appear on May 9.

Why Mandela debate is so important



Allister Sparks

331

ADM
19/4/80

leader of the black South Africans?
That is the question that started the debate.

It is a difficult debate, but a tremendously important one. I do not find it surprising that the Government should be so resistant to the suggestion that it should release a man who is committed to its own violent overthrow. It would be surprising if it were otherwise.

Nor does it surprise me that opinion should be so emotionally divided on the subject and that many people feel it is outrageous to support such an idea. Violence and treason are emotional matters, to put it mildly. The Rand Daily Mail itself has strongly denounced Mandela's commitment to violence, pointing out that in any communist country — or black African country for that matter — he would have been shot out of hand.

But 16 years on Robben Island is a long time; and as time moves on circumstances change, bringing new requirements and new perceptions.

Zimbabwe and Mugabe have changed our circumstances and our perceptions. As Dr Van Zyl Slabbert put it in his superb speech on Tuesday, South Africa is now involved in "survival politics" — and that requires us to do a lot of re-examining of old assumptions.

Already one sees the Government doing a lot of things it found unthinkable only yesterday.

So we have to start thinking today about what might have to be done tomorrow.

And so, while I fully expected the Minister of Police, Mr Louis le Grange, to give that flat "No" to Mandela's release, it is nonetheless extremely important that the public debate on the subject has begun and that it should continue.

It is important, too, that the debate be calmly and rationally conducted. Legitimate fears must not be glossed over; emotional re-

IT IS APPROPRIATE that the debate about whether or not to release Nelson Mandela should have reached Parliament in the week of Zimbabwe's independence. Because it was Robert Mugabe's dramatic sweep to power in that country which raised the issue.

In so many ways Mr Mandela is the South African counterpart of Mr Mugabe: he, too, is an African leader who turned to violence, who sought help from the communist world, who acquired the image of a committed Marxist bent on dispossessing the whites and establishing a black-dominated communist society, and who was duly clapped in jail for his nefarious activities.

As was the case with Mr Mugabe, he is a man whom the white authorities believe does not have any genuine support among the black population, and is simply the puppet of outside enemies of the State.

So inevitably, when Mr Mugabe dumbfounded everyone by showing not only what massive support he had but how pragmatic and reasonable he was, people began asking whether perhaps those assumptions about Mr Mandela might not be equally wrong.

As they began realising that the white Rhodesians could have saved their country a lot of bloodshed and misery if they had done a peaceful deal years ago with this impressive-sounding man, the question arose whether the same did not apply to South Africa.

Do we have to go through all that bloodshed and misery, too, in order to learn the same lesson?

The lesson of Rhodesia, said Die Vaderland, echoing the thoughts of many, is that white South Africa should talk to the real black leaders in this country.

Well, if Robert Mugabe is the real leader of the black Zimbabweans, isn't Nelson Mandela perhaps the real

be achieved by peaceful means. So surely he would change back if the prospect of peaceful change became real — as it would at a national convention.

Of course the Transvaal's problem in this debate is that Nationalist policy rejects a national convention on principle, because it amounts to power-sharing. The process of change must remain in white hands: blacks may be "consulted", but they cannot be part of the actual decision-making process.

That is why blacks will always reject Nationalist decisions: they are decisions made for them, not with them. And that is why Nationalist policy, as it stands now, cannot contemplate Mandela's release and cannot achieve a peaceful resolution of South Africa's race problem.

There is one further point which Die Transvaal's reference to the activities of those wartime Afrikaners raises.

Government supporters claim that because black nationalists have turned to the communist countries for aid in their "liberation" struggle, they must themselves be communists.

Yet they forget how Afrikaner Nationalists looked to Nazi Germany for support in what they saw as their "liberation" struggle against British imperialism. How some of them even hoped for a German victory in the war, believing this would bring them their republic.

They forget how they have always vehemently denied this meant they were themselves Nazis; how they argued that some may have picked up a few Nazi ideas from the association, but that they were really just Afrikaner Nationalists seeking help wherever they could get it in the struggle that they believed in with such passionate patriotism.

Exactly the argument one hears from Mr Mugabe and other African nationalists today.

kaners didn't hold the danger of public disorder that the freeing of Mr Mandela would.

Fair enough — it is a valid point that deserves to be carefully weighed. The threat that Nazi Germany posed to South Africa was over by the time Robey Leibbrandt and company were released, while the threat of African nationalist insurgency is by no means over now.

But the position taken by Dr Slabbert, and by the Rand Daily Mail, is that one would consider releasing Mr Mandela only if he were to end his commitment to seeking change by violence and agree to join in peaceful negotiations at a national convention.

So, far from increasing the danger of black insurgency, it would be the most effective way of removing it.

But, one might ask, could one trust Mr Mandela? Might he not make such a commitment in order to gain release, and then renege on it?

Apart from the fact that this would be uncharacteristic of the man, there is the fact that a free Mandela would be subject to the law all over again: any illegal action on his part and he would immediately be arrested, charged and jailed once more.

A more realistic misgiving is whether Mr Mandela would ever agree to such conditions in the first place. Perhaps not, in which case he should not be released.

But I believe he would. His friends have always claimed he turned to violence only because he reached the conclusion that change could not

when it came to power afterwards. And he quotes how ex-President Swart justified this at the time by claiming this was indeed a South African tradition: Kruger had shown mercy to Jameson after the raid, Smuts had become Prime Minister after inciting people in the Cape to commit treason during the South African War, and the men of the 1914-18 rebellion had been granted amnesty.

That has been the South African way of achieving national reconciliation in the past. And even in the case of Zimbabwe, it was the South African Government that persuaded Ian Smith to release Mugabe and the others in a quest for reconciliation.

So why should it be so unthinkable in the case of Mandela?

Die Transvaal responded to all this by warning that historical analogies can sometimes mislead. There was a great difference, it said, between Mr Mandela and "those Afrikaners who ran amok during the war years": the freeing of those Afri-

sponses must not be allowed to cloud the issue.

Here again I found Dr Slabbert's contribution on Tuesday invaluable. His approach was wholly rational: The only way to arrive at a peaceful solution in South Africa is to negotiate an agreed constitution with the black community; to do that it is obviously essential that the negotiations be with the real black leaders; therefore it is advisable to establish whether blacks regard Mandela as one of their true leaders; and the only way to do that, obviously, is to ask them.

If it is established that he has significant support and that he is prepared to negotiate, then, says Dr Slabbert, the Government has a responsibility to negotiate with him.

As for the principle of releasing such a man, Dr Slabbert points out that we have the tradition firmly established in our own country.

He cites the case of Robey Leibbrandt, sentenced to death for high treason during the last war and released by the Nationalist Government

13 students in court (331)

CAPE TOWN. — Thirteen University of Cape Town students appeared in the Cape Town Magistrate's Court yesterday in connection with allegations of contravening the Internal Security Act. (Dm 19/4/80)
They were not asked to plead and no evidence was lead. All have been released on warning, and the hearing was postponed to May 9. — Sapa.

- 20) For exception ch. 9).
- 21) In the general financial situation the question of the optimal of its demand for equity funds versus its supply of debt instruments, has always been a major concern. See, e.g., Meyers (1977), Jensen and Meckling (1976), Kim (1977).
- 22) Alternatively, we could hold the firm's equity capital W fixed, and vary D and A (with $g(Y)$ depending on A). Although total portfolio size would then become endogeneous, it would still be clearly constrained by the size of W , and the model would be perfectly equivalent to the one discussed above.
- 23) A positive difference between ρ and i is obviously a necessary condition for a positive supply of deposits in this model. Otherwise, it would be optimal for the bank to finance itself with equity capital exclusively.
- 24) Instead of making C a function of the volume of deposits only, it could also be made a function of the number of deposit accounts, or the number of transactions. Also, the analysis could be widened by introducing service charges, which are assumed to be zero above.
- 25) Assuming, for simplicity, that the minimum value is such that this expression remains positive.
- 26) See Baltensperger (1976), Barro (1976), for a discussion of credit market problems along these lines.
- 27) With a constant i , insolvency cost S actually even enters positively into expected firm profit, as is clear from equ. (21), because the firms liability to its debtors is limited to its equity capital.

Rev Russell gets eight months, fined R500 (331)

Own Correspondent

CAPE TOWN. — The Rev David Russell was yesterday sentenced to a total of eight months jail, suspended for five years, for three contraventions of the Internal Security Act.

The banned Anglican churchman was also fined R500 or

three months jail, for possessing the banned book "Biko", by Donald Woods, when he appeared in the Regional Court in Cape Town. He admitted a previous conviction under the Publications Act.

He was sentenced to six months in prison for leaving his home on the nights of April 26

and August 10 last year in contravention of his banning order, and to two months for distributing a publication about police actions taken in Crossroads in 1978, in contravention of the Internal Security Act.

He pleaded guilty to breaking his banning order in April and to possessing "Biko".

The Magistrate, Mr G J van Eeden, said Russell "had shown no remorse, and there had been an element of defiance in his actions".

However in view of the heavy punishment he was subject to under his banning order, suspended sentences were appropriate.

Mr A Wilson

Mr D Schapiro

Mr K Huxham

Mrs J Hume

: Mr M Eccles

: Mr P Smith

The Dean welcomed the following new members of the Board :

Dr R Oxtoby.

Messrs G Elliott, Mr M M Hassan, Mrs K Jowell,

APOLOGIES :

Mrs M Thesen, Mrs B Withers.

In attendance : Mrs J Curry, Mrs P Early,

Student Representative : Mr A J O'Regan.

K Honikman, Ms T Lamprecht, Miss C Laburn.

T Wixley, Mesdames J Hume, A Robinson,

A Wilson, M C Vorster, P Gordon, R H C Peters,

V V Razis, J Rice, D Schapiro, E C Uliana,

P Lay, J H K Mattison, B D Phillips, I Pihla,

T A G Scotcher, T G Thomson, M Eccles, K Huxham,

R D Jooste, W A A Maguire, D Marcus, L J McCarney,

A H Money, Dr M Kabat, Messrs L C Jochelson,

J R P Morris, P Sulcas, S R Sebach,

C G Troskie, Assoc. Professors G Everingham,

Professors L Kritzinger, J Hampton, Z Gurzynski,

Professor J D Simpson (Dean in the Chair),

PRESENT :

1. REGISTER AND APOLOGIES

Minutes of a meeting of the Board of the Faculty of Commerce held on Thursday 6 March 1980 from 9 to 10 am in Lecture Theatre 2 C, Leslie Social Science Building.

These minutes are confidential to members of the Board.

THE BOARD OF THE FACULTY OF COMMERCE

UNIVERSITY OF CAPE TOWN

Cosas' ^{S Post} Mogale ^{2014/80} on terror ³³¹ charges

SUNDAY POST Reporter
THE president of Cosas,
Mr Ephraim Mogale and
a Turfloop student, Mr
Thabo Makunyane, who
are held under the Ter-
rorism Act, will appear
in court tomorrow.

The two will appear in
the Pietersburg Regional
Court on two charges
under the Terrorism Act.

Mr Mogale, founder-
president of Cosas, was
detained in November last
year, while Mr Makunyane
was detained by Venda
security police in Octo-
ber.

It is believed that they
will face two charges under
the Terrorism Act and
four charges for banned
literature.

Earlier this week, sev-
eral leading members of
Cosas, who had been in
detention since last year,
were released. Also re-
leased was Mr Ishmael
Mkhabela, former chair-
man of Azapo. He is now
banned.

CT 21/4/80

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Russia: 'The strongest power of all'

Defence Reporter

THE growing European fear of a nuclear war is based not on hysteria but on the belated realization that Russia has built itself into the strongest military power in the world ... in spite of year-long talks about détente and disarmament.

Western experts have now abandoned the long-held views that the Russian military expansion, which began in 1955, was essentially the sort of build-up to be expected from an internationally-acknowledged super-power responding to the challenges of the nuclear age.

In his recent book "The Soviet Threat to Europe and Africa", the Cape Town strategic-affairs writer Douglas McClure notes that "the latest British statement on defence estimates declared that there could be no doubt that the Soviet Union enjoys a military capability which is intended to be used".

Mr McClure, a University of Cape Town lecturer who has studied under leading overseas

strategic thinkers and who predicted last year's invasion of Afghanistan, says in his book that "the nature and scale of the Soviet military build-up appears quite alarming".

He says Russian military spending peaked at 10 to 11 percent of the gross national product in the 1950s — and then continued to climb to the "astonishing" level of 14 percent, "and still shows not the slightest inclination of dropping".

He adds: "Nato analysts (of the 1960s) did not seriously believe the USSR was committed to a policy which would ultimately outstrip the Western powers and Nato in particular, and consequently they predicted that the escalation would reach a level of slight superiority and then begin to taper off."

"In 1973-74 this level was, in fact, attained. Not only did the USSR continue beyond it, but the Kremlin allocated even more resources in terms of manpower, money and hardware to the military effort."

According to figures published in his book,

Russia:

- Manufactures 1 800 fixed-wing and 700 helicopters a year.

- Manufactures an average of 2 600 tanks a year, virtually all of them fully protected against nuclear, chemical and biological warfare.

- Is now "better prepared to engage in chemical warfare than any other nation enjoying formidable offensive and protective capabilities. While the USSR ostensibly adheres to a total ban on the development, production and stockpiling of chemical weapons, it is reliably reported that between 70 000 and 100 000 Soviet technicians are engaged in the full-time research and production of chemical warfare agents and toxins such as Sarin, Soman and VX, which attack the human nervous system."

- Has an intercontinental ballistic missile armoury containing 1 600 rockets, capable of knocking out targets as far away as the United States. It has also built up a large mobile force

of SS-20 intermediate range ballistic missiles on tracked launchers, which do not come under the Strategic Arms Limitation Talks (Salt) because they are IRBMs and not ICBMs.

- Has evolved an intensive nuclear civil defence plan involving decentralization of new industry, bomb-shelters, mass evacuation of civilians and stockpiling of food, all based on a civil defence philosophy of "the inevitability of war with capitalism".

- Has embarked on a space satellite communications network for its own forces, designed "to effectively jam Western monitoring systems and communications surveillance devices, in the Nato forces particularly."

"In addition, the USSR has launched a space test vehicle designed to intercept and destroy Nato and United States satellites in space."

From all the evidence available, it appears that the USSR intends to dominate the near-earth space region before the year 1990, unless there is a dramatic change of direction."

to the uses of resources are more likely to be the (upward or downward) capitalized value of future events.

location by
acts within a firm: Wage
employment Security

so-called owners of the firm borrow or hire resources as well as use their own. They buy them; they lease them; they hire (rent) labor. In contract the risk-bearing depends on differences in attitudes toward risks, beliefs about the effects of success, and the ability to usefully and to monitor performance of the resources.

For example, some employees make longer-term contracts (formal or tacit) at agreed wages. Some resources (and people are resources) face fluctuating demands for their services. Transient, unpredictable fluctuations in demand create either (1) instant changes in wage rates if employment is not changed, or (2) instant changes in employment if the wage rate is not changed. Neither alternative is necessarily as desirable as (3) a steadier job at a lower, but assured, wage. In the first two arrangements, employed inputs bear more of the risks of fluctuations in incomes over the future; like stockholders, they bear the risks of the market value of their own resources. The third arrangement, however, indicates that some employees act more like moneylenders who are paid a fixed interest rate (though lower than the rate on riskier common stocks) regardless of the return on their resources.

~~328~~

V d Bergh

• Mandela was not a com-

Asked last night whether he had ever put his view on Mandela to Mr Vorster while both he and Mr Vorster were still in power, General Van den Bergh said: "No comment. It would be inappropriate for me to comment."

to "certainly line"

C_2

Three from Soweto (331) on terror charges 22/4/80

By STAN HLOPHE

THREE young Soweto people appeared in the Johannesburg Regional Court yesterday on Terrorism Act charges.

They were Miss Ruth Thandi Modise, 21; Mr Moses Khosi, 24; and Mr Aron Slim Mogale, 21.

They were not asked to plead. The hearing was postponed to June 16 at the Kempton Park Circuit Court.

Miss Modise, who is alleged to have left South Africa in 1976 and returned in 1978, is charged with two counts of attempted arson and malicious damage to property.

She also faces five charges under the Terrorism Act, in that she:

○ Underwent training in Angola and Tanzania and brought

weapons into South Africa;

○ Plotted with Nkosi and Mogale to bring about a breakdown in law and order;

○ Plotted with Nkosi and Mogale to commit arson at stores in Johannesburg;

○ Propagated the aims and objectives of the banned Pan Africanist Congress;

○ Reconnoitred police stations and West Rand Administration offices in Krugersdorp with the intention of sabotage.

Nkosi and Mogale both face two charges under the Terrorism Act.

They are alleged to have aided, abetted and harboured a trained terrorist. They are also alleged to have been found in the possession of a SHE65 7,65mm machinegun pistol, ammunition and TNT explosives.

Woman on 3 charges

Post 22/4/80
331

By IKE MOTSAPI

A NATAL woman appearing with two Soweto men on charges under the Terrorism Act is alleged to have received military training, and when arrested, was found with explosives, ammunition and a firearm.

The woman, Miss Thandi Modise (20), Moses Nkosi (24) and Aaron Mogale (21) appeared before Mr G J Ellis in the Johannesburg Regional Court yesterday.

All three face charges under the Terrorism Act. No evidence was led and they were remanded in custody.

Thandi faces three charges under the Terrorism Act, two alternative charges of attempted arson and

other two alternative charges of malicious damage to property.

Nkosi and Mogale face two charges under the Terrorism Act.

According to the charge sheet, Thandi underwent military training in Tanzania or Angola between October 1976 and January 1978 with the intention of endangering the maintenance of Law and Order within the Republic of South Africa or parts thereof.

She is also alleged to have endangered the maintenance of Law and Order between January 1978 and October 1979 at or near Johannesburg.

She was also allegedly found to be in possession of explosives including TNT, Calcium Chloride, 20 rounds of ammunition and a 7,56 mm SHE pistol.

explosives and ammunition were stored with the intention of committing acts of arson against property, according to the charge sheet.

Thandi is also alleged to have conspired with the other accused or other people and George Ndlovu to set alight the clothing divisions of OK, Baazaars Store in Eloff Street and Edgars Store in Market Street, Johannesburg. This was on March 14.

• To Page 2



Student leaders on terror charges

By MATHATA TSEDU
THE SMALL, packed Pietersburg regional courtroom reverberated to shouts of "Amandla Awethu" yesterday afternoon when two students appeared charged under the Terrorism Act.

The two are the president of the Congress of South African Students (Cosas), Mr Ephraim Mogale and third year Turfloop arts student, Mr Thabo Makunyane. They were not asked to plead and the case was postponed to June 24 at the request of defence counsel.

The crowd that had gathered and waited all day responded to shouts of "Amandla" from the accused as they were led out of the courtroom.

Outside the court the crowd, mainly Turfloop students, started singing freedom songs.

(Mr W G M van Zyl presided and Mr F J Heyns prosecuted. Mr D Nkadi-meng appeared for Mr Makunyane and M Barghan appeared for Mr Mogale).

Mandela Argus 23/4/80 campaign (331) (327) 'ended' (HA)

talks'

From a Staff Reporter
STELLENBOSCH. —
The free Mandela campaign had seriously damaged delicate negotiations which could have led to Nelson Mandela being released from Robben Island, Mr Gibson Thula, chairman of publicity for Inkatha, said last night.

Answering a question from the floor during the SAAK congress on the constitution, Mr Thula said he had not mentioned it before but the matter had been the subject of discussion 'as far back when Mr Vorster was Prime Minister'.

IN FEBRUARY

Even as recently as February this year Inkatha had 'eyeball to eyeball' discussions with the Prime Minister, Mr P W Botha.

'These discussions had gone far when the free Mandela campaign started,' he said.

'Word then came back to us that the feeling was that to free Mandela now would be bad politics. I feel very bad about it,' Mr Thula said.

© Inkatha has opted for talking' — Page 4

Answers to Questions

Cosas pair in

terror trial

THE president of the Congress of South African Students, Mr Ephraim Mogale, and a University of the North student, Mr Thabo Makunyane, have appeared in the Pietersburg Regional Court under the Terrorism Act.

They allegedly promoted the objects of communism and the banned African National Congress between October 1977 and October 1979.

They allegedly distributed pamphlets entitled "Being Black in South Africa Today" and "Declaration of War" in 1977.

Other charges include recruiting for the ANC and encouraging the formation of youth clubs to promote unrest between 1977 and 1979.

PARAPHELETS:

The men are also accused of producing and possessing a stencil entitled "Come Let Us Unite and Defeat Our Oppressors," for producing and distributing pamphlets.

The establishment of the Communist Advancement Movement (CAM) in 1979 is also attributed to them.

A large crowd of Turf-loop students gathered outside and the court was packed.

There was singing and chanting as the men left the court.

At the afternoon
 of Tuesday 3
 o'clock exactly
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 of students at the
 the Tuesday 3
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 in answer to
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Post 25/4/80
331

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- Thank
 you so much
 for your
 kind letter
 and for the
 money sent.
 I am very
 glad to hear
 from you all
 and hope you
 are all well.
 Love,
 Mary

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 prevent the power
 of testimony to pass
 in general. Actual
 national minister
 interest in ^{the} country

CLEAR

"It was, in fact, a successor of the Soweto Students' Representative Council," he said.

26/4/80
Terrorism:

(33) Argus

8 acquitted

Weekend Argus Bureau
PORT ELIZABETH. —
All eight accused were acquitted after a 10-month Terrorism Act trial in the Regional Court, Port Elizabeth, yesterday.

The men were alleged to have tried to leave South Africa to receive military training in November 1978.

They are: Mr Wellington Vukile Gumenge, 23; Mr Paul Khumalo, 32; Mr Wandile Dayile, 34; Mr Fikile Mohali, 19; Mr Vasumzi Zibonda, 18; Mr Wandile Gcakazi, 19; Mr Lizo Kula, 18; and Mr Aba Dayile, 18.

34 arrested on violence charge

SAP 28/4/80 (327) (331)

Pretoria Bureau

A total of 34 people, among them Willie Nkosi and Willie Bokala of Post, will appear at the Mamelodi Magistrate's Court tomorrow on a charge of public violence.

A spokesman of the SAP Directorate Public Relations said today these people were arrested near the administration offices in Mamelodi yesterday.

He said they would be charged with public violence in the Mamelodi Court depending on police investigations.

The spokesman said he did not know yet whether they would be given bail.

A clerk of the Mamelodi court confirmed that those arrested were being held in the cells, and said they would not appear in court today because the police had not completed their investigations.

The 34 people were arrested when police intercepted a procession heading towards Atteridgeville Cemetery, for the unveiling of the tombstone of Solomon Mahlangu.

Two newsmen held on Riot Act charges *STAR (331) 30/4/80*

Two journalists, one of them on The Star, will be among 32 people who will appear in the Mamelodi District Court on May 8 to

answer charges for public violence.

Mr Willie Nkosi of The Star and Mr Willie Bokala of Post Transvaal, were among the 32 people arrested in Mamelodi, Pretoria, while on their way to the Atteridgeville cemetery for the unveiling of the tombstone of hanged terrorist Solomon Mahlangu.

They made a brief appearance before Mr N A Welgemoed and were not asked to plead. Mr Nkosi and Mr Bokala were released on bail.

A spokesman for attorneys representing The Star said today that since the two journalists were arrested a legal team was twice refused permission to interview them.

An advocate has been briefed to represent the two journalists.

Mahlangu: 34 in court

THE 34 people who were arrested at Mamelodi, Pretoria, including two journalists, may appear in court today.

POST reporter Willie Bokala, Willie Nkosi of The Star, and the others were

arrested at Mamelodi during the tombstone unveiling ceremony of Solomon Mahlangu on Sunday.

They had been expected to appear in court yesterday.

They are now expected to appear today.

30/4/80
331
POST
11/1

763 pupils in court on Rand

CT 30/4/80

30 257 331 278

Own Correspondent

JOHANNESBURG. — As the Prime Minister, Mr P W Botha, issued a stern warning on the schools boycott, trouble flared here when police baton-charged and arrested hundreds of coloured pupils who had gathered at Westbury High School yesterday.

A total of 763 pupils appeared in court later.

And in Cape Town last night, the Leader of the Opposition, Dr Frederik van Zyl Slabbert, led a deputation to the Minister of Police, Mr Louis le Grange, in connection with the arrests in Johannesburg.

Mr Le Grange promised Dr Slabbert, who was accompanied by two MPs of the Progressive Federal Party, Mrs Helen Suzman and Mr Ray Swart, that he would investigate reports of unrest, baton charges and mass arrests.

At least six people were reported to have been treated for

Angry coloured parents in western Johannesburg have criticized the police, claiming that the baton charge was unprovoked, that children were chased into nearby homes and hit with batons and that adults were also struck.

Police have denied these claims, saying no violence was used and no one was hurt.

Brigadier Swanepoel, who ordered the arrests, said police acted because the crowds kept growing at Westbury, where pupils from other schools had gathered.

"I saw about 400 children at the school and more kept com-



Police in camouflage uniform advance on pupils who gathered at the Westbury High School near Johannesburg.

More reports, page 2

injuries, and 763 pupils began appearing in groups in the Magistrate's Court in Newlands, Johannesburg, late yesterday afternoon under the Riotous Assemblies Act after the Westbury arrests. The hearings were expected to last until late into the night.

It was expected that all the pupils charged would be home last night in the custody of their parents or guardians.

The Divisional Inspector of Police on the Witwatersrand, Brigadier Theunis Swanepoel, said 758 pupils had been charged with offences under the Riotous Assemblies Act and five more had been charged with public violence after police vehicles had been damaged.

The children would reappear in court on May 13.

Parents in court were asked to stand behind their accused children, aged from 12 upwards.

By 7.30 pm, 200 children had appeared in the Newlands Magistrate's Court.

Hundreds of other parents were still in the court grounds waiting for their children to appear.

Armed police in riot gear, with dogs, were in evidence.

ing. I was not going to wait for the crowd to build up to say 10 000. We felt we could not let any more get through — enough was enough," Brigadier Swanepoel said.

A spokesman for the SAP Directorate of Public Relations denied in Pretoria that the police actions were unprovoked. He said that after the police had given the crowd 10 minutes to disperse, a group of about 400 started pelting police with stones and eggs and several police vehicles were slightly damaged.

And while protests against the educational system continued in coloured and Indian schools throughout the country, a threatened mass boycott of classes in the Pretoria black township of Mamelodi failed to eventuate.

Five youths had been arrested in Mamelodi after they had thrown stones on a school roof, police said.

● Coloured and Indian students and pupils gathered at the University of Natal in Durban for a protest rally and a "Free Nelson Mandela" rally addressed by Bishop Desmond Tutu, general secretary of the South African Council of Churches.

Botha appeals to parents

Political Correspondent

HOUSE OF ASSEMBLY.

The Prime Minister, Mr P W Botha, appealed yesterday to parents and schoolchildren to end the boycott of coloured schools, while warning of firm action against agitators. Mr Botha also assured Parliament that police had instructions to use the utmost patience and restraint. During the debate on his department's budget allocation, Mr Botha said agitators were using coloured schoolchildren for their own ends, and endangering the children's safety and interests in the process.

"No self-respecting State can allow agitators to misuse schoolchildren's uniforms to challenge the authority of the State."

Mr Botha appealed to parents to ensure that their children returned to school and said the children should make use of facilities provided by the State to further their education and improve their employment prospects.

People could get hurt in a confrontation and it was the children who would pay the price of the lack of patriotism of others.

"If the State is challenged and it hits back, it will use all the power at its disposal. There must be no doubt about this," he said.

Mr Botha said the agitators were trying to make use of extra-parliamentary forces and the government knew who they were. Many were already in jail, and those who were not were also known.

● Parliamentary reports, pages 4, 6

700 in court after demo

JOHANNESBURG—More than 700 coloured pupils made a brief appearance in the Newlands Magistrate's Court near here following disturbances at Westbury High School yesterday.

The pupils, who appeared before Mr I W van Zyl, were not asked to plead and were allowed out on their own recognisances in the care of their parents and were told to appear again on May 13.

Resolved

Our Cape Town correspondent reports that more than 3000 University of Cape Town students yesterday resolved to join the nation-wide boycott of classes by boycotting all lectures for the rest of this week.

In Durban lecturers at the faculty of law on the University of Natal said they were prepared to support student boycotts of lectures by repeating lectures or handing out copies of lectures missed by students.

Mr Nico Nel, director of public relations for the University of Durban-Westville, said that no ultimatum had been issued to students on that campus to attend lectures.

'Students were told by the dean that they had made their point.

'He said they must realise they are falling behind with their lectures and those associated with professional bodies were thus jeopardising their careers,' he said.

A police spokesman for District Headquarters, Durban West, said yesterday that it appeared

Durban pupils were returning to their classrooms.

'About 40 percent of pupils in Chatsworth have returned to their lessons, but police are still maintaining routine checks on the situation.'

Ordered

Meanwhile, 350 of the 700 pupils at the Dundee State Indian High School joined in the boycott yesterday and were ordered from their playing field by police and given a 'talking to'.

Lt-Col R Robinson, District Commandant at Dundee, said police threatened to use tear-gas at one stage when the pupils would not co-operate, 'but the crowd was basically very meek and mild and returned home on our instructions'.

Pamphlet: Two ^{ARK 45} ^{1/5/80} ^{(50) (52) (257)} students ^{(327) (331)} in court

TWO students appeared briefly in the Bishop Lavis Magistrate's Court today in connection with an alleged distribution of a pamphlet on railway property without permission.

Mr William Michaels, 20, of 75 Lavis Street, Lavistown, and Mr Ronald Pretorius, 20, of 137 Tafelberg Road, Lavistown, were not asked to plead. No evidence was led.

Mr Michaels, a UWC student, and Mr Pretorius, a student at the John Ramsay High School in Lavistown, were arrested yesterday and released later in the evening on their own recognisances. The hearing was postponed to June 10. The students were warned to appear on that date.

Mr J P du Plessis was on the Bench. Mr P F Cloete appeared for the State and Mr S de Sai, of A M Omar and Co. for the students.

Two newsmen CT 2/5/80 freed on bail

JOHANNESBURG. — Two journalists who were charged with public violence following a memorial service for Goch Street terrorist Solomon Mahlangu in Mamelodi, Pretoria, on Sunday have been released on bail.

They are Mr Willie Nkosi, of the Star and Mr Willie Bokala, of Post.

Bail was set at R50 each. They are to appear in the Mamelodi Magistrate's Court on May 8 for trial. — Sapa

ZWELAKHE SISULU APPEAL TODAY

Post 5/6/80
331
245

By JOE THOLOE
THE appeal by SUN-
DAY POST news edi-
tor, Zwelakhe Sisulu,
against a nine months'
jail sentence will be

heard in the Supreme
Court in Pretoria to-
day.

Sisulu, president of the
Writers Association of
South Africa (Wasa), was

sentenced to nine
months' imprisonment by
a Pretoria magistrate last
August for failing to an-
swer questions after he
had been subpoenaed.

He is on R200 bail.

Sisulu was subpoenaed
to appear before a magis-
trate to answer questions
in connection with alleged
offences under the Ter-
rorism Act.

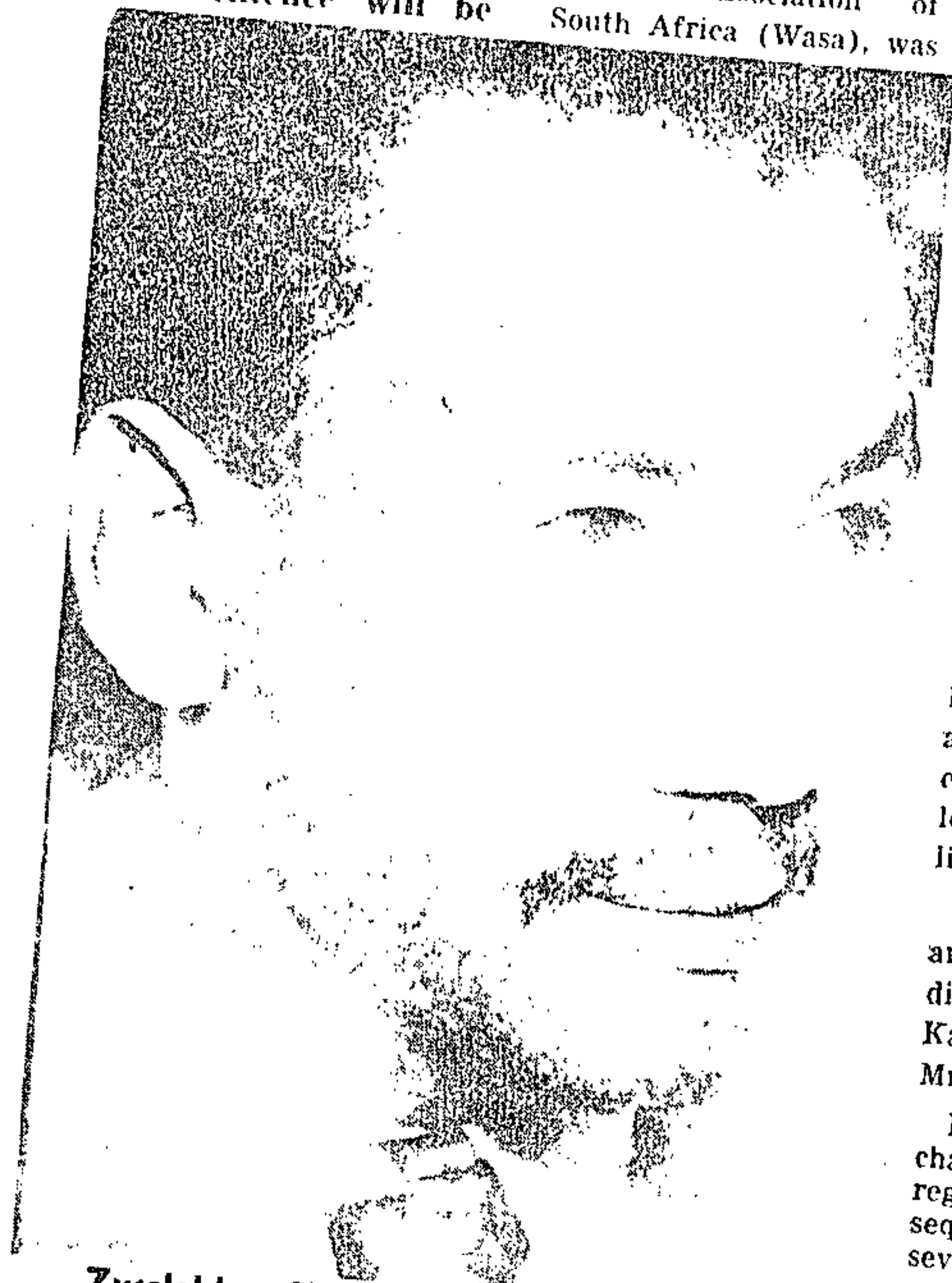
QUESTIONS

He was to answer ques-
tions about two conversa-
tions he was alleged to
have had with POST re-
porter, Thami Mkhwanazi.

One call was alleged to
have been a discussion of
a Press statement on sev-
en youths who wanted to
leave South Africa for mi-
litary training.

The second was on an
article on attempts to
disrupt the John Tate-
Kallie Knoetze fight in
Mmabatho last year.

Mkhwanazi, who was
chairman of the Pretoria
region of Wasa, was sub-
sequently sentenced to
seven years' imprison-
ment after being found
guilty under the Terror-
ism Act.



Zwelakhe Sisulu . . . appeal today.

Judges uphold

plea by silent

Post journalist

STAR 5/5/80

(243)

(139)

(297)

(331)

Own Correspondent

Two Pretoria Supreme Court judges today set aside the nine-month sentence imposed on the news editor of the Sunday Post for refusing to answer questions put to him in court.

Mr Justice C Theron and Mr Justice P van der Walt upheld an appeal against the conviction of Mr Zwelakhe Sisulu by a Pretoria magistrate last year, and referred the matter back to the magistrate.

The questions asked of Mr Sisulu in the magistrate's court involved two telephone conversations he allegedly had with Thami Mkhwanazi — a Post reporter based in Pretoria who has been sentenced to seven years' imprisonment for offences under the Terrorism Act.

One call allegedly involved the recruitment of

Atteridgeville youths for military training outside South Africa. The other allegedly concerned attempts to disrupt the Tate-Knoetze fight at Mmabatho.

Mr Sisulu's advocate, Mr I Mahomed SC, said the magistrate had erred in finding there was no just cause for Mr Sisulu to claim privilege against giving self-incriminatory evidence.

Mr Mahomed said the magistrate had failed to investigate Mr Sisulu's basis for refusing to answer questions put to him — namely that he could incriminate himself, and that he was laying himself open to possible criminal proceedings stemming from an offence about which he had not been properly informed by the prosecutor.

The advocate representing the state, Mr J J Pelser, agreed the matter should be referred back to the magistrate.

Mr Sisulu is president of the Writers' Association of South Africa.

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Security warder says statement made in fear

STAR 5/5/80

327
331

Own Correspondent

A prison warder charged with helping three prisoners escape from a maximum security wing of Pretoria Central Prison has said he made a statement to a magistrate after being placed under duress by interrogating officers.

Sergeant Francois Daniel Vermeulen (57) is accused of helping Alexander Moubaris, Steven Lee and Timothy Jenkin escape on December 11 last year. He pleaded not guilty in a Pretoria regional court today.

Sgt Vermeulen, of Karee Flats, Devenish Street, Sanlam Park, Sunnyside, told the court he had been employed by the Department of Prisons for 16 years. He was divorced and earned R726 a month. At the moment he was suspended from service and underwent medical treatment for high blood pressure and sugar diabetes. He would retire on pension in November this year.

In a statement to the court he said he was on sick leave and ordinary leave from December 3 to

December 9 last year. He started night duty at 4 pm on December 10. On the morning of December 12, after night duty, at 8 pm, he was told to return to the prison. He had duties in charge of security prisoners and awaiting-trial prisoners.

DENIED

He said he did not know who helped Moubaris, Lee and Jenkin to leave their cells or when and how they were helped. He denied that a statement made on December 12 to a Pretoria magistrate, Mr B J O van Schalkwyk, was made freely and voluntarily. He had made it because of a real fear of bodily harm.

Mr Ike Swartberg (for Sergeant Vermeulen) said it was the court's duty to investigate the making of the statement. Mr B Bredenkamp (for the State) asked that the document be admitted as evidence.

The magistrate, Mr J H Bekker, said the court would hear evidence on the circumstances of the making of the statement.

(Proceeding)

UCT

Sisulu sentence set aside

Post 6/5/80

331

TWO Pretoria Supreme Court judges yesterday set aside the nine month sentence imposed on the news editor of the SUNDAY POST for refusing to answer questions put to him in court.

Mr Justice C Theron and Mr Justice P van der Walt upheld an ap-

peal against the conviction of Mr Zwelakhe Sisulu by a Pretoria magistrate last year, and referred the matter back to the magistrate.

The questions asked of Mr Sisulu in the magistrate's court involved two telephone conversations he allegedly had with Thami Mkhwanazi — a POST reporter based in Pretoria who has been sent

enced to seven years imprisonment for offences under the Terroism Act. One call allegedly involved the recruitment of Atteridgeville youths for military training outside South Africa.

The other call allegedly concerned attempts to disrupt the Tate-Knoetze fight at Mmabatho.

Sisulu's advocate, Mr I Mahomed SC, said the

magistrate had erred in finding there was no just cause for Sisulu to claim privilege against giving self incriminatory evidence.

Mr Mahomed said the magistrate had failed to investigate Sisulu's basis for refusing to answer questions put to him — namely that he could incriminate himself, and that he was laying himself open to

possible criminal proceedings stemming from an offence about which he had not been properly informed by the prosecutor.

The advocate representing the State, Mr J Pelser, agreed the matter should be referred back to the magistrate.

Sisulu is president of the Writers' Association of South Africa.



Zwelakhe Sisulu

Case referred to magistrate for retrial

Pretoria Bureau

AN APPEAL by Mr Zwelakhe Sisulu, a Sunday Post news editor, against his nine month jail sentence imposed last year, was set aside in the Supreme Court, Pretoria, yesterday.

Mr Justice Theron, with Mr Justice van der Walt concurring, referred the case to the trial magistrate for a retrial.

The judges ruled that the magistrate had to make an inquiry into privileges which Mr Sisulu claimed he had against self-incrimination and that the prosecutor had to explain the charge against him.

The judges also said the magistrate had misread portions of Section 203 of Act 51 of 1977, which stipulates that the accused has a right not to answer questions which might incriminate him.

Mr Sisulu, who is on R200 bail, was sentenced to nine months' jail last August for refusing to answer questions relating to a telephone conversation with Mr Thami Mkhwanazi, a Post reporter, last May.

Mr Mkhwanazi allegedly had telephone conversations with Mr Sisulu about seven youths who intended leaving the country for military training and about an article on attempts to disrupt the John Tate Kallie Knoetze boxing fight in Mma-batho last year.

Mr Mkhwanazi was found guilty under the Terrorism Act last March and was jailed for seven years by a Pretoria Re-

gional Court magistrate.

According to papers before the court, Mr Sisulu, who is also president of the Writers Association of South Africa (Wasa) was appealing against his sentence on the grounds that the magistrate erred in applying Section 204 of Act 51 of 1977, alternatively that the Act was irregularly applied.

(Under the Act an accused is obliged to answer questions, including those incriminating him.)

He further claimed that the magistrate erred in finding that Section 203 of Act 51 of 1977 was not applicable.

Mr Sisulu also claimed the magistrate was wrong in finding that there was no just cause entitling him to claim privilege against self-incrimination, and that the sentence was severe and produced a sense of shock.

In addition, he claimed he was given no chance to address the court before sentence was passed.

The court proceedings which led to Mr Sisulu's conviction were held in camera and therefore cannot be published.

Mr I Mohammed, SC, who appeared for Mr Sisulu with Mr P. J. Birrell, argued that Mr Sisulu had answered all questions except those relating to telephone conversations with Mr Mkhwanazi, but that the prosecutor did not explain the nature of the charge involving the questions he was required to answer.

Trial is told of 'kamer'

By LEN KALANE
A TRIAL within a trial in the Terrorism Act case of a Soweto actor, Mr Bingo Mbonjeni Bentley, started yesterday to determine whether a "waar-kamer" actually existed at the security police office of John Vorster Square.

Lt Daniel Hystuk told a Johannesburg magistrate that

there were about three to four rooms at John Vorster with wooden double doors. None of these were "waar-kamers".

"In fact," he said, "I have never heard of a 'waarkamer' in my five years as an officer at John Vorster. We only have offices where security police are based on the 10th floor."

Mr Mbonjeni and co-accused Mr Archibald Monti Mzinyathi alleged that there was a "waarkamer" (truth room) on the 10th floor of John Vorster Square where detainees are beaten up. This room has double wooden doors with a table and several chairs.

An inspection in loco was carried out on the "waarkamer" by the court during January 10 or 11 this year. But Lt Hystuk said he was not aware of such an inspection.

Mr Mbonjeni is charged with having harboured an alleged terrorist, Mr Mzinyathi. The State alleges that Mr Mzinyathi left the country in October 1978 to undergo military training in the Soviet Union and returned around April 1979.

The two appear before Mr G Steyn and have pleaded not guilty.

Mr C R Mailer and Mr M Basslian both instructed by P Jana appear for the accus-

'Warder helped' 3 escape

A POLICE captain has told the Pretoria Regional Court that a prison warder charged with helping three political prisoners escape from a maximum security wing of Pretoria Central Prison told him voluntarily he had released the men.

Captain W Cooper was giving evidence at the trial of Sergeant Francois Daniel Vermeulen (57), a warden for 16 years, who is accused of "aiding terrorists," alternatively assisting Alenxander Moubaris, Stephen Lee and Timothy Jenkin escape on December 11 last year.

The three men were sentenced to long terms in 1973 after being convicted on charges of terrorism.

Sgt Vermeulen pleaded not guilty.

Capt Cooper, investigating officer in the case, said he was put in charge of Sgt Vermeulen on December 12 at 2.30 pm at Pretoria Central Prison.

A Colonel van der Westhuizen had told him of the escape and said Sgt Vermeulen was a suspect.

He took Sgt Vermeulen to the central police station and later he and Detective Constable F Nel took Sgt Vermeulen to his office.

Sgt Vermeulen was calm and he stood in front of the desk while he and Const Nel sat.

Capt Cooper told him that if he knew anything of the escape he should tell them of it, as it was best for him if the truth came out.

Sgt Vermeulen fidgeted for a while and then admitted releasing them.

Sgt Vermeulen agreed

to make a confession to a magistrate.

Capt Cooper said he dropped Sgt Vermeulen at Mr B J O van Schalkwyk's house and picked him up after he had spoken to the magistrate.

Mr Ike Swartzberg, for Sgt Vermeulen, asked Capt Cooper whether he had known that the three

The trial continues.

prisoners were in three separate cells on the first floor.

Each cell had two doors and there was a steel door between them and the office.

Dummies had been placed in their beds after the escape.

Actor Bingo claims assault

A DISTRICT surgeon told a Johannesburg magistrate yesterday that he normally informed police of what had transpired when examining a detainee.

Giving evidence in the Terrorism Act trial of Mr Archibald Monti Mzinyathi and Mr Bingo Bentley, Dr Norman Jacobson said: "It's routine. I have no control over this."

Dr Jacobson told the court that whenever examining a detainee, he always gives duplicate reports of their complaints to the police. The duplicates contain reports of their illnesses, injuries caused by alleged police assaults and so on.

Mr C R Mailer, for Mr Bentley: "Doctor, you do this so that police should go re-assault them. Where are the

ethics. What right do you have to pass information regarding patient-doctor relationship?"

Dr Jacobson: I have ethics. This is routine and I have no control over it.

In the second day of a trial within a trial, Dr Jacobson told the court that Mr Bingo complained of shoulder and head injuries and claimed that police had assaulted him with a tyre.

"But," he said, "I saw no marks that supported his claim."

Giving evidence before Mr G Steyn, he said he also examined Mr Mzinyathi on April 11, 1979 who contrary to Mr Bingo, said he was not assaulted. Mr Mzinyathi only told him that he was injured on his side after falling from a table.

Detainees' doctor: I was negligent

329
331 75
RDM
8/5/80

By MONTSHIWA MOROKE

A DISTRICT surgeon told the Johannesburg Regional Court yesterday that he had been negligent when examining detainees.

Dr Norman Jacobson was giving evidence in the trial of Mr Archibald Monty Mzinyathi, 24, of Soweto, and Mr Bingo Bentley, 43, of Eldorado Park.

The State alleges that Mr Mzinyathi left South Africa to undergo military training in Russia between March and July, 1977, in order to endanger the maintenance of law and order in South Africa.

Mr Bentley is alleged to have

harboured Mr Mzinyathi at his home between October 1978 and April last year after he returned.

Both have pleaded not guilty to Terrorism Act charges.

Dr Jacobson said in a trial-within-a-trial that he made medical reports concerning the accused on April 10 and 11 last year.

He said he made sure that police left his consulting room while he examined detainees and, to win the confidence of the patients, would tell them he was a doctor, not a policeman.

Dr Jacobson said Mr Mzinyathi claimed to have been assaulted by Security Police at John Vorster Square, and also to have hit his head against a table — but there were no signs of fresh assaults.

Under cross-examination by Mr C R Mailer (for Mr Mzinyathi), Dr Jacobson said he had treated many detainees in the past five years and was familiar with the methods used by Security Police.

Dr Jacobson said that Mr Mzinyathi told him he had been a patient at the Sterkfontein Mental Hospital. He asked the Security Police to check this.

He said he had been negligent in making his report, because he had not again asked the police for the Sterkfontein report. He had not made a report of specific areas of alleged injuries, and had not recommended X-rays for Mr Mzinyathi because he did not deem them necessary.

He said that if the detainees did not understand either English or Afrikaans, he would call for the assistance of a black Security Policeman to interpret.

Mr Mailer told Dr Jacobson that he chose to be aggressive towards him because he had cross examined him in the case of the State against Solomon Mahlangu. He said he was very critical of Dr Jacobson's report in that case, because he had been the only doctor who had not seen a head injury sustained by Mahlangu.

The hearing continues today.

'Escaper bribed me'

331 RDM
8/5/80

Pretoria Bureau

A STATEMENT by a warder at the maximum security section of Pretoria Prison revealed that he released three men detained under the security laws for a bribe of R200 which he never received.

Pretoria Regional Court magistrate Mr J H Bekker ruled the statement as admissible evidence in the trial of Sergeant Francois Daniel Vermeulen, 57. He is charged with providing aid to terrorists or, alternatively, of assisting the escape of prisoners Moumbaris, Jenkin and Lee.

Sgt Vermeulen made the statement to a magistrate shortly after his arrest in December last year.

In the statement he said that Alexander Moumbaris had approached him a number of times to help in an escape attempt. At first he refused, but finally agreed when they offered him R200.

The conspirators agreed on a place to leave the money for Sgt Vermeulen to collect.

"I have not received the money and I suppose I will never get it now," he said.

On the night of December 11 a Sgt Joubert brought to the maximum security section two awaiting-trial prisoners.

He gave Sgt Vermeulen a bunch of keys to open the key cupboard, while waiting in the inner courtyard of the section.

"I took out the section keys and quickly went up to the first

floor to let out the three prisoners.

"Once on the ground floor, I let them stand out of view of Sgt Joubert, while he and I took the awaiting-trial prisoners to the top floor where we locked them up."

After letting Sgt Joubert into the inner courtyard again, Sgt Vermeulen went back to his office where the three men waited.

Sgt Vermeulen said he then opened two barred gates, and a wooden door.

"I had opened the electronic gate by pressing a button in my office."

"After opening another wooden door, I said to them that there was still another wooden door ahead which they had to break open themselves to reach the street."

"I did not open this door because there is a catwalk with an armed guard above this door and I was afraid he would see me."

"I then went back to my office, locked the section key in the key cupboard and gave the bunch back to Sgt Joubert in the court yard."

The case was postponed to June 2. Mr Ike Swartzberg appeared for Sgt Vermeulen and Mr Ben Bredenkamp appeared for the State.

POLITICAL comment in this issue by Allister Sparks, Benjamin Pogrund, John Ryan, Lin Mengel; newswills by Peter Bunkell; headlines and sub editing by Chris Smith; cartoons by Bob Connolly, all of 171 Main Street, Johannesburg.

60111 1/3/80
'Accused
forced
to make
affidavits'

Staff Reporter

IN A trial within a trial, the Regional Court, Johannesburg, heard yesterday that a 24-year-old man and his step-father, facing charges under the Terrorism Act, had made statements to the police under duress.

This was during the trial of Mr Archibald Monty Mzinyathi and his step-father, Mr Bingo Bently, 43, of Eldorado Park, who have both pleaded not guilty.

It is alleged that Mr Mzinyathi underwent terrorist training in Russia between March and July 1977 and that Mr Bently harboured him from October 1978 to April last year after his return to South Africa.

The trial within the trial was held to determine the admissibility of statements made by the two men.

Mr A C Mailer, for Mr Mzinyathi, said he could not understand why his client would have made a statement to incriminate himself.

Mr Mailer and Mr M Bassion, for Mr Bently, opposed the admissibility of the statements.

Both Mr Mzinyathi and Mr Bently previously testified they were assaulted and forced to make the statements.

The magistrate, Mr G Steyn, will give a ruling today on the admissibility of the statements.

Evidence in Lesotho plea

Post
9/5/80
331

DEFENCE counsel in a Terrorism Act trial has renewed an application in court to have a commission hear evidence in Lesotho.

At the end of a trial within a trial yesterday in the case involving Mr Monti Mzinyathi and Mr Bingo Bentley, Mr C R Maller for the defence, said the application was made on a new basis.

An earlier application was refused by the court.

He said that when the application was made earlier this year, the magistrate, Mr G Steyn, rejected it but admitted that the evidence gathered by the commission may be vital.

In his application, Mr Maller said arrangements with the Minister of Justice in Lesotho had been made.

"That being so," he said, "there could be no further obstacles in the way as the magistrate himself would be a judic-

By LEN KALANE

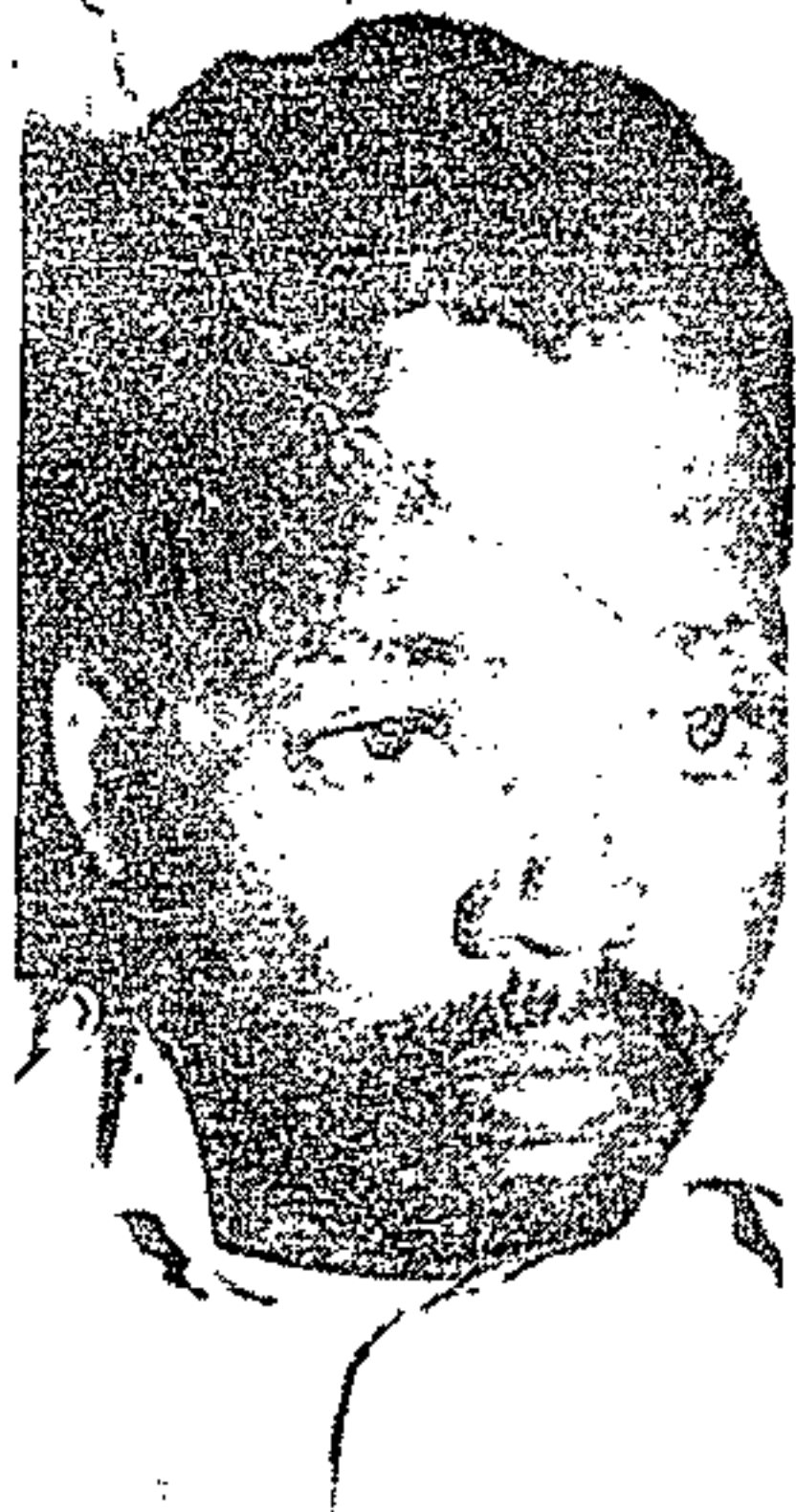
ial officer to assess the demeanour and credibility of the witness in such a commission."

Opposing the move, Mr A Hattingh, for the State said the application was not made in a proper way by the defence.

It could only have been done if something new came up in the evidence given by the State.

Counsel for Mr Bentley, Mr M Basslian, said that on the basis of contradictory evidence given by Lieutenant Hystuk and Sergeant Teenier, the court should not admit their testimony.

Mr Steyn is expected to give judgment on the application today.



Mr Jairus Kgokong . .
must go to jail.

Court dismisses Kgogong's appeal 331

BLOEMFONTEIN — The Appeal Court this week dismissed the appeal of Mr Mpo-tseng Jairus Kgokong, a former Transvaal regional secretary of the South African Students' Organisation, against his con-

viction and sentence for attempting to obstruct the course of justice.

The court upheld his appeal against a conviction for theft of a police document, and the conviction and sentence on this charge was set aside.

On December 7 1977, a Pretoria regional magistrate sentenced him to two years imprisonment on the first charge and to a fine of R10 or 10 days on the second.

The conviction and sentences were confirmed by the Transvaal Supreme Court on September 25, 1978.

Kgokong was arrested on October 21, 1975 and from October 23 was detained in terms of Section 6 (1) of the Terrorism Act. It was common cause that while he was so detained he had

written out a statement on the basis of which a security police sergeant drew up a document which was affirmed and signed by Kgokong on November 3 1975. He was released from detention on November 14 1975.

The charge of attempting to defeat the ends of justice arose in that on March 23, 1976, Kgokong appeared as a witness in the trial of Mr J Molokeng and six others in the Transvaal Supreme Court. With the intent to defeat or obstruct the course of justice, he stated in evidence that he had not made the statement voluntarily.

The document which was involved in the theft charge was a guideline of questions given to the sergeant by superior officer to enable him to clear up certain issues with Kgokong. — Sapa.

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Journalists' bail is extended

Pretoria Bureau

Two journalists, Mr Willie Nkosi of The Star and Mr Willie Bokala of Post, appeared yesterday with 29 others before Mr R J Jordan in the Mamelodi Magistrates Court on charges under the Riotous Assemblies Act.

They were not asked to plead and the case was postponed to June 3 pending a decision by the attorney-general on whether the accused should stand trial.

All 31 were arrested on Sunday April 27, at the unveiling of the tombstone of Solomon Mahlangu who was hanged last year for his part in the 1977 Goch Street shooting.

Bail of R50 each for Mr Nkosi and Mr Bokala was extended while the others were given bail ranging from R50 to R100.

Mr J Fasser, briefed by Malul-keke, Serithi and Moseneke, appeared for 29 of the accused.

Correction to security trials story

(331)

S. Post
11/8/80

LAST week we ran an article reviewing political trials in South Africa which revealed that there was an increase in the recruitment, training and return of black youths under the ANC. The article was compiled inter alia from various newspaper reports which led to certain inaccuracies including the following:

The treason charge which nine men are facing in Pretoria is not the first since the 50s. There was a charge of treason against John Sekete and others last year.

ANC guerilla Solomon Mahlangu was sentenced to death on a murder charge and James Mange on a charge of treason and not in terms of the Terrorism Act.

Oupa Segone was sentenced to three years under the Internal Security Act and not the Terrorism Act.

Frederick Phillips and Roger Schroeder were sentenced to three years at the Hermanus Regional Court for arson and not in terms of the Terrorism Act.

In another trial Ariel Hlanyane, Thabiso Ratsomo, Samson Thinana and Solomon Mopofu were sentenced for conspiring to commit arson.

In the Cape Town Supreme Court Bhakizitha Oliver Nqubelani was sentenced to 33 years of which 13 were suspended.

Security prisoners can study again

50 331 253 UPM 13/5/80

HOUSE OF ASSEMBLY. — Prisoners convicted of security crimes would have their study privileges restored, the Minister of Prisons, Mr Louis le Grange, said yesterday.

Speaking on his Budget Vote, he said the privileges for degree studies — withdrawn two years ago — would be reinstated.

The Commissioner of Prisons was also studying the possibility of allowing such prisoners a daily English and Afrikaans newspaper, he said.

Mrs Helen Suzman, the Op-

position's main spokesman on prisons, greeted the Minister's announcements with interjections of "That's good news" and "that's more good news".

"Give me a chance," said Mr Le Grange. "The Hon Member is getting too excited."

The question of study privileges for security law prisoners had received continuous attention since he became Minister of Prisons nine months ago and many appeals had been received from responsible quarters.

It had therefore been decided

that post-matric studies could be resumed, provided courses were realistically possible within the facilities available in prison.

Those affected would be informed shortly, the Minister said.

A commission had been appointed to re-investigate the whole question of security law prisoners, but he did not want to raise Opposition expectations at this stage.

A decision would be finalised within days regarding the privilege of newspapers.

"I think if they receive a copy of The Star and Die Burger daily they will be in good hands," Mr Le Grange said.

Mr Le Grange criticised Opposition members who said the Department created the impression that it had something to hide with provisions such as Section 44 of the Prisons Act, whereby the media could only publish material cleared by the Commissioner of Prisons.

"We have nothing to hide and we welcome the fact that the public is informed about our work. All we insist on in this Act is that it be the truth," he said.

Mr Le Grange also announced that an interdepartmental committee would be appointed to give "constant consideration" to the parole system.

The committee would comprise representatives of the Department of Prisons, the South African Police, the Department of Justice and the Department of Co-operation and Development.

The Minister said there was lively debate among Government departments on the parole system. For instance, who should shoulder the blame if a prisoner reverted to crime while out on parole?

The privilege of conditional

release from incarceration in South Africa rested on Western ethical norms of compassion.

Parole did not mean that society was condoning crime, or that all inmates were automatically entitled to parole or that the prison authorities were completely convinced that a prisoner would never commit another crime.

Parole was based on the concept that some prisoners responded to compassion by the authorities.

South Africa's penal rehabilitation programme was proving effective.

The failure rate of prisoners released on parole after serving sentences of more than two years was 11,19%.

In contrast, the failure rate of prisoners conditionally discharged after serving between four months and six months was 18,37%. They were released before the rehabilitation programme had time to take effect.

Mr Le Grange said the committee would investigate the recommendations by the Viljoen Commission of Investigation into the Penal System.

Included in the commission's recommendations is that remarks by presiding officers in passing sentence at criminal trials be submitted to the Department of Prisons and that there be closer liaison between the Department and the police.

Crowded prisons were cause for concern and the Department of Prisons was holding talks on this with the Department of Public Works and the Treasury.

The Prisons Department had no jurisdiction over sentences of first offenders. It was up to the courts to impose suspended sentences, Mr Le Grange said in reply to a suggested method of reducing the prison population. — Sapa.

Suzman urges parole probe

THE ASSEMBLY. — A judicial commission should be set up to investigate the position of all long-term political prisoners, Mrs Helen Suzman (PFP Houghton) said yesterday.

Speaking during the Prisons Vote, she expressed concern that prisoners sentenced for crimes against the State were seldom, if ever, granted parole or remission.

"Neither the Prison Regulations nor the Prisons Act single out this class of prisoner, yet almost without exception each and every one is made to serve his sentence to the last day.

"And I might add that even when finally released, such prisoners are not then free in the normal sense of the word. They live the restricted lives of banned men, twice punished — once by the courts and then again by ministerial edict."

The Minister interjected: "That's not true, not all of them."

Mrs Suzman: "A great number of them."

Banning did not fall under Mr Le Grange, but the present policy of no parole and no remission of sentence for political prisoners did, and she asked him to reconsider it.

"A little more of the humanitarian approach and a little less retribution would be more in keeping with the so-called new enlightened approach of the Government."

Mrs Suzman said she had received no complaints of ill-treatment of political prisoners on Robben Island, "and there is no doubt that conditions as far as food, clothing and the provision of beds is concerned, have greatly improved.

"Also, prisoners' recreational facilities including sport have improved and unlike the early years, they can now listen to censored newscasts and sports broadcasts."

Among the 38 prisoners serving life sentences for crimes against the State were Mandela, Sisulu and Goldberg.

"They have already spent 14 years in jail. I believe the Minister should set up a judicial commission to investigate the position of all long-term prisoners in this category with a view to parole or remission."

Speaking on her own behalf, she believed that a commission of inquiry should also be appointed into the question of the death penalty. — Sapa.

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Security Law

prisoners may

get easier deal

5 MAR
13/5/80

331

Political Staff

THE ASSEMBLY — The Minister of Prisons, Mr Le Grange, announced yesterday that prisoners serving sentences under the security laws would have their study privileges restored.

Replying to the Budget Debate on the prisons vote, the Minister announced also that:

● A departmental committee had been appointed to investigate matters concerning security law prisoners and to make recommendations:

● A decision was about to be made on making available newspapers — one in Afrikaans and one in English — to security law prisoners.

Mr le Grange's announcements came at the end of a debate during which Mrs Helen Suzman (PFP, Houghton), criticised aspects of the Government's treatment of "political prisoners" and called for reforms.

Mrs Suzman, said political prisoners — or, in the language of officialdom, "prisoners who have committed crimes against the state" — were physically better off than other prisoners in other jails.

"I have no complaints about ill-treatment of this kind and there is no doubt that conditions on Robben Island, as far as food, clothing, provision of beds is concerned, have greatly improved," Mrs Suzman said.

Prisoners recreational facilities had also improved and they could now listen to censored newscasts and sports broadcasts.

There were three respects in which political prisoners were worse off than other prisoners. They were isolated from other prisoners, they were locked up for long stretches at a time, and they could not take advantage of workshops set up for other prisoners.

In the case of so-called "single-cell" prisoners on Robben Island, about 30 men had been incarcerated together for as long as 14 years.

They had their own isolated recreation yard and were allowed out of this restricted area, surrounded by high walls, about once a fortnight for a walk.

Replying, Mr le Grange rejected some of the opposition criticism and said allegations about the extent to which prisoners were confined were incorrect.

On the question of parole or remission for security law prisoners, Mr le Grange said as far as he was concerned there would be no parole at this stage, but he had noted

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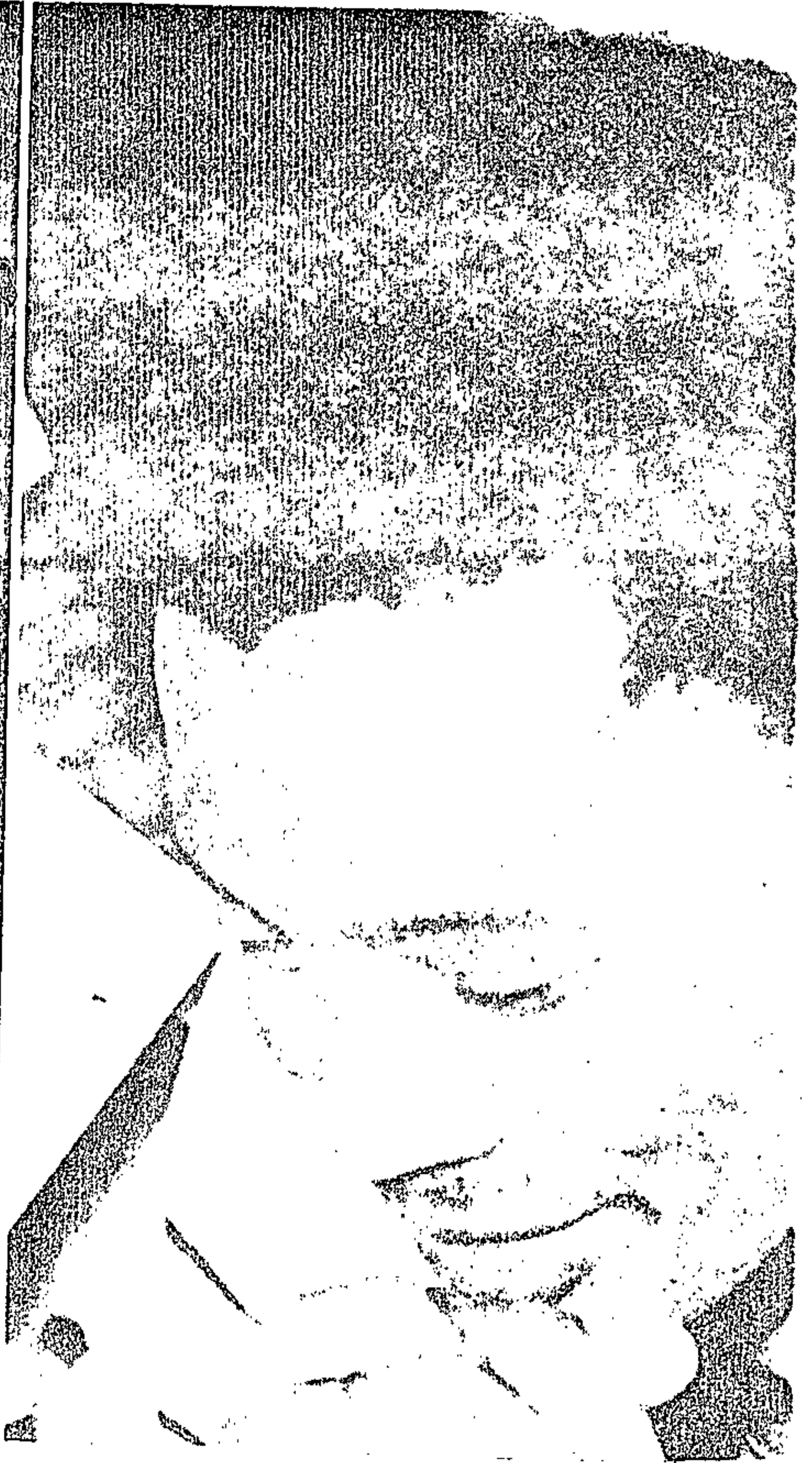
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Banned man to take a one-way trip — to jail



By SAM MABE

THE banned black consciousness leader, Mr Jirus Kgokong, will tomorrow take the three kilometre trip from his Dube home to Orlando police station for the last time in the next two years.

He has so far made more than 70 similar trips since December 1978 when he was hit with a five-year banning order in terms of which, among other things, he has to report to the police every Monday between 6 a.m. and 6 p.m.

Tomorrow he is to surrender himself to the police to start serving a two-year jail sentence that has been hanging over his head for the past two-and-a-half years while he awaited the outcome of an appeal against his conviction and sentence.

Mr Kgokong, former regional secretary of Saso,

appeared in the Transvaal Supreme Court as a witness in the trial of Mr J Mofokeng and six others who were charged under the Terrorism Act, on March 23, 1976.

His evidence in court conflicted with the statement he had made under oath before Captain A B Cronwright on November 3, 1975. He told the court that the statement he made to Captain Cronwright was not made freely and voluntarily, but he was later charged with obstructing the course of justice.

On December 7, 1977, he appeared before Mr W J van den Bergh in the Pretoria Regional Court and was found guilty and sentenced to two years imprisonment for obstructing the course of justice. He was also fined R10 or 10 days imprisonment for the theft of police documents.

The document he had stolen was a guideline of

questions given to a police sergeant by Capt Cronwright to enable him to clear up certain issues with Kgokong.

He then appealed against his conviction and sentence of two years, which were then set aside pending the outcome of the appeal. Last week the Bloemfontein Appeal Court dismissed Mr Kgokong's appeal, and he will therefore now have to serve his two-year sentence.

Mr Kgokong (29), has, since his first arrest and detention under Section 6 of the Terrorism Act in October 1975, spent a total of about 23 months in detention.

When he was released from his last detention in December 1978, he was served with a five-year banning order which restricts him from attending gatherings, being in the company of more than one person at a time and leaving the Johannesburg magisterial district.

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Dr Renfrew Christie

Argus 19/5/80

Plea of not guilty in N-spy trial

Argus Correspondent

PRETORIA.—Dr Renfrew Leslie Christie, 30, appeared in the Supreme Court here today on seven charges of illegally obtaining information on aspects of energy, and coal mines in South Africa and passing it on to members of the ANC and or the Inter-university Exchange Fund.

Dr Christie pleaded not guilty to all the charges.

According to the charge sheet during 1978 to October last year he unlawfully and with intent to endanger the maintenance of law and order of the Republic conspired with the IUFEF and or Lars Gunnar Eriksson and or the ANC and or Frene Gin-

wala and or Horst Klein-
schmidt and or persons un-
known to the State to aid
or procure or to commis-
sion the aiding and secur-
ing and to make available
to these people informa-
tion on all aspects of
energy in the Republic.

THE REGION

The second charge alleges that he unlawfully and with intent to endanger the maintenance of law and order in the Republic acquired information regarding the region where the Atomic Energy Board regarded it seismologically safe to explode nuclear devices in South Africa and conveyed the information by way of a letter dated February 7

(Continued on Page 3, col 2)

Christie

(Continued from Page 1)

1978 to Lars Gunnar Eriksson the director of the IUEF.

A DRAWING

Thirdly, it is alleged that between September 12 and 18 last year he removed from the Electricity Supply Commission (Escom) library at Megawatt Park, Sunninghill, Johannesburg, a drawing of the general layout of the Koeberg nuclear power station and a report entitled 'Public reaction to the introduction of nuclear power and the influence of public relation technique' and that he attempted to transfer these documents to Frene Ginwala, an official of the ANC, by posting them in separate envelopes to C Needham, 23 Waldemar Avenue Mansions, Waldemar Avenue, London SW 6, England.

THEIR AIMS

He is alternatively charged with illegally obtaining information which could be of use in furthering the aims of the ANC, or theft of the documents.

The fourth charge alleges that during the same period he visited the Escom library where he obtained information and made photocopies of material with intent of conveying it to the IUFF and/or the ANC and/or Horst Kleinschmidt.

AN INSPECTION

Dr Christie is also alleged to have visited the Duvha power station at Witbank on September 19 last year, where he inspected the premises and obtained information with the intention of conveying it to the organisations.

The sixth charge alleges that between September 19 and 20 last year at or near Kriel in the district of Bethal he unlawfully and with intent to endanger law and order visited the Kriel power station and the Amceal open cast coalmine, which he inspected with the intention of conveying information to the IUUF and the ANC.

THE LIBRARY

He is also alleged to have unlawfully acquired two drawings, 'Vloer diagram Camden Kragstasie' and 'Elektriese baan diagram Camden Kragstasie'.

Mr. Cornelius Janse Uys, public relations officer at Escom, said Dr Christie had approached him and asked for permission to use the library because he was writing a thesis and needed information on the coal industry.

(Proceeding).

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**Any dishonesty will render the candidate liable to disqualification
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19/05/80 *spys*
**Painted
 slogans:
 3 guilty** *(33)*

THE vice-chairman of the Students' Representative Council at the University of Cape Town, Sarah Cullinan, was fined R70 (or 70 days) in Retreat Magistrate's Court on Friday after being found guilty of malicious damage to property. The sentence was suspended for three years.

Cullinan, 19, of Alfred Street, Observatory, and two other students, Christian Olver, 21, of Constantia, and Jeremy Dyssell, 21, no address given, admitted they had painted slogans on Rhodes Memorial on April 21. The slogans called for the release of Nelson Mandela and Walter Susulu.

Olver and Dyssell were each fined R90 (or 90 days), suspended for three years.

Mr N. Burt was on the Bench. Miss H. Heunton appeared for the State.

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Christie in court today

Pretoria Bureau

331

DR. RENFREW Christie, a University of Cape Town academic, appears in the Pretoria Supreme Court today on seven charges under the Terrorism Act.

Among the State witnesses will be Captain C Williamson, the exposed South African spy who infiltrated the International University Exchange Fund in Geneva.

Among the charges are that he:

- Acquired information regarding the region where the Atomic Energy Board regarded it seismologically safe to explode a nuclear device and convey this to Mr Lars-

Gunner Eriksson, an IUEF official;

- Took a drawing of the general layout of Koeberg Station from the MegaWatt Park library and attempted to send it to Mr Frene Ginwala, an ANC official;

- Transmitted information connected with Atomic Energy Board negotiations regarding the acquisition of a site licence;

- Obtained other information to send overseas, between September 12 and 18, during a visit to Escom building, and

- Visited power stations to unlawfully gather information with intent to endanger the maintenance of law and order.

Christie in court on atomic secrets charges

5-TAR
19/5/80

331

Own Correspondent

Doctor Renfrew Leslie Christie (30), today appeared in the Pretoria Supreme Court on seven charges of illegally obtaining information on aspects of energy, and coal mines in the Republic of South Africa and passing it on to members of the ANC and or the Inter University Exchange Fund.

Dr Christie pleaded not guilty to all the charges.

According to the charge sheet, during 1978 to October last year he unlawfully and with intent to endanger the maintenance of law and order of the Republic conspired with the IUEF and/or Lars Gunnar Eriksson and/or the ANC and/or Frene Ginwal and/or Horst Kleinschmidt and/or persons unknown to the State to aid or procure or to

commission the aiding and securing and to make available to these people information on all aspects of energy in the Republic.

The second charge alleges that he unlawfully and with intent to endanger the maintenance of law and order in the Republic acquired information regarding the region where the Atomic Energy Board regarded it seismologically safest to explode nuclear devices in the Republic, and convey the information by way of a letter dated February 7, 1978 to Lars Gunnar Eriksson, the director of the IUEF.

KOEBERG

Thirdly it is alleged that between September 12 and 18 last year he removed from the Electricity Supply Commission library at Megawatt Park, Sunninghill, Johannesburg

a drawing of the general layout of the Koeberg Nuclear Power Station and a report entitled "Public Reaction to the Introduction of Nuclear Power and the Influence of Public Relations technique" and that he attempted to transfer these documents to Frene Ginwala, an official of the ANC by posting them in separate envelopes to C Needham, 23 Waldemar Avenue Mansions, Waldemar Avenue, London SW 6 England.

Mr Cornelius Janse Uys, public relations officer at Escom, Megawatt Park, said that Dr Christie had approached him and asked for permission to use the library because he was doing a thesis and needed information on the coal industry in South Africa.

Mr Uys said Dr Christie was given permission. He said the report on public reaction to nuclear power was restricted information and he would not have given Dr Christie permission to look at this document.

PLANS

He said the plan of the basic outlay of Koeberg Nuclear Power Station belonged in the nuclear section of the library and special permission would have been needed for Dr Christie to see this.

In pleading not guilty, a statement by Dr Christie, handed in to court in terms of Section 115 of the Criminal Procedure Act, said that Dr Christie admitted that the object of the ANC included the use of violence against the Republic of South Africa.

(Proceeding)

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TO BLOCK-ID-SPAC

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TO SOURCE-COGNAT

MOVE TARGET-COGNATE

TO TARGET-COGNAT

IF LINE-NUMBER = 1

PERFORM SORT-CAS

WRITE PRINT-LINE FRG

AFTER ADVANCING

IF LINE-NUMBER = 55

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ELSE

ADD 1 TO LINE-NU

SORT-CASCADE-HEADING.

PERFORM NEW-PAGE-PROCESS.

MOVE SPACES TO PRINT-LINE.

WRITE PRINT-LINE FROM OUTPUT-HEADING-1

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AGENCY OF THE UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT
 SALT LAKE CITY, UTAH 84143
 OFFICE OF THE ASSISTANT ATTORNEY GENERAL
 100 SOUTH MAIN STREET, SUITE 100
 SALT LAKE CITY, UTAH 84143
 TELEPHONE (801) 534-3100
 FAX (801) 534-3101
 E-MAIL: BLM@BLM.GOV
 WWW.BLM.GOV

THE
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OF
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STATE
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NEW
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IN
RELATION
TO
THE
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OF
THE
COURTS
AND
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BY
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OF
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PUBLISHED BY
J. B. LIPPINCOTT & CO.
15 N. 2ND ST.
1884

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On March 22, 1968, the FBI received a letter from the American Friends Service Committee (AFSC) dated March 21, 1968, and captioned "AFSC, 300 North 3rd Street, Philadelphia, Pennsylvania 19106, is planning to hold a demonstration in front of the Lincoln Memorial in Washington, D.C. on April 4, 1968. The demonstration is to be held in connection with the assassination of Dr. Martin Luther King, Jr. on April 4, 1968. The AFSC is requesting that the FBI be kept advised of the progress of the demonstration and that the FBI be kept advised of the names of the persons who are participating in the demonstration." The AFSC is also requesting that the FBI be kept advised of the names of the persons who are participating in the demonstration.

THE UNIVERSITY OF CHICAGO

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Year	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099
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1. The Commission has received information from the Department of the Interior, Bureau of Land Management, that the Bureau is currently reviewing the proposed acquisition of the 100-acre parcel of land located in the vicinity of the proposed site of the proposed project. The Bureau is currently reviewing the proposed acquisition of the 100-acre parcel of land located in the vicinity of the proposed site of the proposed project.

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The following is a list of the names of the persons who have been appointed to the various positions in the various departments of the Government of the State of New York, for the year 1900:

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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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33	HARTMAN MISS M A	1165
34	HENDRICKS M	1170
35	HETHCOTE MISS S L	1175
36	ISSACS MISS M	1180
37	JANE VAN HEDDING MISS	1185
38	JOHNSTON MISS L	1190
39	JONES MISS L O	1195
40	KATZEEF MISS B	1200
41	KIM MISS S	1202
42	KIRK M R	1205
43	KROGER F I	1210
44	LATGAN MISS S A H	1215
45	LUTWALL F H	1220
46	LATTICES MISS T A	1225
47	MAKOLIS MISS C	1230
48	MIDDLEMAN M J	1235
49	MULLER P	1237
50	MURKIN F E B	1240
51	OSMAN MISS F	1245
52	PENIZ MISS O A	1250
53	PLAVIGES MISS M	1255
54	PRINS MISS M A	1260

Questioned standing for 12 hours ^{21/5/80} (231) — Christie

Argus Correspondent

PRETORIA. — Dr Renfrew Christie made a statement to Security Police after he had been interrogated in a standing position for about 12 hours, he told a Pretoria Supreme Court judge.

Dr Christie, 30, has pleaded not guilty to seven charges under the Terrorism Act, of passing information of nuclear and power plants on to the African National Congress and Inter-university Exchange Fund.

Dr Christie told the court he was living in Cape Town when he was arrested on Tuesday, October 23, 1979.

He said several policemen were waiting at his flat when he arrived home that afternoon and they called their commanding officer, Colonel Goosen, by radio.

They searched his flat and he was taken to Caledon Square police station. Interrogation started about 7 pm, he said.

It took place in a room about 4 by 3 metres and he was not allowed to sit. His interrogators were in teams of two and he was warned that they would continue until he answered questions to their satisfaction, Dr Christie said.

He said the police also threatened to arrest a friend of his unless he signed the statement he eventually made the next day.

FEET SORE

Dr Christie said one of his interrogators was Colonel Goosen, who had been involved in the Stephen Biko case.

He said, after standing all night, his feet were sore and his ankles swollen. He made a statement which ran into several pages and...

Joy of joy, my Lord I was allowed to sit while writing the statement, Dr Christie told the court.

He was flown to Johannesburg with Colonel Goosen to make a further statement the next day, he said, because the police were not satisfied with certain aspects of the statement.

He said at no time was he officially arrested and although he was led to believe he was being held under Section 6 of the Terrorism Act, he was later told it was another section, the court heard.

(Proceeding)

STAR 21/5/80 (289)
331 (243)
**Court for journalist
over Erasmus evidence**

Sunday Times assistant editor Mr Ken Owen has been subpoenaed following the disclosure of his evidence to the Erasmus Commission into the Information scandal.

Mr Owen, who is to appear in the Springs magistrate's court on May 30, was questioned yesterday about evidence he gave concerning the murders of Dr Robert Smit and his wife, Jeanne-Cora.

Mr Owen said the police had failed to follow a lead

on the Smit case. Dr Robert Smit had questioned a Government official at length about the affairs of the former Department of Information 10 days before he was killed, Mr Owen said.

The police had not questioned the man, who no longer wished to give evidence.

Mr Owen now faces a possible sentence of up to two years' jail for not divulging the identity of the official to the police.

GE 13

OGRAPHY OF TARGET-SPACE

OGRAPHY OF SOURCE-SPACE

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I stood 12 hours -terror accused

Pretoria Bureau

Dr Renfrew Christie made a statement to Security Police after he had been interrogated in a standing position for about 12 hours, he told a Pretoria Supreme Court judge.

Dr Christie (30) has pleaded not guilty to seven charges under the Terrorism Act and of passing information on nuclear and power plants on to the African National Congress and Inter-University Exchange Fund.

Dr Christie told the court yesterday he was living in Cape Town when he was arrested on Tuesday, October 23, 1979.

He said several policemen were waiting at his flat when he arrived home that afternoon and they called their commanding officer, Colonel Goosen, by radio.

They searched his flat and he was taken to Caledon Square police station. Interrogation started at about 7 pm, he said.

It took place in a room about four by three

metres and he was not allowed to sit. His interrogators were in teams of two and he was warned that they would continue until he answered questions to their satisfaction, Dr Christie said.

He said the police also threatened to arrest a friend of his, unless he signed the statement he eventually made the next day.

Dr Christie said one of his interrogators was Colonel Goosen, who had been involved in the Stephen Biko case.

He said that after standing all night, his feet were sore and his ankles swollen. He made a statement which ran into several pages.

"Joy of joys, my lord, I was allowed to sit while writing the statement," Dr Christie told the court.

He said at no time was he officially arrested and although he was led to believe he was being held under Section 6 of the Terrorism Act, he was later told it was another section.

The hearing continues.

14

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SPACES

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UCT

Siege trio due in court today

(331) 22/5/88

By LLEWELLYN KRIEL

THE three men held after the seven-hour Carlton Hotel dynamite siege on Monday will appear before a Johannesburg magistrate today.

Brigadier T Wium, one of the policemen who led the operation on the 15th floor of the hotel, said yesterday he expected the men would face charges under the Terrorism Act, with alternative charges under the Explosives Act, but added the final decision would rest with the prosecutor.

He said the police would ask

that the case against the three be postponed to allow them to complete their investigation.

The investigation, headed by Major J G van Tonder of John Vorster Square, where the men are being held, was still in its early stages, Brig Wium said.

He said earlier this week he did not believe that allegations concerning the alleged hijacking of a taxi from Jan Smuts Airport were being investigated, but did not cancel out the possibility they might be looked into later.

Explosives man gives evidence

(331)
DM 22/5/80

Staff Reporter

THE STATE closed its case yesterday in the trial of a Soweto man and his stepson who are appearing in the Johannesburg Regional Court on charges under the Terrorism Act.

The accused are Mr Archibald Monty Mzinyathi, 24, of Orlando East, and actor Mr Bingo Bentley, 43, of Extension 3, Eldorado Park.

Mr Mzinyathi is alleged to have undergone training in Odessa, Moscow and other places in Russia from March to July 1977 with the intention of endangering the maintenance of law and order in South Africa.

Mr Bentley is alleged to have harboured Mr Mzinyathi at his home between October 1978 and April last year. Both pleaded not guilty before Mr G Steyn.

Mr A Hattingh, for the State, closed his case after calling

Sergeant Andries Johannes van Wyk, who is attached to John Vorster Square Security Police, to give evidence.

Sgt Van Wyk said he was a trained explosives expert and explained how different types of explosives operated. He identified nine explosive devices from sketches allegedly drawn by Mr Mzinyathi while in detention.

There were drawings of a time bomb, handgrenade, booby-traps and a type of bomb used to blow up railway lines.

Sgt Van Wyk said he was of the opinion that the person who drew the sketches had a thorough knowledge of explosives and sabotage.

He said the sketches on exhibit were similar to those used by terrorists in their latest activities.

The hearing was postponed to July 7.

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Govt to subsidise trolley buses

Political Staff

THE ASSEMBLY. — The Government is prepared to subsidise electric trolley buses by up to 60% in some aspects to beat the energy crisis in major cities.

However, Transport Minister Mr Chris Heunis has told the New Republic Party's Berea MP, Mr Nigel Wood, that any scheme to bring back the trolley bus would have to be part of an approved metropolitan transport plan.

Replying to queries by Mr Wood about the reintroduction of the non-oil-driven buses, Mr Heunis said in a letter that so far only Johannesburg had submitted definite proposals.

"The levels of subsidy that the National Transport Commission applied to approved projects in metropolitan transport plans is 40% for short-term capital projects — the installation, modernisation and synchronization of robots — in the current financial year and 50% in the following years."

Three in court over Carlton siege

ADM
23/5/80

Staff Reporter

THE 6½-hour drama at the Carlton Hotel this week had a sequel in the Johannesburg Magistrate's Court yesterday when three men appeared in connection with a charge under the Terrorism Act.

Mr Andries Korf, 25, Mr Kevin Fitchate, 28, and Mr Raymond Earl, 20, were not asked to plead and no charges were read out.

According to the charge sheet, the men are alleged to have participated in an act of terrorism.

Mr Korf stood with his tattooed arms folded and looked down at the ground as the prosecutor, Mr J A du Plooy, asked for a postponement.

None of the men showed any signs of tension.

The magistrate, Mr B P Luyt, remanded the trio in custody to Monday.

Mr C Van Vuuren appeared for Mr Earl.

SENTRUM VIR INTERGROEPSTUDIES

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ERSITY OF CAPE TOWN
RONDEBOSCH
LIC OF SOUTH AFRICA
7700

The Town Clerk
Town Hall/City Hall

March 1980

Dear Sir

We are preparing a mailing list
bulletin, Intergroup, the news
Programme of the Centre for In

We aim to reach as many as possible
citizens of important towns and
Africa. We should, therefore
would let us have the names and
the Council of your municipality

We enclose a stamped and addressed

Yours faithfully

S. Q. Tur
Mrs Shirley Tur

Projects Officer
Constructive Programme for Sound
Intergroup Relations

138-23/5/80
**Siege
trio
in
court**
331

THREE men who are
being held in con-
nection with the
nine-hour siege at
Carlton Hotel on
Monday appeared
briefly before a Jo-
hannesburg magis-
trate yesterday on
a charge under the
Terrorism Act.

Mr Andries Korf (25),
Mr Kevin Fitchet (28)
and Mr Raymond Earl
(20) were remanded
until May 26 for further
investigation.

According to the charge
sheet, they appeared
under Section 2 (8) C
of Act 83 of 1967 under
the Terrorism Act for
allegedly participating
in acts of terrorism.
The three men quickly
glanced around the
courtroom during their
appearance of less than
a minute. No relatives
of the men could be
seen.

The lawyer for one of the
men said the charge was
only a provisional one
and was certain to be
changed by the Attor-
ney General after study-
ing a docket submitted
by police.

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SP men say Christie was willing to stand

Pretoria Bureau

SECURITY Police told a judge yesterday that Dr Renfrew Christie did not ask to phone his attorney or parents when he was arrested in Cape Town last year, and that he remained standing "willingly" during all-night interrogation.

They were giving evidence in the Pretoria Supreme Court following Dr Christie's appearance in the witness box in what has become a trial within a trial.

The defence is opposing, on grounds that it was made under duress, the admission as evidence of Dr Christie's second statement to Security Police, made in Johannesburg.

Dr Christie told the court on Tuesday that he had been forced to remain standing all night during interrogation in Cape Town, until he made a statement.

He made a second statement in Johannesburg three days later because the memory of his earlier treatment was still vivid, he said.

After hearing Dr Christie's evidence in support of the defence application, the State applied to lead additional evidence. This application was granted by Mr Justice Eloff yesterday.

Colonel J C Broodryk of the Security Police told the court Dr Christie was arrested under the General Law Amendment Act when his house was searched last October 23, and charged under the Internal

Security Act.

Dr Christie was told his rights, but was not told he could phone his advocate or parents. Dr Christie did not ask to make such a call.

He was then taken to the Security Police offices.

Col Broodryk said at about 10.30am next day he took a written statement from Dr Christie and then showed him two envelopes addressed to a Mr C Needham in England.

"Dr Christie was shocked and let his head hang," Col Broodryk said. "I told him he must tell the truth and not evade the issue. He then added to the statement."

Lieutenant J L Visser of the Security Police said that when he arrested Dr Christie, he told him of his rights and that he would be held for 48 hours.

He said Dr Christie did not ask to phone his advocate.

At about 8.30pm Dr Christie was taken to an interrogation room, where he was questioned until 12.15am by Lieut Visser and Sergeant H J van der Hooven. There were three chairs in the room but Dr Christie said he preferred standing.

Mr E Wentzel, for the defence, put it to Lieut Visser that a prisoner could not be questioned on information that could be used against him, and that a voluntary statement should be questioned only to clear ambiguity.

Lieut Visser said he did not follow this procedure and that he could not say why, because

it had happened a long time ago.

At 12.15am, Sergeant J P van Wyk and Constable P J Goosen took over interrogation until 7am.

Sgt Van Wyk told the court he did not know when why Dr Christie had been arrested. He questioned him only about the ANC.

He said Dr Christie did not complain, but "just stood".

Const Vermeulen said Dr Christie stood willingly.

Const Vermeulen said Dr Christie was impolite while under interrogation.

Mr Wentzel asked him whether it was impolite not to answer questions if one did not have to.

"For 18 years you have been a policeman and had lessons at police college on the rights of prisoners, and you do not know their rights?"

"No, I do not know them," Const Vermeulen replied.

The hearing continues today.

Dr Christie has pleaded not guilty to seven charges under the Terrorism Act.

The State alleges he tried to pass information on energy and nuclear sites in South Africa to the International University Exchange Fund and to the banned African National Congress.

It also alleges Dr Christie is a member of the ANC.

Mr E Wentzel and Mr D Kurn, instructed by Mr Raymond Tucker, appear for Dr Christie. The Deputy Attorney General, Mr S A Engelbrecht, assisted by Mr J Swaneepoel, appear for the State. Mr Justice Eloff is on the bench.

Ruling on Christie trial within a trial

Pretoria Bureau

MR JUSTICE Eloff is expected to deliver judgment on Monday on the trial within a trial — the admissibility of a statement made by Dr Renfrew Christie to the Security Police in Johannesburg last October.

A move by the State to have the statement admitted as evidence has been opposed by the defence on grounds that it was made under duress. The statement was the second made to the Security Police after Dr Christie's arrest.

The first was made in Cape Town on October 24, last year, the day after police had raided and searched his flat in Tamboerskloof, Cape Town.

Dr Christie told the court in evidence last Tuesday that he had been forced to remain standing throughout the night during his interrogation at Cape Town's Caledon Square police headquarters.

His feet were swollen and painful the next day and he asked to see a district surgeon.

Dr Christie told Mr Justice Eloff that he made the second statement in Johannesburg on October 27 because he feared a

repetition of his treatment in Cape Town. The Cape Town statement has not been submitted as evidence by the State.

Mr S A Engelbrecht, for the State, yesterday said Dr Christie had willingly made the statement in Johannesburg.

It had no connection with the one made in Cape Town as the Security Police in Johannesburg were different men and the experience in Cape Town was "a thing of the past". He said Dr Christie had the chance to sit during his interrogation, but had refused.

"Would Security Police have taken him to the doctor so early if they had refused him permission to sit? This shows that the police had nothing to do with his standing," Mr Engelbrecht said.

Mr E Wentzel, for the defence, argued that the statement made in Johannesburg was an elaboration of the one made in Cape Town.

To the accused it was a continuation of the same investigation and he made the statement because he did not want to prolong interrogation.

Mr Wentzel said according to

the Security Police's own evidence they had unlawfully interrogated Dr Christie.

A police investigator, Mr J P van Wyk, said in evidence on Thursday that Dr Christie had refused to answer important questions during his interrogation in Cape Town.

He would often smile and shrug his shoulders at important questions. The interrogation had continued throughout the night. After breakfast, at about 7am, Dr Christie had decided to make a statement, Mr Van Wyk said.

In his summing up yesterday, Mr Wentzel asked whether it was possible that Dr Christie, after smiling and shrugging his shoulders at his interrogators all night, would finally crack up at 7am after the "failure" of the interrogation.

Dr Christie has pleaded not guilty to seven charges under the Terrorism Act. The State alleges he tried to pass information on energy and nuclear sites in South Africa to the International University Exchange Fund and to the banned African National Congress. It also alleges Dr Christie is a member of the ANC.

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DAY MAY 26 1980

of 26/05/80 AR 1115
(331)

Spy talks at Christie terror trial

Argus Correspondent

PRETORIA. — Captain Craig Williamson, the security policeman who infiltrated the International University Exchange Fund, gave evidence at the trial of Dr Renfrew Christie in the Pretoria Supreme Court today.

Dr Christie, 30, has pleaded not guilty to seven charges under the Terrorism Act, in which it is alleged he passed energy information to the ANC and/or the IUEF.

Captain Williamson said that when he first went to the IUEF in January 1977 he was told his duties by Lars Gunnar Eriksson, the director.

He would organise gathering information, the assimilation of which would be of use to the so-called liberation movements in their activities against South Africa.

He said the IUEF supported the armed struggle for change in South Africa.

IN GENEVA

Captain Williamson said he had attended several meetings of the IUEF in Geneva since 1977.

In the speech by the director that year, the organisation's stand on South Africa was made

quite clear and Captain Williamson read extracts from the speech, as follows:

'I fear, however, seeing the latest orgies of rioting and oppression engaged in by Vorster and Smith, they have chosen the line of war. In this situation our support to the armed struggle must continue unflinchingly'.

'CONFRONTATION'

Further on in the report reference is made to a 'final confrontation between the races and those who seek freedom is under way.'

Captain Williamson said that at the annual meeting in Geneva on November 29 last year the director said in his speech that the organisation had been able to substantially increase its activities to help the liberation movements, because, not only had its resources increased, but because of the co-operation it had received from 'our comrades in the ANC and Swapo.'

Captain Williamson said he was appointed information officer of the IUEF and was later made deputy-director.

In 1977 he was given a letter of introduction from Lars Gunnar Eriksson to Frene Ginwala, an official of the ANC.

(Proceeding)

28/05/80
Thirteen
AR 445
students
(331)
in court

THIRTEEN students appeared in the Bellville magistrate's court today for allegedly taking part in an illegal gathering on Saturday.

The students were: Francois van der Heyden, 18, of University of the Western Cape hostel, Bellville; Henry Rispel, 20, also of UWC; two youths of 16 and 17; Gregory Ally, 19, of Caledon Street, Bellville South; Immanuel Redman, 19, of Hendricks Road, Bellville; Eldridge Mark du Plessis, 19, of UWC hostel; Celeste Bruines, 24, of Private Bag X20, Modderdam Road; Tommy Fourie, 19, of Tehgel hostel, Bellville South; Ennis Delpert, 18, of Eighth Avenue, Lavistown; Michael de Pota, 19, of Sikkel Road, Bellville and Brian Isaacs, 19, of UWC hostel.

The students were not asked to plead. No evidence was led and the case was postponed until June 9. Bail of R50 was granted to each student.

Mr M Miles was on the Bench. Mr J van Vuuren appeared for the State.

Dr Christie: court told of deal in UK with ANC

STAR
26/5/80
(331)

Own Correspondent

One of the purposes of Dr Renfrew Christie's visit to South Africa was to pass information on South African energy plants and coal mines to the African National Congress, the Pretoria Supreme Court heard today.

BOYCOTTS

The statement said Dr Christie told his friends and acquaintances in London he was coming to South Africa to do this research. He said Frene Ginwala and he met in London several times after she had contacted him. He knew she was a member of the ANC.

She read his doctoral thesis and knew he was well informed on energy matters. She also knew, said Dr Christie, in his statement, "that although I was not a member of the ANC I sympathised with its aims regarding the future of South Africa."

He said Frene Ginwala asked him to report to her on aspects of energy and power in South Africa, which he agreed to do.

"She did not specify what use should be made of the information but I thought it would perhaps be boycotts.

"I am not a military expert. She did not want me to make operational assessments because I was not qualified but to send her the information," said the statement.

While Dr Christie was waiting for his research, or study grant, because of his shortage of money Frene Ginwala provided him with a sum of R1 600 which would have tided him over and paid for his return trip to Europe to have discussions with her in November.

(Proceeding)

In a statement handed in to court, which was made by Dr Christie to a justice of the peace after his arrest last year, Dr Christie said he sympathised with the aims of the banned African National Congress and was in contact with Frene Ginwala, an official of the ANC, while he was in London.

Dr Christie (30), has pleaded not guilty to seven charges under the Terrorism Act. He is accused of passing information on a South African nuclear site and coal mines to the ANC and or the International University Exchange Fund.

Mr Justice F Eloff today ruled that the second statement Dr Christie made in Johannesburg on October 26 last year could be handed in to court.

Major D Le Roux, who took the statement from Dr Christie, read it to court.

In it Dr Christie said he met Mr Horst Kleinschmidt in 1968 when they were students together. Mr Kleinschmidt went overseas and Dr Christie went overseas to study.

Dr Christie said he approached Mr Kleinschmidt to arrange a grant for research into the economic history on the South African coal industry since World War 2.

He said Mr Kleinschmidt had worked with the Christian Institute in Europe and applied on his behalf for a grant.

The grant was turned down, the statement read, but Mr Kleinschmidt made personal attempts to arrange a grant and obtained one for Dr Christie from the Catholic Committee Against Famine and for Development.

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Visiting Anglicans investigate arrests

Religion Reporter

The arrest of prominent South African churchmen who marched in Johannesburg's streets yesterday coincided with the arrival of international leaders of the Anglican Church.

The Most Rev Edward Scott, Anglican Primate of All Canada, the Most Rev Solomon Doraiswamy, Moderator of the Church of South India, and the Right Rev Hugh Montefiore, Anglican Bishop of Birmingham, were among delegates from 10 countries who arrived in the city for a church consultation.

Bishop Montefiore, one of the Church of England's most prominent bishops, went to John Vorster Square yesterday — where the protesting churchmen were being held — to inquire about their fate.

Church sources said the overseas visitors were taking an intense interest in yesterday's events.

Bishop Montefiore arrived at John Vorster Square as the 53 arrested men and women sang hymns in a barred lock-up at the police headquarters.

PROTESTS

Just after 4 pm security police released the man whose detention sparked the march which led to the arrests — the Rev John Thorne of the Bosmont Congregational Church, former chairman of the United Congregational Church of Southern Africa.

Earlier in the day police in camouflage uniforms and armed with automatic rifles, pistols, batons and teargas masks led the churchmen into police vans as they sang "Onward Christian Soldiers."

Protests at the arrests of the 53 have come from scores of churchmen throughout the country.

A telegram urging their immediate release was sent to the Prime Minister, Mr Botha, last night by 52 clergy in Natal. The Anglican Bishop of Natal, the Right Rev Philip Russell, and the head of the Methodist Church of Southern Africa, the Rev Andrew Losaba, were among those who sent the message.

Yesterday's arrests of clergymen in Johannesburg underlined the "futility and tragedy" of detentions and bannings without trial, the SA

Catholic Bishop's conference stated in Pretoria today.

The statement was made by the most Rev Archbishop Fitzgerald, President of the Bishop's conference, and by the Rt Rev Bishop Gottschalk, observer-representative of the Bishop's conference on the South African Council of Churches.

The reaction to the detention of "a peace-loving man of God like the Rev John Thorne" was startling evidence of the futility of detentions, the statement read.

"We know many of those arrested yesterday and we know them to be peace-loving men out for more rapid and significant change in our land according to the law of God."

"Those in authority should try to realise that we are at a point of confrontation between the law of God and the law of man."

"In this there can only be one choice for the clergy: the law of God."

'Pelting' report denied

Claims that police were pelted with "various objects" during yesterday's protest march have been vigorously disputed by reporters who were on the scene.

Police say there was a baton charge to disperse bystanders after "objects" were thrown at them. According to Brigadier Gert Kruger, divisional commissioner of police, an iron bar, stones and other objects were thrown.

Reporters from The Star say nothing was thrown.

The march was stopped almost at the newspaper's front door and apart from several reporters on the scene there were many others watching the incident from windows above street level.

None saw objects being thrown.

Mr J van Zyl, director of news services of the SABC, said today he was "satisfied that the information broadcast yesterday about the throwing of objects was verified by several SABC reporters who were on the scene."

Christie 'had cash backing'

27/5/80

331

(Argus Correspondent

PRETORIA. — Dr Renfrew Christie approached the International University Exchange Fund for money to carry out research into questions relating to energy in South Africa, Captain Craig Williamson told the Supreme Court here.

Dr Christie, 30, has pleaded not guilty to seven charges under the Terrorism Act. He is accused of having attempted to give information on South African energy schemes to the IUEF, and the ANC.

Captain Williamson, a security policeman who infiltrated the IUEF, said Dr Christie asked for R368, which Captain Williamson agreed he could have and told him to contact the organisation's London office.

He said Dr Christie also asked him if the IUEF would be prepared to finance his trip to South Africa, and he advised Dr Christie to draw up a memorandum and submit it to the IUEF.

Referring to the experts Dr Christie wanted to consult in Europe, Captain Williamson said one of the people mentioned in the conversation was Ruud Juisman, whose work was of a 'highly anti-South African nature.'

Captain Williamson read a letter by the director of the IUEF Mr Lars Gunnar Eriksson, addressed to the director of the International Schools Association, Mr Cyril Ritchie.

AIR FARE

In the letter, which was sent by special courier, Mr Eriksson asked Mr Ritchie to make arrangements for payment of R640 to Dr Christie who would be asking him for this. The money, the letter said, would be for Dr Christie's return air fare to South Africa and for his stay of four months in the country.

Captain Williamson said that several weeks later he heard Mr Eriksson instructing the projects officer to transfer R660 to Mr Ritchie.

Captain Williamson said he had also worked closely with the International Defence and Aid Fund. The aims of the organisation were similar to the IUEF's, dealing mainly with the granting of humanitarian aid to 'victims of apartheid and repressive regimes in South Africa.'

The case has been postponed to tomorrow to allow Dr Christie's legal team to study documents.

Police stand by as crowd waits

(331)

27/5/80

Hymns sung as clerics are charged

STAR

27/5/80

331

257

An emotional crowd of more than 200 churchmen and women of all races sang hymns and waved Bibles outside a Johannesburg Magistrate's Court today as church leaders were charged in court.

After all spectators had been cleared from the special court set aside for the protest marchers who were arrested in the central city yesterday, 53 people — including the

**Reports by John Allen,
Rashid Chopdat and
Andre van der Merwe**

Anglican Bishop of Johannesburg and the local leader of the Methodist Church — were charged under the Riotous Assemblies Act and a municipal ordinance.

As camouflaged police

sealed off the court, supporters sang hymns, prayed and waved Bibles in the air at the policemen.

The singing continued throughout the hearing. After those charged had

been led back into custody, the crowd moved to the streets outside the magistrate's court complex in West Street to await their release.

By early this afternoon, all the churchmen and women had been released on warning.

Fifty-three people, including the Anglican Bishop of Johannesburg, and the local leader of the Methodist Church, faced charges under the Riotous Assemblies Act and a municipal ordinance.

A visiting Canadian churchman, the Rev Tom Anthony, was one of the marchers charged. Mr Anthony is a member of a delegation which includes Archbishop Ted Scott, Anglican Primate of All Canada.

Among churchmen who arrived at court for the hearing were the head of the Anglican Church of the Province of Southern

Minister warns on demos

CAPE TOWN — The Minister of Police, Mr Louis le Grange, says the police have instructions to crack down on what are seen as political demonstrations aimed at challenging the authority of the State.

"People endeavouring to achieve confrontation with the Government by unconstitutional means must

just accept that they will get what they are looking for."

Mr le Grange stressed in an interview that he was willing to talk to "responsible" people who had the interests of the coloured community or coloured schoolchildren at heart.

But he also emphasised that "very strong action" would be taken against

those exploiting coloured peoples' grievances for their political ends.

"I am talking to politically motivated people now, not to schoolchildren who may be bona fide involved in school matters."

"I am talking to people who are using schoolchildren and their parents for their own purposes." — Sapa.



To Page 3, Col 6

When police stopped the march and marchers stood in Sauer Street and sang hymns.

Version 1

Van's arrived. With Bishop Tutu was the first to be ushered into the

99

the night in John
by Mark Peters.



Woman trampled as police clear court for clergy Thorne and six others in court Hymns outside court as clerics charged

By Rashid Chopdat

The Rev John Thorne and six other men appeared briefly before a Johannesburg magistrate today charged under the Riotous Assemblies Act for allegedly taking part in an illegal gathering.

Three of the accused were the Rev Cecil Begbie, the Rev Louis Ilett and the Rev Martinus October who had earlier been among 53 clerics who had appeared in the same court.

The others were Mr Hanif Valley, Mr Thomas Marsh and Mr David Johnson. The seven were not asked to plead and were warned to reappear on May 29.

The charge sheet gave no particulars, but the latter three men had already appeared in connection with this charge on May 8. The others were charged for the first time.

while being pushed from behind by policemen.

She was picked up and comforted by others, who had also come to attend the proceedings. She was not injured.

After they had left the courtroom, the crowd, which had grown to over 300, sang hymns in the passages outside the court.

For more reports on arrest of clerics, see Page 12.

The wives of some of the detainees later asked police if they could enter the court but they were not allowed in and a police major told them to "please get out of the building and go home."

A woman was trampled on the floor of a Johannesburg courtroom today as police cleared the court for the appearance of the church leaders arrested in yesterday's protest march.

A squad of 50 policemen in camouflage uniform under the command of Brigadier Theuns "Roos" Swanepoel started pushing people at the back of the crowd as those in front tried to leave the court.

There were about 150 people in the court. Brigadier Swanepoel asked them to "leave to make way for the accused."

The woman fell to the ground and was trampled by several people as they hurriedly left the court.

illegally gathered in Sauer Street, Johannesburg. The second charge under a traffic ordinance alleges they obstructed traffic by marching or walking in a group.

The prosecutor, Mr A Britz, assisted by Mr S G Nel, requested a police officer to clear the crowded courtroom before the start of the proceedings to make room for the 53 accused.

The crowd responded with a "please sir" to leave them alone.

Those who appeared were: Rev Walter Mbethe (38), Rev M Masombuku, Rev John Chidi, Bishop Desmond Tutu, Rev Joseph Wing, Rev Cecil Begbie, Canon Michael Carmichael, Rev Thomas Anthony, Rev Jimmy Palos, Rev Kenneth Bowden, Rev

▶ From page 1
Africa, Archbishop Bill Burnett of Cape Town, and the president of the Methodist Church of Southern Africa, the Rev Andrew Losaba of Durban.

One of the most prominent bishops of the Church of England, the Right Rev Hugh Montefiore of Birmingham, and three local Anglican bishops were also outside the court.

While they were appearing before Mr S Z Krynanaw, the crowd in the corridor were singing hymns which could be heard inside the court.

The hearing was adjourned for trial to July 1. It was alleged that on May 26 the accused had

Michael van Wyk, Rev John Roy Knifton, Rev David Wanless, Rev Daniel Vaughan, Rev Robert Neil Robinson, Mrs Alison Fourie, Mrs Leah Tutu, Rev Stanley Pitts, Dr Wolfram Kistner, Rev Ernest Williams, Rev Ted Smith, Rev Edward Herrod.

Mr John Stubbs, Rev Peter Anderson, Rev Frederick Bell, Rev Rheinhardt Schultz, Rev Petrus Lucas, Rev Peter Storey, Rev Trevor Hudson, Rev Errol Gray, Rev Denis Gazard, Rev Reginald Hirst, Rev Clive Hamilton, Rev Freddy Abrahams, Rev Isaac Dearham, Mr Chris Aitken, Mr John Tarth, Rev Vincent Dippenaar, Rev Christopher Langeveld, Mr Martin October, Mr Samuel Solomon, Rev Henry van der Linde, Rev Edward du Plessis, Rev Geoffrey Dunstan, Rev Mark Hestenes, Rev Gordon Bell, Rev Russell Harrison, Rev Louis Elliot Ieff, Right Rev Timothy Bavin, Rev Gregory Elliot, Rev Simeon Nkoane, Rev William Erson, Rev Robert Robertson.

Star
27/5/80

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27/5/80



A section of the crowd which waited outside the Johannesburg Magistrate's Court today for the churchmen arrested in yesterday's protest march to be released. Many held bibles and sang hymns. ● Picture: Clive Lloyd.

and teargas.
The police were under the Brigadier Theuns Swanepoel who headed the v down which led to the ar 2 000 people, many on charge controls and related laws.

Dr Christie said in his statement that while going through material in the Escom library he found two copies of the 1977 blueprint of the general plan for the Koeberg power station and decided to send one of these to Frene Ginwala.

He also sent her a copy of the report on how nuclear power stations were presented to the public.

The two envelopes were posted by Dr Christie at the Jeppe Street Post Office in Johannesburg.

The statement said: "I posted them to the ANC fully aware of what I was doing.

"Although if the plan of the Koeberg power station was to be used for a military operation I did not expect the power station to be blown up once the reactors were critical, but rather before completion of the station when a bomb in the pipework could destroy the quality control so that construction could be delayed for many years.

"For the power station to be attacked once it was critical would be suicide for me because I live and expect to be living in my flat just above the bay.

"I am not given to suicide and I did therefore not envisage that the plans should be used in this way, although on subsequent reflection during my imprisonment it has become apparent that the plan might have been used in such a military way."

Mr William Muller, assistant control officer in the sorting department of the Jeppe Street Post Office, said he received instructions last year from Lient Greyling of the Security Police to look for any post addressed to C Needham in England.

On September 28 last year he found two sealed and stamped envelopes addressed to C Needham.

He handed them, unopened, to Lient Greyling on October 1 last year. — Sapa.

Dr Christie, 30, has pleaded not guilty to seven charges under the Terrorism Act in which he is accused of having attempted to give information on South African energy schemes to the IUEF and the African National Congress (ANC).

Capt Williamson, a Security Policeman who infiltrated the IUEF, said Dr Christie asked for £200, which Capt Williamson agreed he could have and old him to contact the organisation's London office.

Dr Christie had also asked him if the IUEF would be prepared to fund his trip to South Africa, and he advised Dr Christie to draw up a memorandum and submit it to the IUEF.

Referring to the experts Dr Christie wanted to consult in Europe, Capt Williamson said one of the people mentioned in the conversation was Ruud Huismann, whose work was of a highly anti-South African nature.

Capt Williamson read a letter by the director of the IUEF, Mr Lars Gunnar Eriksen, addressed to the director

of the International Schools Association, Mr Cyril Ritchie.

In this letter, the court heard, which was sent by special courier, Mr Eriksson asked Mr Ritchie to make arrangements for payment of F3 500 to Dr Christie.

The money, the letter said, would be for Dr Christie's return airfare to South Africa and for his stay of four months in the country.

Capt Williamson said he was present several weeks later when Mr Eriksson instructed the projects officer to transfer F3 500 to Mr Ritchie.

Capt Williamson said he had also worked closely with the International Defence and Aid Fund. The aims of the organisation were similar to those of the IUEF, dealing mainly with the granting of humanitarian aid to "victims of apartheid and repressive regimes in Southern Africa."

The organisation provided legal aid for people charged under the security legislation, Capt Williamson told the court.

It also had an intensive programme collecting information on South Africa, Zimbabwe and SWA/Namibia.

The trial was postponed to Wednesday to allow Dr Christie's legal team to study documents handed into court and contact various people overseas.

Earlier the court heard that one of the purposes of Dr Christie's visit to South Africa was to pass information on South African energy plants and coal mines to the ANC.

In a statement handed in to court, which was made by Dr Christie to a Justice of the Peace after his arrest last year, Dr Christie said he sympathised with the aims of the banned ANC and was in contact with Frene Ginwala, an official of the ANC, while he was in London.

Mr Justice F Eloff yesterday ruled that the second statement Dr Christie made in Johannesburg on October 26 last year could be handed in to court.

Major D le Roux, who took the statement from Dr Christie, read it to the court.

Dr Christie said he met Mr Horst Kleinschmidt in 1968 when they were students together. Mr Kleinschmidt went overseas and Dr Christie went overseas to study.

Dr Christie said he approached Mr Kleinschmidt to arrange a grant for research into the economic history of the South African coal industry, since the Second World War.

He (Mr Kleinschmidt) had worked with the Christian Institute in Europe and applied on his behalf for a grant.

The grant was turned down, the statement read, but Mr Kleinschmidt made personal attempts to arrange a grant and obtained one for Dr Christie from the Catholic Committee against Famine and for Development.

The statement said Dr Christie did not want me to make operational assessments because I was not qualified but to send her the information," said the statement.

Dr Christie said he was aware of the potential of this information at all levels. "The decision how it was to be used was not mine. My job was research, not action, on behalf of the ANC."

The statement went on to say that it was an agreed security policy on the part of Frene Ginwala and himself that he should have as little to do as possible with members of either the ANC or the Communist Party of South Africa.

"We simply agreed that I would involve no-one in South Africa knowingly in my work on energy for the ANC and that I would send material by post to Frene Ginwala via cover addresses and that I would return to England in about November last year to discuss my

findings with her in person. The post was sent to Frene Ginwala, 126 Church Street, London SE19, and an address for C Needham which Dr Christie could not remember at the time of writing the statement, but which he said was written out in full on two envelopes which he subsequently saw in the hands of the Security Police in Cape Town.

The statement said at no stage did Dr Christie tell Mr Kleinschmidt about his plans with Frene Ginwala and he knew of no contact between them.

While Dr Christie was waiting for his study grant he was short of money and Frene Ginwala provided him with £900 to tide him over and pay for his return trip to Europe to have discussions with her in November.

Dr Christie said in his statement he knew Mr Kleinschmidt to be vigorously opposed to the present policies of the South African Government but to the best of his knowledge he was not a member of the ANC.

For security reasons it was agreed that Dr Christie would communicate with Mr Kleinschmidt via a covering address in Amsterdam.

Dr Christie would send him quarterly financial and academic progress reports as well as information on the South African coal industry which could be used for a variety of

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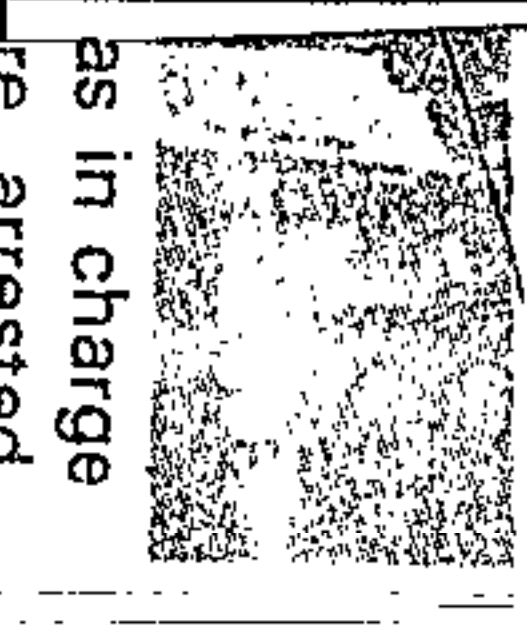
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Christie 'wanted cash for energy research'

orders the crowd to disperse.

Picture: RAYMOND PRESTON



331 Post 27/6/80
SP SPY

Captain

testifies

THE security policeman who infiltrated the International University Exchange Fund, Captain Craig Williamson, yesterday gave evidence at the trial of Dr. Timothy Christie in the Pretoria Supreme Court.

Captain Williamson said that when he first went to the IUEF in January 1977, he was told his duties by Lars Gunnar Eriksson, the director.

He would organise gathering information, the assimilation of which would be of use to the liberation movements in their activities against the South African Government. He said the IUEF supported the armed struggle for change in South Africa.

Captain Williamson said he had attended several meetings of the IUEF in Geneva since 1977.

RELEVANT

He said that in the speech made by the director that year, the organisation's goal for South Africa was made quite clear. He read extracts from the speech as follows:

"I fear, however, seeing the latest cases of rioting and oppression engaged in by Vorster and Co. that they have chosen the line of war. In this situation our support to the armed struggle must continue unflinching."

Further on: "Final confrontation between the race and those who seek freedom is underway."

Capt Williamson told the court that at the annual meeting in Geneva on November 29 last year the director said the organisation had substantially increased its activities to help the liberation movements because of the fact that its resources increased but also because of the co-operation it had received from "our comrades in the ANC and Frelimo."

ACTIVE

The speech, said Capt Williamson, added that the IUEF not only provided humanitarian assistance but active assistance.

Capt Williamson said he was provided information of the IUEF and later deputy director of the organisation.

He was given a letter of introduction from Eriksson to Irene Gnyala, an ANC official, in 1977.

Dr. Christie (30) has pleaded not guilty to seven charges under the Terrorism Act, in which it is alleged he passed energy information to the ANC under the IUEF.

The trial continues.

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Bishop's arrest gets big publicity

OWN Correspondent
LONDON. — South African
ambassadors in centres
throughout the Western
world must have heaved an-
other heavy sigh when they
saw newspaper reports of the
arrest and overnight jailing
of protesting churchmen in
Johannesburg.
Because of the way the press
played the news item, it
would take a great deal of
diplomacy to offset the bad
publicity caused by this
event.

High regard

The high regard with which
Bishop Desmond Tutu is re-
garded added to the impres-
sion that the government had
acted with unnecessary
force.

"Hymn-singing churchmen ar-
rested" read one newspaper
headline. The quality London
newspaper, the Guardian,
carried the report on its
front page under the head-
line: "Bishops spend the
night in jail."

In several news broadcasts, the
BBC used this as their first
item of news.

Bizarre episode

The Telegraph reported the ar-
rests as "one of the most
bizarre episodes in more
than six weeks of unrest".
Other reports made great
play of the fact that the
churchmen had been singing
"Onward Christian soldiers"
and other hymns.
The leading Dutch newspaper,
De Volkskrant, ran the story
over five columns on its front
page yesterday and the in-
cident received similar treat-
ment in most west European
newspapers.

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TO COMMENT-SPACE.

Drama at Tutu hearing

Hymns sung in Court

Post 28/5/80

331



This was the scene outside Johannesburg Magistrate's Court yesterday . . .
chanting crowds.



Post

28/5/80

331

By KINGDOM LOLWANE

THERE was drama at the Johannesburg Magistrate's Court yesterday as hundreds of people chanted and recited Psalms just before the appearance of Bishop Desmond Tutu and 52 clergy — among them two women.

The 53 were arrested during a procession on Monday and charged under the Riotous Assemblies Act. They were not asked to plead and no evidence was led.

The case was postponed to July 1, and all were released on their own recognisance.

The court was packed with relatives, clergymen and friends who sang hymns in the courtroom. However,

police later ordered them out "to make room for the accused".

Outside, people continued singing and later Dominee Sam Buti, president of the South African Council of Churches, announced that the clergymen and two women had been released and the case postponed.

They then left the court building, still singing, to wait for the accused at the West Street entrance to the court. Police then told Mr Buti to tell them that the accused would not be released until the crowd — which had already swelled to about 500 — had dispersed.

In the ensuing scramble as police pushed them out, one woman was trampled. She was helped up, but did not sustain injuries.

It was only after more than an hour after postponement that the accused were allowed to leave the court building. Police allowed them to file out in groups of three and four — at about 20 minute intervals.

Their appearance yesterday before Mr F Z Krynauw, follows a march to John Vorster Square where they were to demand the release of the Rev John F Thorne who had been detained at the weekend.

Mr Thorne was released on Monday after being charged under the same Act. He appeared before the same magistrate and his case was postponed to tomorrow.

A visiting Canadian churchman, the Rev Tom Anthony, was among the protest marchers charged. He is visiting South Afri-

53 clerics on riot act charges

JOHANNESBURG. — More than 100 hymn-singing friends and relatives of the 53 South African clergy who were charged under the Riotous Assemblies Act in the Johannesburg Regional Court yesterday were ordered to leave the court.

Brigadier Theuns Swanepoel, Assistant Divisional Commissioner of Police, clad in a camouflage uniform, over a megaphone ordered policemen to remove them from court.

He also urged the people to stop singing "Marching on to the cross" as they left the court.

Soon afterwards the clergy — who wore church regalia and carried Bibles — appeared on two charges under the act before Mr F Z Kr. lauw.

They were Bishop Desmond Tutu, general secretary of the SA Council of Churches; Bishop Timothy Bavin, Anglican Bishop of Johannesburg; Mr Jan Aitken, general secretary of the Presbyterian Church; the Rev Joseph Wing, general secretary of the United Congregational Church; the Rev Stanley Pitts, of the Methodist Church; the Very Rev Simeon Nkoane, the Anglican Dean of the Johannesburg Diocese; and 47 other clergy. Among them was a visiting Canadian priest, the Rev Thomas Anthony.

Their appearance follows their arrest on Monday during a march in protest against the detention of Rev John Thorne of the Congregational Church.

It is alleged they contravened Sec 2 (6) A iii and Sec 2 (3) A of the Riotous Assemblies Act no 17 of 1956, by attending a gathering which had been prohibited by the Minister of Justice.

Hindered the traffic

On a second charge it is alleged that during the gathering they hindered the traffic in Sauer Street, Johannesburg.

The hearing was postponed till July 1. They were warned to appear.

Soon after their appearance the Rev John Thorne and six others appeared under the same act in the same court.

They have not pleaded and were warned to re-appear on July 1.

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OUTPUT-POSITION-CASCADE-HEADING.

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OF TARGET-FILE TO TARGET-1

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that the top 20 per cent of the national income.

One consequence of this is that representative of middle-class to the needs of blacks, imposing township development with provision of low cost housing consideration of site and service or similar system up to now opposed this.

While the immediate consequences, we should not forget, most obvious, the broader debility in decision-making, lack of choice in investment and capital accumulation, security, status and identity,

Christie elects to stay silent

PRETORIA. — After the State closed its case against Dr Renfrew Christie in the Supreme Court here this morning, his counsel told the court the defence would lead no evidence and the court was adjourned till today to hear legal argument from both sides.

Dr Christie, 30, is alleged to have contravened the Terrorism Act by passing information regarding South African nuclear and other energy plants to the International University Exchange Fund and other bodies hostile to South Africa. He pleaded not guilty.

The case is being heard by Mr Justice F. Eloff.

When the court began yesterday morning, Mr E. Wentzel, for Dr Christie, said the defence would not cross-examine the previous witness for the State, Captain Craig Williamson, who had infiltrated the IUEF and who gave evidence on Monday.

He told the court, among other things, that Dr Christie had approached the IUEF for money to carry out research into matters relating to energy in South Africa.

The last witness called by the State yesterday was Major-General J. P. Neethling, head of the forensic laboratory of the South African Police here. He testified that he had analysed ink used on two envelopes handed in as exhibits by the security police.

The defence had no cross-examination of General Neethling and Mr Wentzel informed the court that the defence would lead no evidence.

Mr Justice Eloff adjourned the court till today for Mr S. A. Engelbrecht to begin argument on behalf of the State. — Sapa

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29/05/80

Thorne,

ARGUS

7 others

appear

in court

Argus Correspondent

JOHANNESBURG. — Rev John Thorne and seven others appeared briefly before a Johannesburg magistrate today in connection with a charge under the Riotous Assemblies Act, of addressing or attending an illegal gathering.

A crowd of about 150 students and clerics of all races sang protest songs and hymns outside the court before the appearance of the seven men and a woman.

They were led by Bishop Desmond Tutu who also delivered a prayer in the corridors outside Court 12. The court inside was also packed.

KEPT WATCH

Riot squad police armed with batons kept a watch on them.

Those who appeared were: Mr Hanif Valley, 25, Mr Thomas Marsh, 24, Mr David Johnson, 28, the Rev John Thorne 54, The Rev Cecil Begbie, 34, the Rev Louis Hett, 48, the Rev Martin October, 33.

Mrs Vesta Smith was also charged with them for the first time today.

Mr A Brits, the prosecutor, was granted a provisional postponement to June 12 and the matter was transferred to the Krugersdorp Regional Court.

He said this was agreed to by Mr Ismail Ayob who was appearing for the men and the woman.

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39	1415	A	HANNAN, M.
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41	1417	T	LEARNING SHONA IN THE COMPUTER AGE.
	1418	P	NALA 9 : 2 : 3-5.
43	1419	L	SHONA
	1420	S	GRAMMAR
45	1421		
	1422	A	HENY, FRANK
47	1423	D	1972
	1424	T	BANTU LEXICAL CLASSES AND SEMANTIC UNIVERSALS.
49	1425	P	STUDIES IN AFRICAN LINGUISTICS 3 : 207-59.
	1426	L	SHONA
51	1427	S	GRAMMAR
	1428		
53	1429	A	JACKSON, S.K.
	1430	D	1955
55	1431	T	SHONA LESSONS PART ONE.
	1432	L	SHONA
57	1433	S	GRAMMAR
	1434		
59	1435	A	JACKSON, S.K.
	1436	D	1956
61	1437	T	SHONA LESSONS.
	1438	P	FT. VICTORIA, MURGENSTER MISSION PRESS. 248P.
63	1439	C	LESSONS 1-19 = SHONA LESSONS PART ONE. (1955)

Africa:

29/05/80 Christie 331 judgment next week

Argus Correspondent
PRETORIA. — Judgment in the trial of Dr Renfrew Christie will be given next Tuesday in the Pretoria Supreme Court.

Mr Justice Eloff postponed the case after conclusion of argument by both the State and defence counsel today.

The State has called for the conviction of Dr Christie, 30, on all seven charges under the Terrorism Act. Dr Christie has pleaded not guilty.

Dr Christie's visits to the places mentioned on the charge sheet were described as twofold — to get information for a book, and at the same time to gather information for the organisation (the ANC and the International University Exchange Fund).

Mr E Wenzel, appearing for Dr Christie, said the evidence overlapped in the charges and there ought not to be a multiplicity of convictions.

He said Dr Christie's visits to the places mentioned did not suggest a conspiracy in themselves.

RUCTIONS.

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GRAMMATICAL SKETCH.

The Star Thursday May 29 1980

Thorne in court as crowd sings in corridor

Police near Anglican service

By Rashid Chopdat
The Rev John Thorne and seven others appeared briefly before a Johannesburg magistrate today charged under the Riotous Assemblies Act.

A crowd of about 150 students and clerics of all races sang protest songs and hymns outside the court before the appearance of the seven men and a woman.

They were led by Bishop Desmond Tutu, who also delivered a prayer in the corridors outside Court 12. The courtroom was packed.

Riot Squad police armed with batons stood by.

Those who appeared were Mr Hanif Valley (25), Mr Thomas Marsh (24), Mr David Johnson (28), the Rev John Thorne (54), the Rev Cecil Begbie (34), the Rev Louis Ilett (48) and the Rev Martin October (33).

Mrs Vesta Smith was also charged with them for the first time today.

Mr A Brits, the prosecutor, was granted a provisional postponement to June 12 and the matter was transferred to the Krugersdorp Regional Magistrate's Court.

He said this was agreed to by Mr Ismail Ayob who was appearing for the eight.

Mr Brits also said the condition of reporting at a police station imposed on Mr Valley, Mr Marsh and Mr Johnson had been removed.

Camouflaged policemen stood on duty near St Mary's Anglican Cathedral in Johannesburg today as a small group of churchmen held a service after this week's protest march.

Plans to have coloured schoolchildren attend were called off at the request of police.

The divisional commissioner of police, Brigadier Gert Kruger, said today the climate was unfavourable for such services at present.

GRATEFUL

He said some church leaders had contacted the police about arrangements for the services and had been asked not to hold them. "They have complied with the request and we are grateful for this," said Brigadier Kruger.

Churchmen said police told them the pupils would not be allowed to travel to town in buses. They said the services were planned by black educationists and churchmen to give pupils a constructive alternative to protesting at the Johannesburg Magistrate's Court today.

COURT

Most of the churchmen who attended the service at St Mary's had been at this morning's hearing at the Johannesburg magistrate's court.

They included the Rev Joe Wing, general secretary of the United Congregational Church and Bishop Desmond Tutu, general secretary of the SA Council of Churches who were involved in Monday's march, and the Rev Cecil Begbie who appeared in court today.

(33)
Christie:
defence
NDM 29/5/80
surprise

Pretoria Bureau

THE trial of Dr Renfrew Christie, who is appearing in the Pretoria Supreme Court on Terrorism Act charges, took a surprising turn yesterday when the defence closed its case without calling witnesses.

Earlier, the defence had declined to cross-examine Captain Craig Williamson, the Security Police agent who infiltrated the International University Exchange Fund in Geneva.

On Monday the defence had asked for an adjournment till yesterday to allow it to prepare for cross-examination of Captain Williamson.

But when Captain Williamson took the stand yesterday, the defence said it had no questions. There were gasps of surprise from the State team and the public gallery.

Dr Christie, a University of Cape Town researcher, faces charges under the Terrorism Act, with alternative charges under the Atomic Energy Act, the Internal Security Act, and theft. He has pleaded not guilty.

Christie judgment on Tuesday

C.1
30/5/80
(331)

Own Correspondent

PRETORIA. — Judgment in the trial of Dr Renfrew Christie will be given on Tuesday in the Pretoria Supreme Court.

Dr Christie, a researcher at the University of Cape Town, has pleaded not guilty to seven charges under the Terrorism Act, and alternative charges under the Atomic Energy Act, the Internal Security Act, and theft.

In closing argument for the State, the Deputy Attorney-General, Mr S A Engelbrecht, asked Mr Justice Eloff to convict Dr Christie on all the main charges.

He said Dr Christie's statement showed that he actively supported the banned ANC.

"The aims of the International University Exchange Fund are the same as those of the ANC — the overthrow of the government of the Republic. Captain Craig Williamson's evidence on this score was never challenged."

The State admitted that the evidence of conspiracy between Dr Christie and Mr Horst Kleinschmidt was not strong.

He said Dr Christie had been fully aware that as an academic he would have easy access to places where the ordinary person could not go.

Proof of a conspiracy

Counsel for the defence, Mr Ernie Wentzel, said that proof of a conspiracy by Dr Christie with the ANC did not mean there was necessarily also a conspiracy with the IUEF.

"All the other charges against Dr Christie are permutations of the main charge. It is a finding of the courts that the same evidence used to prove one criminal act, should not be used to prove a second criminal act."

He said there was no evidence beyond reasonable doubt that the IUEF and Mr Kleinschmidt were in a conspiracy with Dr Christie.

The whole tenor of Captain Williamson's evidence was in support of the denial by the accused of any conspiratorial purpose.

Mr Wentzel said that Dr Christie's coming into possession of information and drawings could not be considered an act of terrorism.

"The acquisition of the drawings was for a lawful purpose and no offence has been established. The possession of something is not an act."

AT-SYL-POSITION.

TARGET-SYL.

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F POSITION-FILE.

JUDGMENT in the trial of Dr Renfrew Christie, charged under the Terrorism Act, will be given on Tuesday.

The trial, in the Pretoria Supreme Court, was postponed till Tuesday by Mr Justice F Eloff after he had heard argument by both the State and defence yesterday.

Dr Christie has pleaded not guilty to seven charges under the Terrorism Act. He is accused of passing information on a South African nuclear site and coal mines to the African National Congress (ANC) and/or the International University Exchange Fund (IUEF).

Mr S A Engelbrecht, for the State, said his submission was that Dr Christie had actively conspired with the ANC and the IUEF and others hostile to South Africa, by supplying them with information on energy matters while knowing that the objective of these bodies and persons was to overthrow the State.

In his statement, Dr Christie made certain admissions which were not necessary for the State to prove, Mr Engelbrecht

said. That Dr Christie preferred not to give evidence left evidence lead by the State unchallenged and should be accepted by the court as facts.

There was evidence that Mr Christie had co-operated with Mr Frene Ginwala, an official of the ANC, to whom he passed on evidence via certain intermediaries, and also that he had received money from the IUEF, which Dr Christie claimed he had used for his research.

Superficially, all these activities of Dr Christie, as well as his visits to the Escom library, his removal and copying of plans, and his visits to the Kriel and Duva power stations might appear to be innocent deeds.

But when they were viewed against all the facts — especially the aims of the ANC and

the IUEF and the others mentioned in the indictment — then the only deduction that could be made was that the purpose of his activities was to endanger the safety of the State.

Mr Engelbrecht said the purpose of Dr Christie's visit to these various places was twofold: on the one hand innocent — to obtain information in the course of his research — but also obtain information to be passed on to others who were intent on using it to the detriment of the State.

Dr Christie was aware that he, as an academic, could obtain entry to these institutions more readily than the man from the street, and he had used his knowledge.

Mr E Wentzel, on behalf of Dr Christie, said the State had failed to prove that Dr Christie had been involved in a

conspiracy.

It might be true that the ANC, the IUEF and the others had a common cause, in that they sought to overthrow the South African State, but the State had not tried to prove that a conspiracy existed, and that Dr Christie adhered to such a conspiracy.

If Dr Christie had been in a conspiratorial relationship with the ANC and the others, Captain Craig Williamson, who had infiltrated the IUEF, should have brought it out in his evidence, but nowhere did Captain Williamson make such an allegation.

No other evidence was brought that Dr Christie was in an illegal or conspiratorial relationship with the others.

On the aspect of terrorism, Mr Wentzel said the mere com-

Judgment date set for Christie trial

ing into possession of the kind of information Dr Christie had collected for his research, did not constitute an act of terrorism.

The State claimed that the information could be used for two purposes, one legally for the completion of his research, and the other for illegal purposes to overthrow the State.

Merely going to various power stations, to obtain information legally, did not show an intention to use the information for an act of terrorism. What was required was to prove an act of terrorism. The State had not done so.

The contents of the thesis Dr Christie had written for his doctorate proved that the information he collected was for legal purposes, namely research.

It was only natural that a researcher, who was subsidised by certain organisations, should from time to time report to these bodies on the progress of his research and Dr Christie's contact from time to time with my Frene Ginwala, Mr Horst Kleinschmidt and others should be seen in this light. — Sapa.

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30/5/80



Armed Riot Police and spectators mill in the corridors of the Johannesburg Regional Court yesterday. The Rev John Thorne and seven others appeared briefly on a charge under the Riotous Assemblies Act. They were not asked to plead and the case was postponed.

Thorne, 7 others appear in court

Staff Reporter

THE Rev John Thorne of the Congregational Church, and seven others, appeared briefly in the Johannesburg Regional Court yesterday charged under the Riotous Assemblies Act.

The case was postponed to June 12 for trial in Krugersdorp.

Appearing with Mr Thorne were Rev Cecil Begbie, Rev Louis Eliott, Rev Martinus October, Mrs Vesta Smith, Mr Hanif Mohammed Vally, Mr Thomas Marsh and Mr David Johnson.

They were not asked to plead to a provisional charge under Section 2 of the Act (attending or being present at an illegal gathering).

Mr W J Van Rooijen was on the bench. The Chief Prosecutor, Mr A Britz, appeared for the State.



Outside court after their appearance on a charge under the Riotous Assemblies Act yesterday are, from left, Mrs Vesta Smith, Rev Martinus October, Rev John Thorne, Mr David Johnson, Mr Hanif M Vally, Rev Cecil Begbie, Mr Thomas Marsh and Rev Louis Eliott.

Tutu leads crowd in prayer

Staff Reporter

HUNDREDS of churchmen and students yesterday crowded in and around the Johannesburg Magistrate's and Regional Court to demonstrate their solidarity with the Rev John Thorne and seven others who appeared on a charge under the Riotous Assemblies Act.

The crowd, which included local and overseas church leaders — including the general secretary of the South African Council of Churches, Bishop Desmond Tutu, and the Bishop of Birmingham, the Right Rev Hugh Montefiore — sang hymns and "freedom" songs.

The emotional scene was similar to that surrounding the appearance earlier this week of 53 clerics, also charged under the Riotous Assemblies Act.

Riot Police in camouflage, armed with automatic rifles, pistols and batons, guarded all the court corridors.

Bishop Tutu called on the crowd to "display discipline and not give the enemies an opportunity to take action".

Standing among the crowd, he prayed that "God would lead the people into the Promised Land of freedom and peace . . . a land in which freedom — prepared even before the foundation of the world — was going to materialise".

Referring to the deaths of two schoolchildren who were shot by police at Elsie's River on Wednesday, Bishop Tutu prayed: "Change the hearts of those in power before there is more unrest."

His call for "freedom, liberation, justice, peace, love and reconciliation" was echoed by "amen" from the crowd.

Members of an international delegation of the Anglican Church, who are visiting South Africa, attended yesterday's hearing.

They included the Rev David Birney of the Episcopal Church in the United States and Mrs Sandy Notley of the Anglican Church in Canada.

RDM 30/5/80

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RDM 30/5/80

Release Mandela call is growing rapidly

By ARNOLD GEYER

IN THE wake of the continuing schools boycott and labour unrest as well as mounting arrests and detentions, the Free Mandela campaign is rapidly gaining momentum.

Regional committees calling for the release of the jailed leader of the outlawed African National Congress (ANC), are being formed all over the country and are preparing for mass meetings to be held on June 28 in all provinces.

The Natal Release Mandela Committee is to seek legal advice on the possibility of publishing the banned Freedom Charter, drafted in Kliptown by the Congress of the People on June 26, 1955.

Mr Paul Davids, an attorney and chairman of the Natal committee, said yesterday that if the document could not be published, legal advice would be sought to have a transcript of the Kliptown congress circulated.

He has urged all regional committees to:

- ① Launch a national pamphlet campaign to press for the release of Mr Mandela;
- ② Call for the closing down of all businesses and factories on June 26 to commemorate the 25th anniversary of the Freedom Charter's drafting;
- ③ Print commemorative stamps for June 26; and
- ④ Stress that the Free Mandela campaign implied a call for the release of all political prisoners, the permission for all exiles to return unconditionally and the unbanning of all banned people and organisations.

"The commemoration of June 26, 1955, is inextricably linked with the Free Mandela campaign as Nelson Mandela was the leading light of the congress," Mr Davids said.

He said the Freedom Charter was adopted by many organisations from all over the country, and was not, as the Government claimed, only the programme of the ANC.

Those who have so far expressed support for the campaign include black, Indian and coloured community leaders and politicians, trade unionists, all major churches except the three white Dutch Reformed churches, Progressive Federal Party MPs — including the Bar-

ty's leader, Dr Fredrik van Zyl Slabbert — academics, student groups at English and Afrikaans universities, black and white cultural organisations, the Black Sash, the South African Institute of Race Relations, the South African Council of Churches (SACC) and many English-language newspapers. The SACC's general secretary, Bishop Desmond Tutu, said at the weekend: "Nelson Mandela represents all our genuine leaders in prison and in exile. So the call for his release is really to say: please let us sit down, black and white, each with our acknowledged leaders and work out our common future."

At Free Mandela meetings held in the Transvaal, the Cape and Natal at the weekend, speakers stressed the campaign would continue despite the "intolerant attitude" of the Government, particularly of the Prime Minister, Mr P W Botha, and the Minister of Police, Mr Louis le Grange.

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Party MPs — including the party's leader, Dr Fredrik van Zyl Slabbert — academics, student groups at English and Afrikaans universities, black and white cultural organisations, the Black Sash, the South African Institute of Race Relations, the South African Council of Churches (SACC) and many English-language newspapers.

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At Free Mandela meetings held in the Transvaal, the Cape and Natal at the weekend, speakers stressed the campaign would continue despite the "intransigent attitude" of the Government, particularly of the Prime Minister, Mr P W Botha, and the Minister of Police, Mr Louis le Grange.

9 face ANC treason trial

Post 2/6/80 331

By WILLIE BOKALA

THE treason trial against nine alleged members of the African National Congress starts in the Pretoria Supreme Court today.

The men face more than 20 charges which include counts connected with this year's Silverton bank siege and the attack on the Soekmekaar police station.

They are charged with high treason, two counts of murder, 21 of attempted murder, participation in terrorist activities, robbery with aggravating circumstances and four alternative counts of participation in terrorist activities.

The two charges of murder and 21 of attempted murder relate to the drama at Silverton near Pretoria when three armed men held the Volkskas

Bank siege with 21 people inside.

The incident, on January 26 this year, ended when police shot and killed the three to free the hostages. Two people died in the incident.

The nine — no addresses given — are: Mr Petrus Mashigo (20), Mr Naphtalie Manana (24), Mr Ikanyeng Molebatsi (27), Mr Hlolile Tau (24), Mr Phumlani Shezi (24), Mr Jeremiah Radebe (26), Mr Boicie Bogale (26) and Mr Thomas Mngadi (29) and Johnson Lubisi (28).

RUSSIA

The case was postponed from April 16.

In an earlier appearance the men pleaded not guilty.

They are alleged to have left the country in 1976 to join the ANC and undergo military training in Angola and/or Russia, and to have returned during November-December last year to establish military bases from which they operated.

RDM 2/1/80 (331)
~~244~~

Nine ANC men in siege trial today

Pretoria Bureau

NINE members of the banned African National Congress will appear in the Pretoria Supreme Court today on charges connected with the siege of a Silverton bank and the attack on the Soekmekaar Police Station early this year.

They are charged with high treason, two counts of murder, 21 counts of attempted murder, robbery with aggravating circumstances and four alternative charges of participating in terrorist activities.

The nine are: Mr Johnson Lubisi, 28, Mr Petrus Mashigo, 20, Mr Naphtali Manana, 24, Mr Moses Molebatsi, 27, Mr Benjamin Tau, 24, Mr Grant Shezi, 24, Mr Jeremiah Radebe, 26, Mr Johannes Bogale, 26, and Mr Thomas Mngadi, 29.

The two counts of murder and 21 of

attempted murder are in connection with the attack on the Soekmekaar police station and the siege of a Volkskas bank in Silverton, Pretoria, in January — where two women were killed and 21 people held hostage. Three terrorists were killed in the shootout that ended the siege.

The nine, who had pleaded not guilty to the charges in the Pretoria Magistrate's court in April, are alleged to have left the country in 1976 to join the ANC and to undergo military training in Angola and/or Russia and to have returned during November/December last year to establish military bases of the Republic.

All the accused refused to answer questions before a magistrate but said he should record that they had been members of the ANC.

TOTALITARIANISM — POLITICAL TRIALS

26 MAY 1980 — 30 SEPT. 1980

Christie guilty on five charges of terrorism

STAR 3/6/80

331

Own Correspondent

Dr Renfrew Leslie Christie, former deputy president of Nusas, supported the violent overthrow of the South African Government, Mr Justice Eloff said when he convicted him in the Pretoria Supreme Court today on five charges of terrorism.

Christie (30) originally pleaded not guilty to seven charges under the Terrorism Act.

Mr Justice Eloff said that the ANC was an unlawful organisation whose objects were the violent overthrow of the South African Government.

Evidence was that Frene Ginwala, an ANC official, had known Christie in London and knew he was well informed on energy matters in South Africa.

Ginwala also knew that Christie was sympathetic to the ANC cause. She wanted information on all energy utilisation in South Africa, including nuclear, oil and coal.

He was given money towards his research in South Africa by the ANC. His overseas bank account showed a deposit had been made in July 1979 and this supported the evidence.

Mr E Wentzel (for Christie) asked that the case be postponed until Friday for evidence in mitigation. He also said he would be applying for leave to appeal.

Christie stood during the judgment, occasionally smiling slightly or glancing towards friends and family in the gallery.

The court was crowded with many wellwishers, friends, and just on-lookers.

He handed a parcel, which apparently contained items of clothing, to his mother before he went into the dock to hear judgment. She held his hand and they chatted quietly while other friends came up from the public gallery and spoke to him.

THE trial of the nine men charged with treason and murder arising from the Silverton Bank Siege and the attack on the Soekmekaar Police Station, was yesterday postponed to August 4.

Defence advocate, Mr J N Cullabine, asked for the postponement because the defence case was not yet ready, and Mr Justice Charl Theron granted this.

The Pretoria Supreme Court building and the court room itself were some police carrying machine guns and walkie talkies.

The men have pleaded not guilty to 29 charges of high treason, two murder counts from the death of two women hostages, 21 attempted murder charges, and one of robbery with aggravating circumstances.

There are also four alternative charges involved with participation in terrorist activities.

The accused are Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphtali Manana (24), Mr Ikan Yeng Moses Molebatsi (27), Mr Hlolile Benjamin

Bank Siege case

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Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremiah Radebe (26), Mr Boyce Johannes Mogale (26), and Mr Thomas Mngadi (29).

No addresses were given

Before the trial began, singing was heard coming from the cells, but the nine men filed up silently into the dock soon after 10 am.

As they left the dock however, raised fist salutes were given to some people in the public gallery.

The state prosecutor, Mr A F du Toit, did not oppose the postponement application and the men will be held in custody until the new trial date.

All but one of the accused have claimed to be members of the banned African National Congress.

Trial of Silverton accused postponed

Pretoria Bureau

NINE members of the banned African National Congress appeared briefly in the Pretoria Supreme Court yesterday on charges connected with the Silverton bank siege and the attack on Soekmekaar Police Station earlier this year.

The men were not asked to plead and the case was postponed to August 4.

They are charged with high treason, two counts of murder, 21 counts of attempted murder, robbery with aggravating circumstances and four alternative charges of participating in terrorist activities.

The nine are: Mr Ncimbithi Lubisi, 28, Mr Petrus Mashigo, 20, Mr Naphtali Manana, 24, Mr Ikanyeng Molebatsi, 27, Mr Hloile Tau, 24, Mr Phumulani Shezi, 24, Mr Jeremia Radebe, 26, Mr Boyce Bogale, 26, and Mr Thomas Mngadi, 29.

One of the men, Mr Tau, is accused of jointly planning the occupation of the Volkskas Bank, Silverton, with the three men who were killed when po-

lice stormed the bank in January this year.

The murder charges arise from the death of two of the hostages, Miss Cindy Anderson and Mrs Anna de Klerk.

The attempted murder charges relate to the 19 people who were allegedly wounded by the terrorists during the siege. Six of those injured were bank staff, 10 were clients and three were policemen.

Two of the attempted murder charges relate to the attack on Soekmekaar Police Station, where the State alleges that they tried to kill Mr Mankuku Mashapa and Mr Thari Mothibi.

It is alleged that the men left the Republic in 1976 and 1977 to join the ANC and for military training in Angola and Russia.

When they returned, they allegedly established bases at Tzaneen, Ga-rankuwa and Bloedrivierpoort, Natal, from which they operated.

Other charges are:

• That Mr Lubisi conspired with others in attacking the

Soekmekaar Police Station with handgrenades and machineguns on January 4;

• That Mr Molebatsi and Mr Tau conspired with the Silverton trio to attack petrol tanks at Waltloo, near Mamelodi, and also intended attacking the Pretoria West and Villeria police stations;

• That Mr Shezi conspired with Mr Radebe in the attack on the Port Natal Administration Board buildings in Durban early this year;

• That Mr Shezi persuaded two men from Lamontville, Durban, to undergo military training outside the country in order to endanger the security of the State; and

• That the nine men were found in possession of ammunition, explosives and weapons.

At an earlier hearing, all the accused refused to answer questions before a magistrate, but they said he should record that they had been members of the ANC.

Mr J N Callabine appeared for the accused and Mr A F du Toit for the State. Mr Justice C Theron was on the Bench.

Violence trial postponed

Post 4/6/80

331

PRETORIA — The case against 31 people, eight of them youths, charged with public violence has been postponed to July 4 at the Mamelodi Magistrate's court.

The case arises from an incident which followed the ceremony of the unveiling of the tombstone of Solomon Mahlangu who was executed last year for his part in the George Goch killing in 1977.

Bail was extended until the date of the trial. Mr C J Kotze presided and Mr G E Joubert appeared for the State.

The accused were Mr Willie Bokala, a POST reporter and Mr Willie Nkosi, a Star reporter,

Mr Lucas Ntatseng, Mr Philos Maseko, Ms Johanna Mahlangu, Mrs Eunice Mabuza, Mr Solomon Zulu, Ms Silvia Kekana, Ms Jane Monya-

keng, Ms Constance Phala, Mr Gelinyane Phakathi, Mr Joseph Phatswane, Mr Wandile Zulu, Mr Ephy Moiloa, Mr Isaac Thusi, Mr Jacob Msiza,

Mr Andries Moropoli, Petrus Malundi, Mr Isaac Ntuli, Mr Donald Mokoena, Mr Sam Thwala and Ms Colleen Matjila. — Sapa.

Christie guilty on 5 charges

CAPE TIMES
Own Correspondent

4/6/80

331

PRETORIA. — Dr Renfrew Christie, a researcher at the University of Cape Town, was yesterday found guilty in the Pretoria Supreme Court on five charges under the Terrorism Act.

Mr Justice Fritz Eloff said that it had been proved beyond reasonable doubt that a conspiracy existed between Christie and the banned African National Congress, and that he supplied information on South Africa's energy reserves to Frene Ginwala, an official of the ANC.

"The ANC wanted to use the information to strike at South Africa and cripple certain industries, to endanger the safety of South Africa's inhabitants, and to endanger the distribution of light, power and fuel," Mr Justice Eloff said.

He said that although the evidence established the possibility of collaboration by Christie with the International University Exchange Fund, it did not prove that he was a direct party to a conspiracy.

Conspiracy

Mr Justice Eloff said that proof of conspiracy was not necessary to convict Christie on the charge of sending classified information on where it was seismologically safe to ex-

plore a nuclear device in the Republic, to the IUEF.

"What he did was something that would endanger the maintenance of law and order in this country. In view of the objectives of the IUEF for the armed overthrow of the South African Government, the information supplied could have furthered the achievement of the fund's political aims and embarrassed the administration of the state," he said.

Separate act

Christie was also found guilty on the charge that he had sent a blueprint of the Koeberg Nuclear Power Station, and a report on public relations techniques for gaining public acceptance of nuclear installations, to the ANC.

Mr Justice Eloff rejected the defence contention that this charge was encompassed in the first charge of conspiring with the ANC and ruled that this was a separate act in pursuance of the conspiracy.

He found Christie guilty on two charges of gathering in-

formation at Duvha and Kriel power stations and Amcoal open cast mine, to send to the ANC.

On the grounds that the evidence against him was too vague, Christie was found not guilty of obtaining an electrical flow diagram and circuit to send overseas.

"It would also be incorrect and unfair to convict him of obtaining other information in the Escom library, to send to the ANC, the IUEF and Horst Kleinschmidt. This has already been covered by the other charges."

He said that it was clear from Christie's statement to the police and the evidence of Captain Craig Williamson that Frene Ginwala's activities for the ANC were the gathering of technological intelligence.

ANC sympathizer

"Frene Ginwala knew that not only was Christie an ANC sympathizer but that he supported its views and programme."

"It is clear from Christie's statement that he was fully aware of what he was doing." Mr Justice Eloff then gave his reasons for allowing as evidence the statement Christie made to the police in Johannesburg, after his arrest.

The statement had been the subject of a "trial-within-a-trial" when the defence disputed its admissibility on the grounds that it was made under duress.

"The onus is on the accused to prove that the statement was not free and voluntary."

"When Dr Christie made his first statement in Cape Town, he did so after being interrogated by two teams of policemen through the night."

'Made to stand'

"He claims that he was forced to stand all night till his feet were swollen and sore and he was very tired."

"The police deny that he was made to stand. They say he was told to desist from sitting on the edge of the table and to take the chair provided."

"It is not unlikely that for some reason best known to himself, Christie chose to stand. Although the story of no chair may reasonably be true."

"However, Christie did not say that he was in any way intimidated or threatened in Johannesburg, or that anything untoward happened there."

Mr Justice Eloff said that Christie had given conflicting answers about the statement and had exaggerated when he said he had been interrogated by a "constellation" of policemen.

The case was postponed to Friday for evidence in mitigation and sentence.

Mr E Wentzel and Mr D Kuny instructed by Mr Raymond Tucker, appeared for Christie. The deputy attorney-general, Mr S A Engelbrecht, assisted by Mr J Swanepoel, appeared for the State.

Christie guilty on 5 terror charges

By WILLIAM
SAUNDERSON-MEYER
Pretoria Bureau

DR RENFREW Christie, a researcher at the University of Cape Town, was found guilty in the Pretoria Supreme Court yesterday on five charges under the Terrorism Act.

He will be sentenced on Friday, after evidence in mitigation.

In his judgment yesterday, Mr Justice Fritz Eloff said it had been proved beyond reasonable doubt that there was a conspiracy between Christie and the banned African National Congress, and that he supplied information on South Africa's energy reserves to Frene Ginwala of the ANC.

The judge said: "The ANC wanted to use the information to strike at South Africa and cripple certain industries, to endanger the safety of South Africa's inhabitants and to endanger the distribution of light, power and fuel."

He said that although the evidence established the possibility of collaboration by Christie with the International Universities Exchange Fund, it did not prove that he was direct party to a conspiracy with the IUEF.

The proof of conspiracy was, however, not necessary to convict Christie on the charge of sending the IUEF classified information on where it was seismologically safe to explode a nuclear device in South Africa.

"What he did was something that would endanger the maintenance of law and order in this country."

"In view of the objectives of the IUEF for the armed overthrow of the South African Government, the information supplied could have furthered the achievement of the fund's political aims and embarrassed the administration of the state," Mr Justice Eloff said.

Christie was also found guilty on a charge stating he had sent the ANC a blueprint of the Koeberg nuclear power station and a report on public relations techniques for gaining public acceptance of nuclear plants.

The judge rejected the defence contention that this charge was encompassed in the first charge of conspiring with the ANC.

He found Christie guilty on two charges of gathering infor-

power stations and the Amcoal open-cast mine to send to the ANC.

On the grounds that the evidence against him was too vague, Christie was found not guilty on a charge alleging he obtained an electrical flow diagram and circuit to send overseas.

"It would also be incorrect and unfair to convict him of obtaining other information in the Escom library, to send to the ANC, IUEF and Horst Kleinschmidt. This has already been covered by the other charges," Mr Justice Eloff said.

He said it was clear from Christie's statement to police and the evidence of Captain Craig Williamson of the Security Police that Frene Ginwala's job for the ANC was gathering technological intelligence.

"Frene Ginwala knew that not only was Christie an ANC sympathiser, but that he supported its views and programme."

"It is clear from Christie's statement that he was fully aware of what he was doing. For example, he did not expect that, if the information he supplied on Koeberg was used militarily, the station would be blown up when it was 'critical', but rather during construction."

The judge gave his reasons for allowing as evidence the statement Christie made to police in Johannesburg after his arrest.

The defence disputed its admissibility on the grounds that it was made under duress.

The judge said police denied Christie's claim that he was forced to stand all night during interrogation in Cape Town, where he made his first statement.

"They say he was told to desist from sitting on the edge of the table and to take the chair provided."

"It is not unlikely that for some reason best known to himself, Christie chose to stand, although the story of 'no chair' may reasonably be true."

"However, Christie did not say that he was in any way intimidated or threatened in Johannesburg, or that anything untoward happened there."

Mr E Wentzel and Mr D Kuny, instructed by Mr Raymond Tucker, appeared for Christie. The Deputy Attorney-General, Mr S A Engelbrecht, assisted by Mr J Swaneveld, appeared

Court told of letter from escaper

331
RDM
4/6/80

Pretoria Bureau

A LETTER from London, written by one of the prisoners who escaped from the maximum security section of Pretoria Central Prison last year, is being investigated by the Attorney-General.

Mr Ike Swartzberg, appearing for Sergeant Francois Daniel Vermeulen, who is charged with assisting three political prisoners to escape from Pretoria Central, yesterday said that Stephen Lee had written the letter after reading about the court case in the Rand Daily Mail in London.

Mr Swartzberg said the letter had been referred to the Attorney-General on Monday. The contents of the letter are as yet unknown.

Sgt Vermeulen appeared in a Pretoria Regional Court yesterday.

He has pleaded not guilty to a charge of providing aid to terrorists or, alternatively, of assisting the escape of Alexander Moumbaris, Stephen Lee and Timothy Jenkin.

At the start of yesterday's court proceedings, Mr Swartzberg told the court he had seen

a police reservist, Constable J Verhoef, who sat in court during the trial, explaining documents or diagrams to Sgt H Joubert, a key witness in the trial.

The magistrate, Mr J Bekker, warned Const Verhoef to stop interfering with witnesses and not to draw diagrams in court.

Sgt Joubert told the court that on December 11, last year, the night of the escape, he took two prisoners to the white section of the cells at about 6.20pm.

He said Sgt Vermeulen took longer than usual — four minutes — to open the door to the white section.

Under cross-examination he said he was not aware of the time, but was positive it was about four minutes. He later conceded it could have been three minutes.

Mr Swartzberg asked if it could have been two minutes. Sgt Joubert said he was positive it took Sgt Vermeulen three to four minutes to unlock the door.

The case was postponed to today. Bail of R300 was upheld.



331 Post 4/6/80

Dr Christie guilty on terror charges

DR RENFREW CHRISTIE was yesterday convicted in the Pretoria Supreme Court on five charges under the Terrorism Act.

Mr Justice Eloff said Christie's conspiracy with the African National Congress had been proved, but not with the IUEF or Mr Horst Kleinschmidt.

Dr Christie (30), pleaded not guilty to seven charges under the Terrorism Act.

It was alleged he intended to give, or conspired to give information on all aspects of energy in South Africa to the ANC and the International University Exchange Fund (IUEF).

The fourth charge, related to information obtained from the Escom library which he intended sending to the ANC, was dealt with in the third charge.

There was not enough evidence to convict the former deputy president of Nusas on the seventh charge of obtaining two

drawings of power stations with the intent of sending them to the ANC.

Mr Justice Eloff said the ANC was an unlawful organisation whose objects were the violent overthrow of the Government.

He said evidence was that Ms Frene Ginwala, an ANC official, had known Dr Christie and knew he was well informed on energy matters in South Africa.

She and Dr Christie were seen in earnest conversation at a London conference.

SYMPATHETIC

Ms Ginwala also knew Dr Christie was sympathetic to the ANC cause. She wanted information on all energy utilisation in South Africa, including nuclear, oil and coal.

She didn't specify what purposes this information would be used for, said the judge, but Dr Christie knew it would be used for either military or boycott purposes.

He was given £600 by the ANC towards his research in South Africa and his overseas bank account showed a deposit of £929 had been made in July 1979, which supported this evidence.

"Dr Christie said in his statement that he was fully aware of what he was doing, although he didn't expect the Koeberg nuclear power plant to be blown up while actions were critical, but before, so that building operations would be delayed for several years," said Mr Justice Eloff.

He said a conspiracy

with the IUEF had not been proved.

It was possible that, although Dr Christie had approached the IUEF for a grant for academic research, he was not a direct party between the collaboration of the IUEF and the ANC.

However, on the second charge, Dr Christie wrote a letter on February 7, 1978, to Mr Lars Gunnar Erikson, IUEF director, in which he conveyed information acquired from the Atomic Energy Board where it considered it seismologically safe to explode nuclear devices in the Republic, and Mr Justice Eloff said he believed Dr Christie was guilty on this charge.

He also convicted Dr Christie on a charge of removing a drawing of the general layout of the Koeberg nuclear power station and a report of public reaction to nuclear power and posting them to Mr Ginwala at a London address.

MEGAWATT PARK

Mr Justice Eloff said the fourth charge, which alleged Dr Christie had visited Megawatt Park where he got information and made photo-copies thereof with the intention of sending them to the ANC, was covered by the third charge and he acquitted Dr Christie on it.

He said, in convicting Dr Christie on the fifth and sixth charges, that he visited Duvha power station, the Kriel power station and the Amcoal mine where he inspected the premises and got information on these plants, intended for the ANC.

Mr E Wentzel, for Dr

case be postponed to Friday for evidence in mitigation.

He also said he would be applying for leave to appeal.

Dr Christie was arrested on October 23 last year. He returned to South Africa from Europe earlier in the year.

Dr Christie stood during the judgment, occasionally smiling slightly or glancing towards friends and family in the gallery.

The court was crowded yesterday with many of his well-wishers, friends, and just onlookers.

He handed a parcel which apparently contained clothing, to his mother before he went into the dock to hear judgment.

She held his hand and they chatted quietly while other friends came up from the public gallery and spoke to him as well.

After judgment was pronounced and the court adjourned, Dr Christie shrugged as his counsel approached him.

Someone handed him a bouquet of proteas and he later returned to the cells.

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1. Enter at the top of each of the block on this question you are answering.
2. Blue or black ink for answers. The use of red or green underlining, emphasis which pencil may also be used.
3. Names must be printed (e.g. graph paper) in the examination book(s).
4. Do not write in the left margin.

Any dishonesty will result in disqualification.

Cop tells of night of big jailbreak

ing had not been reported until the next day.

Sergeant H Joubert told the court Sergeant A Badenhorst had told him of the damaged door and broken light when he came on duty at 11,30 pm.

"Sgt Joubert told him not to enter these damages in the night book, but to report them the next day.

They also did not report this to the gate guards.

Sgt Joubert said he asked Sgt Badenhorst whether people could enter the prison and he was told that an electric gate held with a clip would remain automatically closed in a power failure.

He said he understood Sgt Badenhorst to mean by a damaged door that had not been broken open, but was faulty, as workmen often did not finish re-

pairs to locks in time each day.

Sgt Joubert, who works in the black section of the prison, said he went at 6 pm to fetch two awaiting-trial prisoners in the white section to put them in their cells.

He went with the dog handler through the inner courtyard and a gate to the office window where he handed Sgt Vermeulen the keys to the white section.

PRISONERS

Sgt Joubert said he walked towards the door with the two prisoners and held a conversation with them.

He said he waited about four minutes for Sgt Vermeulen to return, which was longer than usual because the door was usually open before he got there.

In answer to a question

by Mr Swartzberg, Sgt Joubert said he could have waited as long as six minutes for the door to open, but not as little as two.

He could not remember everything specifically because it was six months ago.

Mr Swartzberg asked Sgt Joubert to relate his conversation to the court and pointed out to him that it took 25 seconds to do so.

In a break in proceedings, Mr Swartzberg asked Sgt Joubert how long the court had stopped for. "About 15 seconds," Sgt Joubert replied.

Mr Swartzberg said he had timed a break of 35 seconds on the court clock.

Sgt Joubert insisted that he could not have waited less than three minutes for Sgt Vermeulen, but agreed that it was pos-

sible to make a mistake.

Sgt Badenhorst told the court at a previous hearing that, according to a test done by the investigating officer, it would have taken Sgt Vermeulen between two and three minutes to open all the doors to release the prisoners.

Sgt Joubert said he took the two awaiting-trial prisoners to their cells, then received the keys back from Sgt Vermeulen.

The magistrate, Mr J H Bekker, yesterday warned a police reservist Constable J Verhoef, not to interfere with State witnesses.

He also warned witnesses to stay out of court as they may be recalled.

Mr Ben Bredenkamp appeared for the State.

The case continues today.

Paper No. ONE
(to be copied from the heading on the

THERE were unreported irregularities in the maximum security wing of Pretoria Central Prison the night three prisoners escaped last year, the Pretoria Regional Court was told yesterday.

Sergeant Francois Daniel Vermeulen (57), of Karee Flats, Devenish Street, Sunnyside has pleaded not guilty to assisting Alexander Moubbaris, Timothy Jenkin and Stephen Lee to escape on December 11 last year.

Mr Ike Swartzberg, appearing for Sgt Vermeulen, said yesterday that a guard dog had been 20 minutes late in arriving at its post and a broken door and light not work-

Examiners' Initials

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2. Blue or black ink must be used answers. The use of a ball point pen is acceptable. Red or green ink may be used for underlining, emphasis or for diagram pencil may also be used.
3. Names must be printed on each sheet (e.g. graph paper) where sheets of examination book (s) are used.

Any dishonesty will render the candidate

I didn't see anyone leave jail, says guard

331
5/6/80
RDM

THE armed guard above the gate at Pretoria Central Prison told the Pretoria Regional Court yesterday he did not see anybody leave the entrance of the prison while he was on duty on December 11 last year.

Mr J J Olivier was giving evidence at the trial of Sergeant Francois Daniel Vermeulen, 57, of Sunnyside, who has pleaded not guilty to assisting terrorists, or alternatively, helping Alexander Moubaris, Stephen Lee and Timothy Jenkin escape from the maximum security wing of the prison.

Mr Olivier said he came on duty at 3.15pm and at 6pm saw Sgt H Joubert bring two awaiting-trial prisoners across the courtyard to the office. Then he saw them walking towards the wooden door to the cells.

At 11.35pm Sgt A Badenhorst

arrived and pushed at the front door. It opened and he went in. Sgt Badenhorst came out again and shouted to him: "Why are the doors open?"

Mr Olivier telephoned Sgt Vermeulen and asked him why the doors were open. Sgt Vermeulen replied that he thought the day duty staff had forgotten to close the doors.

Mr I M van der Merwe, another warder, said he came on duty on December 12 at 5.45am. He signed the guard list and was given the keys for the wooden doors at the entrance.

He saw the front door lock had its plate bent back completely flat so that it would not catch. The second door was closed electrically. Sgt Badenhorst opened the remaining doors to let him into the office.

The night duty keys were in

the key cupboard and Sgt Badenhorst took the day duty keys out.

Later Sgt Peterse arrived and Sgt Badenhorst asked him why the doors were open.

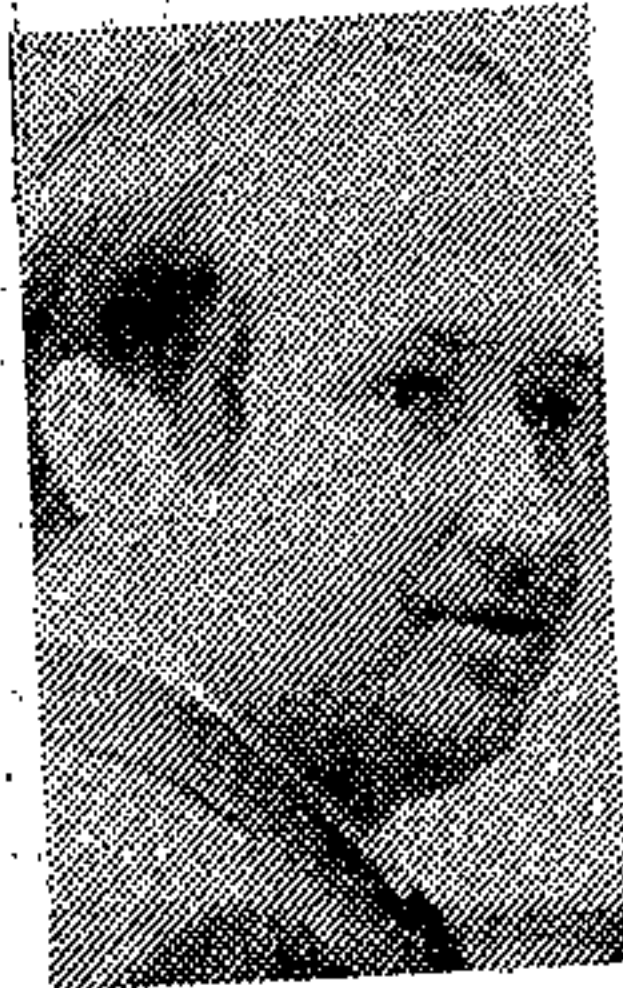
Mr Van der Merwe said it was assumed that the day before locksmiths had worked on the door and had not finished the job.

The Attorney-General is examining the contents of a letter written to Mr Ike Swartzberg, who is appearing for Sgt Vermeulen. The letter was written by Stephen Lee in London when he heard of the case against Sgt Vermeulen.

A confession in which Sgt Vermeulen said he released the men for a bribe of R200 has been admitted as evidence.

The trial is continuing. — Sapa.

Gasps as Christie gets ^{STAR} 30-year ^{6/6/80} sentence ³³¹



Renfrew Christie

Own Correspondent

Dr Renfrew Christie, research academic and expert on energy matters, was jailed for an effective 10 years under the Terrorism Act today by Mr Justice Eloff in the Pretoria Supreme Court. There were gasps from the gallery as sentence was passed.

Christie (30), was convicted earlier this week on five charges under the Terrorism Act. He was found to have acquired information on nuclear and energy plants intending to send it to the African National Congress.

Two envelopes containing a plan of Koeberg Power Station and a report on public reaction to nuclear power plants were confiscated by Security Police at a Johannesburg post office. These envelopes had been addressed by Christie to covering addresses for the ANC.

SABOTAGE

Mr Justice Eloff, in passing sentence said, "Renfrew Leslie Christie, the section of the Terrorism Act under which you were convicted is equated with treason."

The judge said he had listened to evidence in mitigation on Christie's behalf to the effect that he was a brilliant academic and had a social conscience and sympathy for the underdog.

"I have also, however, to give due thought to the enormity of what you did. You agreed to supply material to the ANC to help it in its onslaught against this country."

The information could have been used for sabotage as well as sanctions, and key installations such as Koeberg nuclear power plant would have been exposed to sabotage.

"It is reasonable to suppose that these deeds could only have been planned with assistance — like you agreed to give

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6/6/80

Gasps as Christie is sentenced

231

▶▶ From page 1

the ANC. You were well equipped to give assistance and because of your qualifications, you gained entrance to these sites."

SINGING

"I feel myself bound to impose a severe sentence, bearing in mind the cumulative effect and also that some charges might overlap.

"On the first charge, I sentence you to 10 years' imprisonment." On each of the four other charges he sentenced Christie to five — year's imprisonment, but these were to run concurrently with the 10 years on the first charge.

As Mr Justice Eloff pronounced his sentence, there were gasps from the gallery which was filled with friends, well-wishers and some casual spectators.

Mr Justice Eloff granted leave to appeal immediately after sentence was imposed and adjourned the court.

A group of women who seemed to be friends of Christie started singing in the gallery. The chorus of the song was "South Africa will be free."

Christie, who at previous appearances had remained calm, cheerful and smiling was tense today, but remained outwardly calm.

His mother and counsel went down the steps to the cells with him after the proceedings had finished.

Wooden keys ³³¹ ROM 6/6/80 found

after escape

Pretoria Bureau

TOOLS were missing from Alexander Moubaris's toolbox after he escaped from the maximum security section of Pretoria Central Prison in December last year, a prison warden told a Pretoria Regional Court yesterday.

The warden, Constable J. J. Beukes, was giving evidence in the trial of Sgt Francois Daniel Vermeulen, who is charged with helping three political prisoners escape from the prison.

Constable Beukes told the court that Alexander Moubaris, Stephen Lee and Timothy Jenkin, the three escapers, had worked in the woodwork section of the prison with four other prisoners before they escaped.

He said it was possible that they could have made keys from wood and then smuggled them out of the workshop.

It would have been difficult for the prisoners to obtain blanks for the prison keys, Constable Beukes said.

He told the court that after the prisoners had escaped, two screwdrivers and a wood plane were found missing from Moubaris's tool box.

Questioned by Mr Ike Swartzberg, Mr. Beukes admitted it would have taken some ingenuity to smuggle the screwdrivers and plane out of the workshop, as the prisoners were searched every day.

On December 13, last year, he was given instructions to search the prison ground for hidden articles.

He told the court that he took four black prisoners and searched the maize fields near the back of the prison.

Buried under one of the plants he discovered a bottle which was tightly sealed. There were two wooden keys inside.

The key exhibited in court was one of them. He could not say if Moubaris had made the key as Moubaris was not a good carpenter.

The key was about seven centimetres long. The shaft and the teeth were made of two types of hard wood.

Mr. Beukes agreed that the key was very finely made. He also said it was possible that more than two keys could have been made.

It was possible that the key could have been made by one of the other prisoners in the group who had worked with the escapers.

Sgt Vermeulen has pleaded not guilty.

The trial was postponed to June 17. Bail of R300 was upheld.

Renfrew Christie jailed for 10 years

C. Times 7/6/80 (331)

Own Correspondent

PRETORIA. — Dr Renfrew Christie, a former University of Cape Town research worker, was sentenced in the Pretoria Supreme Court yesterday to 30 years.

Because the sentences will run concurrently, he will serve 10 years.

Christie was found guilty on five charges under the Terrorism Act. As this forms part of South Africa's security legislation, no time is allowed off for good behaviour.

Leave to appeal was granted.

Mr Justice Fritz Eloff said the legislature viewed the offences committed by Christie so seriously that the same penalty was prescribed for trea-

son. He said Christie had been well-equipped by virtue of his training, qualifications and intelligence to obtain the information needed by the African National Congress to enable it to continue its onslaught on South Africa.

"The information could have been used not only for sanctions, but also for military use. It is reasonable to presume that an act of sabotage could be planned only with such aid."

Mr Justice Eloff said that in considering a sentence he had taken into consideration Christie's very considerable academic achievements and Christie's concern for those he believed to be the underdogs.

Evidence in mitigation was given by Christie's mother, Mrs Lindsey Christie, who said she had had to work to support herself and her son after the death of her husband when Renfrew was two years old.

"In spite of very difficult financial circumstances, he never asked for or expected the extras that his friends, from wealthier homes, had."

Mrs Christie said she had been unable to pay for her son's university education, but that he had organized all the necessary scholarships and bursaries.

Professor David Welsh of the University of Cape Town said Christie was one of the most able and brightest students he had ever met.

"He was certainly one of the most promising young scholars to come out of a South African university in recent years."

Professor Welsh read a telex message received from Professor Raymond Carr, warden of St Anthony's College at Oxford, where Christie completed his doctoral thesis.

Professor Carr said Christie's ability was of the highest calibre and that his absence from the academic world would be a severe loss.

Professor Welsh also spoke on behalf of the Chancellor of the University of Cape Town, Sir Richard Luyt, who could not travel to Pretoria because he is convalescing after a heart attack.

Sir Richard said he regarded Christie as being of the highest calibre and integrity.

In the plea for mitigation, Christie's counsel, Mr A Kuny, asked that the sentence be such that Christie could one day contribute to South African society in a lawful manner.

"The sentence should underscore the mercy which is the hallmark of a compassionate society," Mr Kuny said.

"We live in a controversial country which imposes stresses and strains on its members as are experienced in few other countries.

"South Africa is in a state of flux and change. Hopefully we will soon reach a stage where there is more consensus about where we are going."

When Christie was led from the court, friends and relatives in the gallery sang "Africa Shall be Free".

Christie, who had remained impassive throughout the sentencing, showed emotion for the first time and seemed close to tears.

Christie gets 10 years and leave to appeal

STAR
7/6/80
331

Own Correspondent

Dr Renfrew Christie, research academic and expert on energy matters, was jailed for an effective 10 years under the Terrorism Act yesterday by Mr Justice Eloff in the Pretoria Supreme Court. There were gasps from the gallery as sentence was passed.

Christie (30), was convicted this week on five charges under the Terrorism Act. He was found to have acquired information on nuclear and energy plants intending to send it to the African National Congress.

Two envelopes containing a plan of Koeberg Power Station and a report on public reaction to nuclear power plants were confiscated by Security Police at a Johannesburg post office. These envelopes had been addressed by Christie to covering addresses for the ANC.

Mr Justice Eloff, in



Renfrew Christie

passing sentence said, "Renfrew Leslie Christie, the section of the Terrorism Act under which you were convicted is equated with treason."

The judge said he had listened to evidence in mitigation on Christie's behalf to the effect that he was a brilliant academic and had a social conscience and sympathy for the underdog.

"I have also, however, to give due thought to

the enormity of what you did. You agreed to supply material to the ANC to help it in its onslaught against this country."

The information could have been used for sabotage as well as sanctions, and key installations such as Koeberg nuclear power plant would have been exposed to sabotage.

SINGING

"It is reasonable to suppose that these deeds could only have been planned with assistance — like you agreed to give the ANC. You were well equipped to give assistance and because of your qualifications, you gained entrance to these sites.

"I feel myself bound to impose a severe sentence, bearing in mind the cumulative effect and also that some charges might overlap.

"On the first charge, I sentence you to 10 years' imprisonment." On each of the four other charges he

sentenced Christie to five years' imprisonment, but these were to run concurrently with the 10 years on the first charge.

As Mr Justice Eloff pronounced his sentence, there were gasps from the gallery which was filled with friends, well-wishers and some casual spectators.

Mr Justice Eloff granted leave to appeal immediately after sentence was imposed and adjourned the court.

A group of women who seemed to be friends of Christie started singing in the gallery. The chorus of the song was "South Africa will be free."

Christie, who at previous appearances had remained calm, cheerful and smiling was tense yesterday, but remained outwardly calm.

His mother and counsel went down the steps to the cells with him after the proceedings had finished.

Christie near tears as he is led off to jail

Pretoria Bureau

RENFREW Christie, a former University of Cape Town research worker, was near to tears yesterday as he was led from the Pretoria Supreme Court to begin serving 10 years in jail.

He was found guilty earlier this week on five charges under the Terrorism Act, and yesterday Mr Justice Fritz Eloff sentenced him to terms totalling 30 years' jail, to run concurrently.

Leave to appeal was granted.

When Christie was led from the court, people in the public gallery sang "Africa Shall be Free Someday".

Christie, who remained impassive while the sentences were passed, showed emotion for the first time and seemed close to tears.

Passing sentence, Mr Justice Eloff said Christie had been well-equipped, by virtue of his training, qualifications and intelligence, to obtain the information needed by the ANC to enable it to continue its onslaught on South Africa.

"The information could have been used only for sanctions, but also for military use. It is reasonable to presume that an act of sabotage could only be planned with such aid."

In considering a sentence, he had taken into consideration Christie's very considerable academic achievements and concern for those he believed to be the underdogs, the judge said.

In mitigation of sentence, Christie's mother, Mrs Lindsey Christie, said she had to work to support herself and her son after her husband died when Renfrew was four years old.

Mrs Christie said she had been unable to pay for her son's university education. He had obtained all the necessary scholarships and bursaries.

Professor David Welsh, of UCT, said Christie was one of the ablest and brightest students he had ever met. "He was certainly one of the most promising young scholars to come out of a South African university in recent years."

Prof Welsh read a message from Professor Raymond Carr,

warden of St Anthony's College, Oxford, where Christie completed his doctoral thesis, saying that Christie was of the highest calibre and his absence from the academic world would be a severe loss.

Sir Richard Luyt, Chancellor at UCT, who is convalescing after illness, sent a message saying he regarded Christie as of the highest calibre and integrity.

Defence counsel, Mr Denis Kuny, asked that the sentence be such that Christie could one day contribute to South African society in a lawful manner.

"We live in a controversial country, which imposes stresses and strains on its members as are experienced in few other countries. South Africa is in a state of flux and change. Hopefully we will soon reach a stage where there is more consensus about where we are going," Mr Kuny said.

The spectators, including observers from the Australian and United States embassies, were photographed by Security Police as they left the court.



She had to listen as a judge sent her son to jail for 10 years

SAN EXPRESS 8/6/80 331

RENFREW Christie was found guilty this week on five charges under the Terrorism Act and sentenced to terms totalling 30 years. Some run concurrently, so he will serve 10 years. Leave to appeal against conviction and sentence was granted.

Mr Justice Eloff said Christie had the ability to obtain the information needed by the ANC to enable it to continue its onslaught on South Africa and added: "The information could have been used not only for sanctions but also for military purposes." Christie leaves behind a brilliant academic career. He also leaves pain and sorrow for the innocent.

JUST as her son never showed his feelings in court, so Mrs Lindsay Christie will not let her emotions betray her.

And yet on Friday her son, the brilliant academic Dr Renfrew Christie was sentenced to an effective 10 years in Pretoria Central Prison.

Mrs Christie, who was widowed at 29, when Christie was a two-year-old, spoke to me with reluctance: "I can't bear the thought of reading sentimental stories. I just don't like any publicity."

Her story is not, however, a sentimental story. From the moment the police arrived at her door in October last year and for the next eight months, she was to experience what few women have to face — an only child locked away, for what she did not know, then his gruelling trial. With her stomach in a knot, she heard her son convicted. In a turmoil, she waited for the days to pass before sentence was handed down.

Then, this very private woman had to stand in the dock before a crowded court to give evidence about her son in mitigation of his sentence.

In accordance with her wishes, the night of her son's arrest must be written without emotion, colour or conjecture on my part — a difficult task after hearing Mrs Christie tell of it in her quiet voice — sitting so still in her small Hillbrow flat:

"I arrived home and three policemen asked to come in. They showed me their cards, and a warrant to search my flat.

"I was terrified out of my

QUOTE

I have many emotions. I am holding myself in. What else can one do under the circumstances?

wits, not for myself, but for Renfrew. I had a feeling it was all something to do with him. I couldn't imagine what it could be.

"They read through his letters to me. There was nothing in them. They were just ordinary letters. They searched through all my books."

She laughed: "My cupboard was in such a mess even if there had been something important in it, they wouldn't have been able to find it."

After the search was over, Mrs Christie asked the policemen if the search had been connection with activities of her son.

"They then told me the police in Cape Town would be taking him in for questioning.

"When they left, I telephoned his flat to see if he was back from the questioning.

"I telephoned every half hour throughout the night.

"In the morning I spoke to friends of his. They told me Renfrew had been expected there for dinner. He hadn't turned up. They had also tele-

Mrs Christie saw her son only after he had been charged.

"I didn't know what he had done, but they were treating him so carefully that I knew it was serious.

"I had a dreadful sense of foreboding, which has been borne out, but Renfrew always told me it would all be alright." It was this same sense of wanting to comfort his mother that made Christie tell her again, after he had been lead away to the cells following sentence: "Everything will be alright."

"But I asked him how it could possibly be alright when he was going to jail."

It was at that moment, as a hymn was being sung in the court above, that Mrs Christie's surface serenity broke for a moment: "It was the only time I cried since it all started."

She said she was appalled at what had happened, but was

not ashamed of anything her son had done. "Don't mistake me, I do not like violence of any kind," she said.

This week Mrs Christie goes back to work as usual.

She said her employers had been extremely kind to her during the last eight months: "Honestly for the last two weeks I don't think I did a stroke of work."

She smiles often and was horrified at having her photograph taken. She admits that behind the composed picture she presents of herself, there are many emotions: "But I am holding myself in. What else can one do under the circumstances?"

A court packed with many university friends of the gregarious Christie heard Mr Justice Eloff say that the prisoner had been well-equipped by virtue of his training, qualifications and intelligence to obtain information for the ANC.

Captain Craig Williamsor gave evidence at the trial.

It was Capt Williamson's double role as alleged South African exile and Security policeman which lead to Christie's arrest.



● Mrs Lindsay Christie — has endured what few mothers could.

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phoned the flat. They also phoned the hospitals thinking he had had an accident. They phoned the police, they phoned everywhere they could think of.

"In the morning they found his car was back at the flat. They were really perturbed then and got a key and opened the flat up.

"There were three tea cups on the table and an ashtray."

By this time Mrs Christie and her son's friends in Cape Town guessed what had happened.

She telephoned the police in Pretoria, and finally went there. She was told he was in good health, and "next door." She asked to see him, but was refused.

"I was told that I couldn't see him because he was being held under some section or another.

"Then, when I got back to work there was a note on my desk from a policeman in Johannesburg. He told me he had been trying to get me all day. He told me Renfrew was at John Vorster Square."

Boycott SA, says scientist.

LONDON. — A South African social scientist has called on British academics to boycott South Africa because of the jailing of Dr Renfrew Christie, and the arrest of former student leader Mr Duncan Innes.

"I think that anyone who knows Dr Christie and Mr Innes will recognise that their detention condemns not them, but the regime which finds it necessary to hold such fine and intelligent young men in jail," said Professor John Rex in a letter to The Guardian newspaper.

Prof Rex, 56, a graduate of Rhodes University, is director of research on ethnic relations at the University of Aston Birmingham.

He said he was invited on a lecture tour of South Africa about six months ago, but changed

his mind because of the plight of Dr Christie and Mr Innes.

"I have indicated to those who invited me that I did not think it appropriate in the present circumstances for British academics to visit South Africa," he said.

"I need hardly say that playing rugby with the South Africans under heavy police guard... seems to me simply obscene."

He said people were continually told that Mr P W Botha intended to liberalise South Africa, but the evidence appeared to him to be "strikingly to the contrary".

Dr Christie was convicted last week in the Pretoria Supreme Court on five charges under the Terrorism Act, and jailed for 10 years.

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Question No 2 b(i)

Expenditure

AD AE FE

Definition

AD Gap

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Output Gap

A deflationary gap occurs when consumption and investment spending at Full employment is less than full employment. Here we have a state of equilibrium before full employment at y_1 . The Deflation Gap is measured by the distance from the AD aggregate demand at full employment to planned aggregate demand on the full employment line. The deflation gap is equal to AC . The output gap is the distance y_1 FE. D is where the aggregate supply cuts the aggregate demand. We can close a deflation with the aid of Fiscal policy. Fiscal policy in government.

330 Mandela message 10/6/80

LONDON. — A message from Nelson Mandela has been smuggled out of Robben Island and will be released in London today, the Anti-Apartheid Movement announced yesterday.

The AAM said the message from the imprisoned leader of the banned African National Congress was "an appeal to the people of South Africa" and was the first known statement from him to have been smuggled out of the island jail.

The message is to be released at a Press conference to be held by the AAM and the ANC. — Sapa.

~~HA~~ (331)
'Mandela'
message
RDM 11 6 80
released

By MARGARET SMITH
London Bureau

LONDON. — A lengthy message from the imprisoned leader of the African National Congress (ANC), Nelson Mandela, was made public in London yesterday.

It was claimed to have been smuggled out of Robben Island, where Mandela is serving a life sentence, and that it reached ANC headquarters a few months ago.

Informed observers who have investigated the authenticity of the message are in no doubt that it is from Mandela.

Political scientists and observers in London were studying the text of the message last night.

Sapa reports that when approached for comment on the message the Prisons Department in Pretoria declined "to speculate".

The Deputy Commissioner, Administrative Auxiliary Services, Maj-Gen J P Roux, said: "I cannot comment until the authenticity of the message has been confirmed."

11/6/80 AREMS
Manenberg mother
faces stoning charge

BAIL of R30 was today granted to a woman who appeared in the Athlone Magistrate's Court in connection with an allegation of public violence.

Mrs Roslin Vlok, 26, of Madge Court, Manenberg, was not asked to plead. No evidence was led and the hearing was postponed to June 26.

It is alleged that while in Manenberg Avenue with her three children yesterday, she stoned a bus.

Mr H S van Wyk was on the Bench. Mrs P C Arendse appeared for the State.

STAR 12/6/80

331

Court inspects alleged John Vorster

An inspection in loco was held today in a room on the tenth floor of John Vorster Square in which a youth has claimed he was assaulted by members of the Security Police.

The decision to carry out the inspection was made by the magistrate, Mr J L de Villiers, who is presiding at the "trial

within a trial" of a 17-year-old youth charged with receiving military training in Lesotho and furthering the aims of the banned African National Congress.

The youth has pleaded not guilty to two counts under the Terrorism Act.

The youth has told the court that on the day of his arrest in September

last year, he was taken to a room known as the "waarheid kamer" ("truth room") on the tenth floor of the police building.

This followed instructions by a senior Security Police Officer.

The youth also told the court that Lieutenant Rolf Maritz and other police officers assaulted him in the room while he was in

leg-irons and handcuffs.

The youth said also that during the assault he was suspended between two tables.

The assault was meant to force him to admit that he underwent military training in Lesotho in 1978, the youth said.

Police also wanted the youth to tell them where he had hidden the arms

r 'truth room'

which they claimed were bought from Lesotho after he received military training.

Lt. Maritz denied in evidence the assault claims by the youth.

He said the youth was co-operative throughout his detention and was at no stage assaulted.

The "trial-within-a-trial"

is to establish the admissibility as evidence of an alleged confession made by the youth to police.

The confession was allegedly made last year while the youth was detained under Section 6 of the Terrorism Act.

Mr M Basslian appears for the defence and Mr A Hattingh for the State.

Trial of Rev Thorne and others postponed

Post 13/6/80 (331)

By WILLIE BOKALA
THE priest whose detention last month caused a protest march by clergymen

in Johannesburg, the Rev John Thorne, and seven other people including priests, appeared briefly in the Krugersdorp

Magistrate's Court yesterday, charged under the Riotous Assemblies Act.

The group, which included the Rev Ce-

el Regbie, the Rev Louis Ilett, the Rev Martinus October, Ms Vesta Smith, Mr Hanif Mohammed Vally, Mr Thomas

Marsh and Mr David Johnson, appeared before Mr W Aucamp and their case was postponed to August 12 for trial.

They were not asked to plead. Their case arises from an alleged meeting held at a school in Rosmont.



● Renfrew Christie... Frene Ginwala was mentioned in his trial

Britain hears views of arch-plotter Ginwala

SAN LEWIS
15/6/80
331

MISS FRENE Ginwala, named by Minister of Police Louis le Grange as an ANC mastermind who works closely with the Russian ambassador in Lusaka, Mr Vassily Solodovnikov, says the seizure of power in South Africa is the only way to bring about political change.

Miss Ginwala, 48, is something of a mystery woman. Her name, until recently, was hardly ever heard in South Africa. She is not banned, as almost all the other leading figures in the ANC are. She was born in South Africa but left the country in the Sixties.

Her views on South Africa and the future were broadcast to millions in Britain on the BBC programme "The World Tonight" the day after the R5.5-million Sasol attack.

Miss Ginwala is a member of the ANC which claimed responsibility for the sabotage.

She said that a violent revolution was the only way to stop apartheid and that the violence would soon escalate.

Miss Ginwala was the mystery woman named in the Renfrew Christie spy trial, and was named with Mr Joe Slovo by Mr Le Grange last week. Mr Slovo spends a great deal of his time in Maputo where he controls Umkhonto We Sizwe — the military arm of the ANC — but spends as much, if not more, in Lusaka with Mr Solodovnikov and Miss Ginwala.

Although Miss Ginwala spends time in Lusaka, she is based in London and is often interviewed by the BBC because she is considered the more eloquent of the ANC members.

She said she did not believe that change in South Africa would be brought about by reform.

"We have tried this. As far as we are concerned we feel that the only way we are going to get change is with the seizure of power in South Africa and then the Government which seizes power will be able to make the changes."

It was pointed out to her that Mr P W Botha had tried to introduce reforms and she was asked whether she did not think there was a danger that the violence at Sasol would promote a backlash from the hard-liners.

By DESMOND BLOW
Chief Reporter

Miss Ginwala said she did not believe that the reforms being undertaken by Mr P W Botha were reforms at all, but were designed to adapt apartheid to better control.

Miss Ginwala said that the victory of Mr Mugabe in Zimbabwe would "undoubtedly" help the guerrilla campaign in South Africa.

"Mr Mugabe has stated that he supports the OAU and its policies which include the support of the liberation struggle in South Africa."

"We have no reservations about any statement Mr Mugabe has made."

Miss Ginwala was asked whether Zambia, Mozambique and Zimbabwe could afford to support a civil war in South Africa.

She replied that dependance was a two way thing and that "the Pretoria government" was dependant on the other Africa countries in many ways "but whether the other countries can afford it or not is a decision they have to make".

"So far there have not been reservations in the support they have given the struggle in South Africa."

She agreed that there were Marxist elements in the ANC, but said the ANC was a national liberation movement and she thought that the label "Marxist or otherwise" was one that concerned people outside South Africa far more than it concerned people in the country.

She said South Africa was already in a state of civil war.

"We would argue that the State is already making war on the people of South Africa. State violence is there, the people's resistance in an armed form will escalate. It will escalate to a far greater extent, and very soon," she said.

Witness 'saved from ANC'

Staff Reporter

331

A WITNESS in the trial of three former high school pupils charged under the Terrorism Act told the Kempton Park Regional Court yesterday how her parents had saved her from being sent for military training by the African National Congress.

The witness, Miss Joyce Marole, told the court she was already in Botswana when her parents came from Mafeking to fetch her.

Miss Marole was giving evidence before Mr Gert Steyn in the trial of Miss Thandi Mo-

dise, 20, of Kimberley, Mr Moses Nkosi, 24, and Mr Aaron Mogale, 21, of Soweto.

Miss Modise faces three counts under the Terrorism Act, one under the Sabotage Act and another of attempted arson or malicious damage to property.

Mr Nkosi and Mr Mogale face two charges under the Terrorism Act.

All three have pleaded not guilty.

Miss Marole told the court that she and nine other students crossed into Botswana late in 1976 and made their way to

Lobatse.

From there they had travelled to Gaborone, Francistown and finally stopped in Bontleng, a village in northern Botswana.

"There we met a man who told us that from that moment we were members of the ANC," she said.

"The man told us we would have to choose between taking up scholarships or going for military training."

Miss Marole said she last saw Miss Modise when she boarded a plane bound for Lusaka.

The case continues today.

(331) RM 18/6/80.
Trespassers fined

Staff Reporter

MORE than 170 youths appeared in the Magistrates' Court in Kwa Thema, Springs, yesterday on charges of trespassing, arising out of a meeting in the township's Dutch Reformed Church on Monday night.

The hearings, in which the accused appeared in groups of between four and 10, were held in camera because most of the 176 charged were minors.

They all pleaded guilty. The State alleged that they had entered the church without the dominee's permission.

Police arrived at the church to find the youths holding a commemoration service.

Fines of R10 or five days were imposed on 118 boys. Forty other boys were each sentenced to three cuts.

Of the 18 girls charged, some received fines of R10 or five days and others had their sentences postponed.

Warder trial: court not told certain facts

331 RDM 18/6/80
THE investigating officer in the case of a prison warder charged with helping three prisoners escape yesterday admitted he had not informed the Pretoria Regional Court of certain facts and an alternative escape route available to the prisoners.

Mr Ike Swartzberg, appearing for Sergeant Francois Daniel Vermeulen, 57, of Sunnyside, told the court that the officer, Captain W Cooper, had had these facts pointed out to him by Major-General G D Cilliers of the Prisons Department.

Sgt Vermeulen has pleaded not guilty to helping Alexander Moumbaris, Timothy Jenkin and Stephen Lee, escape from Pretoria Central Prison on December 11 last year.

Mr Swartzberg said Capt Cooper had failed to tell the court that, using one of the wooden keys allegedly made by the prisoners in the workshops, the escapees could have gone the entire length of the second floor to the end of the passage, down a flight of stairs into a courtyard and into the visitors' waiting room.

There they could have removed a loose glass window, climbed through, jerked open an electric door and broken down two doors to get outside. Gen Cilliers had mentioned in a document that, although Sgt

Vermeulen said he had unlocked a certain door, it had in fact been broken open.

Capt Cooper had also not pointed out that two trees in the inner courtyard, which obstructed the view of the guard on the catwalk above, had not been indicated on the plan shown to the court. Two doors to the inner courtyard had also been omitted.

Capt Cooper had failed to mention there was toilet paper pasted on the inside walls of the cells and there had been scratch marks above one of the doors, Mr Swartzberg said.

Mr Swartzberg said Gen Cilliers had given him a document, which passed on to Capt Cooper, pointing out these facts. Capt Cooper told the court he was not sure whether he had received the document. He said he knew of the alternative escape route but could not see the point of investigating.

In answer to questions by the prosecutor, Mr Ben Bredenkamp, Capt Cooper told how photographs had been taken of Sgt Vermeulen following the route he gave in his confession to release the prisoners.

The magistrate, Mr J H Bekker, admitted these photographs as evidence, overruling an objection by Mr Swartzberg that they constituted a second confession by Sgt Vermeulen.

The trial continues today.

IL, Wednesday, June 18, 1980

Court told of ANC contact

331
18/6/80

Staff Reporter

NINE high school students from Mafeking cut their way through the security fence on the border between South Africa and Botswana in November, 1976, and walked to a village near Gaborone to make contact with the African National Congress.

This was said by a witness in a Terrorism Act trial yesterday.

Miss Dipsy Mosiapo, 23, of Mafeking, told Mr Gert Steyn, in the Kempton Park Regional Court that their ANC contact at the village, Bontleng, Mr Keith Mokoape, was mainly interested in those who wanted to go for military training.

"Keith said to us: 'Those interested in military training should raise their hands.' I told him I didn't want to be trained and asked him instead to telephone my mother in Mafeking, which he promised to do.

"Later, my mother telephoned Francistown police station and they passed on her message to Keith. I had been in Botswana for more than two weeks when my mother came and took me home," Miss Mosiapo said.

She was giving evidence in the trial of three former high school pupils, Miss Thandi Modise, 20, of Kimberley, Mr Moses Nkosi, 24, and Mr Aaron Mogale, 21, both of Soweto.

Miss Modise faces three charges under the Terrorism Act, or alternatively of attempted arson or malicious damage to property.

Mr Nkosi and Mr Mogale also face a charge under the Terrorism Act, or alternatively that they helped and harboured a terrorist.

They have all pleaded not guilty to the charges.

The case continues today.

the ...
DU 11/6/80

Strike: two charged (33)

EAST LONDON — Two Mdantsane men appeared briefly in the Regional Court here charged with taking part in an unlawful strike.

Mr Dan Sitembile Mavume, 35, of Zone Three, and Mr Gideon Mhlanganiso, 45, of Zone Nine, were not asked to plead and no evidence was led.

The charge sheet did not disclose any details relating to the alleged offence.

The hearing was postponed for further investigation.

Mr Mavume and Mr Mhlanganiso were remanded in custody and will appear in court again tomorrow. — DDR

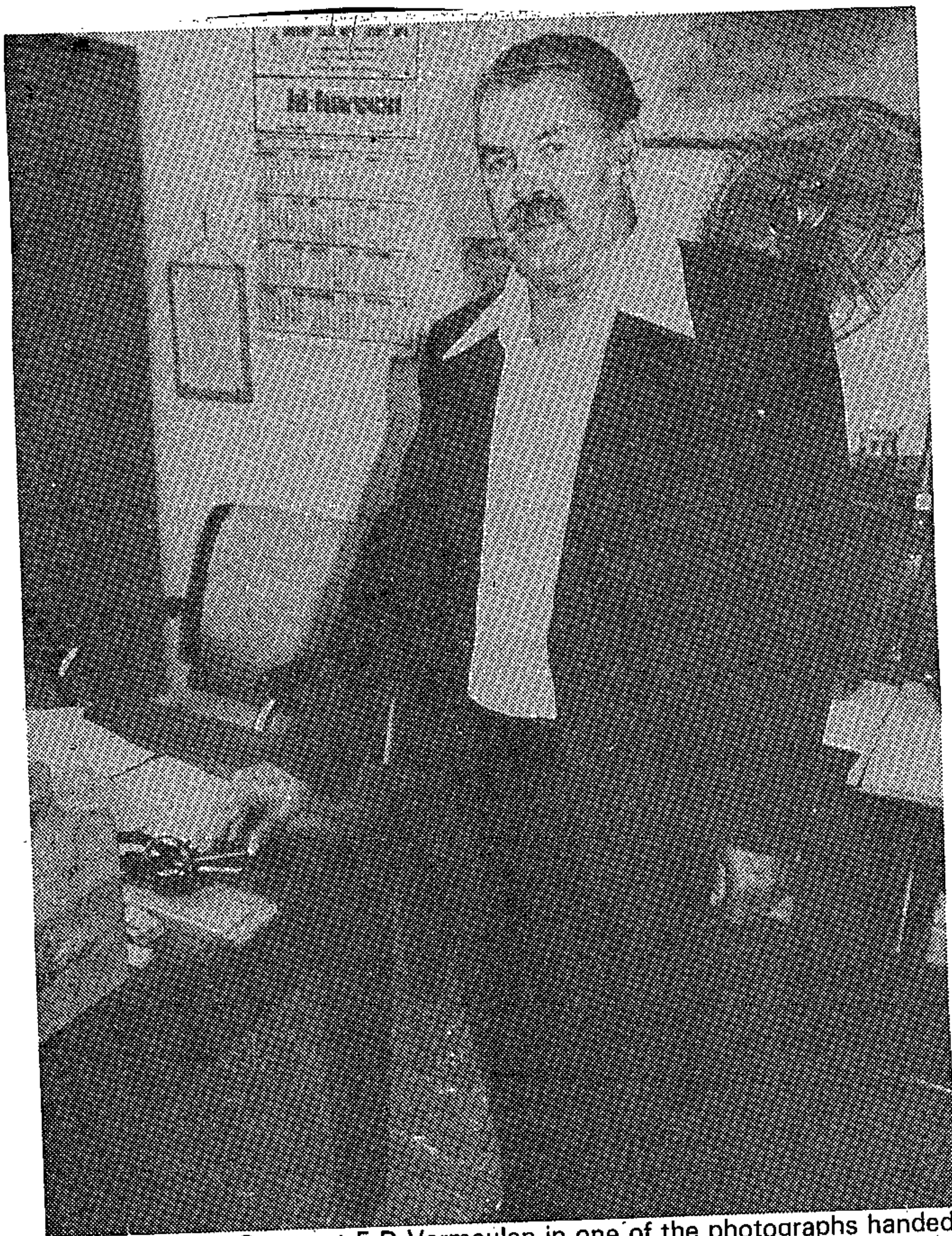
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Another court exhibit: Sgt Daniel Vermeulen at the gate in the southern section of the corridor in Pretoria Central from which, it is alleged, he assisted Lee, Mounbaris and Jenkin to escape.



Sgt Vermeulen steps through the gate in the southern section of the prison corridor — another photograph submitted as evidence at his trial.



Prison warder Sergeant F D Vermeulen in one of the photographs handed in at his trial on charges of assisting three political prisoners to escape.

Evidence conflicts in trial of warder

By SAVVAS GEORGIADIS
Pretoria Bureau

CONTRADICTIONARY evidence on the functioning of an electronically controlled security gate was given in the Regional Court, Pretoria yesterday during the trial of a prison warder charged with assisting three political prisoners to escape.

The warder, Sergeant Francois Daniel Vermeulen, has pleaded not guilty to aiding terrorists, or alternatively, to assisting Alexander Moubaris, Stephen Lee and Timothy Jenkin to escape from Pretoria Central last December.

Sgt J E Potgieter, a prison locksmith, said in evidence yesterday that the electronically operated prison gate could be unlocked by a button in the adjacent officer's room. The gate would not lock automati-

cally if the button was released but only if the gate was opened.

Another prison locksmith, Sgt P A Coetzee, told the court earlier that the gate would lock automatically once the button was released, regardless of whether it had been opened or not. Previously, he said the bolt of the lock had been found bent after the three had escaped.

Sgt Potgieter said he was not aware the other prison locksmiths had worked on the gate before the three political prisoners escaped. He said he had worked on it a few months ago.

In an alleged confession, Sgt Vermeulen said he had released the prisoners from their cells and then pressed the button in the officers' room. He had then left the office with the prisoners and, after opening another three doors, had opened

the electronically operated door.

At the start of the trial Sgt Vermeulen claimed the contents of the confession were false. He said he wrote down whatever came into his head after being threatened by the investigating officers.

The prison censor, Sgt T Venter, told the court that the day after the prisoners had escaped, the electronically-operated gate was working properly because he had gone through it.

He admitted he did not test the door. The officer on duty had pressed the button for him.

He said he saw it being tested although he was not present. Asked how this was possible, he replied he was busy elsewhere.

Sgt Venter said the window allegedly used in one of four possible unaided escape routes,

could not have been used because the lock was in position and the window was solidly fitted. He admitted he did not test the window.

The investigating officer, Captain W Cooper, earlier told the court of four possible escape routes which could have been used without inside help. He admitted it was possible the prisoners could have used one.

The court has heard that after the escape five wooden keys were found. They were perfect replicas of those used by prison authorities.

The trial was postponed to August 5.

Mr J J Bekker was on the bench. Mr Ben Bredenkamp, assisted by Mr M Schutte, prosecuted. Mr Ike Swartzberg, assisted by Mr W Cornelius, appeared for the defence.

Witness

331

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terror

trial

Staff Reporter

THE father of a man charged under the Terrorism Act told the Kempton Park Regional Court yesterday that he saw a gun being hidden in the backyard of his house in Meadowlands, Soweto.

Mr Robert Mogale was giving evidence before Mr G Steyn at the trial of Mr Aaron Mogale, 31 — his son — Miss Thandi Modise, 20, of Vryburg, and Mr Moses Nkosi, 24, all on a charge under the Terrorism Act.

Mr Mogale and Mr Nkosi face an alternative charge of harbouring a terrorist. Miss Modise is alternatively charged with attempted arson or malicious damage to property.

All have pleaded not guilty.

Mr Robert Mogale told the court that one evening his son George called him to the boys' bedroom to see a gun that had been brought home by Aaron.

"I got very scared and angry and told Aaron to remove it from the house.

"Aaron hid it under some old corrugated iron sheets in the backyard. A day or two later Thandi and Mr Nkosi fetched the bag with the gun."

Mr Mogale said when the Security Police raided his home last November 7, they said they wanted Aaron, George, a gun and a bag that had been brought to the house earlier.

Mr George Mogale, who told the court earlier that he and his brother and father had been taken to John Voster Square for questioning, said under cross-examination by Mr David Soggot, for the defence, that he did not know under what section of the law he had been detained. He said he was not told of his rights.

Under re-examination by Miss E Waite, for the State, Mr Mogale said he was present when Aaron hid the gun under the corrugated iron sheets, and that he was satisfied that it was a safe hiding place.

The trial continues on Monday.

Student

CAPE TIMES 24/6/80

publisher

in court

Staff Reporter

A STUDENT appeared in the Wynberg Regional Court, yesterday charged with the publication of undesirable literature.

Mr Christopher Russell, 23, of Durban was charged with producing the Nusas publication National Student No 2.

He pleaded not guilty and the case was postponed to today in the Cape Town Regional Court.

Mr J S Sandler, for Mr Russell, said that when Mr Russell produced the publication it was not found to be undesirable.

The magistrate was Mr P J le Roux. Mr F Silbert prosecuted.

24/6/80 (331)

C. T. 24/6/80 (331)

Student in court for magazine

Staff Reporter

A STUDENT appeared in the Wynberg Regional Court charged with the publication of an undesirable magazine.

Mr Andrew Gordon Thompson, 24, of Norfolk Road, Claremont, appeared briefly before Mr P J le Roux charged with

the publication, in June 1979, of vol 4 No 3 of Bona Fide, a student magazine.

He was not asked to plead, no evidence was led and his case was transferred to the Cape Town Regional Court to be heard today.

Mr F Silbert prosecuted. Mr P Hodes appeared for Mr Thompson.

Tight security at terror trial

By MATHATHA TSEDU

SECURITY was tight at the Pieterburg Regional Court yesterday where the president of the Congress of South African Students (Cosas), Mr Ephraim Mogale, and a Turfloop student, Mr Thabo Makunye, made a brief appearance charged under the Terrorism Act.

Armed police and at least one dog were at hand outside the courtroom where a crowd of spectators had gathered for the hearing. The venue of the hearing was even changed "for security reasons" according to

the defence attorney, and no spectators were present in the other court room.

The two are charged with furthering the aims of banned organisations, recruiting for these organisations, distributing pamphlets and possession of undesirable literature.

They appeared briefly before Mr W G M van Zyl and were not asked to plead. The case was postponed to August 25. Their first court appearance was on April 21.

Mr R Gouws prosecuted and Mr Don Nkadameng appeared for both accused.

Student leader in court again

Staff Reporter

PIETERSBURG. — The president of the Congress of South African Students (Cosas), Mr Ephraim Mogale, 23, who is facing a charge under the Terrorism Act, made a brief appearance in the Pietersburg Magistrate's Court yesterday.

Appearing with him was Mr Thabo Makunyane, a third-year student at the University of the North. They were not asked to plead and at the request of the State the case was postponed to August 25.

The Press was barred "for security reasons", court officials said.

The two had first appeared on April 21 before Mr W G M van Zyl.

According to the charge sheet, the two are alleged to have promoted the objects of communism and of the banned African National Congress (ANC) between October 1977 and October 1979.

In 1977 they are alleged to have distributed pamphlets entitled "Being black in South Africa today" and "Declaration of War". They are also alleged to have recruited members for the ANC and to have worked for the formation of youth clubs to promote unrest between 1977 and 1979.

They also allegedly prepared a stencil for the production of pamphlets entitled "Come let us unite and defeat our oppressors" and established an organisation called "Communist Advancement Movement".

Bomb trial

331

RDM

26/6/80

THE trial of a 16-year-old boy, who allegedly threw a petrol bomb into Pretoria's Brooklyn Police Station, has been postponed again pending a decision from the Attorney-General.

He is charged with attempted murder and arson, and also faces an alternative charge of malicious damage to State property.

The youth, who may not be named, has not been asked to plead during appearances in the Pretoria Magistrate's Court.

The case has been postponed to July 10.

The youth was released in the custody of his mother. — Sapa.

Police smash Breytenbach's passport source

231 Own Correspondent

PARIS. — Police have smashed the communist counterfeiting network which provided Breytenbach with the fake French passport he used to enter South Africa.

The network was set up by Henri Curriel, the founder of Solidarity who was assassinated as a suspected KGB agent in May, 1978.

Curriel had always admitted giving Breytenbach the passport in the name of Christian Galewska, but never said where he obtained it. Now police are certain they know.

The whole story has finally been unravelled by police after a three-month investigation and the arrest of six members of Solidarity in Paris, Caen and Orleans.

Police seized hundreds of fake passports — some of them South African — as well as rubber stamps from several countries, they announced yesterday.

The clandestine printing press operated from a Paris workshop rented by a senior member of the French Communist Party.

The network was headed by a

poet and painter, Mr Jean-Philippe Lantowski, 24, and his wife, Maria, 30. Mrs Lantowski is an engraver and her father is a leading Protestant pastor in Argentina.

The Solidarity movement recruited many Protestant pastors, it was revealed during the Breytenbach trial.

The Lantowskis were aided by three technical specialists — Messrs Philippe Lequesne, Daniel Landre and Yves Anfrville.

Their workshop in the Paris suburb of Ivry was rented by Mr Alain Saillens, a 55-year-old

senior aide in the communist town hall of another Paris suburb, Blanc Mesnil.

All six were arrested on June 5 after a dawn raid, police said yesterday.

Over the past few years, foreign governments have complained about a flood of fake passports and other documents being issued to "dissidents" in Paris. French police were ordered to investigate on March 25.

Several tons of material and documents are being studied in police laboratories following the arrests.

Meanwhile, police say all the accused have admitted to being members of Solidarity and acting for political motives.

They said their goal was "to provide foreign militants with the material means to fight pitiless dictatorships".

Police presume these arrests will finally close down Solidarity which to the end managed to mix obvious idealists and link them with the French Communist Party.

Recently Curriel's widow sued three magazines for libel for calling her husband a known senior KGB agent. She lost her case.

RDM

26/6/80

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Phatudi plans to meet Mandela

EDR 28/6/80

Own Correspondent

PIETERSBURG. — The Chief Minister of Lebowa, Dr Cedric Phatudi, says he is making special arrangements to visit Robben Island again to see Nelson Mandela.

In an interview after his recent visit to the island, Dr Phatudi said he was disappointed that he had not been able to see the imprisoned black leader.

He said special arrangements had to be made before he could meet Mandela.

Dr Phatudi said that he would also suggest frankly to the Minister of Co-operation and Development, Dr Piet Koornhof, and to the Prime Minister, Mr P W Botha, that they make an effort to go and see Mandela.

It was only through contact of this kind, he said, that one could determine if Mr Mandela was "reasonable and ready to co-operate and negotiate".

Dr Phatudi said it was a matter of high priority and he wanted to impress upon Dr Koornhof and Mr Botha that they should not fear releasing Mandela, or in fact, all political prisoners.

"These are among the best brains we have," he said.

"There is a wastage of manpower of a high grade that is badly needed in South Africa today under the present circumstances. The Prime Minister will find that these men are not hostile."

Although those detainees on Robben Island did not necessarily support his stand, they were jubilant to see him and he was well received by men of all ethnic groups, as well as coloureds and Indians. To his knowledge he was the first black leader to have visited the island, he said.

Dr Phatudi said contact was necessary in order to consider a review of the sentences.

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24/6/80 ARYUS
Student
331
magazine

ex-editor

acquitted

THE former editor of two student publications, Mr Chris Russell, 23, of Morningside, Durban, charged with producing an undesirable publication, was today discharged by a Cape Town Regional Court magistrate.

Mr Russell, who pleaded not guilty, admitted producing the magazine, National Student No 2, June 1979, and that it was declared undesirable.

He is the former editor of Varsity, UCT's student newspaper, and National Student, published by the National Union of South African Students.

His defence applied for a discharge on the grounds that the State could not prove criminal intent.

'SARCASTIC'

The magistrate, Mr P J le Roux said: 'Although parts of the publication are strongly worded and sarcastic, the rest is mild.' He added: 'There is insufficient evidence to conclude that the accused intended to prejudice the security of the State or could foresee that the publication would be declared undesirable.'

Mr S Silbert appeared for the State. Mr T B Hodes, instructed by Bernadt and Joffe, appeared for the defence.

NUSAS SPEAKS

A STATEMENT issued by the Nusas executive following Mr Russell's discharge said it appeared the State was using the Publications Act to harass student journalists.

After failing to secure a conviction against Sean Moroney, the 1976 National Student editor, the law was changed, the statement said. 'Today the State failed again.'

'One wonders whether today's judgment will lead to the permanent ban on National Student being lifted.'

'Will the Publications Act charges against other students be dropped or will the Act merely be tightened up once again?' the statement read.

The statement said the comment by Mr le Roux was in direct contradiction to the reasons given for the banning of National Student.

ARGUS 3/7/80

331

MARK

13/1/81

Mandela pamphlets—13 students charged

THIRTEEN students of the University of Cape Town, who are charged under the Internal Security Act, yesterday appeared in the Cape Town Regional Court, for distributing Free Mandela and Freedom Charter pamphlets, prohibited by the Publications Act of 1974.

The students, who pleaded not guilty to the charge were: Mr Gavin Evans, son of Port Elizabeth's Anglican Bishop, the Right Rev Bruce Evans; Mr Gregory Zinn, 19, of Dunkley Street, Gardens; Miss Susan Mural, 21, of Crown Street, Observatory; Miss Anita Kupper, 19, of Park Lane, Worth Street, Gardens; Miss Sarah Brigitte Culli-

nan, 19, of Alfred Street, Observatory.

Miss Claire Moore, 19, of Upper Chamberlain Street Woodstock; Mr Vernon Brent Matzopoulos, 19, of Bedford Street, Observatory; Mr Christopher John Giffard, 19, of Grant Street, Observatory.

Miss Michelle Solomons, 19, of Grant Street, Observatory; Miss Sarah Ward, 19, of Chamberlain Street, Woodstock; Mr Richard Goode, 18, of Welmoed Court, Harrow Road, Rondebosch and Mr Chrispian Garth Olver, 21, of Klein Constantia, Constantia

Road, Constantia. One accused is a minor.

Evidence led was that on March 28 this year the students distributed the banned publications among commuters on the Observatory railway station.

Constable P. G. Rademeyer said the students were handing out the pamphlets to commuters on the platforms and in the subway when the police arrived. 'One student tried to hide the pamphlets under her jersey when I approached,' he added.

The defence counsel, Mr P. B. Hodes, submitted that 'the case for all the accused' was that none of the documents or publications had been declared undesirable in terms of the Act at the time of distribution. It was denied and disputed that any of the accused had the necessary criminal intent to constitute an offence.

The trial was postponed to the Retreat Regional court on July 28.

Mr P. J. Putter was on the Bench. Mr Frank Silbert prosecuted.

Mr P. B. Hodes was instructed by Frank, Bernast and Joffe.

Law student is acquitted on banned book charge

Pretoria Bureau

A THIRD year law student, Mr Mbulelo Nimrod Tantsi, 26, was acquitted in the Pretoria Magistrate's Court yesterday on a charge of possessing a banned book on guerrilla warfare.

Mr Tantsi, a Fort Hare University student who was told by the court he was "lucky" to be discharged, had pleaded not guilty before Mr P J O van Schalkwyk to possessing a banned book called "The War of the Flea — Guerrilla War-

fare Theory and Practice" at his Atteridgeville home on February 27.

Evidence was that Warrant Officer J A van der Westhuizen and Major M D Ras found the book in an old suitcase in Mr Tantsi's home. It was with another book, "The African Students' Solidarity Organisation" and a few letters.

W/O Van der Westhuizen told the court he had thought the books were about guerrilla warfare, although he had not

read them.

Mr Tantsi, who was held in custody for 64 days under the Terrorism Act and the General Amendment Act and later released on R500 bail, had told the court that the book was found in his uncle's suitcase.

He said the room was used by guests while he and his wife had been away at school, and might have been put in the room by visitors to the house during his absence.

Rm 5/7/80 (331)
SP sergeant was kind — accused

Staff Reporter

A WOMAN accused of terrorism told the Kempton Park Regional Court yesterday that she had named her baby after a Security Police sergeant who had been kind to her during her interrogation and solitary confinement.

Miss Thandi Modise, 21, said she called the baby Nicolette — the father is co-accused Mr Moses Nkosi — after Sergeant

Nico Deetlefs, who had treated her "like a fellow human being".

Earlier, Miss Modise had told the court how Security Policemen had assaulted her while she was pregnant and threatened her with death and the loss of her baby.

Cross-examined, Miss Modise said her need for human company while in solitary confinement had driven her almost to suicide. She was about to kill

herself when the baby kicked in her stomach.

Asked if she hated the Security Police, Miss Modise said Sergeant Deetlefs had treated her like a fellow human being.

Asked what she thought would happen if Sergeant Deetlefs — a witness to the treatment to which Modise claimed she had been subjected — testified, she said, "Sergeant Deetlefs is a junior policeman. Even if he wanted to tell the

truth, he would not because of his position."

She said that even if he told lies she would not hate him. "When I needed sympathy and human relations, he gave me these."

Miss Modise, with Mr Nkosi, 24, and Mr Aaron Mogale, 21, both of Soweto, face charges under the Terrorism Act. They have pleaded not guilty.

The hearing continues on August 13.

331 331 331 Suicide note was genuine, says judge

Own Correspondent

GRAHAMSTOWN. — The note left by black consciousness leader Mapetla Mohapi, who died in Security Police detention in August 1976, was a genuine suicide note and there was no reason to doubt police evidence that he had hanged himself.

That was the finding of Mr Justice Smalberger who gave judgment this week in the Grahamstown Supreme Court on the civil action brought by Mr Mohapi's widow, Mrs Nohle Mohapi, against the Minister of Police.

Mrs Mohapi claimed R35 000 for loss of support suffered by herself and her two minor children as a result of the death of her husband which, she maintained, had followed assaults on him by members of the Security Police.

Findings against Mrs Mohapi and in favour of the Minister of Police, Mr Justice Smalberger said that in spite of the evasiveness of two police witnesses, and conflicts between the evidence of uninformed po-

lice stationed at Kei Road on the one hand, and the Security Police on the other, there was not sufficient basis for concluding that Mr Mohapi's death was caused by an assault, or that his suicide was faked.

He awarded all costs to the Minister of Police, including the costs of counsel, expert witnesses, attendance at a commission in Lesotho which heard evidence, and preparation of all documents for the case.

The judge rejected the evidence of two overseas handwriting experts, Dr Julius Grant of Britain and Professor Clarence Bohn of the United States, that the suicide note, found on Mr Mohapi, was a forgery.

He accepted the evidence of a police handwriting expert, Colonel Frederick Fourie, that the suicide note was fluent and did not exhibit any of the expected signs of forgery.

Dr Grant was criticised for failing to make concessions, which were called for, and for not being entirely objective.

He had been unable to point

out any fundamental differences between the writing in the suicide note and the authentic documents, the judge said.

Professor Bohn's quality as a witness had been affected by his dogmatic refusal to make concessions — "so much so as to render his objectivity suspect".

He appeared to regard any difference in construction between letters in the suicide note and those in the authentic writings as fundamental differences, failing to make proper allowance for the normal variations in the handwriting.

Neither Dr Grant nor Bohn could substantiate their opinions that the suicide note was forged, while Col Fourie had been able to demonstrate certain unusual characteristics of Mr Mohapi's writing style which appeared in the suicide note and other examples of his handwriting.

"I have no hesitation in finding that exhibit C (the suicide note) was written by the deceased," the judge said.

However, even if he had been

unable to make a positive finding on the suicide note, he said, he would still not be able to make a judgment in favour of Mrs Mohapi.

The evidence of various policemen who testified stood virtually uncontradicted and in those cases where there was conflict, it was not material to the ultimate finding.

Dealing with the police evidence, Mr Justice Smalberger said that Captain Petrus Sebemon, who headed the Security Police team which detained and interrogated Mr Mohapi, had displayed "a measure of arrogance" in the witness box and was evasive at times.

But he accepted Capt Schoeman had been confined to bed for 24 hours before Mr Mohapi died and had not been at the Kei Road police station that day.

Sergeant E W F Geyer, station commander at Kei Road, where Mr Mohapi had been held for interrogation, was also not impressive as a witness.

"He was evasive at times

and proffered lame and unconvincing explanations for certain inaccurate entries in the occurrence book."

Other policemen stationed at Kei Road had not been prepared to disagree with anything said by Sgt Geyer.

The judge found Warrant Officer P P Nicholson of the Security Police to have been a "not unsatisfactory witness", but said his evidence had contained inexplicable factors.

On one night during Mr Mohapi's detention, W/O Nicholson had claimed he had interrogated him until 6pm in an office. But the Kei Road police said Mr Mohapi had been returned to his cell at 4.30pm that day.

The judge said the only person who could have assaulted Mr Mohapi on August 5 was W/O Nicholson, who would then have had to fake a hanging single-handed or risk involving Sgt Geyer whom he did not know well and who was from a different branch of the police.

He said he found this improbable and that allegations of a

of his state of mind and attitude to life on the day he died.

"It may well be that the deceased's interrogation was somewhat more intensive than the evidence of Capt Schoeman and W/O Nicholson suggests."

In any event, there was no accounting for why a person might commit suicide, the judge added.

Dealing with the evidence of Mrs Muntso, taken on commission in Lesotho, he said he had found her to be a partial and biased witness, whose evidence revealed "a deep-seated bitterness and prejudice against the South African authorities in general and the Security Police in particular".

Mrs Muntso's evidence related to assaults upon her by members of the Security Police, but what appeared to be the most serious assault, the one by Major Richard Hanse, which she alleged, had taken place in a cell at Kei Road, had been omitted when she reported on her detention to the International Red Cross in December 1976.

The letters he had written on toilet paper while in detention did not seem to be the letters of a man contemplating suicide, as they showed an apparent acceptance of the realities of his situation.

However, the letters had been written before Mr Mohapi's interrogation started and might not be a true reflection

SUN POST
6/7/80

'Cop called me an ANC bitch' (331)

A WOMAN facing charges under the Terrorism Act told a magistrate in the Kempton Park court that her interrogator at John Vorster Square told her he hated her because she was the African National Congress's "bitch" who was pregnant.

Under cross-examination by Mrs E Walte for the State, Miss Thandi Ruth Modise (21) of Vryburg, Northern Cape, told the court on Friday that one of the police officers who interrogated her told her he hated her because she was a member

ANC and was a "terrorist".

The police officer allegedly told her that he used to torture "die-hard" Swapo guerillas who would not reveal information. But they ended up talking under his interrogation.

The police officer had also shown Miss Modise wounds on his legs which the officer allegedly said were inflicted in a bush war with Swapo guerillas during his conscription.

Waarkamer

She said when she returned from a magistrate where she confessed unvoluntarily, Major Arthur Cronwright of John Vorster Square was not satisfied with her confession to the magistrate. Major Cronwright ordered that she be taken to a "truth room" (waarheid kamer) where she alleged she was further assaulted.

When she screamed after a police officer slapped her and she fell to the ground, Major Cronwright ordered her to stop crying as there would be no one who would be coming to her assistance.

Miss Modise is appearing with Mr Moses Nkosi (24) and Mr Slim Aaron Mogale (21) both of Soweto. They have all pleaded not guilty on seven counts under the Terrorism Act. — SUNDAY POST Correspondent.

Violence case: 5th time postponed

331

1051
7/1/50

THE PUBLIC violence case against two Johannesburg journalists and 29 other people was postponed for the fifth time by a Mamelodi magistrate.

The case follows police arrests during the unveiling of a tombstone for Solomon Mahlangu on April 27.

Those appearing were Willie Bokala (POST) Willie Nkosi (Star), Lucas Ntlatseng, Silos Maseko, Johannah Mahlangu, Eunice Mabuza, Solomon Zulu, Joseph Phatswana, Silvia Kekana, Jane Monyakeng, Constance Phala, Gelinyane Phakathi.

Wandile Zulu, Dikgang Molwa, Isaac Thusi, Jacob Siza, Andries Moropodi, Petrus Malundi, Isaac Ntuli, Donald Mokoena, Sam Twala, Collin Matjila. The others are youths who cannot be named.

They appeared before Mr J L Kotze and the case was postponed to August 6, pending the Attorney-General's decision. The accused were not asked to plead.

Mancotywa case postponed

DA/4 JSP
8/7/80
(331)

UMTATA — The publicity and information secretary of the opposition Transkei Democratic Progressive Party, Miss Florence Mancotywa, appeared briefly in the regional court here yesterday on a security charge.

Miss Mancotywa, 48, who is also parliamentary representative of Paramount Chief Sabata Dalindyebo, the Leader of the Opposition, was arrested and charged last

year.

She is charged under Transkei's Public Security Act for statements she allegedly made which were calculated to incite racial enmity among the different population groups in the country.

Miss Mancotywa was not asked to plead and no evidence was led. The case was postponed until August 14 and bail of R200 was allowed to stand. — SAPA

Post 8/7/80

331

Actor Bingo in court

Accused claims cop assault

By KINDOM
LOLWANE

A **TERRORISM** Act trial accused alleged in the Johannesburg Regional Court yesterday that he was assaulted and forced by security police to make sketches

of various places in Lesotho, one of which was the refugee camp at Maseru.

Mr Archibald Monty Mzinyathi (24) was being cross-examined by Mr A Hattingh, for the State, when he appeared with his stepfather, actor Bingo Bentley, before Mr Gert Steyn.

The State alleges that Mr Mzinyathi left the country and underwent military training in foreign lands that would have been of use to endanger the maintenance of law and order in South Africa.

Mr Bentley is accused of having harboured Mr Mzinyathi on his return.

Both have pleaded not guilty to the charges which carry a minimum sentence of five years' imprisonment.

SKETCHES

Mr Mzinyathi told the court that he was assaulted and finally agreed to make sketches of several areas in Lesotho to the police. This was during his detention at John Vorster Square.

He said he had earlier refused to make these sketches in an attempt to protect other refugees.

"I drew the sketches to save my skin," he said.

He said police took him to a veld in Eldorado Park where he made them "dig the whole area" in search of arms and ammunition.

Mr Hattingh: "You also did this to save your skin?"

Mr Mzinyathi: "Yes, your worship."

He said he later got tired of living as a refugee in Lesotho and returned to South Africa. During his stay in the country he put up at different

houses in Soweto until the day of his arrest.

A defence witness, Mr Dick Barney Baloyi, told the court that he had first met Mr Mzinyathi in Butha-Buthe, Lesotho, in 1977 while operating a taxi.

Mr Mzinyathi had assisted him in his business until the day when they were involved in a car accident.

FEAR

Mr Baloyi admitted under cross-examination by Mr Hattingh that he is a South African citizen and that he had also fled the country in fear of police arrest.

Defence advocate, Mr R Mailer, contested the cross-examination and said Mr Hattingh posed questions that would implicate the witness, and that under the Criminal Procedure Act he, (Mr Baloyi), was entitled to refuse to answer such questions.

The case was postponed to today.

26 pupils guilty of violence

8/7/80 ARCVS
331

TWENTY-SIX schoolchildren who threw stones at cars, burnt overturned dustbins and ripped out a stop sign were found guilty yesterday in the Bellville Magistrate's Court.

Twenty-four youths were each sentenced to seven strokes with a light cane. Sentences on two girls were suspended for five years.

The magistrate, Mr M J Langenhoven, told the youths: 'The saying goes that if you play with fire you will burn your fingers, but today you will burn somewhere else.'

41 HELD

The trial arose from an incident at Bellville South High School on June 9 when riot police charged and arrested 41 pupils.

Evidence led was that about 300—500 pupils gathered on the school premises and threw stones at passing cars. They tipped dustbins in the street, setting them alight, ripped out a stop sign, and placed it in the middle of the road in a dustbin.

Police were instructed to apprehend the leaders.

Yesterday, after 26 pupils had closed their case, they changed their plea of not guilty to guilty on charges of public violence.

ACQUITTED

The other 15 were found not guilty and acquitted.

Mr Langenhoven said he had observed that all the accused were always neatly dressed.

'You are not the skollie type that appears in court everyday,' he said.

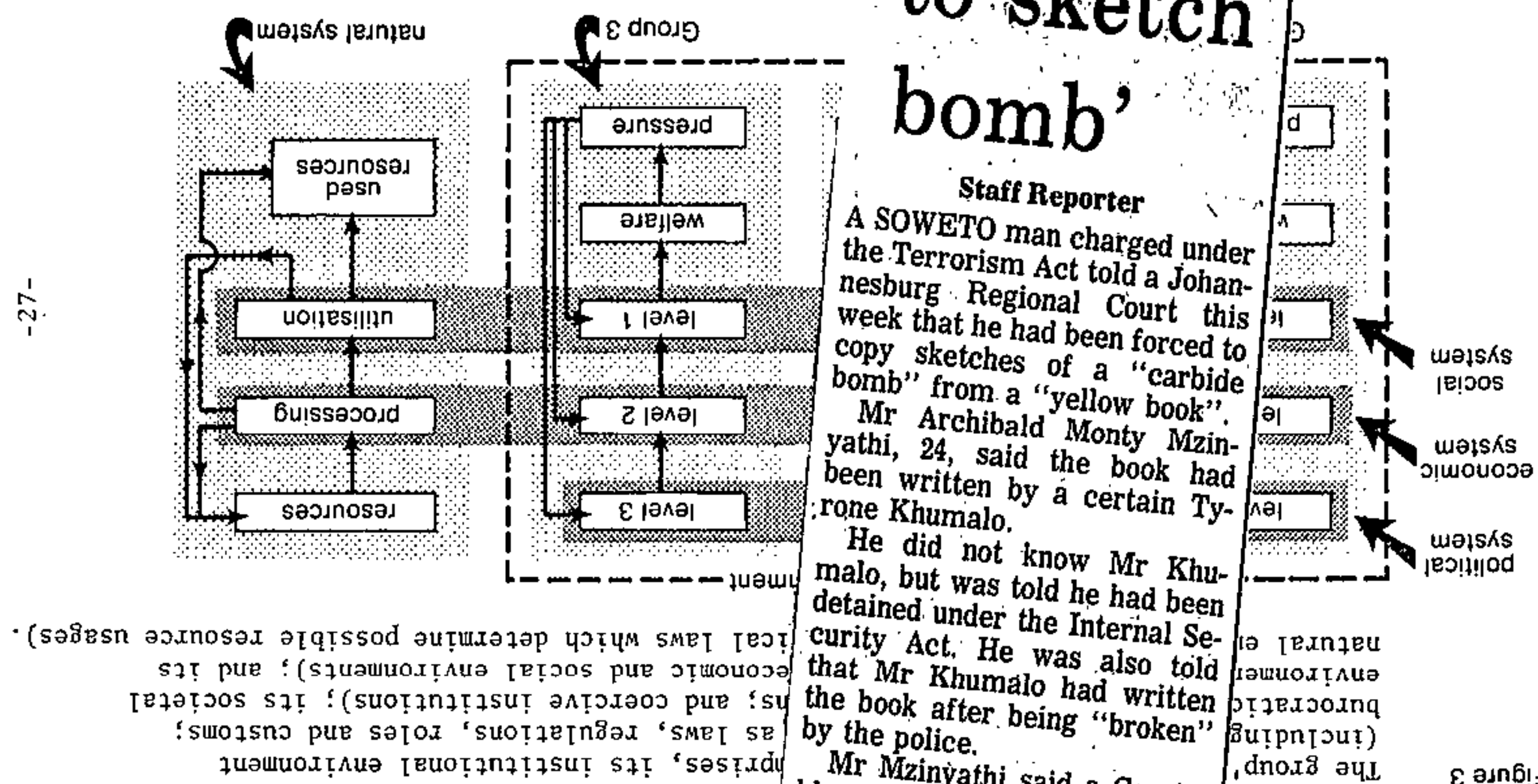
Most were of above-average intelligence, and it was important that they completed their education to prepare for a better future.

'Satan finds work for idle hands, and if you had attended school that day these occurrences would not have taken place.'

Mr Willem Louw and Mr S Lewis, instructed by A M Omar and Company, and Mr R Griesel, instructed by Abergrombie and Son, appeared for the pupils.

that the present 'welfare measurement' proposal is primarily⁶⁶ concerned with; we wish to know how effectively the system responds to such messages. One may note here two specific points: firstly, at the Level of Pressure we aim to characterise the pressure which initiates a signal; at the other levels, there will be receptors which respond to the signals (where we understand by 'response' also a zero-response, i.e. the receptor may respond by not receiving the signal!). In setting up a particular representation of the system one must bear this in mind; on the one hand one should not 'double count' the effect of particular pressures but on the other hand one should include both the signal transmitters and receptors, and so each kind of pressure will be referred to twice. It should be possible to avoid confusion by carefully considering the roles played in the feedback system by the different participants and institutions. Secondly, to have things changed, and unsatisfactory situation, of perfect peace and harmony will always be feature the general running at zero level of interaction. cases signify a serious breakdown at the transmitter may indicate that people are too scared or to solve their problems (this corresponds to the way passivity is just as indicative of problems as are violence and aggression, see [71]). Finally, 'subjective' measures are in general only elicited by sociological or similar research, but they may on occasion be used by the government or

66: A truly responsive system will respond to the inarticulate pressure also. This seldom occurs in the real political world.



Accused forced to sketch bomb

Staff Reporter

A SOWETO man charged under the Terrorism Act told a Johannesburg Regional Court this week that he had been forced to copy sketches of a "carbide bomb" from a "yellow book". Mr Archibald Monty Mzinyathi, 24, said the book had been written by a certain Tyronne Khumalo.

He did not know Mr Khumalo, but was told he had been detained under the Internal Security Act. He was also told that Mr Khumalo had written the book after being "broken" by the police.

Mr Mzinyathi said a Constable Jekwa, stationed at John Vorster Square, forced him to copy the sketches — which were handed in to court as exhibits.

He obeyed because he feared he would be assaulted.

The State has denied the existence of the book.

The State alleges that Mr Mzinyathi joined the ANC in 1975 and left South Africa during March 1977 and October 1978 to undergo military training in Russia.

Mr Mzinyathi is appearing before Mr G Steyn with his step-father, Eldorado Park actor, Mr Bingo Bently, 43, for allegedly contravening the Terrorism Act.

Both have pleaded not guilty.

The State alleges that when Mr Mzinyathi returned to South Africa in October 1978 he was harboured by Mr Bently.

Mr Mzinyathi denied that he had undergone military training.

He said he had been in Lesotho during the time alleged on the charge sheet.

Both accused have been detained since April. The State closed its case at a previous hearing.

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**Bingo case
postponed**

THE Terrorism Act case in which top actor Bingo Bentley and his son, Mr Archibald Mzinyathi, are appearing, was yesterday postponed to today.

Mr Gert Steyn, the presiding magistrate, postponed the case after receiving a report that the prosecutor, Mr A Hattingh, was ill and could not participate in the proceedings.

The case is being heard in the Johannesburg Regional Court.

Bingo case put off once again

THE TRIAL in which top actor Bingo Bentley is appearing on charges under the Terrorism Act, was yesterday postponed for the third time this week in the Johannesburg Regional Court.

The case now comes up on July 22 in the same court before Mr Gert Steyn. *Post 11/7/80*

The postponements on three consecutive days this week follow the absence from court of the State prosecutor, Mr A. Hattingh, who has been reported ill.

MZINYATHI

Bingo, who appears with his step-son, Mr Archibald Monty Mzinyathi (25), was detained about a year ago at his Eldorado Park, Johannesburg, home by members of the Security Police. He was later charged, together with his son, under the Terrorism Act.

The State alleges that his son skipped the country to receive military training in foreign lands with the purpose of returning to endanger the maintenance of law and order in the country.

Bingo is accused of harbouring him on his (the son's) alleged return in 1978.

The two have pleaded not guilty to all the charges.

Jail for

(331)

man who

ADM 12/1/80
trained in

Nigeria

Court Reporter

A MONTH after his arrest under the Terrorism Act, a Meadowlands man decided to come to court and admit he was a pilot in the Nigerian armed forces.

He was jailed yesterday for five years by a Johannesburg Regional Court magistrate, Mr P Kotze.

Mathew Max Lebelo, 27, of Meadowlands, pleaded guilty to undergoing military training in Nigeria.

He admitted leaving South Africa between November 1976 and June 1980. He said he had gone to Swaziland, Mozambique and Tanzania.

Lebelo also admitted being a pilot in Nigeria. But because he was forced to read war books only, wear the same clothes all day and stopped from going to church, he decided to come back.

He eventually ended up in Malawi and asked to come to South Africa. He was put on a plane and arrested in Johannesburg on his arrival on June 13.

He said in court he would like to thank the Security Police for treating him well after his arrest.

Mr F Stassen prosecuted.

other items from his possession.

Documents hereon would be appreciated.

"It further appears that during the course of

action will be instituted accordingly." A letter has been received by Mr. Behwa,

to the "Mail" that Mr. Mkgomo was shot by the police in self-defence on the Parys-Transvaal national road after he had been arrested on a charge of housebreaking.

Riotous Act charges against 5 withdrawn

Pretoria Bureau

CHARGES were withdrawn against five pupils when they appeared on charges under the Riotous Assemblies Act at the Mamelodi Magistrate's Court yesterday.

The pupils, all minors, were arrested on April 28, the day after the scheduled unveiling of Solomon Mahlangu's tombstone

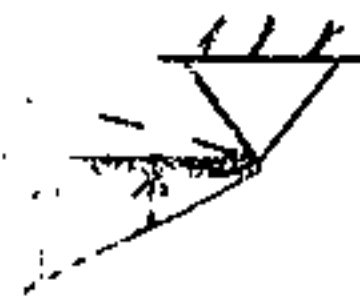
to plead.

They reappeared again on May 8, were not asked to plead and each granted R100 bail.

On June 3 Mr Don MacRobert, who represented two of the accused, asked the magistrate to reconsider the decision that the pupils should report daily at the police station.

He said they would miss a lot at school if they had to report

Figure 2.3 :



Court told of training

16/7/80
331

A STATE witness who was allegedly enticed to undergo military training in Mozambique said he knew the accused as a man who "spread the word of God."

In the Pretoria Regional Court this week Mr Johannes Nkabela said he was approached by Mr Athlone Khima, who has pleaded not guilty to two charges, on the day the results of the Zimbabwean elections were released.

Mr Nkabela was carrying an edition of "The Star" newspaper with a headline: "57 vote for Mugabe." Mr Khima read this and then said to him: "My time is up in the Republic."

It is alleged he asked Mr Nkabela whether he wanted to go with him to Mozambique for training but he postponed his decision saying he would tell him the following week.

He received a message from his uncle, Mr Abraham Mokwene later that week saying he must go to Mr Khima's house on the Sunday. He did not do this and went to soccer instead.

The magistrate, Mr E Wilken postponed the trial to August 13.

128 workers face Riot Act charge

DAIRY DISC 17/7/80
238 331

EAST LONDON — One hundred and twenty-seven men and a 17-year-old youth appeared before Mr N. R. Oosthuizen in a special court at Cambridge police station here yesterday, charged under the Riotous Assemblies Act.

No evidence was led. They were not asked to plead and all were allowed out on R30 bail each and warned to appear in the same court on August 20.

Laying out the conditions of bail, Mr Oosthuizen said: "Do not go to the premises of your employers until the case is heard. If you go your bail will be estreated and you may be arrested. "Arrangements have been made that those who pay bail will be transported from here by police vehicles to collect their property from the firm," Mr Oosthuizen said.

All the men paid the

bail. Two men whose names were scratched off the original list of workers who were arrested for allegedly attending a gathering of more than ten people near the premises of National Converter Industries on the West Bank last Friday, appeared with the others yesterday.

They are Mr Moffat Ndlela, 32, and Mr Walter Kate, 25.

Before the hearing the hall cum court became a pay office when employees of the company paid off the workers.

Outside the court later, the attorney appearing for the workers, Mr B. Ncuka of Durban, spoke to the security guard, Mr N. C. Benito, who, the workers allege has sacked them, but Mr Benito denied the company had fired them. — DDR

Pamphlet charge is withdrawn by court

Staff Reporter

A CHARGE of distributing political pamphlets against a Soweto man was withdrawn in the Johannesburg Regional Court yesterday.

Mr William Velile Ntsibande, 18, of 723 Senaoane, appeared before Mr W J van Rooyen, on a charge of contravening South African Railways regulations by allegedly distributing pamphlets of a political nature at the Phomolong Station; in Soweto, on June 13.

Mr Ntsibande, a Standard 8 student at the Senaoane Secondary School, was not asked to plead. No further particulars were given on the charge sheet.

Yesterday's appearance was Mr Ntsibande's third. He was granted bail of R10 by Mr A H Barlow in the Orlando Regional Court on June 30, pending further investigations. A condition of his bail was that he had to report daily at the New Canada Railway Police Station.

Mrs Priscilla Jana appeared for Mr Ntsibande.

UK call to free Mandela

CDM 19/7/80

LONDON. — Britain's National Union of Miners announced yesterday that it would visit the South African Embassy in London soon to demand the release of imprisoned South African Black Nationalist leader Nelson Mandela.

The NUM, one of the most powerful trade unions in Britain, also said it had sent a greetings telegram to Mandela on his 62nd birthday.

The union has invited Mandela to attend a miners' function and visit British coalfields next June.

Mandela has been in prison for the past 16 years.

He is serving a life sentence.

— Sapa.

Accused 'was rejected by SA Army'

331
251
22/7/80.

Staff Reporter

AN ACCUSED in a Terrorism Act trial told the Johannesburg Regional Court yesterday that he had unsuccessfully applied to become a soldier in the South African Army.

Mr Elias Sana Nkumbi, 21, was giving evidence before Mr J I. de Villiers, in a trial in which he and his brother, Mr Watson Nkumbi, 18, are charged under the Terrorism Act.

The State alleges that at the beginning of 1979 Elias tried to recruit his brother, Watson, and others to undergo training which could endanger the maintenance of law and order in South Africa.

Both are also charged with trying to recruit six others to undergo military training outside the Republic. They have pleaded not guilty.

Mr Nkumbi, under cross-examination from Mr A Hattingh, for the prosecution, said that he was forced to leave school because his working mother had also to pay for the schooling of his brothers and sisters.

He told the court he started working in January last year, but left work after two weeks because of a reduction of staff. He said when he continually failed to find work he applied to the South African Army at the Lenz Military Camp, and then to Pretoria where his ap-

plication was unsuccessful.

Mr Nkumbi said he spent R5 buying a record from a man at the Kliptown Railway Station. He told the court he bought the record because he loved all types of music.

Replying to a question from Mr Hattingh, Mr Nkumbi said he only realised when he started playing the music that it was not "Springbok Hits" as the label said. Some of the tracks contained love songs while others were freedom songs.

Two of the tracks were titled: Nantsi Indoda Emnyama Verwoerd ("Beware Here Comes The Black Man Verwoerd") and Bahleli Bonke Etirongweni ("They Are All Locked Up In Jail"). He said he interpreted the first track as sounding a warning to whites to beware the black man in the game of soccer.

He said the latter track spoke of Nelson Mandela who had been incarcerated for his activities in the African National Congress (ANC).

Under cross-examination from Mr C R Mailer, for his brother, Mr Nkumbi said he took the half raised clenched fist as a sign of Orlando Pirates Football Club. He said any soccer follower would agree with him because the sign was well-known.

The hearing continues today.

(331)
Terrorism
trial told
of bid to
quit SA

Staff Reporter

AN ACCUSED in a Terrorism Act trial told the Johannesburg Regional Court that after his application was turned down by the South African Army, he decided to go to Botswana where he believed the quality of education was better than in South Africa.

Mr Elias Sana Nkumbi, 21, and his brother, Mr Watson Nkumbi, 18, are facing charges under the Terrorism Act.

The State alleges that at the beginning of 1979, Mr Nkumbi tried to recruit his brother, Watson, to undergo training which could endanger the maintenance of law and order in South Africa.

• Both are also charged with attempting to recruit six others.

• Mr Nkumbi said he was arrested in Brits when he failed to produce his passbook.

The police at Brits, he alleged, told them they were not going to school in Botswana as they purported but were going for military training so they could return to kill whites in the Republic.

• Mr Nkumbi said he and his friend were first assaulted in a police car while on their way from Pretoria to Johannesburg. He also claimed they were again assaulted by the Security Police at Protea Police Station. He said one of the assailants was a Lieutenant Klaasen, the investigating officer in the case.

He said he and his friend did not have passports to travel to Botswana.

Under cross-examination by his counsel, Mr M Basslian, Mr Nkumbi said he had been detained under Section Six of the Terrorism Act for two months last year.

The hearing continues today.

Soweto actor's terror trial delayed

Staff Reporter

THE trial in which a Soweto actor, Mr Bingo Bentley, and his stepson are appearing on charges under the Terrorism Act, was postponed yesterday to September 29 by the Johannesburg Regional Court.

Appearing before Mr J L de Villiers were Mr Archibald Monty Mzinyathi, 24, of Orlando East, and Mr Bingo Bentley, 43, of Extension 3, El-

dorado Park.

Mr Mzinyathi is alleged to have participated in terrorist activities in that, during the period March to July 1977, he underwent military training in Odessa and other places in Russia to endanger the maintenance of law and order in the Republic.

Mr Bentley is charged with harbouring Mr Mzinyathi at his home between October 1978 and

April last year. Both have pleaded not guilty.

Yesterday, Mr De Villiers ordered that Mr Mzinyathi be examined by a doctor at the Johannesburg Fort and a report submitted to the Johannesburg Chief Magistrate afterwards.

The order followed Mr Bentley's complaint, through counsel, that he had been removed by the Security Police from Baragwanath Hospital, to

which he had been admitted, under the pretext that he was being transferred to the Johannesburg Non-European Hospital.

Mr De Villiers said he would see the Chief Magistrate of Johannesburg to make sure the order was carried out.

Mr Bentley has been admitted to Baragwanath Hospital from time to time since his arrest last year.

331
23/7/80

Witnesses

(33) NDM
claim

25/7/80
assault

by police

Staff Reporter

COUNSEL in a Terrorism Act trial yesterday urged the Johannesburg Regional Court to refer proceedings to the Attorney-General because of allegations by State witnesses that they were severely assaulted by Security Police.

Mr C R Mailer was addressing the court on the second day of argument in the trial of Mr Elias Sana Nkumbi, 21, and his brother, Mr Watson Nkumbi, 18, who are charged under the Terrorism Act.

The State alleges that at the beginning of last year Mr Nkumbi tried to recruit his brother for military training which could endanger the maintenance of law and order in South Africa.

Both are also accused of attempting to recruit six others to undergo military training outside the Republic. They have pleaded not guilty before Mr J L de Villiers.

Mr Mailer, on behalf of Mr Watson Nkumbi, urged the court to acquit his client and stated that regard had to be taken of State witnesses' evidence on the methods employed by the Security Police.

He said that five of the six State witnesses had stated under oath during cross-examination that they had been severely assaulted by the police during interrogation.

Mr Mailer said one witness had lost the sight of an eye and had undergone two operations as a result of his assaults. Another witness, he said, had said his hearing had become defective.

He said that the evidence of the State witnesses who sought to implicate his client was so poor and lacking in credibility, that no reasonable court could place any reliance on it.

The trial is proceeding.

28/7/80 ARGUS

Pamphlets

(331)

13 discharged

THIRTEEN students of the University of Cape Town, charged with distributing banned pamphlets, were today discharged by a Retreat Regional Court magistrate on charges under the Internal Security Act.

They were: Mr Gavin Evans; Mr Gregory Zinn, 19, of Dunkley Street, Gardens; Miss Susan Mural, 21, of Crown Street, Observatory; Miss Anita Kupper, 19, of Park Lane, Worth Street, Gardens; Miss Sarah Brigitte Cullinan, 19, of Alfred Street, Observatory; Miss Claire Moore, 19, of Upper Chamberlain Street, Woodstock.

A MINOR

Mr Vernon Brent Matzopoulos, 19, of Bedford Street, Observatory; Mr Christopher John Giffard, 19, of Grant Street, Observatory; Miss Michele Solomons, 19, of Grant Street, Observatory; Miss Sarah Ward, 19, of Chamberlain Street, Woodstock; Mr Richard Goode, 18, of Welmoed Court, Harrow Road, Rondebosch; and Mr Christian Garth Olver, 21, of Klein Constantia, Constantia Road, Constantia. One of the accused is a minor.

Their discharge follows an application made by

their defence counsel, Mr P B Hodes, on the grounds that at the time of distribution, the Government Gazette No 6916 of March 28, publishing the banning of the Free Mandela and Freedom Charter pamphlets, had not yet been printed. The students were arrested early that morning, about six hours before the printing of the gazette.

The case arose from an incident on March 28 this year when the students distributed the banned publications among commuters on the Observatory railway station.

Mr P J Putter was on the Bench. Mr Frank Silbert prosecuted. Mr P B Hodes was instructed by Frank Bernast and Joffe.

House and Garden

FAMILY rooms and fragrant gardens are highlighted in this month's House and Garden supplement, published with The Argus tomorrow.

Banned pamphlets: Students acquitted

Cape Times 29/7/86 33

THIRTEEN University of Cape Town students were yesterday acquitted on charges of distributing banned pamphlets containing the Freedom Charter and calling for the release of imprisoned African National Congress leader Mr Nelson Mandela.

The students appeared in the Retreat Regional Court charged with distributing the pamphlets which had been declared undesirable in terms of the Publications Act.

The students' defence counsel, Mr P Hodes, applied for their discharge on the grounds that the pamphlets were banned in a Government Gazette which came out in Pretoria about 2 pm on March 28 this year.

The students had distributed the pamphlets at Observatory station early in the morning of March 28 this year, about six hours before the gazette came out.

The application was successful and the magistrate, Mr P J Putter, discharged all 13.

The students, who pleaded not guilty, were Ms Sue Myrffal, 21, Ms Sarah Cullinan 19, Mr Gavin Evans, 20, and Mr Vernon Matzopolous, 20, all of Observatory, Mr Chrisplan Olver, 21, of Constantia, Ms Anita Kupper, 19, and Mr Gregory Zinn, 19, of Gardens, Mr Christopher Giffard, 19, Ms Michell Solomons, 19, Ms Sarah Ward, Ms Clare Moore 19, all of Woodstock, Mr Richard Goode, 19 of Rondebosch, and a 17-year-old student, who may not be named.

Mr Frank Silbert prosecuted. Mr Hodes was instructed by Frank, Bernadt and Joffe.

Jailed ³³¹ on ^{NOM} Terror ^{30/7/80} charge

JIMMY Gordon Chauke, 19, was found guilty yesterday in the Pretoria Regional Court on a charge under the Terrorism Act concerning the distribution of banned literature.

He was sentenced to 18 months' jail, of which nine months were suspended for five years.

Chauke was found not guilty on two other charges under the Terrorism Act, one of recruiting people for terrorist training and the other of making himself available for such training.

The magistrate, Mr C J Strydom, said Chauke was not solely responsible for the crime he had committed. A teacher had given him a "history book" which contained copies of the banned book, "ANC Speaks". Chauke made copies of parts of the book and showed them to others. — Sapa

90
28/7/80
33

Youth, 19, jailed for Terror Act offence

PRETORIA — Jimmy Gordon Chauke, 19, was found guilty yesterday in a Regional Court here on a charge of distributing material which furthered the interests of Terrorism.

Mr Chauke, who was charged under the Terrorism Act, was sentenced to 18 months' imprisonment, of which nine months were

suspended for five years.

He was found not guilty on two charges, one of recruiting people for terrorist training and the other of making himself available for such training.

The magistrate, Mr C. J. Strydom, said Mr Chauke was not solely responsible for the crime he had committed. — SAPA.

was in sharp contrast to week of white

Emergency laws: Njokweni discharged

331
V66
31/7/88

ZWELITSHA — An 80-year-old member of the Ciskei Legislative Assembly, Mr Mzamo William Njokweni, was acquitted on a charge of contravening the Ciskei emergency regulations here.

Mr Njokweni, the representative for Peddie, was released after his legal representative, Mr S. G. Rein, applied for his discharge when the state closed its case.

Mr Njokweni had pleaded not guilty to the charges in the Regional Court.

He was alleged to have ridiculed Chief Enoch Duma Njokweni at a meeting in the chief's tribal office on March 20 and to have claimed that the Jaji Tribal Authority was elected irregularly.

Alternatively, he was alleged to have embarrassed the chief by performing acts likely to have subverted the chief's authority.

Chief Njokweni said members of the Ciskei Central Intelligence Service had arrived during the tribal meeting with a note alleging that people

in the area were dissatisfied with their tribal authority.

Mr Njokweni allegedly started swearing at Chief Njokweni when the chief expressed shock. He said he was shocked by the allegations in the note.

Applying for Mr Njokweni's discharge, Mr Rein said the chief's evidence was totally different to the allegations set before court.

The application was granted by Mr J. Kotze. —
DDR

2 cleared of striking 2/5/60

EAST LONDON —
Charges against two men of taking part in an illegal strike were withdrawn in the Regional Court here yesterday.

Mr Dan Sitembile Mavume, 35, and Mr Gideon Mhlanganiso, 45, both of Mdantsane, were to appear on a charge of taking part in an unlawful strike.

The charge sheet did not disclose details. —
DDR.

No judge, no date, for siege trial

Pretoria Bureau

THE TRIAL of nine men in connection with the Silverton Bank siege doesn't have a date and doesn't have a judge.

Mr Justice Charl Theron presided at the brief appearance of the men in June when the accused were not asked to plead and the hearing was postponed to August 4.

Yesterday the Judge President of the Transvaal, Justice W G Boshoff, said he had decided not to give the trial to Mr Justice Theron.

'Justice Theron has not recused himself. I have decided at my discretion, after returning from leave, not to give him the trial.

"He was originally appointed to it while I was away," Mr Justice Boshoff said.

He refused to comment further on the matter.

None of the officials at the Pretoria Supreme Court could say who would be the presiding judge.

Mr C R Mailer, the advocate appearing for the accused, said he had no knowledge of Mr Justice Theron not being on the bench.

"This is new to me. We have received no notification," Mr Mailer said.

Mr Mailer said that the trial was to start on August 5, as had been agreed with Mr Justice Theron.

The prosecutor, Mr Chris Jansen, said yesterday that, as far as he was concerned, the trial would start on Monday, August 4, as had originally been decided.

Silverton trial postponed

4/8/80
Argus

31 331

Argus Correspondent

PRETORIA. — The Silverton siege terror trial in which nine men are appearing was postponed in the Supreme Court here till tomorrow.

The accused are Mr N Lubisi, 28, Mr P Mashigo, 20, Mr N Manana, 24, Mr I Molebatsi, 27, Mr H Tau, 24, Mr P Shezi, 24, Mr J Radebe, 26, Mr B Bogale, 26, and Mr T Mngadi, 29.

The men are facing a charge of high treason, two of murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

TWO DIED

Their appearance follows the attack on the Silverton branch of the Volkskas Bank on January 25 in which two women were killed. They were Cynthia Valerie Anderson and Mrs Anna Magrieta de Klerk.

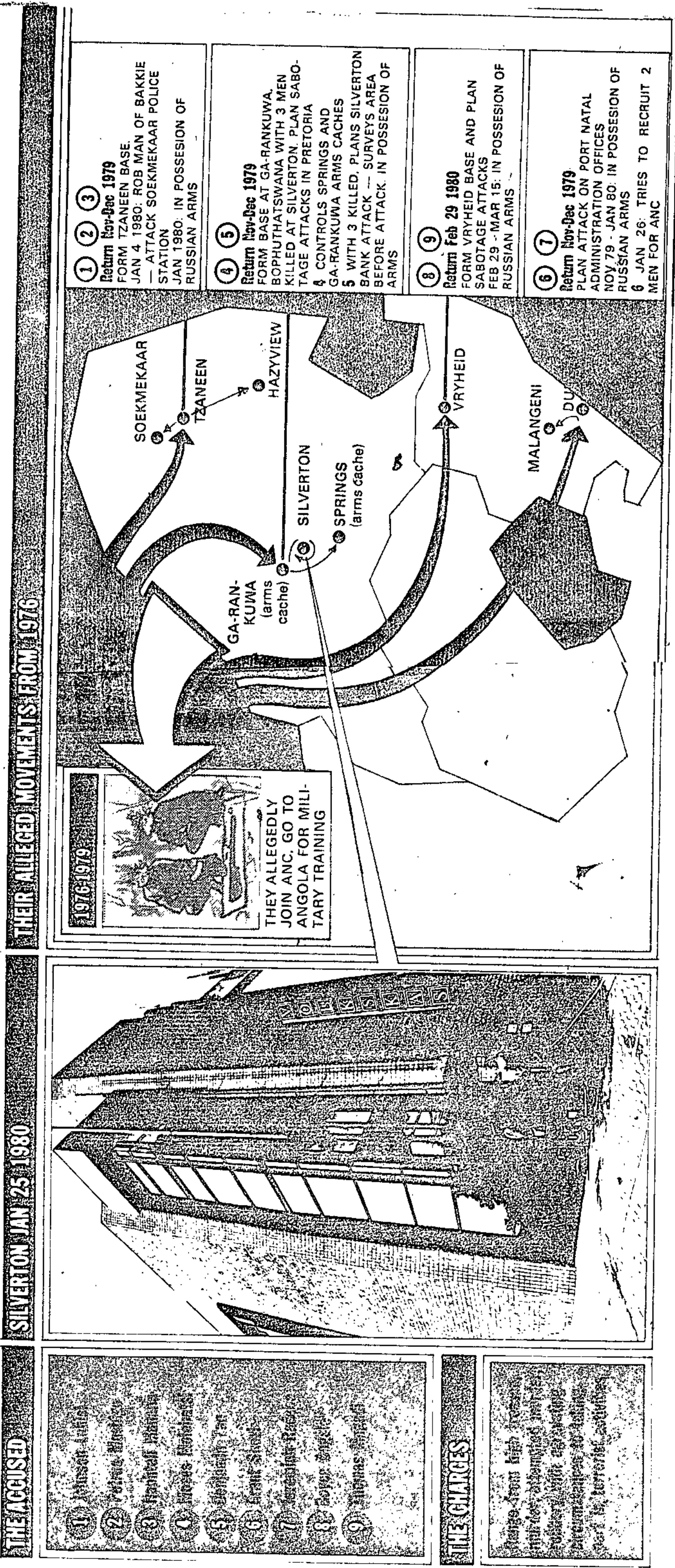
They are alleged to have stolen a car on January 4 and to have been responsible for the attack on the police station at Soekmekaar.

The State also alleges that they were illegally in possession of weapons.

RDM 4/8/80

331

State's anatomy of terror strikes



This graphic shows how, according to the State charge sheet, nine men allegedly launched attacks on various installations in South Africa from bases in different parts of the country.

Siege: nine on trial today

By CAROL STEYN

THE Silverton bank siege and two other terror attacks have a sequel this morning when nine men will stand trial in the Palace of Justice in Pretoria on charges of high treason, murder, attempted murder and robbery with aggravating circumstances.

The men are: Mr Ncimbithi Johnson Lubisi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Naphtali Manana, 24, Mr Moses Molebatsi, 27, Mr Hlolile Benjamin Tau, 24, Mr Grant Shezi, 24, Mr Jeremiah Radebe, 26, Mr Boyce Johannes Bogale, 26, and Mr Thomas Mngadi, 29.

The charges follow the Silverton Volkskas Bank siege in January this year and two terrorist attacks: on the Soekmekaar police station in the Transvaal on January 4, and on the Port Natal Administration Board building in Durban last December.

The nine face one charge of high treason, two of murder, 21

of attempted murder and one of robbery with aggravating circumstances.

There are four alternative charges of taking part in terrorist activities.

It is not being alleged that any of the accused men were present at the siege.

According to the charge sheet, Mr Bogale and Mr Mngadi were not even in South Africa at the time, and only returned here on February 29.

But it is alleged that Mr Tau helped to plan the siege and had surveyed the premises prior to the seizure.

The two murder charges arise from the deaths of two of the women held hostage during the Silverton siege, and injuries to people during the siege account for 19 of the 21 charges of attempted murder.

The other two arise from injuries to two men during the attack on the Soekmekaar police station.

Shortly before 1pm on January 25, three men armed with Russian AK automatic rifles rushed into the Volkskas Bank in Silverton, near Pretoria.

About 65 people — staff and clients — were in the bank at the time. About 40 escaped before the gunmen took hostages and held them on the first floor of the bank.

Police negotiated with the men who are alleged to have made political demands. They are also alleged to have set up booby-traps and wired three bank tellers to explosives.

The police launched an attack. Five people died in the breaking of the siege — all three gunmen, a 19-year-old bank teller, Miss Cindy Anderson, and Mrs A de Klerk.

On January 4, three hand-grenades were thrown at the Soekmekaar police station and 56 rounds fired with a Russian AK47 sub-machinegun.

In the 35-page indictment it is alleged that the nine men had conspired with the African National Congress and all its members and active supporters to commit the acts detailed in the 25 charges.

It is alleged that they joined the ANC during 1976 and 1977.

Between 1976 and 1979 they all allegedly received military training in Angola, and the indictment says Mr Mngadi was also trained in Russia.

Eight of the men returned to South Africa in 1979 and Mr Mngadi returned in February, all with the intention of committing acts of war and sabotage, the charge sheet reads.

It is alleged that Mr Lubisi, Mr Mashigo and Mr Manana established a base in the Tzaneen district in November and December, 1979, and that there attacks on several targets in South Africa were planned.

Mr Molebatsi, Mr Tau and three "trained terrorists" established a base in the Ga-Rankuwa district in Bophutha-Tswana and Mr Bogale and Mr Mngadi established a base in the Vryheid district, with the same objectives, it is alleged.

The three "trained terrorists" — the gunmen killed during the Silverton siege — were Humphrey Makhubo (alias Kenneth Oupa Jalobe), Stephen Fanie Mofoko (alias Edgar Mkhize or Zindile) and Wilfred Madela (alias George Mbele or John) all of Diepkloof, Soweto.

The charge sheet also alleges that:

- Mr Lubisi, Mr Mashigo and Mr Manana robbed a Mr Montle of a small truck, planning to use it in an attack on the Soekmekaar police station;

- These three carried out the January 4 attack on the charge office;

- Mr Molebatsi and Mr Tau and the three gunmen subsequently killed planned a rocket attack on petrol storage tanks at Waltloo, Pretoria district;

- Mr Tau investigated the scene in preparation for this attack, and also planned an attack on the police charge offices at Pretoria West and Villeria, first investigating the scene;

- Mr Tau planned the Silverton siege with the three gunmen killed in the bank, and also carried out the preparatory investigations for this attack with them; and that

- Mr Radebe and Mr Shezi planned the destruction of the offices of the Port Natal

Administration Building.

The charge sheet alleges that the nine were found in possession of a large amount of ammunition and weapons which included a Russian Makarov pistol, hand grenades, AK sub-machineguns and bayonets.

Mr Molebatsi was in charge of large caches of weapons at Springs and Ga-Rankuwa, it is alleged.

The State submits that all nine men are guilty of the murders because Mr Tau had planned the Silverton siege with the three gunmen; because the other eight accused also had a common purpose with them to further the aims of the ANC; and because the three gunmen had wilfully killed Miss Anderson and Mrs De Klerk.

It is alleged that the nine had at all material times foreseen that people would be killed.

Therefore, the indictment alleges, they were guilty of attempted murder of Mr J P Jonker, Mrs E E du Preez, Mrs M van Wyngaards, Mrs A M Landman, Mrs J A van Wyk, Mr S J Knouwds, Mrs G M Theron, Mr I W Grobblaar, Mrs P A J van Rensburg, Mr P F J Bierman, Mrs A M E Combrink, Mrs N J Coetzee, Mrs A S Swart, Mr J P Kruger, Mr D J Christie, Mrs M J Christie, Lieutenant C R Brazelle, Constable B L Steyn and Constable H J Lombard.

It is alleged that all nine had a common purpose with Mr Lubisi, Mr Mashigo and Mr Manana in trying to kill Constable Emmanuel Mashaba and Constable Milford Mothibi at Soekmekaar on January 4.

They also had a common purpose in robbing Mr Montle of the truck, it was alleged.

The alternative charges of taking part in terrorist activities concerns their alleged activities relating to the ANC, and possession of arms.

Mr J C H Jansen, SC, Deputy Attorney-General of the Transvaal, will prosecute. Mr Julius Browde, SC, will defend the nine men.

It is expected that 121 witnesses will be called.

C. 1. 5/1/80
Bank
siege. (31)
Nine in
court

PRETORIA. — The Silverton siege terror trial in which nine men are appearing, has been postponed in the Pretoria Supreme Court till today.

The nine are Mr N Lubisi, 28, Mr P Mashigo, 20, Mr N Mamana, 24, Mr J Molebatsi, 27, Mr H Tau, 21, Mr P Shezi, 24, Mr J Radebe, 26, Mr B Bogale, 26, and Mr T Mngadi, 29.

The men are facing a charges of high treason, murder, attempted murder, robbery with aggravating circumstances and participating in terrorist activities.

Their appearance follows the attack on the Silverton branch of the Volkskas Bank of January 25 in which two women were killed.

They were Miss Cynthia Valerie Anderson and Mrs Anna Magrieta de Klerk.

The men are also alleged to have been responsible for the attack on the police station at Soekmekaar, to have robbed Mr Phepla Montle of his car in the district of Soekmekaar on January 4 and to have been involved in recruiting members for the banned African National Congress.

The State also alleges they were found to be in possession of AK sub-machineguns, ammunition, bayonets, handgrenades and detonators.

The judge, Mr Justice Jaap de Villiers, postponed the case till today. — Sapa

Court told of escape routes

PRETORIA. — Evidence was given in the Regional Court here yesterday by the Deputy Commissioner of Prisons, Major-General G J Cilliers, at the trial of Sergeant Francois Daniel Vermeulen, 57, of Devenish Street, Sunnyside, who has pleaded not guilty to assisting Stephén Lee, Alexander Moumbaris and Timothy Jenkin to escape on December 11 last year.

General Cilliers said that on January 23 he and senior police officers went to the prison with the investigating officer, Captain W F Cooper, to examine escape routes.

The prisoner who had served the longest time was Moumbaris, who had been there between 10 and 11 years. Using wooden keys made in the prison workshop, the prisoners could have practised sections of escape routes several times till the actual escape.

He described the escape routes and pointed out several details which made escape possible without help.

In reply to questions by the prosecutor, Mr Ben Bredenkamp, General Cilliers said that Brigadier Gericke, a prison officer, had a severe manner when he confronted Sergeant Vermeulen on December 12, but he was not angry.

Brigadier Gericke had suggested to Sergeant Vermeulen how he may have helped the men to escape. — Sapa

Court Reporter

QUIET reigned in the courtroom at the Palace of Justice in Pretoria yesterday morning when nine men appeared on a range of charges, including high treason, in a sequel to the Silverton siege and other attacks on installations.

The men were not shackled or handcuffed, and they looked relaxed during their brief appearance.

They were not asked to plead, and the case was postponed until today by Mr Justice De Villiers, who will preside at the trial.

The judge said he did not think it necessary to explain the reasons for the postponement as he had discussed them with counsel.

Security measures at the court were not stringent.

Police used a metal detector on some bags spectators carried into the building, but otherwise access was not hampered.

The gallery was not filled, and the spectators — as well as the long line of witnesses outside — were quiet.

The nine accused are: Mr Ncimbithi Johnson Lubisi, 28,

Mr Petrus Tsapo Mashigo, 20, Mr Naphtali Manana, 24, Mr Ikanyeng Moses Molebatsi, 27, Mr Hloli Benjamin Tau, 24, Mr Phumulani Grant Shezi, 24, Mr Jeremiah Radebe, 26, Mr Boyce Johannes Bogale, 26, and Mr Thomas Mngadi, 29.

They are appearing on a charge of high treason, two of murder, 21 of attempted murder and one of robbery with aggravating circumstances.

There are four alternative charges of taking part in terrorist activities.

It is not alleged that any of the accused men were present at the bank siege. But it is alleged that Mr Tau helped plan the siege and had surveyed the premises prior to their seizure.

zured by three gunmen.

The charges against the men also stem in part from their alleged membership of the African National Congress, which, according to the charge sheet, has as its aim the unlawful overthrow of the South African Government.

The two murder charges arise from the death of two

Quiet reigns — as nine appear on high treason

where plans were made for the siege, the attacks on the Soekmekaar police station and the Port Natal Administration Board in Durban, and other attacks on the Pretoria West and Villeria police stations and petrol storage tanks at Waitloo, Pretoria district.

It is also alleged that the men had Russian weapons in their possession and that Mr Molebatsi was in charge of large caches of weapons.

Mr Jules Browde, SC, and Mr C R Mailer are appearing for the accused, and Mr J C H Jansen, SC, and Mr E du Toit for the State.

Mr Jansen yesterday told the court witnesses from all over the country, who had been subpoenaed, were already in Pretoria.

The hearing continues today.

women held hostage during the Silverton siege, and injuries to people during the siege account for 19 of the 21 charges of attempted murder.

The other two arise from injuries to two constables during an attack on the Soekmekaar police station.

According to the charge sheet, the nine set up bases in different parts of South Africa

ANC sent recruits abroad, trial told

Own Correspondent

The first people recruited for military training outside South Africa returned to the country as "freedom fighters" during 1976, the Silverton terror trial heard today.

Lieut-Col Hermanus Stadler of the Durban Security Police told the court he could be considered an expert on the African National Congress.

He is giving evidence at the trial of Mr Ncimbithi Johnson Lubisi (28) and eight others who have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Their appearance follows the attacks on the Silverton branch of the Volkskas Bank and on the Soekmekaar police station in January.

The nine accused are Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hlotile Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremia Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

Colonel Stadler said the ANC was formed in 1912 as the South African Native National Congress, but later changed its name. It was originally a purely nationalistic organisation for the fighting for the black people.

In about 1958 there was a split in the party between the so-called Charterists and the Africanists. The Charterists were accused of being communists and the Pan African Congress was formed after the two parties split.

The court heard that the Pan African Congress had only black members and was not communistic. The

To Page 3, Col 7

'ANC had guerilla warfare blueprint'

from page 1

ANC, said Colonel Stadler, had members of all races and was communistic.

In the 1960s a military wing, known as "Umkondo We Sizwe" (Spear of the Nation) was formed. Saboteurs who were arrested were found to be members of this organisation.

He said Nelson Mandela was the first commander-in-chief of the spear of the nation.

Later, the blueprint for guerilla warfare, was put into operation.

This blueprint made provision for sending people for military training and to get support from overseas organisations, attacking targets and propaganda, said Colonel Stadler.

The aims of the ANC, the court heard was the violent overthrow of the Government, conditioning of the masses, founding of trade unions, strikes, protest marches, boycotts and distribution of propaganda by means of pamphlets, posters, radios, records and tape recordings.

(Proceeding)

Autobahn

(331) 8/80 Hous
Siege men 'trained in Angola'

Argus Correspondent
PRETORIA. — The nine young men who are appearing in the Silverton siege trial in the Supreme Court here are alleged to have undergone military training in Angola before returning to South Africa.

The men are Mr Ncimbithi Johnson Lubishi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Naphtali Manana,

24, Mr Ikanyeng Moses Molebatsi, 27, Mr Hloli Benjamin Tau, 24, Mr Phumulani Grant Shezi, 24, Mr Jeremia Radebe (26), Mr Boyce Johannes Bogale, 26, and Mr Thomas Mngadi, 29.

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances and

taking part in terrorist activities. Their appearance follows the attacks on the Silverton branch of the Volkskas Bank and on the Soekmekaar police station in January.

The Deputy Attorney-General of the Transvaal, Mr Chris Jansen, who is appearing for the State, said it was alleged that the nine men were members of the banned Afri-

can National Congress and during 1977 and 1979 they underwent military training in Angola.

Mr Jansen said that all nine returned and their aims were the violent overthrow of the South African Government or to place the Government in danger.

This is one of the goals of the ANC, said Mr Jansen.

They conspired with

the ANC is members each other and the three men responsible for the Silverton siege to commit acts aimed at the overthrow of the Government.

The trial began today to a packed gallery and amid strict security. Metal detectors were used on everyone entering the Palace of Justice and handbags and briefcases were searched.

(Proceeding)

ANC aims involve strikes

331
SA/A
PA
6/8/80
Court Reporter

AN expert on the African National Congress, Colonel H-D Stadler, of the Durban Security Police, told the Pretoria Supreme Court yesterday that the organisation of strikes and protest demonstrations were among the interim aims of this organisation.

Col Stadler was giving evidence on the first day of the Silvertown bank siege trial.

He told the court that the ANC had as its main aim the overthrowing of the South African Government by armed force.

Early yesterday morning the nine men who are facing charges of murder, high treason, attempted murder and robbery with aggravating circumstances, pleaded not guilty.

It is alleged they were all ANC members.

The parents of the three gunmen killed during the Silvertown bank siege gave evidence unemotionally.

Col Stadler was the only other witness in the witness box yesterday. He gave an outline of the history, constitution and aims of the ANC.

● See Page 2

ANC view of 'armed' revolution read out

Own Correspondent

Extracts from the mouthpiece of the ANC, "Sechaba," describing terror attacks and acts of murder in South Africa by the ANC, were read out at the Silverton siege trial in the Pretoria Supreme Court today.

Lieutenant-colonel Hermanus Stadler was reading out of various editions of Sechaba which described the Goch Street shooting and the attack on the Soweto police station, which read "the police station burned fiercely and the ANC guerillas has complete control."

He was giving evidence at the trial of nine men who were arrested by security police earlier this year.

The men are Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Naphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hloli Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremia Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances, and taking part in terrorist activities.

Their appearance follows the attacks on the Silverton branch of the Volkskas Bank and on the Soekmekaar police station in January.

Colonel Stadler told the court that the propaganda wing of the ANC had a very important function

To Page 3, Col 1

Trial told of ANC strategy

from page 1

in the psychological struggle against South Africa. They were involved in spreading propaganda, organising boycotts and strikes.

Extracts from Sechaba declared "We are at war," and referred to the armed revolution which was gaining "irresistible" momentum.

"The struggle by black workers is the most decisive force in the South African revolution," Sechaba said. More than 90 strikes were held in 1977, it said, and the youths and students in many parts of the country "continued to resist Bantu education."

According to Sechaba, last year was nominated Year of the Spear by the ANC, and 1980 is the year of the Freedom Charter.

An editorial referred to the attacks on economic and industrial targets as having risen dramatically

and also referred to the killings of two "traitors," Mr Abel Mtembu and Mr Leonard Nkosi, and to Mr Steve Mchali who turned State's evidence against the ANC.

As the trial entered its third day, with a crowded gallery of spectators, mostly black, security measures were maintained.

SEARCHING

Today is divorce day at Pretoria Supreme Court and those coming to court for that purpose were also stopped to be scanned.

After Colonel Stadler had finished giving evidence, Mr Jules Browde SC said it was obvious he could not do justice to the cross examination of the Colonel without going through the original documents on which the bundle of extracts used in court was based.

Mr Justice J de Villiers agreed with this submission, and he adjourned the case until 10 am tomorrow.

Cell lock-blocking shown in court

Own Correspondent

In a surprise demonstration yesterday Mr Ike Swartzberg showed the Pretoria regional court how the locks on maximum security cell doors could have been blocked by an obstruction in front of the bolt.

He was appearing for Sergeant Francois Daniel Vermeulen (57), of Sunnyside Pretoria, who has pleaded not guilty to assisting Alexander Moubaris, Stephen Lee and Timothy Jenkin to escape from Pretoria Central Prison on December 11 last year.

A warder, Mr R J L Muller, who was on duty on December 11, told the court that warders would check if the door is locked by pulling it. The cell doors were locked twice with two dif-

ferent keys, the second one to master the lock.

Using a cell lock which is an exhibit in court, Mr Swartzberg asked Mr Muller to double lock it. Mr Muller did so, and the bolt moved out.

Mr Swartzberg then placed his finger over the bolt. Mr Muller turned the key four times and the lock clicked, as if it was locking but the bolt moved slightly and fell back into the lock.

Since the doors were closed, the noise of the clicks were the only way warders could tell the doors were locked.

Another warder, Mr J A Noods, said he came on duty on December 12. He said he pressed a gate open and assumed it shut automatically but did not check it.

Mr J H Bekker is on the Bench. Mr Ben Bradenkamp is appearing for the State.

(Proceeding)

Court Reporter

THE parents of the three gunmen killed during the Silverton bank siege — Humphrey Makhubu, Stephen Mafoko and Wilfred Madela — told the Pretoria Supreme Court yesterday their sons disappeared after the Soweto riots and they never saw them alive again.

They were giving evidence before Mr Justice de Villiers in the case in which Mr Ncimbithi Johnson Lubisi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Moses Molebatsi, 24, Mr Hloile Benjamin Tau, 24, Mr Grant Shezi, 24, Mr Jeremiah Radebe, 26, Mr Boyce Johannes Bogale, 26, and Mr Thomas Mgadi, 29, are appearing on one charge of high treason, two of murder, 21 of attempted murder and one of robbery with aggravating circumstances. There are four alternative charges of taking part in terrorist activities.

The men pleaded not guilty to all the charges.

The two murder charges arise from the death of two of the women held hostage during the Silverton bank siege, and the charges of attempted murder from injuries to people during the siege and injuries to two men during an attack on the police station at Soekmekaar.

It is alleged that the nine men were members of the African National Congress.

At the start of yesterday's proceedings, the parents of the three gunmen killed during the Silverton siege gave evidence.

Mr Mbenyeni Ysiah Makhubu identified a photograph shown to him as a photograph of his son, Humphrey Makhubu. His son grew up in his home in Jansen, SC, for the state, he

Diepkloof, Johannesburg, until he "just disappeared" in 1977, Mr Makhubu said. He never saw his son alive again.

In February this year, he identified his son's body at the mortuary. He didn't know the name "Siyani" in his son's passbook.

Cross-examined by Mr J Browde, SC, for the accused, Mr Makhubu said he was a Zulu and had lived in Johannesburg all his life.

His son was born in Alexandra Township and went to school in Diepkloof. "He was quite a bright pupil," he told the court.

In 1976, there was a lot of unrest in Soweto. He saw it, but didn't remember if his son was involved in it. Mr Makhubu said. His son was arrested at one time but he could not remember when.

During 1976, his son was at work with him. He had a catering and dry-cleaning business and a shop. His son had been a good worker and had been well-behaved and obedient at home.

Mr Makhubu himself had not been happy about what had been occurring in Soweto. His son never talked to him about it. The Soweto people in general were worried about the shooting of the children. "So was I," he said.

Many families were broken up. He read in the newspapers that many young people left home. Mr Makhubu said.

Re-examined by Mr J C H Jansen, SC, for the state, he

said he knew of no reason why the police had to shoot the children.

One day, when he was driving a delivery van, some children ran towards him. He saw the police and returned home immediately, he said.

He knew that bottle stores and offices were burnt down and read in the newspapers that schools were also burnt.

Mr Jansen: "I am surprised that you, a Soweto man, don't know why the police fired on the children. The Soweto Information Service cannot be very good."

Mr Browde objected.

Mrs Bertha Mafoko then identified a photograph of her son, Stephen Mafoko. Stephen was born in Alexandra Township and grew up in Diepkloof, she said. She last saw him alive during the year 1977 when he was on his way to school. "After that, I only saw his corpse," she said.

She did not know the name Edgar Mkhize in his passbook.

Mrs Mafoko identified a photograph in a Swaziland travel document as that of her son. She did not know the name Samuel Makonta on the document.

Cross-examined by Mr Browde, she said her husband had died in August 1975. Her son was in his matric year at the Orlando High School when he disappeared. He had done quite well at school and had been well-disciplined at home, she said. Her son had been a

kind young man. "I never saw him act in an aggressive way," she said.

As far as she knew, the trouble in Soweto did not affect Stephen's schooling.

At the time, she had seen children throwing stones and teargas being used. She did not discuss the unrest with Stephen.

Mrs Mafoko said she had been working at the time, earning R30 a week. Her daughter was also working and earned R14 a week.

She had been satisfied with what she had although it had been difficult to come out. Each time she had discussed her difficulties with Stephen, he said he would leave school to go to work. He had been very upset by her struggle to make ends meet, she told the court.

His disappearance had been quite inconsistent with everything he had done up to then and had caused her great distress. Mrs Mafoko told the court.

Re-examined by Mr Jansen, she said she had wanted Stephen to be better qualified so that he could get better employment and earn a larger salary.

Mrs Miriam Madela identified a photograph of her son, Wilfred Madela. He had been born in Sophiatown and had lived in Diepkloof until January 12, 1978, when he disappeared. She never saw him alive again. But identified his corpse at the mortuary in February this

year.

Cross-examined by Mr Browde, Mrs Madela said her husband died in 1972. In 1976 Wilfred had left school and was working as a clerk at the Baragwanath Hospital. He brought his money home regularly. "He was the girl in the family," Mrs Madela told the court. By that she meant that he had been the closest to her and the one of her four sons who worked most at home.

She only saw him use force in the boxing ring.

Mrs Madela said she was employed by the State as a teacher. In 1976, the children did not attend school and this worried her. She did not know what the grievances of the children were.

Wilfred used to talk to her about his problems, but then went away without asking her advice. "Up to that time, he had given me no worry. He was just kind," she told the court. Wilfred must have known that leaving like that would have caused her to worry. "I think it must have been something very important to him to make him act like that," she said.

Colonel H D Stadler, Divisional Commander of Police in Durban, told the court that he has been in the police force since 1953 and in the Security Branch since 1963.

During his service in the Security Branch he had come into contact with the ANC and the South African Communist Par-

ty, he said. He was the investigating officer in several trials.

He had studied the activities and aims of the ANC mainly by means of their documents and pamphlets. Because of the knowledge he gained he could be regarded as an expert on the ANC, he told the court.

The ANC was formed in 1912 as the SANC (South African Native Congress), he said. Its name was changed in 1925 to SAANC. In 1943 its constitution was changed to provide for the unification of the black people in South Africa. In 1944, a youth brigade was formed under Nelson Mandela. Walter Sisulu and Oliver Tambo.

They introduced a more militant atmosphere into the ANC. There was a programme in terms of which demonstrations were held during the 50s.

In 1959 the so-called "Congress Alliance" took place. This was an alliance of five different organisations with the ANC at the summit. The "Freedom Charter" was accepted as the constitution of the alliance. This was still a very important document, Col Stadler said.

The five organisations were the ANC, the Congress of Democrats (at the time the Communist Party had already been banned and its members had joined the Congress of Democrats), the Coloured Peoples' Congress, the South African Indian Congress and the South African Congress of Trade Unions.

In 1958, a new record that it was accepted but the aims of the Charter and had unification of the ANC in 1958 to 1959 can Congress deviated from the ANC's orientation — of being oriented, Col Stadler said. During 1959 to 1962 the ANC was in a position. The ANC races while the blacks only.

The Langa and incidents followed PAC and the ANC.

A meeting was held in Johannesburg by the ultimatum given to race groups. When they decided to the leader of the Stadler said.

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Siege gunmen disappeared

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The five organisations were the ANC, the Congress of Democrats (at the time the Communist Party had already been banned and its members had joined the Congress of Democrats), the Coloured Peoples' Congress, the South African Indian Congress and the South African Congress of Trade Unions.

In 1958, a new constitution was drawn up. There was a record that it was ever officially accepted but it incorporated the aims of the Freedom Charter and had as an aim the unification of the blacks.

In 1958 to 1959 the Pan-African Congress developed, which accused the ANC — with justification — of being communist oriented, Col Stadler said.

During 1959 to 1960, the PAC and ANC were in active competition. The ANC accepted all races while the PAC was for blacks only.

The Langa and Sharpeville incidents followed and both the PAC and the ANC were banned.

A meeting was called in Maritzburg by the ANC and an ultimatum given to the Government to call a congress of all race groups. When that failed they decided to take to violence. Albert Ntuli was then the leader of the ANC, Col Stadler said.

Umkonto i Sizwe ("The Spear of the Nation"), a militant wing, was formed in 1961 and acts of sabotage followed. In 1962 the so-called "second phase" was entered into. This decision was made at Rivonia where the head of the ANC, the central committee of the South African Communist Party and the high command of Umkonto i Sizwe were situated. Nelson Mandela was the first commander-in-chief of Umkonto i Sizwe.

Operation Mayibuya was decided upon, for which Umkonto

i Sizwe would have been responsible. The operation was a blueprint for warfare, Col Stadler said. It made provision for sending people overseas for military training, planning targets to be attacked and for propaganda for the campaign.

Oliver Tambo had then already left South Africa. Mayibuya meant "return", therefore "Operation Return".

The motto of the ANC, "Africa Mayibuya", meant "Africa returns to the black man". Col Stadler said. Another motto was "Amandla awethu" — "The power belongs to us".

In 1967 the first group of these trained people, the so-called "freedom fighters" entered South Africa via Rhodesia, Col Stadler said.

The aim of the ANC was the overthrow of the present Government by armed force and the implementation of "Operation Mayibuya".

The organisation had interim aims, namely: organisation and conditioning of the masses; the recruiting of members for the ANC; and the organisation of trade unions, strikes, protest demonstrations and boycotts, especially against specific facets of the present Government policy, including black education and black homelands.

To achieve these interim aims an important factor was the distribution of propaganda material such as pamphlets, newsletters, posters, grammo-

phone records, tape recordings and radio broadcasts.

The ANC had a political wing for the dissemination of this material. Experts were of the opinion that 75% to 80% of guerrilla tactics consisted of psychological warfare, which was conducted through propaganda and acts of terrorism, Col Stadler said.

They also have in the mind the fact that the acts of terrorism enjoy a lot of publicity.

Acts of terrorism have escalated since 1976. Col Stadler told the court. Police stations and Government offices were concentrated on, as well as other public places. Also important to the organisation was the elimination of members of the Security Branch, informers and people they called "black capitalists" and who they regarded as traitors.

They also regarded as traitors people who respected the Government of South Africa, Col Stadler said.

Because the ANC was banned in South Africa its members relied chiefly on foreign support and were continuously looking for caches for weapons to arm the people who had to perform the deeds of terror.

Weapons were brought into South Africa from outside and people entered to establish bases from which the weapons could be drawn.

Col Stadler said he had prepared an album consisting of photographs of ANC literature. He handed in the album and

then read extracts from many pamphlets published from 1961 onwards. The extracts included:

"In preparing for war we must not lose sight of the fact that because of South Africa's isolation the state structure may collapse much sooner than we at present envisage."

"...A massive onslaught on pre-selected targets... will inject confidence into the people that here is an army of liberators."

"Political pressure will be stepped up in conjunction with the sabotage activity."

"The people should be aroused to participate in the struggle."

"Armies have already started the campaign to sweep the racialist society into the dustbin."

"Revolution calls for supreme vigilance. The movement needs men and women to commit the acts of war. We have already shown that our youth are capable of great deeds."

"We have to mould our youth into a fearless fortress against white oppression."

He also read out headlines including "the people shall govern", "the people shall share in the country's wealth", "there shall be houses, security and comfort. There shall be peace and friendship."

There was also a pamphlet showing a freedom fighter how to make a petrol bomb, Col Stadler said.

In one pamphlet the ANC accepted responsibility for the blowing up of several railway lines, including one near Tzaneen, Col Stadler said.

The hearing continues today.

Parents of dead gunmen testify

Own Correspondent

JOHANNESBURG. — The parents of the three gunmen killed during the Silverton bank siege — Humphrey Makhubo, Stephen Mofoko and Wilfred Madela — told the Pretoria Supreme Court yesterday their sons disappeared after the Soweto riots and they never saw them alive again.

They were giving evidence before Mr Justice De Villiers in the case in which Ncimbithi Johnson Lubisi, 28, Petrus Tsepo Mashigo, 20, Naphtali Menana, 24, Moses Molebatsi, 27, Hlolile Benjamin Tau, 24, Grant Shezi, 24, Jeremia Radebe, 26, Boyce Johannes Bogale, 26, and Thomas Mngadi, 29, appeared on one charge of high treason, two of murder, 21 of attempted murder and one of robbery with aggravating circumstances.

There are four alternative charges of taking part in terrorist activities. The men pleaded not guilty to all the charges.

The two murder charges arise from the death of two of the women held hostage during the bank siege, and the charges of attempted murder from injuries to people during the siege and injuries to two men during an attack on the police station at Soekmekaar.

At the start of yesterday's proceedings, the parents of the three gunmen killed during the Silverton siege gave evidence.

Mr Mbenyeni Ysiah Makhubu identified a photograph shown to him as a photograph of his son, Humphrey Makhubu. His son grew up in his home in Diepkloof, Johannesburg, until he "just disappeared" in 1977, Mr Makhubu said. He never saw his son alive again.

His son was born in Alexandra Township and went to school in Diepkloof. "He was quite a bright pupil."

In 1976, there was a lot of unrest in Soweto. He saw it, but didn't remember if his son was involved in it, Mr Makhubu said. His son was arrested at one time but he could not remember when.

During 1976, his son was at work with him. He had a catering and dry-cleaning business and a shop. His son had been a good worker and well-behaved and obedient at home.

In 1977, after the Soweto riots, his son "just disappeared".

He himself had not been happy about what had been occurring in Soweto. His son never talked to him about it. The Soweto people in general were worried about the shooting of the children. "So was I," he said.

Re-examined by Mr J C H Jansen, SC, for the state, he said he knew of no reason why the police had to shoot the children.

Mrs Bertha Mafoko then identified a photograph of her son, Stephen Mafoko. Stephen was born in Alexandra Township and grew up in Diepkloof, she said. She last saw him alive in 1977 when he was on his way to school.

Cross-examined by Mr Browde, she said her husband died in August, 1975. Her son was in his matric year at Orlando High School when he disappeared. He had done quite well at school and had been well-disciplined at home. He had been a kind young man.

As far as she knew, the trouble in Soweto did not affect Stephen's schooling.

She had been satisfied with what she had although it had been difficult to come out. Each time she had discussed her difficulties with Stephen he said he would leave school to go to work. He had been very upset by her struggles to make ends meet, she told the court.

Mrs Miriam Madela identified a photograph of her son, Wilfred. He had been born in Soffiatown and lived in Diepkloof until January 12, 1978 when he disappeared.

Cross-examined by Mr Browde, Mrs Madela said her husband died in 1972. In 1976 Wilfred left school and was working as a clerk at Baragwanath Hospital. He brought his money home regularly.

"He was the girl in the family," Mrs Madela told the court. By that she meant that he had been the closest to her and the one of her four sons who worked most at home.

In 1976, the children did not attend school and this worried her. She did not know what the grievances of the children were.

The hearing continues today.

15/5/80

'Sergeant could not help the escapers'

Pretoria Bureau

MAJOR-General G D Celliers, Deputy Commissioner of Prisons, said in a Pretoria Regional Court yesterday that Sergeant Francois Daniel Vermeulen could not have assisted three political prisoners in their escape from Pretoria Central at the time the State alleged.

General Celliers also told the magistrate, Mr J J Bekker, that when Sgt Vermeulen was asked by a Brigadier in the Prisons Department why he had signed a confession stating that he had assisted the three political prisoners, he had answered that the two investigating officers had removed their jackets and said: "Whether you are 50 or 85, you are going to talk".

He said that after the three political prisoners had escaped, he had sent documents and letters to the chief investigating officer, Captain W F Cooper,

pointing out what he considered to be faults in Sgt Vermeulen's confession. He had also suggested other possible escape routes from the prison which should be investigated.

Capt Cooper said earlier that he did not investigate the other possibilities because Sgt Vermeulen had already signed a confession.

Sgt Vermeulen has pleaded not guilty to a charge of providing aid to terrorists or, alternatively, of assisting the escape of Alexander Moumbaris, Stephen Lee and Timothy Jenkin in December last year.

Gen Celliers said yesterday that on the day of the escape he had gone to the prison where he had found an officer angrily questioning Sgt Vermeulen. The officer was pointing a finger in Sgt Vermeulen's face and shaking a bunch of keys which he said he had used in the escape.

Sgt Vermeulen denied at the

time that he had assisted in the escape but signed the confession the next day.

He could not have assisted the prisoners to escape at the time the State alleges because there had been a change of guard at the front gate and the escapers would have been noticed, according to Gen. Celliers.

Sgt Vermeulen, who continued to give evidence yesterday, said he had inspected the cells twice on the night of the escape. The prisoners were reading or sleeping, although he could not remember what the three escapers were doing.

The prisoners did not ask for the lights to be switched off because they knew the State paid for the electricity.

The case was adjourned to today. Bail of R300 was extended.

Mr J J Bekker was on the bench. Mr Ben Bredenkamp, assisted by Mr M Schutte, prosecuted. Mr Ike Swartzberg, assisted by Mr W Cornelius, appeared for Sgt Vermeulen.

GENERAL NEWS

Surprise move in Silverton siege trial

14/11/80
331 RDM
7/8/80

Court Reporter

THE Silverton Bank siege trial was unexpectedly postponed yesterday to give the Defence Counsel an opportunity to study the documents handed in to the court by Colonel H D Stadler, an expert on the ANC.

Col Stadler gave evidence before Mr Justice de Villiers and two assessors in the Pretoria Supreme Court in the case in which nine men are appearing on charges of high treason, murder, attempted murder and robbery with aggravating circumstances.

The men are: Mr Ncimbithi Johnson Lubisi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Naphtali Menana, 24, Mr Moses Molebatsi, 27, Mr Hlolile Benjamin Tau, 24, Mr Grant Shezi, 24, Mr Jeremia Radebe, 26, Mr Boyce Johannes Rooda 26 and Mr

pleted his reading of extracts from documents which, he said, had been published by the ANC and disseminated in South Africa.

Extracts he read included:

"We are at war ... the South African revolution has started ... there have been over 90 separate strikes involving more than 40 000 workers."

"The year 1978 has witnessed in numerous ways the all-round combat ability of the ANC".

"The time to fight at all levels, using all methods, has come."

References in the documents to attacks on the Jabulani Police Station and the Soekmekaar Police Station were factually correct, he said.

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It is alleged that the nine men were members of the African National Congress.

Interest in the case has lessened considerably with a much smaller audience in the courtroom than the day before.

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The prosecutor, Mr J C H Jansen, said that the State would allege that at Soekmekaar, Mr Lubisi had waited in a car for three of his comrades who launched the attack.

Referring to a document which mentioned a certain person named Mange, Mr Jansen said the State would allege that the three "terrorists" who killed the two women during the Silverton Bank siege had demanded that Mange be freed. Mange was sentenced to death in the case in which he appeared with one Seketi and others on a charge of high treason, he said. The ANC was mentioned in that case.

Mr J Browdie, for the defence, then told the court his team could not do justice to cross-examining Col Stadler without going through his album of documents properly. He asked for a postponement of the case.

The hearing was postponed to today.

Bank siege trial counsel study documents

Own Correspondent

PRETORIA. — The Silverton Bank siege trial was unexpectedly postponed yesterday morning to give the defence counsel an opportunity to study the documents handed in to the court by Colonel H D Stadler, an expert on the African National Congress.

The trial continues today.

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ANC'S aims 'widely known'

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Own Correspondent

Anybody who could read should know what the goals and strategy of the African National Congress were, Lieutenant-Colonel H Stadler said at the Silverton siege trial today.

During cross-examination by Mr Jules Browde SC, counsel for the defence, Col Stadler of the Security Branch said newspapers had given wide publicity to evidence at ANC terror trials.

He is giving evidence at the trial of nine young men in the Pretoria Supreme Court.

The men are Mr Neimbi-thi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hlolile Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremiah Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances, and taking part in terrorist activities.

Their appearance is a sequel to the attacks on the Silverton branch of the Volkskas Bank and on the Soekmekaar police station in January.

Mr Browde said it was

unlikely that the average young person from Soweto would know about the aims of the ANC and have a thorough knowledge of its policies.

Colonel Stadler said that Chief Gatsha Buthelezi had said in a speech in Soweto that he did not agree with the principles of violence of the ANC.

Colonel Stadler said that although most books on the ANC were banned one or two were available on its history. He agreed with Mr Browde that these books did not include a call to arms by the ANC.

When Colonel Stadler was asked why the ANC had lasted all these years, he said that perhaps it was accepted by black people.

It was compared with the rise of the Afrikaner.

Mr Browde read out the ANC constitution, including some ANC aims, and put it to the colonel that there was no mention of violence in the constitution.

Colonel Stadler said this did not mean violence was excluded. After 1958, the ANC had resorted to violence to achieve its objectives.

Mr Browde said that nowhere in the constitutions of many political parties was violence specifically excluded.

(Proceeding)

EXTRACTS from the mouthpiece of the ANC, "Sechaba", describing terror attacks and acts of murder in South Africa by the ANC, were read out at the Silverton Siege trial in the Pretoria Supreme Court yesterday.

Lieutenant-Colonel Hermanus Stadler was reading out of various editions of Sechaba which described the Goch Street shooting, the attack on the Soweto police station, which was described as "the police station burned fiercely and the ANC guerrillas had complete control."

He was giving evidence at the trial of nine men who were arrested by security police earlier this year.

The men are: Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphtali Manana (24), Mr

Ikanyeng Moses Molebatsi (27), Mr Hloliile Benjamin Tau (24), Mr Phumani Grant Shezi (24), Mr Jeremiah Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

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Their appearance follows the attacks on the Silverton branch of the Volkskas Bank and on the Soekmekaar Police station in January.

ANC's Sechaba read during siege trial

Colonel Stadler told the court that the propaganda wing of the ANC had a very important function in the psychological struggle against South Africa.

Extracts from Sechaba declared "We are at war," and referred to the armed revolution which was gaining irresistible momentum.

"The struggle by black workers is the most decisive force in the South African revolution." It read that more than 90 strikes were held in 1977 and said the youths and students in many parts of

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the country "continued to resist Bantu Education."

According to Sechaba last year was nominated Year of the Spear by the ANC and 1980 is the Year of the Freedom Charter.

An editorial referred to the attacks on economic and industrial targets as having risen dramatically and also referred to the killing of "traitors" Mr Abel Mtembu and Mr Leonard Nkosi and Mr Steven Mchali who turned state witness against the ANC.

After Colonel Stadler had finished giving evidence Mr Jules Browde, SC, said it was obvious he could not do justice to the cross examination of the Colonel without going through the original documents.

Accordingly Mr Justice J de Villiers agreed with his submission and he adjourned the case until 10 am today.

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SP expert likens ANC and N

much better position to know the aims of the ANC than a young man in Soweto with limited education.

In order to fully understand the ANC one had to know its history, he said. When the ANC was founded, there were laws like the Land Act, which isolated the black man.

"The ANC is really black nationalism. Its history is not dissimilar to that of any nationalist movement, including the Nationalist Party."

"The Freedom Charter is not a violent document. It is a socialist document," Col Stadler said.

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There was no suggestion of violence in it.

Col Stadler said it was generally felt by the black people of this country that they were discriminated against and oppressed.

A person reading the constitution would have no inkling that the ANC was an organisation devoted to the overthrow of the present regime by force.

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They are appearing before Mr Justice De Villiers and two assessors on a charge of high treason, two charges of murder, 21 of attempted murder and one of robbery with aggravating circumstances.

The two murder charges arise from the death of two women hostages during the siege of the Silvertown branch of Volkskas Bank.

The Freedom Charter was anti-white and was to some extent "a racialist document". However, when the charter was accepted at Kiptown in 1955, members of all races were present.

Referring to an extract reading "the people shall share in the country's wealth". Mr Browde said one of the accused

Col Stadler agreed. He also agreed that there might be people in the ANC who did not agree with vio-

There had been serious splits in the ANC. In 1958 and 1959 there was an ideological split

more than an ideological split.

Candidates are not to communicate with other candidates or with any person except the invigilator.

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P backgrounds

between the Pan-Africanist Congress and the ANC.

"Since then, there has been a further split in the ANC, between the London faction and the Dar Es Salaam faction. Eight members of the executive committee were kicked out. The London faction was more racist than Dar Es Salaam," the colonel said.

He agreed with Mr Browde that the Dar faction was not against South Africa, but against "the white Nationalist regime".

The crushing of apartheid by the use of violence against facets of Nationalist policy was suggested in 1976 as part of the ANC's interim aims, he said. The complete destruction of the present order was the main aim.

There was still great rivalry between the ANC and the PAC. The Sasol sabotage was claimed by both. "We don't pay much attention to the PAC, however, because it is such a

small faction", he said.

The ANC said clearly that Government installations were targets selected for violence.

Up to now, he knew of no case in which hostages had been held. If the Silverton bank had been a target of the ANC, it was the first time in South African history that a bank had been its target, he said.

Mr Browde said cliches were used in "Seshaba".

"It seems to me that the ANC makes claims far beyond what it really achieved."

Col Stadler: "The claims are factual, but exaggerated."

He agreed that the riots of 1976 marked a time when more people started getting involved in ANC activities. There was a great deal of frustration and distress among the people of Soweto.

After the unrest, there was dislocation of Soweto society and that of the other black townships. Many young people left the country, he said.

Because of the length of the borders, it was reasonably easy to leave South Africa without the necessary documents.

The ANC recruited people who were dissatisfied with circumstances in South Africa.

Mr Browde said: "Once they cross the fence, they are no longer the underdogs. They are received with open arms."

Col Stadler agreed.

He knew of cases where people were fraudulently persuaded to leave the country, ostensibly for better education, and found themselves in a military training camp against their will.

Such people were either indoctrinated or gave themselves up as soon as they returned to South Africa, he said.

Indiscriminate killing was foreign to the policies of the ANC. It would not be acceptable to the masses, he said.

Re-examined by Mr J C H Jansen, SC, for the State, Col

Stadler said he had never met anyone in South Africa who worked for the ANC without agreeing with its aims. "If they don't agree, they hand themselves over."

Mr Jansen then pointed out to the court that Col Stadler had said that the lives of witnesses who gave evidence for the State was often in danger.

He applied for the evidence of the following witness to be heard in camera. The Press could attend, but the witness should not be identified, he said.

Mr Browde objected that it was undesirable that the public should be excluded from a trial.

He quoted from a decided case where an application was made that a Mr Abel Mthembu should give evidence in camera, but it was decided not to close the court to the public.

Mr Jansen pointed out that the ANC later bragged about killing a Mr Mthembu.

Mr Justice De Villiers said he would make his decision on this application this morning and adjourned the trial.

Silverton: ANC expert tells of attacks on Govt installations

Col Stadler says it was planned at Rivonia

POST
8/8/80

PRETORIA. — An expert on the African National Congress, Lt Col H Stadler of the Durban security police, told the Pretoria Supreme Court yesterday targets selected for attack by the ANC were strategic governmental installations.

Col Stadler said this was according to "Operation Mayibuye", a plan drawn up at Rivonia after a decision taken by the ANC's executive committee, the central committee of the Communist Party and the high command of the "Spear of the Nation".

Col Stadler was giving evidence at the trial of Mr Neimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hloli Benjamin Tau (24), Mr Phumula Grant Shezi (24), Mr Jeremiah Radebe (26), Mr Boyce Johannes Bogaie (26), and Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Their appearance follows the attacks on the Silverton Branch of the Volkskas Bank and on the Soekmekaar Police Station in January this year.

Col Stadler told the court he had made a study of the ANC and had investigated a number of cases involving the banned organisation.

SA Press Association

very young as many of them were only in their early 20s now, and therefore a lot of the propaganda found in many issues of Sechaba would not have been known to them.

"The type of propaganda you get in Sechaba would only succeed in fertile soil. Do you agree?" he asked Col Stadler, who replied that this would be so, de-

pending on how ready they were.

Col Stadler was asked by Mr Browde what he thought was the difference between a terrorist and a freedom fighter.

He replied that terrorists contravened the Terrorism Act, but he was aware that the ANC called them guerillas or freedom fighters.

Mr Browde suggested the terminology depended on which side one was on.

When asked why he thought many young black people left South Africa, especially after the Soweto unrest in 1976, Col Stadler said he accepted the reason was they were unhappy in this country.

The trial continues today.

Despite the fact that the ANC constitution as printed in the January 1979 issue of the party's official organ, Sechaba, did not advocate violence to achieve its aims, Col Stadler said the ANC had in fact espoused violence over the past 20 years.

Cross-examining Col Stadler, Mr Jules Browde SC, counsel for the defence said:

"I don't want to be unkind to the people who wrote Sechaba, but there is a great deal of rhetoric and cliches."

Mr Browde said that their claims of attacks against the South African Government appeared to be exaggerated. Col Stadler agreed.

The court heard that about 80 percent of the propaganda represented a psychological onslaught on young people.

Mr Browde said that during the 1960s the nine accused men were

Nat, ANC history similar, court told

331

9/8/80

JOHANNESBURG. — Colonel H B Stadler, a security police expert on the African National Congress, told the Pretoria Supreme Court yesterday that the ANC was movement of black nationalism, with a history similar to that of the National Party.

He was giving evidence before Mr Justice de Villiers and two assessors in the case in which Mr Neimbiti Johnson Lubisi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Naphtali Menana, 24, Mr Moses Molebatsi, 27, Mr Hlolile Benjamin Tau, 24, Mr Grant Shezi, 24, Mr Jeremia Radebe, 26, Mr Boyce Johannes Bogale, 26, and Mr Thomas Mngadi, 29, are appearing on one charge of high treason, two of murder, 21 of attempted murder and one of robbery with aggravating circumstances.

The men have pleaded not guilty to all the charges.

The two murder charges arise from the death of two of the women held hostage during the Silverton Bank siege, and the charges of attempted murder from injuries to people during the siege, and injuries to two men during an attack on the police station at Soekmekaar.

It is alleged that the nine men were members of the African National Congress.

Mr J Browde, SC, for the men, yesterday began his cross-examination of Colonel Stadler.

By chance

Colonel Stadler agreed that the man in the street could only know what the ANC wanted if he came into contact with one of its documents by chance. The evidence given in trials about the ANC was, however, widely published in newspapers, he said.

The basis of his evidence was that documents like Sechaba, the official organ of the ANC, came into the hands of people like the nine accused and that they were thereby encouraged to commit violence, he told the court.

"The Freedom Charter is not a violent document. It is a socialist document," Colonel Stadler told the court.

The constitution of the ANC was in a 1979 edition of Sechaba, which had been handed into the court. There was no suggestion of violence in it, he added.

Commenting on extracts from the constitution, read by Mr Browde, which said that the ANC claimed "to unite the African people" and "to ensure their complete liberalism from all forms of discrimination", Colonel Stadler said that it was generally felt by the black people of this country that they were discriminated against and oppressed.

A person reading the constitution would have no inkling

that the ANC was an organization devoted to the overthrow of the present regime by force. "To some extent the Freedom Charter is a democratic document," he told the court.

He agreed that pass laws and permits, one of the real sources of irritation to the blacks, still applied today and that they still did not have the right to live where they chose.

Colonel Stadler also agreed that there might be people in the ANC who did not agree with violence.

There were many black people who were against violence, he said.

The crushing of apartheid by the use of violence against facets of Nationalist policy was suggested in 1976 as part of the ANC's interim aims, he said. The complete destruction of the present order was the main aim.

The ANC said clearly that government installations were targets selected for violence.

First time

"Up to now, he knew of no case where hostages had been held. If the Silverton bank had been a target of the ANC, it was the first time in the history of the country that a bank had been its target, he said."

He also agreed that the riots of 1976 was the time when people started becoming involved in ANC activities. There was bitterness and frustration, and many young people left the country, he said.

Indiscriminate killing was foreign to the policies of the ANC. He did not know what the organization's specific instructions to certain people were, however.

Indiscriminate killing would not be acceptable to the masses, he pointed out.

"Whatever can be said about the ANC, it cannot be said that they taught people to kill indiscriminately like the Bader Meinhof and Black September movements," Mr Browde said.

To which Colonel Stadler said: "The ANC is a political organization and has to keep the support of the people."

In camera

Mr J H C Jansen, SC, for the State, asked for the trial to be held in camera while the next witness gave evidence. The press could attend, but the person should not be identified, he said.

Mr Browde objected. It was undesirable that the public should be excluded from a trial, he said.

He quoted from a decided case where an application was made that a Mr Abel Mthembu should give evidence in camera, but it was decided not to close the court to the public.

Mr Justice de Villiers said he would make his decision this morning and adjourned the hearing.

Witness

names

ANC

targets

Own Correspondent

The Minister of Foreign Affairs, Mr Pik Botha, was one of the prime targets of the ANC, the "Silverton siege" court heard today.

A witness, who may not be identified, told the court that when he finished his military training in Angola he was appointed head of the southern Natal region.

He explained that the ANC had divided South Africa into various regions for their operations.

The court heard that ANC targets were divided into economic, military and political.

The witness told the court that Mr Pik Botha; the judge in a treason trial in Natal, Mr Justice Hefer; and Colonel Stadler of the security police were among ANC targets.

DUTY

He said it was his duty to organise attacks on the targets set by the ANC, although he did not have to be present during the attacks.

He said the Pietermaritzburg Supreme Court, the Mobeni power station, the oil refineries in Durban as well as policemen, particularly security police, and State witnesses in terror trials were among the targets.

The witness said that after his return to Mozambique on the completion of his military training he went to Swaziland to arrange for trained people to cross the border into South Africa.

He said five members of the ANC went through first and he was in the second group of five who went through in October last year. He said it was the first time he had been in South Africa since leaving in 1977.

CROSSED

When he crossed the border he had to contact several people in Natal to organise transport and communication between Swaziland and South Africa for the ANC.

He did this, returned to Swaziland and then came back to South Africa in December last year with instructions for attacks on certain targets.

The witness said that on December 27 last year he gave himself up to the security police.

(Proceeding)

Prison locks blocked easily, escape trial told

Own Correspondent

Out of seven locks tested, five had blocked easily on the first or second turn of the key, the Deputy Commissioner of Prisons, Major-General G J Cilliers told the Pretoria Regional Court yesterday.

General Cilliers said the maximum security prisoners Alexander Moubaris and Timothy Jenkin had the same make of locks on their cell doors before they escaped. These locks were easily blocked.

The third prisoner who escaped from Pretoria Central Prison on December 11 last year, Stephen Lee, had left a mark corresponding exactly to the bolt of the lock in the

unmastered position on the door frame.

General Cilliers continued to give evidence yesterday about the escape at the trial of Sergeant Francois Daniel Vermeulen (57) of Sunnyside, Pretoria who has pleaded not guilty to assisting the prisoners to escape.

DOGS

He said the men could only have escaped between 5 pm and shortly after 6 pm, when the dogs were put on duty as there was the noise of the news and a record player playing to conceal their prisoners to escape.

The door to the courtyard was concealed from the guard on the catwalk

above, and from this courtyard they could have entered the visitors' room, where they could remove a pane of glass and escape.

In answer to a question by the prosecutor, Mr Ben Bredenkamp, General Cilliers said Brigadier S Gericke, a prison officer, had a severe manner when he confronted Sergeant Vermeulen on December 12, but he was not angry.

Brigadier Gericke had suggested to Sergeant Vermeulen how he had assisted the men to escape, General Cilliers said.

Mr Bredenkamp pointed out that Sergeant Vermeulen did not say that Brigadier Gericke had

told him the whole route, and that Sergeant Vermeulen's confession differed from General Cilliers' description of the route to the court.

General Cilliers said it was possible that Sergeant Vermeulen had not remembered properly what he had been told.

Mr Bredenkamp said Sergeant Vermeulen had told the court that the prison officers who confronted him on December 12 had been unfriendly.

Asked to comment on this, General Cilliers replied that he had not spoken to Sergeant Vermeulen on that occasion.

Mr J H Bekker is on the Bench. Mr Ike Swartzberg is appearing for Sergeant Vermeulen. (Proceeding)

for
villagers
to die
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Helens comes back to life
after airliner lands in sea

and rescue boats have saved 166 Romanians after a
upolev airliner crashed into the sea off Mauritania
as it was coming in to land. Mauritania's civil
for said one person was dead and another missing
y morning crash.

(331) 9/8/80

GENERAL NEWS

Court Reporter

A MAN who may not be identified told the Silverton trial yesterday how he returned to South Africa as a regional ANC commander with orders to kill Colonel H B Stadler of the Durban Security Police, Natal judge Mr Justice J J F Hefer and "Government officials like Mr Pik Botha".

The witness gave a detailed description of extensive guerrilla training in Angola and Mozambique.

The witness (Mr X) was warned as an accomplice.

At the start of yesterday's proceedings, Mr Justice De Villiers ruled that the witness would be allowed to give his evidence in camera.

He allowed the Press to attend provided they did not in any way divulge the identity of the witness.

He said it would be difficult for an alleged accomplice to give his evidence in open court, in full view of sympathisers and relatives of the accused. There was a strong possibility revenge would be taken on him.

The judge told Mr X that although the questions put to him, and his answers, might be incriminating, he had to answer.

If he answered all the ques-

tions openly and honestly he would receive indemnity against prosecution.

Mr X told the court he had been interested in politics since 1973. He was interested in the South African Students' Organisation (Saso) and the Black People's Convention (BPC).

In 1975 he first learned of the African National Congress.

From a friend he learned about Radio Freedom, an ANC programme broadcast by Radio Zambia. He listened to the programme with his mother and the friend.

In January 1977 his friend recruited him to leave the country for military training, so that he could return and fight the Government.

He received his instructions from the friend and travelled to Manzini, Swaziland, where he met a woman contact who took him to the ANC headquarters. Moses Mabila was the chief representative of the ANC in Swaziland, Mr X said.

After being interviewed he went with 15 or 16 others to a house in a suburb of Maputo. There they were given "Ma-

konto" names - ANC force names. Umkonto We Sizwe was the military wing of the ANC.

At this house political discussions were led by Hendris Ndoo and a man called "Zuma". The discussions concerned the organisational politics of the ANC.

He stayed there for about two weeks and then left for Angola with six others.

They went by air via Beira and disembarked at Luanda Airport. From there they went to the Tanzik camp of the ANC.

This was a military camp of the MPLA with military vehicles, barracks and Cuban soldiers, Mr X said.

They started theoretical training there. Their subjects were politics, including the organisational politics and history of the ANC and Marxist-Leninist theories.

"We did marching and drilling ... We marched and drilled like the Red Army, the soldiers of the Soviet Union," Mr X said.

They were also taught how to use explosives in sabotage. Another subject was guerrilla

THE accused in the Silverton trial in the Pretoria Supreme Court are Mr Ncimbithi Johnson Labisi, 28, Mr Petrus Tsapo Mashigo, 29, Mr Naphthali Menana, 24, Mr Moses Molebatsi, 27, Mr Hlole Benjamin Tau, 24, Mr Grant Shezi, 24, Mr Jeremia Radebe, 23, Mr Boyce Johannes Bogale, 26, and Mr Thomas Mgadi, 29.

They are appearing before Mr Justice De Villiers and two assessors on a charge of high treason, two charges of murder, 21 of attempted murder and one of robbery with aggravating circumstances.

There are four alternative charges of taking part in terrorist activities.

All nine have pleaded not guilty to all the charges.

The two murder charges arise from the death of two women hostages during the siege of the Silverton branch of Volksbank Bank.

The charges of attempted murder arise from injuries to people during the siege and injuries to two men during an attack on the Soekmekaar police station.

The nine are alleged to be members of the ANC.

They were told which weapons to use and the general manoeuvres to carry out in an urban situation. They were also taught how to organise men in combat situations.

He spent less than a month in the camp before going to the Benguela camp, where he was giving practical military training and more theoretical training.

They were taught to assemble and dismantle weapons and were also given practical training in the use of firearms, photography and the use of communication in guerrilla warfare.

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list, says witness

sives. Here they used a light machinegun larger than the AK, and the Makarov, Futnik and Tete pistols.

He also got to know the M23, a small United States rifle and the German Mauser.

He stayed at this camp until April 1978. He gave political lectures.

There were up to 600 men at a time in the camps, he said.

From the Funda camp he was transferred to Mozambique, where he became a member of the regional headquarters.

South Africa had been divided into regions by the ANC. Each regional headquarters was assigned a specific section of South Africa in which it had to carry out its military duties, he said.

He did not know how the Cape Province and Free State were divided, but Natal was divided into southern and northern Natal, and the Transvaal into rural and urban areas.

He was put in charge of southern Natal, Mr X said.

He told the court the revolutionary council was the highest authority in the military wing of the ANC.

He named the members of this council as Moses Mabiga, Mzwayi Thiliso, Paul Dikeledi, "Casius", Dilinga Masondo, Joe Modise and "Masondo".

As a member of the regional headquarters he had specific instructions to carry out. He had to plan operations and obtain trained men to execute his plans.

He also had to locate spots where people could cross the Swaziland-South Africa border, and had to organise the smuggling of weapons into South Africa from Mozambique.

He returned to Angola in August 1978 to choose personnel, he said.

He chose about 30 men and went to Swaziland, where he sent five across the border at a point near the border post.

In October 1979 he crossed the border with four others.

It was the first time he had

returned to South Africa since 1977.

He visited various people in Natal whom he had to recruit. Some of them had to organise transport in South Africa and communication between South Africa and Swaziland.

In December 1979 he received instructions from the central headquarters to act as commander for the urban areas of southern Natal. His instructions included the sabotaging of bridges and the killing of members of the Security Police.

People named were Col Stadler and a man called "Ngobese".

Mr Justice Hefer was also a death target because he was the presiding judge at the Maritzburg treason trial.

Other tasks ordered included the destruction of the Umgeni court building in Maritzburg and the Mokeni power station in Durban, and the Defence Force recruiting centre in Smith Street, Durban.

He had to use his own discretion in choosing other targets,

such as oil refineries, goods trains carrying imports and exports, witnesses in treason trials and "Government officials" like Mr Pik Botha.

He also had to make "dead letter boxes" — caches for communications and firearms.

He had to meet two trained men at the end of January 1980.

However, on December 27, 1979, he considered giving himself up to the police and finally did so at the Security Police offices in Loop Street, Maritzburg.

"I have been in custody ever since," Mr X told the court.

The main aim of the ANC was to overthrow the Government by force and to establish a democratic and socialist type of government, he said.

The ANC also wanted to organise workers' strikes, international economic boycotts, international arms embargoes and the isolation of South Africa.

The ANC contacted people in South Africa through Freedom Radio, the distribution of magazines like "Seshaba", official ANC organ, and by using trained people returning to South Africa.

The trial continues on Monday.

INSCRUTABLE NINE PLEAD NOT GUILTY TO MURDER AND TREASON



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Advocate
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Durban
security
police
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compare
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The
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AFRIKANER nationalism and the emergence of the African National Congress were comparable events in the history of South Africa, the Silverton siege trial heard this week.

The judge heard that the ANC was similar to any national movement in the world, including South Africa's National Party.

And a Security Police Colonel admitted that the ANC went over to a policy of violence only when it decided non-violence would not work.

The young men charged with high treason and murder listened inscrutably in the Pretoria Supreme Court this week as the liberation struggle of black South Africans was traced from its peaceful beginnings in 1912 to its present commitment to the violent overthrow of the white Nationalist Government.

Evidence at the trial — which began this week and is expected to last at least two months — has centred mainly on the banned African National Congress, butting a planned military, economic and political onslaught that includes the killing of Foreign Minister P. W. Botha, Pietermaritzburg Supreme Court Judge J. J. F. Klerk, and Durban's Security Police chief Hermannus Gladier.

Other ANC targets mentioned include the Port Natal Administration Board, the Pietermaritzburg Supreme Court, Durban's oil refineries, the Mobeni power station, and soldiers and police.

The 19th century Palace of Justice in Church Square which houses the Supreme Court was tightly guarded by security and uniformed police, who searched the public with metal detectors as they entered the high-ceilinged foyer. Women had to display the contents of their handbags.

The nine accused are Nombuthi Johnson Lubisi, 28; ...

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and the

Moses Molebatsi, 40, a Ben. am. 1941, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

All South African citizens, they are all-confirmed members of the ANC, each of whom is allowed to have left the country after the Soweto riots in 1976 to receive military training in Angola and then to have returned for armed warfare against the Government of South Africa.

They are appearing before the judge today to face charges of murder, armed robbery, and kidnapping. The charges are being laid against them in connection with the deaths of two men and the kidnapping of a woman in the town of Grahamstown, Natal, in 1976.

The two men were killed in the town of Grahamstown, Natal, in 1976. The woman was kidnapped in the same town in the same year.

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NEWS

Afrikaners

ANC REPORTS ON THE SIVERTON SIEGE TRIAL IN PRETORIA

Colonel Stadler said whites and representatives of other races in South Africa were present when the freedom charter was adopted in 1955. Mr Browde argued that the ANC suggested using violence against facets of Government policy, not on the existing order and that the organisation was not against white people in South Africa.

Their attack is against the present Government of South Africa. Their selected targets were Government installations. Evidence will be given by the accused that to none of them at any time has it ever been suggested that there be an attack or violence done to any institution or building other than that of a Government nature.

A former ANC military trainee, whom the court heard gave himself up to the Pietermaritzburg security police in December because he was against violence and the death of innocent citizens, save evidence for the state. Mr Justice de Villiers ruled that his identity be kept secret and cleared the court of the public.

He explained that the ANC delegated regional headquarters to various parts of South Africa, which for the organisation's purposes had been divided into regions consisting of the Cape Province, Free State, Natal and the Transvaal, which was split into urban and rural sections.

Duties of these regional headquarters included helping people to enter South Africa illegally, smuggling arms into the country, recruiting people to the ANC, killing security police, especially Colonel Stadler, and killing Judge Meier, who presided over a treason trial in Pietermaritzburg in which one Mange, an ANC member, was sentenced to death.

He said the ANC's main aim was to overthrow the Government and to establish a socialist-type democratic government that was also democratic. The organisation would achieve this aim with the use of firearms and other weapons, and by means of worker strikes, international economic boycotts, arms embargoes, a political onslaught to encourage the severing of diplomatic ties and the exclusion of South Africa from world sport.

He identified all but two of the accused before the court as having served in military camps in Mozambique and Angola.

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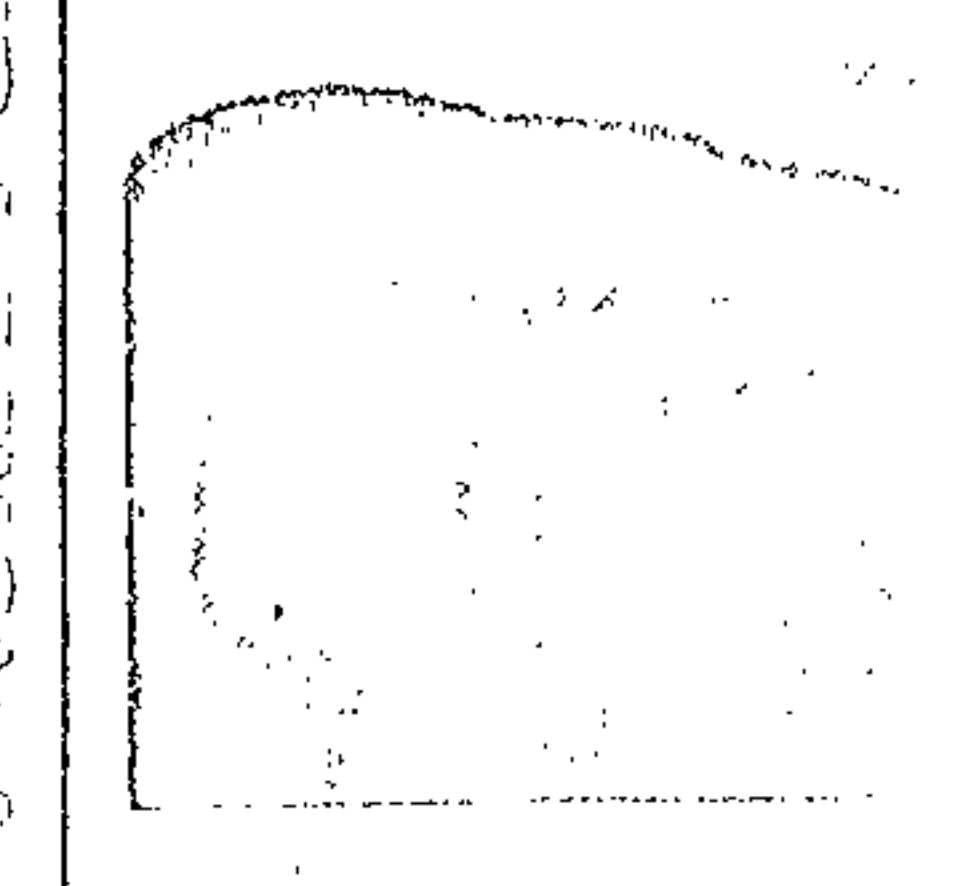
A former ANC military trainee, whom the court heard gave himself up to the Pietermaritzburg security police in December because he was against violence and the death of innocent citizens, save evidence for the state. Mr Justice de Villiers ruled that his identity be kept secret and cleared the court of the public.

He explained that the ANC delegated regional headquarters to various parts of South Africa, which for the organisation's purposes had been divided into regions consisting of the Cape Province, Free State, Natal and the Transvaal, which was split into urban and rural sections.

Duties of these regional headquarters included helping people to enter South Africa illegally, smuggling arms into the country, recruiting people to the ANC, killing security police, especially Colonel Stadler, and killing Judge Meier, who presided over a treason trial in Pietermaritzburg in which one Mange, an ANC member, was sentenced to death.

He said the ANC's main aim was to overthrow the Government and to establish a socialist-type democratic government that was also democratic. The organisation would achieve this aim with the use of firearms and other weapons, and by means of worker strikes, international economic boycotts, arms embargoes, a political onslaught to encourage the severing of diplomatic ties and the exclusion of South Africa from world sport.

He identified all but two of the accused before the court as having served in military camps in Mozambique and Angola.



Colonel Newman Glad. Low history

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10/8/80 Sun Trib

331

Silverton siege trial told of ANC objectives

SUNDAY POST
Reporter

ONE OF the ANC objectives is to "unite the African people in a powerful and effective instrument to secure their liberation from all forms of oppression," according to a security policeman.

Colonel H B Stadler was giving evidence in the Pretoria Supreme Court during the trial of nine men alleged to be ANC members.

The men are: Mr Nchimbi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphthali Manana (24), Mr Ikanyeng Moses Molehatsi (27), Mr Hloile Benjamin Tau (24), Mr Phumolani Grant Shezi (24), Mr Jeremia Rulhe (26), Mr Royce Johannes Bagale (26) and Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in "terrorist" activities.

Their appearance fol-

lows the attacks on the Silverton branch of the Volkskas Bank and the Soekmekaar police station in January.

Colonel Stadler, an ANC expert from Durban told the court the aim of the ANC was the overthrow of the present South African Government by force and the implementation of Operation Mayibuya, a blueprint for warfare.

Some of the ANC's interim aims were the conditioning of the masses and the recruiting of members.

Colonel Stadler said he had an album of ANC pamphlets. He read some of the extracts to the court. They included:

"In preparing for war we must not lose sight of the fact that because of South Africa's isolation the state structure may collapse much sooner than we at present envisage..."

"A massive onslaught on pre-selected targets... will inject confidence into the people that here is an army of liberators."

"Revolution calls for supreme vigilance. The revolution needs men and women to commit acts of war. We have already shown that our youth are capable of great deeds."

"We have to mould our youth into a fearless fortress against white oppression."

A witness, Mr X, who may not be identified to protect him against possible reprisals, gave a detailed description of extensive guerilla training in Angola and Mozambique.

Mr X said he had been interested in politics since 1973. In January 1977 a friend recruited him to leave the country for military training so that he could return and fight the Government.

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Lesotho

UMTATA — Paramount Chief Sabata Dalindyebo, the deposed Tembu Chief, has disappeared from his Bumbane great place and is said to be in Lesotho on the way to Swaziland where he will seek asylum, according to a report from Sapa last night.

Attempts by the Daily Dispatch last night to confirm Chief Sabata's disappearance were unsuccessful. There was no reply to telephone calls to Bumbane.

The chief was deposed by the Transkei Cabinet last week following his conviction in the Port St John's Supreme Court on charges of injuring and violating the dignity of the Transkei State President.

Chief Sabata had just returned from a month-long visit to Swaziland as a guest of King Sobhuza. He told reporters on his return he had been offered sanctuary by the Swazi Government until representations to the United Nations were made by King Sobhuza. — SAPA.

Court told of hold ANC had on recruits

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STAR

Own Correspondent

Once someone was recruited into the ANC there was no way out of the organisation unless you escaped from one of the camps, the Silverton siege trial heard today.

A witness, who may not be identified, said in the Pretoria Supreme Court that if he had wanted to return to South Africa before finishing his training with the ANC, after leaving the country, the ANC members would have thought he was a spy and he would never have been allowed to return.

Mr Jules Browde, who is appearing for the nine accused men today started cross-examining the men.

The men have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances, and taking part in terrorist activities.

Their appearance follows the attacks on the Silverton branch of the Volkskas Bank and on the Soekmekaar police station in January.

The witness told the court he had matriculated and had finished the first of a two-year teacher training course when he left the country at the beginning of 1977.

He said although he had been politically aware after discussions he had with the friend who recruited him for the ANC he felt he was being oppressed. One of the reasons for his dissatisfaction was the low pay for blacks, he told the court.

He said in 1973 he had also become involved in the South African Student Organisation which, he told the court, aimed at raising black consciousness.

When asked by Mr Browde what they did to do this he said they attempted to free the black people in their thinking.

By this he said he meant that if a black person was a passenger on a bus or a train they need not "shiver" when they saw a policeman.

The hearing continues.

Witness

tells of

ANC

instruction

Argus Correspondent

PRETORIA. — Joe Slovo, a member of the South African Communist Party who fled South Africa, gave instructions to an ANC commander on targets to attack in this country, the Silverton siege trial was told yesterday.

A witness, who may not be identified, was giving evidence at the trial of Mr Neimbithi Johnson Lubisi, 28, in the Supreme Court here and eight others who have pleaded not guilty to high treason, murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

He said in November 1979, he met Joe Slovo in Maputu who gave him instructions on his mission when he came back to South Africa.

SABOTAGE

He said his mission was to recruit more people to fight on behalf of the ANC, to sabotage the Supreme Court building in Natal and bridges on highways. After destroying these targets he could use his discretion in choosing others, he told the court.

The witness said he had to start a network of underground ANC members from scratch on returning to South Africa after being militarily trained.

He said he would recruit some here and would later have been joined by two trained people to carry out operations.

He said, under cross-examination by Mr Jules Borwde, SC, who is appearing for the nine men, that he turned away from the ANC and gave himself up to the police because he was against violence.

BOMB

The court also heard that he had instructed those under his command to plant a bomb at the Lamontville Bantu Administration Board offices. The witness said planting a bomb was also violence because people could be killed.

The court heard this mission, carried out in March last year, failed because the detonator went off before the time and the people responsible 'ran away.'

The witness said his mission, when he returned in November last year, included attacks on political figures, such as Mr Pik Botha, Minister of Foreign Affairs, and Mr Justice Hefer, judge in a Natal treason trial.

Mr Browde asked whether he gave himself up because he was against indiscriminate killing. He said this was one of the reasons.

POST 2/8/80 (331)

'Slovo behind ANC attacks'

JOE Slovo, a member of the South African Communist Party who fled South Africa, gave instructions to an ANC commander on targets to attack in this country, the Silverton Siege trial was told yesterday.

A witness, who may not be identified, was giving evidence at the trial of Mr Ncimbithi Johnson Lubisi (28) in the Pretoria Supreme Court yesterday, and eight others who have pleaded not guilty to high treason, murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

He said in November, 1979 he met Joe Slovo in Maputo who gave him instructions on his mission when he came back to South Africa.

He said, under cross-examination, by Mr Jules Browde, SC who is appearing for the nine men, that he turned away from the ANC and gave himself up to the police because he was against violence.

The court also heard that he had instructed those under his command to plant a bomb at the Lamontville Bantu Administration Board Offices. The witness said planting a bomb was also violence because people could be killed.

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The witness said his mission, when he returned in November last year, included attacks on political figures, such as Mr Pik Botha, Minister of Foreign Affairs and Mr Justice Hefer, judge in a Natal treason trial.

Mr Browde asked whether he gave himself up because he was against indiscriminate killing and he said this was one of the reasons.

He said the name of Mr Pik Botha was used as an example of someone

who had to be killed, when he was given instructions.

"I want to put it to you that this is something entirely foreign to the Freedom Charter," said Mr Browde.

"The Freedom Charter is a theory and what happens in practice in the ANC is different," replied the witness.

Earlier the court was told that once someone was recruited to the ANC there was no way out of the organisation unless you escaped from one of the camps.

A witness, who may not be identified, said in the Pretoria Supreme Court that if he had wanted to return to South Africa before finishing his training with the ANC, after leaving the country, the ANC members would have thought he was a spy and he would never have been allowed to return.

In court are Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Naphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hlilile Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremiah Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

Ex-ANC commander: judges on death list

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PRETORIA — A former regional commander of the banned African National Congress, who turned state witness in the Silverton siege trial in the Supreme Court here, told the court yesterday that any judge who had presided over a political trial was considered a legitimate political assassination target by the military wing of the ANC.

The witness, who testified in camera because he fears for his life, may not be identified.

Mr Ncimbithi Johnson Lubisi, 28, Mr Petrus Thepo Mashigo, 20, Mr Naphali Manana, 24, Mr Ikanyeng Moses Molebatsi, 27, Mr Hlolile Benjamin Tau, 24, Mr Phumulari Grant Shezi, 24, Mr Jeremiah Radebe, 26, Mr Boyce Johannes Bogale, 26 and Mr Thomas Mngadi, 29, have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances, and taking part in terrorist activities.

Their appearance is a sequel to the siege of a Silverton bank and an attack on the Soekmekaar police station earlier this year.

Cross-examined by Mr Jules Browdie, for the nine accused, the witness told the court the revolutionary council of the ANC had drawn up a document in 1976 defining military, economic and political targets.

The former regional commander, who was assigned to take control of south Natal and carry out acts of sabotage and assassinations, told the court that once a person had been recruited to join

the ANC, it would be impossible for that person to leave the organisation.

The witness said he had been recruited to join the ANC by a friend in 1977. He had become interested in politics in 1973 while still at school. He had been aware of the South African Students Organisation and learned about its aims later that year.

"What was Saso all about?" asked Mr Browdie.

"To encourage people about black consciousness," the witness replied.

The witness said that black consciousness, as propagated by Saso, meant that black people should not consider themselves as inferior. The aim of Saso was to make people aware they were oppressed in South Africa and should fight the oppression.

The witness told the court that although he had been very happy with his education, and the prospect of a teaching career, he had experienced a radical change of mind when approached to join the ANC.

Although he had been unhappy about the 1976 unrest when black students boycotted schools in Soweto because they rejected Bantu education, he had not considered himself oppressed.

Replying to a question from Mr Browdie, the witness confirmed he had considered himself a happy young man who was getting a good education. He had completed and passed his first year of training at a teachers' training college in Natal and was preparing for his

second year when he was recruited at the end of 1976.

Mr Browdie said it was fair then to conclude that the witness had no reason to leave South Africa or align himself with an organisation that avowed to overthrow the government.

"Yes," replied the witness.

But you left on January 7, 1977. — Yes.

The next month — Yes.

So what happened that month to make you change your mind to leave South Africa? — I was recruited.

Challenged by Mr Browdie that he had no reason to leave the country and join the ANC because he was grateful to the government for his education, the witness replied that he had experienced a radical change of mind because his friend had convinced him that black people were oppressed in South Africa.

The witness testified that after his recruitment he had been prepared to kill people.

Mr Browdie put it to the witness that because he had believed he was oppressed he had agreed to undergo military training because it was the only alternative.

"Yes, I agreed."

"I want to put it to you that the ANC was at no time a racist movement. It is not anti-white," Mr Browdie said.

"Yes", replied the witness.

"Did it not teach you there should be a sanctity of human life?"

The witness replied that he did not understand the question.

Mr Browdie asked him if he had read the Freedom Charter of the ANC. The witness replied that he had.

But the witness said the implementation of the Freedom Charter was different in practice from what it was in theory.

He said that targets — which if attacked could possibly inadvertently kill or wound members of the public — were left to his discretion as a regional commander.

If any ANC recruit under his command refused to carry out an order to kill people, he would remind them of the definition of the enemy.

The witness said that politicians — Mr Pik Botha, Minister of Foreign Affairs, was stated as an example — any institution association with the government, the military, the police and judges who were involved with treason trials were regarded as valid political targets even though it may have been foreign to the ANC's Freedom Charter.

The witness said that what happened practically in the ANC was entirely different from the theory of the organisation. He had carried out one mission, against the Bantu Administration building in Durban in March 1979, but the mission had failed because the detonator of the bomb did not go off.

The former regional commander surrendered to the South African police at the end of 1979 because, he said, he did not believe in violence.

The trial continues. — DDC.

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3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.

4. Do not write in the left hand margin.

4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University

13/8/80 ARGUS
Unrest: 33
remanded

Argus Representative

GRAHAMSTOWN

Thirty-three people, aged 16 to 40, were remanded in the Magistrate's Court yesterday to September 12 on charges arising from the recent disturbances in the black townships here.

Charges ranged from murder and arson to malicious damage to property.

The murder charge relates to the stoning to death of a shopkeeper, Mr Nikele Mjekulu, a prominent member of the African community and boxing promoter, on July 26.

Shooting in bank described

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Argus Correspondent

PRETORIA. — A Silverton siege hostage described to the Supreme Court here how fellow hostage, teenager Cindy Anderson was killed by bullets fired by a terrorist in his death throes.

Mr Igor Grobbelaar told the court today that on January 25 he was in the Silverton branch of the Volkskas Bank when it was attacked by three armed men. Miss Anderson was sitting next to him in his booth while they were being held hostage.

'She said she was very frightened and I put my arm around her,' said Mr Grobbelaar. 'When the shooting began I pulled her off the stool. I didn't see what happened to her then. After several shots, the terrorist fell into the booth. He had his gun in his hands and an armed grenade. I saw the grenade land about eight inches from my face. I grabbed it and threw it out of the booth.'

He said the grenade exploded, injuring him.

'Then the terrorist started firing. I turned to see in the direction he was

firing and saw Miss Anderson's head jerk and she fell forward. She was hit by the bullets. I looked the gun up.'

Mr Grobbelaar said the police then overpowered the man.

This evidence was heard at the trial of Neimbitshi Johnson Lubisi, 28, and eight others who have pleaded not guilty to high treason, murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Captain Christiaan de Swardt told the court he was called to the scene of the siege soon after 1 pm that day.

He looked into the bank and saw the hostages standing with their hands on their heads and the armed men with them. One of the men was sitting in front of a woman. The court heard he had dictated the terrorist demands to her, as well as part of the freedom charter, which was passed on to the police.

(Proceeding).

'Siege men asked for Mandela'

A SILVERTON Siege hostage described to the Pretoria Supreme Court yesterday how

fellow hostage, teenager Cindy Anderson was killed by bullets fired by a guerilla in his death throes.

Mr Igor Grobbelaar told the court that on January 25 he was in the Silverton branch of the Volkskas Bank when it was attacked by three armed men. Miss Anderson was sitting next to him in his booth while they were being held hostage.

"She said she was very frightened and I put my

arm around her," said Mr Grobbelaar. "When the shooting began I pulled her off the stool. I didn't see what happened to her then."

"After several shots, the guerilla fell into the booth. He had his gun in his hands and an armed grenade. I saw the grenade land about eight inches from my face. I grabbed it and threw it out of the booth."

He said the grenade exploded, injuring him. "Then the guerilla

started firing. I turned to see in the direction he was firing and saw Miss Anderson's head jerk and she fell forward. She was hit by the bullets. I kicked the gun up."

Mr Grobbelaar said the police then overpowered the man.

This evidence was heard at the trial of Ncimbithi Johnson Lubisi (28) and eight others who have pleaded not guilty to high treason, murder, 21 charges of attempted murder, rob-

bery with aggravating circumstances and taking part in terrorist activities.

Captain Christiaan de Swardt told the court he was called to the scene of the siege shortly after 1 pm that day.

He looked into the bank and saw the hostages standing with their hands on their heads and the armed men with them. One of the men was sitting in front of a woman.

The court heard he had dictated the guer-

rilla's demands to her, as well as part of the Freedom Charter, which was passed on to the police.

Captain De Swardt said he asked if he could do anything for anybody in the bank and some of the hostages asked for cigarettes. One of the armed men handed him an empty packet of the brand asked for and as he did so he slung his machine gun behind him but held an armed grenade in his hand.

The court heard that the guerillas asked for John Mange and Nelson Mandela to take them back to Angola.

At about 6.30 pm the guerillas also demanded their bag of grenades, bullets and a bayonet which they left outside the bank or they would start shooting the hostages.

Captain De Swardt said they gave him half an hour to comply with this demand. He managed to persuade them to give him an hour.

He reported to his superior and he was given a code-word to use. The trial continues today.

33 facing trial on charges of violence

13/8/80

331

STAR

GRAHAMSTOWN — Thirty-three people appeared in the Grahamstown Magistrate's Court yesterday on charges ranging from murder and arson to public violence arising out of recent unrest in Grahamstown.

All were formally remanded in custody until September 12.

Four men and a woman were charged with the murder of Mr Nikele Mjekula, a shop owner who was stoned to death on July 26.

Two youths aged 15 and 16 were charged with malicious damage to property arising from the stoning of a bottle store.

An 18-year-old youth was charged with arson in connection with the burning of the Samuel Ntsika Lower Primary School.

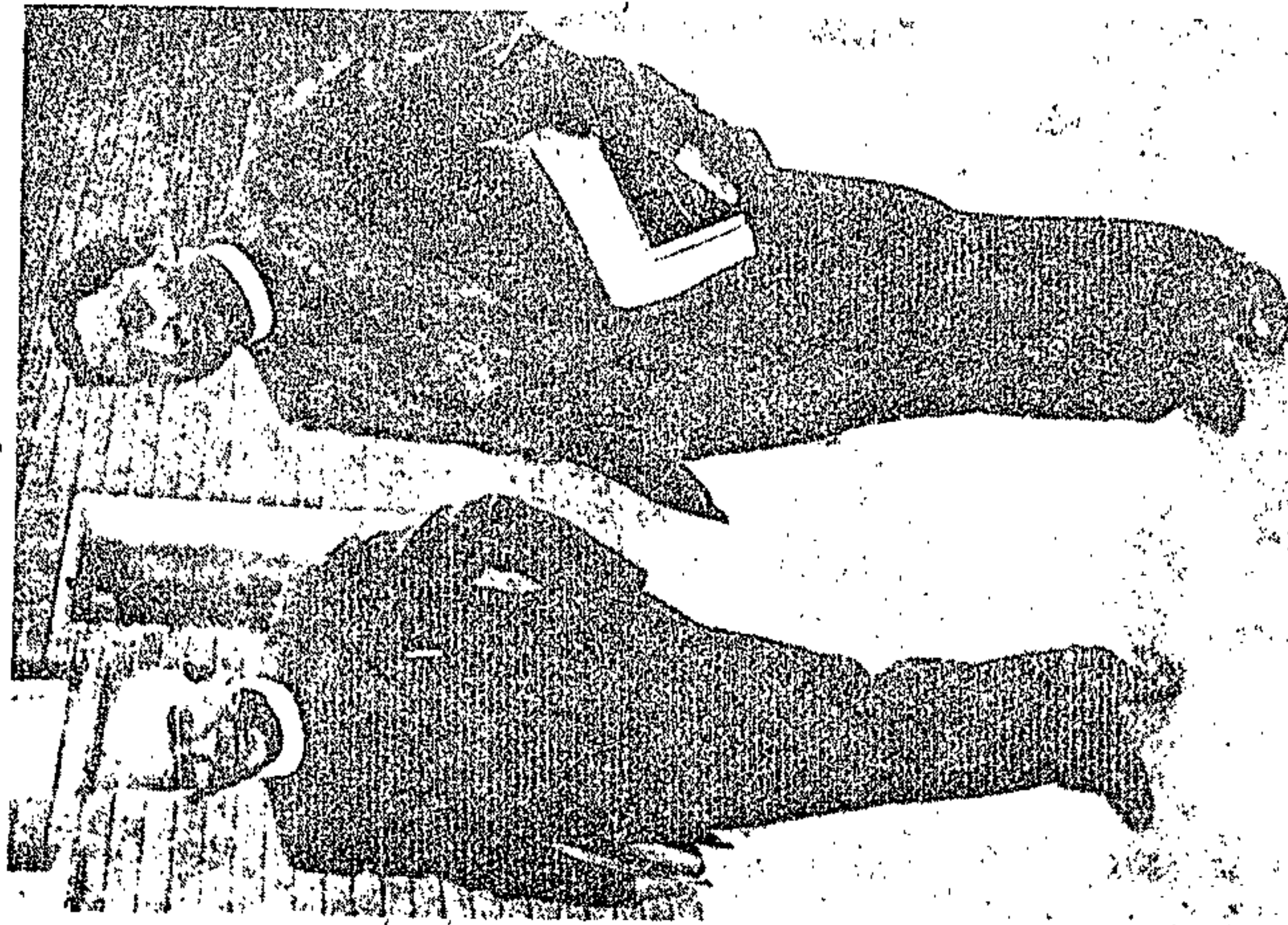
In another arson case six men and one woman were charged with setting fire to the home of a leader of the Peacemakers vigilante group.

lante group.

A 23-year-old man and two young women were charged with public violence and theft, while nine men, aged 17 to 36 were charged with public violence, arising from the stoning of a police truck.

Another public violence charge was brought against a 20-year-old man.

Three men aged 21 to 26, and two girls aged 14 and 17 were charged with malicious damage to property.



Rev Thorne and Rev Begbie . . . outside court yesterday.

Righteous meetings not riotous - Priest

THE Rev John Thorne, a well-known Johannesburg priest, said he took part in a gathering involving coloured students to use his influence as a leader and to see to it that demonstrations were peaceful.

Giving evidence before a Krugersdorp magistrate, Mr Thorne said boycotting students had legitimate grievances against the education system.

He regarded the gathering he is accused of addressing as a religious one.

"My participation in the gathering was not to instil a riot. On the contrary, I believe because of our participation with other ministerial colleagues, the assembly was

not riotous but righteous," he said.

Mr Thorne is charged under the Riotous Assembly Act with three other priests, three men and a woman, Mrs Vesta Smith. Also charged is the Rev Cecil Begbie. They are accused of having addressed or attended an illegal gathering. They have pleaded not guilty.

Also charged are the Revs Louis Ilett and Martin October. The three men charged with them are Mr Haniff Valley, Mr Thomas Marsh and David Johnson.

Their appearance is a sequel to a gathering by coloured students who were boycotting classes in Bosmont near Johannesburg to demonstrate their grievances against the education system on

April 22. Mr Thorne agreed that he took part in promoting the gathering.

He said ministers in the coloured community pledged solidarity with boycotting students and were present everywhere the students demonstrated "to exercise pastoral duties."

GATHERING

"From the Biblical concept a minister is a shepherd and as our flock, we were involved in student demonstrations so that our presence should be felt and known," he said.

Another priest, Mr Begbie, also told the court that he had a personal responsibility to be present at the gathering. As Rev Thorne had said, their presence was to act

as a deterrent to violence from the students or the police, he said.

A police officer, Colonel Hendrik Johannes Olivier, said a man had shouted "Amandla Ngawethu" during the demonstrations.

Col Olivier said this immediately after the court had returned from a videotape of the demonstrations was played.

He said the expression "Amandla Ngawethu", meaning "Power to the People," was often used at ANC meetings. He said he used to attend ANC meetings in 1959 and 1960 where the expression was often shouted.

Mr W Aucamp is on the bench. Hearing continues today.

331 post 13/8/80

Hostage saw her arm exploding

STAP 13/8/80 (331)

Own Correspondent
 "There were shots. I looked down and saw my right arm exploding. The whole elbow was shot away," a Silverton siege hostage told the Pretoria Supreme Court today.

Mrs Anna Maria Landman told the court that on January 25 when the three armed terrorists besieged the bank, she was in the same teller's booth as Miss Cindy Anderson. She said she was sitting on the counter with her back to the public area.

When firing broke out between the police and the terrorists she said she couldn't get down on the floor because there were too many people in the booth so she just bent down on the counter.

She said there were shots and when she looked down she saw her arm exploding. Mrs Landman said she couldn't remember from which direction the shots came or whether it was a shot or shrapnel which injured her arm.

She lost consciousness on the counter.

Mrs E E du Preez, another hostage, told the court that she was shot six times. Three of the wounds were in her left leg and the others in her body, and one of the bullets was still lodged in her body near an artery.

She said that she had undergone six operations and must still have another two. She could not use her left hand and could not stretch her arm.

One of the gunmen man-

aged to fire off a last volley of shots after being shot about 10 times by police.

The court heard that when members of the special task force stormed the bank, Lieutenant Charles Brazelle fired four shots at the terrorist sitting behind the counter. Sergeant Hendrik Lombard fired two shots at him and later another member of the task force fired four more shots at him before the man died.

Evidence before court

To Page 3, Col 2

Arm of hostage 'exploded'

from page 1

threatened to shoot the hostages.

The men are Mr Ncimbithi Johnson Libisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hlolle Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremia Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances, and taking part in terrorist activities.

Their appearance follows the attacks on the Silverton branch of the Volkskas Bank and on the Soekmekaar police station in January.

(Proceeding)

00 13/8/80 (331)

Silverton gunmen's death described

PRETORIA — A captain in the South African Police told the court at the Silverton trial here yesterday of how he had walked into the siege bank to ascertain if hostages were likely to be hit by police fire before giving the code word to launch an attack on three men inside the building.

Captain Christiaan Johan de Swardt, then attached to the Pretoria murder and robbery squad, said: "I entered the bank at three minutes past seven. I saw the hostages would be safe if the police shot and I gave the code word at five minutes past seven. The two terrorists on my side of the counter were shot immediately."

Mr Neimbithi Johnson Lubisi, 28, Mr Petrus Thepo Mashigo, 20, Mr Naphali Manana, 24, Mr Ikanyeng Moses Moiebat, 27, Mr Hloille Benjamin Tau, 24, Mr Phumulani Grant Shezi, 24, Mr Jeremiah Radebe, 26, Mr Boyce Johannes Bogale.

26 and Mr Thomas Mngadi, 29, have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances, and taking part in terrorist activities.

Their appearance is a sequel to the siege of a Silverton bank and an attack on the Soekmekaar police station earlier this year.

Capt De Swardt said: "I looked back for the third man behind the counter. He was gone."

By that stage some members of the special task force had already "stormed in." The two terrorists who had already been shot had been hit by police sharpshooters firing from the mezzanine floor.

"Someone shouted that the third terrorist, whom I regarded as the leader, had either gone up or down the stairs at the back."

"I ran out of the bank

and grabbed a weapon from another policeman and re-entered the bank."

Capt De Swardt described how he and a Colonel De Swardt of the special task force had charged at the terrorist.

"But I tripped over a wire. At that stage there was a volley of shots from the terrorist."

Col De Swardt had fired on the man and "I shot at him once. Col De Swardt jumped on him and tore the gun loose. He was dead when I came to him," said Captain De Swardt.

Asked how he had come to play such a prominent role, Captain De Swardt said he had gone to the bank after receiving a call that there was an armed robbery in progress.

He had gone to the door and looked in and had seen a number of white hostages standing with their hands on their heads in front of an armed black.

He also described how he and another policeman, a Capt Erasmus, had acted

as the go-between in negotiations between the three men and the police, and how headquarters had decided to eliminate the three men after a demand to return a bag containing grenades and ammunition which had been left outside the bank.

A deadline had been given, first of half-an-hour and later extended to an hour at 6.30 pm, after the expiry of which the men had said they would start shooting the hostages if their demands were not met.

He said it was he who received a list of written demands from one of the three men via hostage Phoebe Chatwind.

Other demands had been made including one to fetch Nelson Mandela, the ANC leader on Robben Island, and to bring "Prime Minister Vorster" and "head of army Malan" to negotiate.

Mr Igor Grobbelaar, an employee at the bank, said that he had been sitting

next to Cindy Anderson during the siege when she was killed.

He said that when the firing began she had been sitting on a stool from which he had pulled her onto the floor.

The terrorist behind the tellers' counter had fallen into the cubicle in which they were sitting when shot. He had been sitting outside their cubicle throughout the siege with a grenade in his hand from which the pin had been pulled.

Mr Grobbelaar said he had seen Miss Anderson's body jerk as bullets from the terrorist's gun entered her body. She had not been lying flat on the floor. She was half sitting up.

The grenade which had been in the man's hand had fallen to the floor about 20 cm from his face. "I grabbed it and threw it out. It exploded," he said.

Mr Grobbelaar said he had been injured in the leg by a fragment of shrapnel.

Major-General Victor Verster, in charge of counter insurgency, said that on arriving at the scene he had established headquarters in a building adjoining the bank.

The police had known most of what was being said inside because a listening device had been installed in the building.

"I had a reasonable version of what was going on in the bank."

He had received regular reports updating his information from officers manning the listening device as well as from Capt De Swardt, who had been sent into the bank to

negotiate with the three men.

As a result of certain demands which had been received from them, it had been decided to launch an attack.

"The action started at 7.05 pm and was executed as planned," he said.

General Verster identified 21 photographs handed in as exhibits, including photographs of the alleged dead members of the ANC and the hostages who died.

Mrs Chatwind, an employee of the bank, said it was she who had written out and taken the demands of the three men to the police.

Reading from the bank slips onto which she had written the alleged demands, Mrs Chatwind said these include collecting a person called Mange, who was to accompany the men and a note to "remember Solomon Mahlangu" (sentenced to death in 1977 for his part in the Goch Street shootings).

She said the document she had written out included nine points of the ANC Freedom Charter as dictated to her by one of the men. The man concerned, she said, could not recall the 10th point.

Two other witnesses were called by the state who described wounds they had received during the incident.

There was no cross-examination of any of the witnesses. Mr Browde, for the defence, said he would argue later on the admissibility of certain evidence.

The hearing continues today. — DDC.

notes, pieces of paper or other material brought into the examination room candidates are so instructed.

are not to communicate with other candidates or with any person except the invigilator.

an answer book is to be torn out. books must be handed to the invigilator or to an invigilator before leaving the room.

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Court told how gunmen died

Own Correspondent

JOHANNESBURG. — A captain in the South African police told the court at the Silverton trial yesterday of how he had walked into the siege bank to ascertain if hostages were likely to be hit by police fire before giving the code word to launch an attack on three men inside the building.

Captain Christiaan Johan de Swardt, then attached to the Pretoria Murder and Robbery squad, said: "I entered the bank at three minutes past seven. I saw the hostages would be safe if the police shot and I gave the code word at five minutes past seven.

"The two terrorists on my side of the counter were shot immediately.

"I looked back for the third man behind the counter. He was gone," said Captain de Swardt.

By that stage some members of the Special Task Force had already "stormed in". The two terrorists that had already been shot had been hit by police sharp shooters firing from the mezzanine floor, he said.

"Someone shouted that the third terrorist, who I regarded as the leader, had either gone up or down the stairs at the back.

"I ran out of the bank and grabbed a weapon from another policeman and re-entered the bank," he said.

Later he and a Colonel de Swart went to another entrance and again entered the bank.

"We peeped around the counter and I saw the third terrorist's legs.

"We immediately charged him but I tripped over a wire.

"At that stage there was a volley of shots from the terrorist. It looked as though he was trying to shoot Colonel de Swart in the chest, but his gun appeared to stick on something and remained low," said Captain De Swardt.

At about that time he had felt something pull on his left leg (which he later discovered had been a bullet passing through his trouser leg) and had twice shouted, "Booby traps. Stop everybody," believing that he had stumbled against a booby trap.

Colonel de Swart had fired on the man and "I shot at him once. Colonel de Swart jumped on him and tore the gun loose.

He was dead when I came to him," said Captain de Swardt.

He said he had received a list of demands to fetch Nelson Mandela (the detained ANC leader on Robben Island) and to bring "Prime Minister Vorster" to negotiate.

There was no cross-examination of any of the witnesses called by the State.

After the close of the evidence by the unidentified former Regional Commander of the ANC, the court was again opened to the public. The hearing continues today

Silverton Siege recalled

Armed gunman shot 10 times

POST 14/8/80 331

ONE OF the three armed Silverton Siege gunmen managed to fire off a last volley of shots after being shot about 10 times by police, the Pretoria Supreme Court heard yesterday.

The court heard when members of the special task force stormed the bank, Lieutenant Charles Brazelle fired four shots at the guerilla sitting behind the counter.

Sergeant Hendrik Lombard fired two shots at him and later another member of the task force fired four more shots at him before the man died.

Evidence before court was that the third guerilla fired off two volleys of shots. The last volley wounded Sergeant Lombard in the ankle.

A grenade dropped by the man wounded Lieutenant Brazelle who had to be carried away by one of his colleagues.

Professor J D Loubser, Chief State Pathologist who performed post-mortems on the bodies of Miss Cynthia Anderson and Mrs Anna Magrietha de Klerk, as well as the three guerillas, said Mrs De Klerk died as a result of brain injuries.

He said these appeared to have been caused by a fall. The professor said wounds on her body indicated she had been thrown by an explosion. She had a fractured skull and superficial wounds on her chest. A piece of shrapnel had pierced her diaphragm and liver.

Professor Loubser told the court that Cynthia Anderson has sustained two fatal bullet wounds — one in her thorax and another in her skull.

He said gunpowder marks found on her body indicated the shots had been fired from a distance of less than one metre.

He said two of the guerillas had died instantly when shot.

Earlier a hostage had told the court that "there were shots, I looked down and saw my right arm exploding. The whole elbow was shot away."

Mrs Anna Marai Landman said on January 25 when the three armed guerillas sieged the bank she was in the same teller's booth as Miss Cindy Anderson. She said she was sitting on the counter with her back to the public area. When firing broke out between the police and the guerillas she said she couldn't get down on the floor because there were too many people in the booth so she just bent down on the counter.

She said there were shots and when she looked down she saw her arm exploding. Mrs Landman said she couldn't remember from which direction the shots came or whether it was a shot or shrapnel which injured her arm.

The case has been postponed to August 25.

Priests guilty

By LEN KALANE

ALL eight accused in the Rev John Thorne trial were yesterday found guilty by a Krugersdorp magistrate under the Riotous Assemblies Act.

They were sentenced to four months imprisonment suspended for five years.

Four priests, Mr Thorne, Mr Cecil Begbie, Mr Louis Ilett and Mr Martin October were charged with addressing a student gathering in Bosmont, Johannesburg, on April 22, 1980.

Also charged were Mrs Vesta Smith and three others, Hanif Valley, Thomas Marsh and David Johnson.

In their defence the priests said they were not

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aware that the nature of the gathering they addressed was a violation of the Riotous Assembly Act. As far as they were concerned, they regarded the gathering as religious and not affected by the prohibition under the Act.

In finding them guilty, the magistrate, Mr W Aucamp said the accused could not be excused for their ignorance of the law. He said the court, however, kept it in mind that the nature of the gathering they are accused of having addressed, was peaceful and orderly.

But one of the accused, Mrs Vesta Smith told the court shortly before judgment that she was aware of the ban on gatherings.

She said she addressed the gathering in a des-

perate effort of talking the students against a demonstration as she feared a possible outbreak of a "Soweto June 16, 1976."

Mrs Smith, who stays in Noordgesig, near Soweto, said: "I live in Soweto and I saw what happened there on June 16. I only wanted to warn the students against this by addressing the meeting. At that time, it didn't dawn in my mind that the gathering could have been unlawful."

Mrs Smith said she did not agree to evidence by Colonel Hendrik Johannes Olivier that the expression: "Amandla Ngawethu" is used by the ANC. She said the expression was used in church gatherings and other meetings calling for unity among people.

Mr Dennis Kuny, defence counsel, said the evidence of Col Olivier should be disregarded. He submitted that Col Olivier was trying to colour the particular gathering by his own interpretation.

Mr Aucamp then pronounced sentence.

After the hearing there was jubilation and hugging with relatives and friends who had come to court.

Silverton gunman hit ten times says witness

DD
14/8/80
(33)

PRETORIA — The last gunman to die in the Silverton bank siege fired a burst which wounded a policeman after he had been shot 10 times by the police.

This was stated in evidence yesterday by Sergeant Hendrik Lombard, a member of the special task force unit which carried out the police attack on the three armed men in the bank on January 25 this year.

Going through the sequence of events with Mr Justice De Villiers, who is on the bench with two assessors, Sgt Lombard said the man had been hit by four shots from his colleague, Lieutenant Charles Brazelle.

He had fired two shots from his FN rifle which he believed had hit the man, and another task force officer, Colonel De Swart, had fired four shots which hit the man.

"After Col De Swart had fired at the man, who was in one of the cubicles, there was a burst of three shots. All three hit me in the ankle."

Sgt Lombard said there had been two burst of fire from the man, the first after he had fallen when shot by himself and Lt Brazelle, and the second which hit him in the ankle — after the four shots from Col De Swart.

Sgt Lombard said under cross-examination that he did not see the direction of fire of the first burst from the terrorist inside the cubicle.

Questioned by Mr Jules Browde, SC for the defence, he said the first

burst of fire the automatic weapon could have contained more than three shots.

Professor Jan Loubser, the chief state pathologist, told the court that from his post-mortem examination of the body of Miss Cynthia Anderson, he was certain she had two bullet wounds, both of which would have proved instantly fatal.

One of these had entered her brain and the other had traversed her chest.

He said that from burn marks around the wound to the thorax, she had been shot from not further than a metre.

Prof Loubser said that Mrs Anna de Klerk, the other woman who died, had died as a result of a brain injury that could have resulted from a fall caused as she was thrown backwards by an explosion.

Mrs De Klerk's body had contained a number of shrapnel wounds, but none could have proved fatal.

Prof Loubser said he had also carried out examinations on the bodies of the three gunmen. All had multiple bullet wounds and in two cases the nature of the wounds was such that death could have proved instantaneous. Some of these wounds were caused by shotgun pellets.

However, in the case of the third man, there was no single wound that would have caused instant death. He said he had found the tip of a .223 calibre bullet in the body

which had passed close to the spine.

Had this bullet passed a few centimetres to the anterior, the man would have been dead instantly.

He was unable to determine the sequence of the wounds sustained by the man, but in his opinion the man would have been capable of continuing to fire with the wounds he had sustained.

Mrs E. E. de Klerk, a bank employee who was sitting on the bank counter with Mrs Anna De Klerk, told the court she had been hit by six shots during the police attack on the three men.

She had undergone six operations and had lost the use of her left hand. "I don't know when it will come right," she said.

She said she did not know who shot her, nor what happened to Mrs De Klerk.

Mrs Anna Landman, another bank employee who was in the same cubicle as Miss Anderson, said that her entire right elbow and 15 cm of bone had been blown away. "There were shots and I saw my arm burst. My whole right elbow was blown away. I don't know where the shots came from," she said.

A witness, Mr D. J. Christie, said he had sustained a shrapnel wound and another one from a shotgun pellet which was still lodged in his right arm.

It had been confirmed by his doctor that it was a shotgun pellet.

The trial continues on August 25. — DDC.

Pregnant detainee alleges assault

JOHANNESBURG — A woman told a Regional Court here yesterday that a Security Police captain gave her a gun and ordered her to shoot herself.

Miss Thandi Modise, 21, of Vryburg, was giving evidence in a trial in which she and two others are appearing on various charges under the Terrorism Act.

Others charged are Mr Moses Nkosi, 24, and Mr Aaron Mogale, both of Soweto.

All have pleaded not guilty.

Miss Modise said she was taken to a place by several security policemen and asked to dig in the ground. Later a Captain Heystek gave her a firearm and ordered her to shoot herself.

"When I refused to obey his orders, Capt Heystek put the muzzle of the gun against my forehead and threatened me."

She claimed to have been assaulted at various times by a Major Cronwright, Capt Heystek and Warrant Officer Jordaan at John Vorster Square.

Miss Modise said she asked the police to take her to a Dr Jacobson, a district surgeon, to examine her to see if she did not suffer a miscarriage as she was pregnant. She had been assaulted and kept in solitary confinement.

She said Dr Jacobson told her: "I know how you are treated at John Vorster Square, but there's nothing I can do about it."

Miss Modise said that the three security policemen had told her that she would lose the baby.

The hearing continues today. — DDC.

Captain told me to shoot myself: accused

Staff Reporter

AN ACCUSED told the Kempton Park Regional Court yesterday that a Security Police captain handed her a gun, ordered her to shoot herself, and later placed the muzzle of the gun against her head.

Miss Thandi Ruth Modise, 21, of Vryburg, was giving evidence at a trial at which she and two others are appearing on various charges under the Terrorism Act.

Also appearing with Miss Modise are Mr Moses Nkosi, 24, and Mr Aaron Slim Mogale, both of Soweto. All have pleaded not guilty before Mr G Steyn.

Miss Modise faces three counts under the Terrorism Act, one under the Sabotage Act and another of attempted arson or malicious damage to property.

Mr Nkosi and Mr Mogale face two charges under the Terrorism Act.

Miss Modise told the court that she was taken to a koppie by several security policemen and asked to dig in the ground. Later a Captain Hestek gave her a firearm and ordered her to shoot herself.

"When I refused to obey his orders, Capt Heystek then put the muzzle of the gun against my forehead and threatened me," she said.

She claimed to have been assaulted at various times by a Major Cronwright, Capt Heystek and Warrant-Officer Jordaan, on the 10th floor of John Vorster Square, while in detention. Capt Heystek, she said, was fond of hitting her behind the ears or between the shoulders.

She said she had told a Johannesburg magistrate in a statement that she had been assaulted by the Security Police.

As she was pregnant, she said, she had asked the police to take her to Dr Jacobson, a Johannesburg District Surgeon, to see that she did not suffer a miscarriage. She said that at the time she felt ill, cold, and had been assaulted and kept in solitary confinement.

She said Dr Jacobson had told her: "I know how you are treated at John Vorster Square, but there's nothing I can do about it".

Miss Modise said that Maj Cronwright, Capt Heystek, and W/O Jordaan had told her she would lose the baby.

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The hearing continues today.

By TONY STIRLING
Chief Reporter

A POLICE captain told the Silverton trial yesterday how he walked into the siege bank to find out whether hostages would be safe from police fire — then gave the code word for police to launch an attack on three gunmen in the building.

Captain Christiaan Johan de Swardt, then attached to the Pretoria Murder and Robbery Squad, gave a detailed account of the siege action from start to finish — and told the court the gunmen's demands included:

- That Nelson Mandela, jailed leader of the African National Congress, be fetched from Robben Island; and that
- "Prime Minister Vorster" and the chief of the Defence Force, General Magnus Malan, be brought to negotiate with them.

Capt De Swardt said he acted as one of the go-betweens in negotiations.

He said in evidence: "I entered the bank at 7.03pm. I saw the hostages would be safe if the police shot, and I gave the code word at 7.05pm.

Court told of siege

"The two terrorists on my side of the counter were shot immediately.

"I looked back for the third man behind the counter. He was gone."

By that stage some members of the special task force had already stormed in, he said.

The two gunmen who had already been shot were hit by police sharpshooters firing from the mezzanine floor.

"Someone shouted that the third terrorist, whom I regarded as the leader, had either gone up or down the stairs at the back.

"I ran out of the bank, grabbed a weapon from another policeman and re-entered the bank," he said.

"I moved low into the area. I could not see him (the gunman). There was a pile of desks in front of me."

In front of him he saw a policeman dragging Lieutenant Charles Brazelle, of the task

force, into a teller's cubicle. Lieut Brazelle was bleeding from one foot and from the face.

He and a Col De Swart went to another entrance and again re-entered the bank.

"We peeped around the counter and I saw the third terrorist's legs.

"We immediately charged him, but I tripped over a wire.

"At that stage there was a volley of shots from the terrorist. It looked as though he was trying to shoot Col De Swart in the chest, but his gun appeared to stick on something and remained low."

At about that time he felt something pull at his left leg — he later discovered it had been a bullet passing through his trouserleg — and shouted: "Boobytraps. Stop, everybody," believing he had stumbled against a boobytrap.

Col De Swart fired at the gunman in front of them and "I

The Silverton siege tr.

THE accused in the Silverton trial in the Pretoria Supreme Court are Mr Nelumbathi Johnson Lubisi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Naphthali Menana, 24, Mr Moses Molebetsi, 27, Mr Kholile Benjamin Tau, 24, Mr Grant Shoni, 24, Mr Jeremiah Radebe, 28, Mr Boyce Johannes Bogale, 28, and Mr Thomas Mngadi, 29.

They are appearing before Mr Justice De Villiers and two assessors on a charge of high treason, two charges of murder, one of attempted murder and one of robbery with aggravating circumstances.

shot at him once. Col De Swart jumped on him and tore the gun loose. He was dead when I came to him," Capt De Swardt said.

Asked how he had come to play such a prominent role, Capt De Swardt replied that he went to the bank in Silverton after receiving a report that there was an armed robbery in progress.

Earlier he described how he

and a Captain Erasmus acted as go-betweens in negotiations between the three men and the police, and said headquarters decided to "eliminate" the three men after their demand that a bag containing grenades and ammunition, which had been left outside the bank, be returned.

A time limit was set by the gunmen, first of half-an-hour

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gunmen's demands

1: All the details

There are four alternative charges of taking part in terrorist activities.

All nine have pleaded not guilty to all the charges.

The two murder charges arise from the death of two women hostages during the siege of the Silverton branch of Volkskas Bank.

The charges of attempted murder arise from injuries to people during the siege and injuries to two men during an attack on the Soekmekaar police station.

then extended to an hour at 6.30pm.

When this expired the gunmen said they would start shooting the hostages if their demands were not met.

He said he received a list of written demands from one of the three men, via hostage Mrs Phoebe Chatwind.

Lieut. Brazelle of the special task force, to whom Capt-De

Swardt referred in his evidence, told the court he was injured when one of the hostages swept a primed grenade, dropped by the last terrorist to die, towards him as he advanced.

At that stage, he said, he had already put four bullets into the gunman.

His gun and his arms fell forward and a handgrenade fell

in front of him on to the ground.

"There was a hostage lying next to him on the floor. He swept it (the grenade) towards me. It exploded."

Lieut. Brazelle said the blast put him out of action.

He received shrapnel wounds to all his limbs and his face. The rest of his body had been protected by bullet-proof clothing.

He told the court the shots that killed a teller, Miss Cindy Anderson, must have been fired after he had wounded the man, not before.

Mr Chris Jansen, SC, for the State, said that to avoid possible criticism, he wanted Lieut. Brazelle to tell the court why he had used a 0.223 calibre weapon and not the usual 762mm calibre police weapon.

The lieutenant said the 0.223 bullet had much higher velocity, broke up more easily inside the target and did more dam-

age. It was the same calibre as was used "on the border".

Mr Igor Grobbelaar, an employee at the bank, said he was sitting next to Miss Anderson during the siege.

When the firing began he pulled her from a stool on to the floor.

The gunman behind the tellers' counter was shot and fell into the cubicle in which they were sitting. This gunman had sat outside their cubicle throughout the siege holding a grenade from which the pin had been pulled.

Mr Grobbelaar said he saw Miss Anderson's body jerk as bullets from the gunman's gun entered her body. She had not been lying flat on the floor. She was half-sitting up at the time.

The grenade fell to the floor about eight inches from my face. I grabbed it and threw it out. It exploded," he said.

Mr Grobbelaar said he was injured in the leg by shrapnel.

Mrs Chatwind, an employee of the bank, said she wrote down the three men's demands and took them to police.

Reading from the bank slips on which she wrote them, she said these included collecting a person called "Mange", who was to accompany the gunmen, and a note to "remember Solomon Mahlangu" (sentenced to death in 1977 for his part in the George Goch Street shootings).

She said the document dictated to her by one of the trio included nine points of the ANC Freedom Charter. The man concerned, she said, could not recall the 10th point.

There was no cross-examination of any of the witnesses called by the State relating to the Silverton siege.

Mr Jules Browde, SC, defending, said he would argue later on the admissibility of certain evidence.

The court was again opened to the public yesterday after completion of the evidence of a former regional commander of the ANC (Mr X, who may not be identified) turned State witness.

The trial continues today.

By TONY STIRLING
Chief Reporter

THE last gunman to die in the Silverton bank siege fired a burst which wounded a policeman — after being shot 10 times.

This was stated in evidence yesterday by Sergeant Hendrik Lombard, a member of the special police task force which carried out the attack on the three armed blacks who seized the bank on January 25.

Relating the sequence of events, Sgt Lombard said the man was hit by four shots fired by another member of the unit. Lieutenant Charles Brazelle.

Sgt Lombard fired two shots from his FN rifle which, he said, he believed had hit the man, and another officer, a Colonel De Swart, put four bullets into the gunman.

"After Col De Swart had fired at the man, who was in one of the cubicles, there was a burst of three shots. All three hit me in the ankle," Sgt Lombard said.

Sgt Lombard said he aimed both his shots at the man's upper body.

The gunman had ripped off

two bursts of fire — the first after shots fired by Sgt Lombard and Lieut Brazelle felled him, and the second in which Sgt Lombard was hit, after the four shots fired by Col De Swart.

Cross-examined, Sgt Lombard said he did not see the direction of fire of the gunman's first burst from inside the cubicle.

Questioned by Mr Jules Browde, SC, for the defence, he said the first burst from the gunman's automatic weapon could have included more than three shots.

Constable Barend Steyn, another member of the task force, said he was with Lieut Brazelle during the attack on the last gunman to die.

He had not fired. Lieut Brazelle shot at the man.

"I saw it was sufficient. It looked as though he was out of action," he said.

Const Steyn said he suffered wounds to the hands, neck and face in a handgrenade explosion.

Cross-examined by Mr Browde, Const Steyn said there had also been firing "from above" at the time police were shooting at the gunman behind the counter.

Lieut Brazelle had given the order to cease fire.

Professor Jan Loubser, Chief State Pathologist, told the court he found two bullet wounds during his post-mortem examination of the teller killed in the bank, Miss Cynthia Anderson. One bullet entered her brain and the other passed through her chest. Either injury would have proved instantly fatal.

Prof Loubser said that judging from burn marks around the wound in the thorax, she had been shot from a range of not more than a metre.

Bullet-riddled — bu

331

The Silverton siege tri

THE accused in the Silverton trial in the Pretoria Supreme Court are Mr Neimbitshi Johnson Lubisi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Naphtali Menana, 24, Mr Moses Molebatl, 27, Mr Hlolle Benjamin Tau, 24, Mr Grant Shezi, 24, Mr Jeremiah Radebe, 26, Mr Boyce Johannes Bogale, 26, and Mr Thomas Mngadi, 29.

They are appearing before Mr Justice De Villiers and two assessors on a charge of high treason, two charges of murder, 21 of attempted murder and one of robbery with aggravating circumstances.

He said Mrs Anna de Klerk, the other woman killed, died from a brain injury that could have resulted from a fall caused when she was thrown backwards by an explosion.

Mrs De Klerk's body had a number of shrapnel wounds, but none of these would have caused death.

There was a long surface

wound on the back of her skull beneath which the skull was cracked.

She had lived for some hours after receiving the injuries.

Questioned from the bench, Prof Loubser said shrapnel could not be ruled out as the cause of the wound to the back of the head, but his explanation was more likely.

14/8/80 RDM

He kept on firing

1: All the details

There are four alternative charges of taking part in terrorist activities.

All nine have pleaded not guilty to all the charges. The two murder charges arise from the death of two women hostages during the siege of the Silverton branch of Volkskas Bank.

The charges of attempted murder arise from injuries to people during the siege and injuries to two men during an attack on the Soekmekaar police station.

Prof Loubser said he carried out post-mortems on the bodies of the three gunmen.

All had multiple bullet wounds, and two of them could have died instantly from the injuries.

Some of these wounds were caused by shotgun pellets, he said.

However, in the case of the third man there was no single wound that would have caused instant death. He said he found the tip of a 0.223 calibre bullet in the body. It had passed close to the spine.

Had this bullet passed a few centimetres to the anterior, the man would have been put out of action instantly.

He was unable to determine

the sequence in which the bullet wounds were sustained, but in his opinion the man would have been capable of continuing to fire despite the wounds he had sustained.

Mr Justice De Villiers asked if the use of a larger-calibre weapon, such as a 9mm gun, would not immediately have put the man out of action, if it had caused a similar wound to the one near the spine caused by the 0.223 rifle.

Dr Loubser's opinion was that no similar shot, from whatever calibre rifle, would have had this effect.

He said the 0.223 — which he had earlier described as "custom-made for shooting humans" — had great velocity and produced tremendous energy as it traversed a target, because the bullet tended to tumble in its trajectory.

Defence cross-examination of Prof Loubser has been to help me. I had a strange

reserved.

Mrs Anna Landman, a bank employee — who was in a cubicle with Miss Anderson — said her entire right elbow and 15cm of bone had been blown off during the siege shootout.

"There were shots. I saw my arm burst. My whole right elbow was blown away. I don't know where the shots came from," she said.

Mrs Landman said she was still suffering considerable pain, and her arm was completely rigid.

She said she was waiting to undergo a further operation to transplant bone into her right arm.

Another bank employee, Mrs Janita van Wyk, said she remembered nothing after a "tremendous explosion".

She said she was hit twice in the region of the right hip.

"I remember someone trying to help me. I had a strange

lame feeling in my legs. I was taken to hospital.

"I have no idea where the bullets came from," she said.

Mrs Van Wyk said that as a result of her injuries she had difficulty in walking, wore a brace to support her back, and was to undergo a further operation. She said she had spent 5½ weeks in hospital.

A further eight bank employees and clients, six of whom sustained shrapnel or bullet wounds or both in the siege, gave evidence.

None was able to say who shot Miss Anderson, or what had happened to Mrs De Klerk, and none of those hit by bullets were able to say by whom they had been shot.

One of the witnesses, Mr D J Christie, said he had sustained a shrapnel wound and one from a shotgun pellet, which was still lodged in his right arm. His doctor had confirmed to him that it was a shotgun pellet.

The trial was adjourned to August 25 as both Mr Justice De Villiers and Mr Browde have other commitments to meet in the interim.

Last bank gunman died firing

Own Correspondent

JOHANNESBURG. — The last terrorist to die in the Silverton bank siege fired a burst which wounded a policeman after he had been shot 10 times by the police.

This was stated in evidence yesterday by Sergeant Hendrik Lombard, a member of the special task force unit which carried out the police attack on the three armed blacks in the bank on January 25.

The trial of nine men is a sequel to the siege of the bank and a raid on Soekmekaar police station.

Going through the sequence of events with Mr Justice De Villiers, who is on the Bench with two assessors, Sergeant Lombard said the man had been hit by four shots from Lieutenant Charles Brazelle.

He had fired two shots from his FN rifle which he believed hit the man, and another officer, Colonel De Swart, fired four shots which hit the man.

"After Colonel De Swart had fired at the man, who was in one of the cubicles, there was a burst of three shots. All three hit me in the ankle," said Sergeant Lombard.

Sergeant Lombard said he had aimed both of his shots at the man's upper body.

Hit in ankle

There had been two bursts of fire from the man, the first after he had fallen when shot by himself and Lieutenant Brazelle, and the second which hit him in the ankle — after the four shots from Colonel De Swart.

Sergeant Lombard said in cross-examination he did not see the direction of fire of the first burst from the terrorist

inside the cubicle.

He told Mr Jules Browde, SC, for the defence, that the first burst of fire from the automatic weapon could have contained more than three shots.

Constable Barend Steyn, another member of the task force, said he was with Lieutenant Brazelle during the attack on the armed black behind the counter — the last of the three to die.

He had fired no shots. Lieutenant Brazelle had shot at the man.

"I saw it was sufficient. It looked as though he was out of action."

He had then received wounds to the hands, neck and face in a hand-grenade explosion.

Cross-examined by Mr Browde, Constable Steyn said there was also firing "from above" at the time shots were being fired at the man behind the counter.

Bullet in brain

Lieutenant Brazelle, he said, had been the only one firing from among their squad and the lieutenant had given the order to cease fire.

Professor Jan Loubser, the chief state pathologist, told the court that from his post-mortem examination of the body of Miss Cynthia Anderson, he ascertain that she had two bullet wounds, both of which would have proved instantly fatal.

One of these had entered her



Mrs E E du Preez, left, and Mrs Anna Landman, wearing surgical braces on their arms, leave the Palace of Justice in Pretoria yesterday after giving evidence at the Silverton bank-siege trial. The women were among a number of bank employees and clients who gave evidence on injuries they received.

brain, the other had traversed her chest.

From burn marks around the wound to the thorax, it appeared she had been shot from not further than one metre.

Mrs Anna de Klerk, the other woman who died, had died of a brain injury that could have resulted from a fall caused as she was thrown backwards by an explosion.

The body of Mrs De Klerk contained a number of shrapnel wounds, but none fatal.

At the back of her skull there was a long surface wound, beneath which the skull was cracked.

The brain showed signs of swelling and was bruised beneath the area of the surface and bone injuries.

Her death had not been instant. She had lived for some

hours.

Under questioning from the Bench, he said it could not be ruled out that the wound to the back of the head had been caused by shrapnel.

Professor Loubser said he had also examined the bodies of the three blacks. All had multiple bullet wounds, which in two cases could have caused instant death. Some of these wounds were caused by shotgun pellets.

The third man had no single wound that would have instant death. He had found the tip of a 0,223 bullet in the body which had passed close to the spine.

Had this bullet passed a few cm to the anterior, the man would have been instantly put

Union leader appears in Rand court

Own Correspondent

15/8/60 (33)

JOHANNESBURG. — The president of the Black Municipality Workers Union, Mr Joseph Mavi, appeared in court yesterday charged under a law which carries a maximum penalty of death.

Mr Mavi has been charged together with the BMWU's secretary, Mr Philip Dlamini. Both men appeared briefly in the Johannesburg Magistrate's Court.

Members of the BMWU were recently involved in the week-long strike by an estimated 10 000 Johannesburg municipal workers.

Mr Mavi and Mr Dlamini have been charged under the 1962 General Law Amendment Act.

Bail application refused

They were not asked to plead and their case was postponed to the Rand Supreme Court on August 28. An application for bail for the two men was refused.

Mr Mavi was detained in the corridors of the Rand Supreme Court during the strike and has been held under section 22 of the General Law Amendment Act.

It is understood that the two men have been charged under clauses (b), (d), and (f) of section 21 (1) of the 1962 act.

This section carries a minimum penalty of five years' imprisonment and a maximum of death. According to the law, people convicted under it "are liable on conviction to the penalties provided for by law for the offence of treason."

The relevant clauses make it an offence for a person to commit "any wrongful and wilful act whereby he injures, damages, destroys, renders useless or unserviceable, puts out of action, tampers with, pollutes, contaminates or endangers" any of the following: The maintenance of law and order; the supply or distribution of light, power, fuel, foodstuffs or water, or of sanitary, medical or fire extinguishing services; the free movement of traffic on land, at sea, or in the air.

Mavi to face strike charge in high court

By STEVEN FRIEDMAN
Labour Reporter

THE president of the Black Municipality Workers Union (BMWU), Mr Joseph Mavi, appeared in the Johannesburg Magistrate's Court yesterday charged under an Act for which the law allows the death penalty to be imposed.

He and Mr Philip Dlamini, secretary of the BMWU, are charged under the 1962 General Law Amendment Act, known generally as the "Sabotage Act".

BMWU members were involved recently in the week-long strike by about 10 000 Johannesburg municipal workers.

Mr Mavi and Mr Dlamini were not asked to plead and were remanded to a hearing in the Rand Supreme Court on August 28.

Yesterday the Rand Daily Mail learned that a third BMWU executive member, Mr

Hope Mamabolo, was taken from his place of work this week by men who said they were members of the Security Police.

Fellow workers of Mr Mamabolo at the Johannesburg City Council Traffic Department said he was taken away at 9am on Wednesday.

Relatives of Mr Mamabolo said police at John Vorster Square had said they were not holding him. By late yesterday, attempts to obtain official police comment had been unsuccessful.

In the Johannesburg Magistrate's Court yesterday, an application for bail for Mr Mavi and Mr Dlamini was refused. They will remain in police custody.

During the strike, Mr Mavi was detained in the corridors of the Rand Supreme Court. Police said at the time that they were investigating charges against him of sabotage.

It is understood that Mr Mavi

and Mr Dlamini have been charged under Clauses (b), (d) and (f) of Section 21 (1) of the 1962 Act.

This section carries a minimum penalty of five years' jail, and a maximum of death. According to the Act, people convicted under it "are liable on conviction to the penalties provided for by law, for the offence of treason".

The relevant clauses make it an offence for a person to commit "any wrongful and wilful act whereby he injures, damages, destroys, renders useless or unserviceable, puts out of action, tampers with, pollutes, contaminates or endangers" any of the following:

- The maintenance of law and order;
- The supply or distribution of light, power, fuel, foodstuffs or water, or of sanitary, medical or fire extinguishing services;
- The free movement of traffic on land, at sea, or in the air.

Witness says 6 accused were trained in Angola

17/8/80 SUN TRIB

331

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THE terror of the Silverton Siege was relived this week as several of the victims, still crippled after the attack, gave evidence in the Silverton trial in the Pretoria Supreme Court.

And a mystery witness said six of the accused received military training in Angola.

Appearing before the court are Mr Neimbiti Johnson Lubisi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Naphtali Manan, 24, Mr Ikanyeng Moses Molebatsi, 27, Mr Hlohle Benjamin Grant Shezi, 24, Mr Jeremiah Radebe, 26, Mr Boyce Johannes Bogale, 26, and Mr Thomas Mngadi, 26, who have pleaded not guilty to high treason, murder, attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Their appearance follows the attack on the Silverton branch of the Volkskas Bank on January 25 and on the Soekmekaar police station on January 4.

The court heard how the police surrounded the bank and Captain Mickey de Swardt, then with Pretoria's murder and robbery squad, negotiated between his superiors and the three gunmen all afternoon.

The gunmen, armed with AK 47 machine guns and hand grenades, demanded the release of John Mange and Nelson Mandela and the return of a bag containing grenades, a bayonet and bullets

Tribune Reporter

which they left outside the bank.

At about 6.30pm they threatened to start shooting the hostages.

Captain de Swardt said he was ordered by his superiors to give a code word for the hidden police sharpshooters in the bank when he considered it safe for them to shoot without injuring the hostages.

Standing unarmed inside the bank, he gave the code word at 7.05pm, the court heard, and the two gunmen on the public side of the counter died instantly in a hail of bullets fired by police on the mezzanine floor.

Captain de Swart then ran outside, took a firearm from a policeman and helped a member of the task force overcome the third gunman, whom he considered the leader, he told the court.

This gunman was behind the counter in a booth next to several hostages.

He was wounded four times by Lieutenant Charles Brazelle when he and other members of the task force ran up the stairs from the basement. Seeing the man fall forward, Lieutenant Brazelle ordered the others to stop firing, but, as he fell a grenade rolled out of his hands into the booth where Miss Cindy Anderson, Mr Igor Grobbelaar and other hostages were lying.

Mr Grobbelaar told the court it landed about 20 centimetres from his face and he grabbed it and

threw it away from him. It exploded, injuring Lieutenant Brazelle.

The gunman started firing his machine gun as he fell and Mr Grobbelaar said he saw Cindy Anderson jerk and fall forward. Medical evidence was that she died instantly from a bullet through the thorax and skull.

When police stormed the bank two grenades exploded in all and the force of one of the explosions caused Mrs Anna de Klerk — who was sitting on the counter of the same teller's booth — to fall, cracking her skull. She died hours later.

The third gunman was shot at least 10 times by the police before he was overpowered and his AK47 rifle wrested from him as he died.

The mystery witness, a 26-year-old black man, said he had been a member of the ANC for nearly three years, when he gave himself up to the Security Police last year.

He said he went over the border into Swaziland in January 1977, and contacted ANC members. He then went to Maputo and from there he and six others left for military training at an MPLA camp in Angola. The court heard they were taught urban guerilla warfare.

The witness said he recognised six of the accused men as having undergone military training in Angola. They were Mr Lubisi, Mr Molebatsi, Mr Shezi, Mr Radebe, Mr Bogale and Mr Mngadi.

Mrs Bessie du Preez and Mrs Annatjie Landman, both bank employees, each gave evidence this week with an arm in a steel harness, called a Hoffman apparatus.

Mrs Landman, who can barely walk, said she was sitting on the counter when the firing started. She couldn't get on the floor because the teller's booth was full of people.

"There were shots, I saw my right arm exploding," she said. "Then I lost consciousness."

Prayer plea for Mange

THE South African Council of Churches (SACC) has appealed to all churches to hold vigils for James Daniel Mange (25) whose appeal against the death sentence comes before the Appeal Court in Bloemfontein on Thursday. (35)

Mange was last year found guilty of treason in the Maritzburg Supreme Court and sentenced to death. He appeared with 11 others on charges under the Terrorism Act. Mange's co-accused were sentenced to a total of 184 years by Mr Justice Hefer last November.

The Appeal Court hearing on Thursday follows Mange's application for leave to appeal against his sentence. The application was granted on January 21.

The vigils are a renew-

al of efforts to save Mange from the gallows by the SACC, South Africans and the international community. Soon after Mr Justice Hefer handed down judgment in the trial there was a storm here and abroad about the severity of Mange's sentence. D657 19/4/60

The SACC said in a statement: "We wish to uphold Mange in our prayers and hope that church ministers throughout the country will open their doors to the people for this purpose. There is a need for black people, in particular, to pause and uphold Mange in prayers."

Mange was born in the Transkei and was raised in Soweto. He has a four-year-old son, Lehlohonolo. His family made endless appeals to the Government for clemency and to the international community to help save him from the gallows. He is in death row at the Pretoria Central Prison.

Sabata can appeal

DD
19/5/80
(331)
(103)

UMTATA — The deposed leader of the Tembus and the opposition, Chief Dalindyebo Sabata, has been granted leave to appeal against his conviction of violating and injuring the dignity of the State President, Chief Kaiser Matanzima.

But the appeal cannot be heard until Chief Sabata contacts his attorney, Mr K. Guzana. Chief Sabata has been missing for two weeks.

Mr Guzana hoped to have the appeal heard next month during the current session of the appellate Division, "but Chief Sabata has made no attempt to contact me since he returned from Swaziland at the end of last month".

Chief Sabata was deposed on the strength of the conviction he can now appeal against.

Chief Sabata was fined R700 (or 18 months' imprisonment) of which R200 or six months was suspended for three years.

There was no reply from Chief Sabata's Great Place at Bambane yesterday. —
DDR.

VOO 24/8/80 (331)
Sabotage: four appear

MDANTSANE — Four Khulani High School pupils appeared briefly in the magistrate's court here on a charge of sabotage.

No evidence was led when Mr Zukiswa Mapeyi, 19, Malusi Mbidlana, 20, a 16-year-old girl and a 17-year-old boy appeared.

They were not asked to

plead and the matter was postponed to September 3 pending further investigations.

Another 17-year-old pupil from the school also appeared briefly on a charge of public violence. He was not asked to plead and no evidence was led.

The case was postponed to September 3. — DDR

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20/8/62 (331)
Boy on sabotage charge

Own Correspondent

A 16-year-old boy is to stand trial in a Pretoria Regional Court on charges of sabotage and attempted murder following a petrol bomb attack on a police station on June 15.

The boy, who may not be named, appeared briefly today in a Pretoria Regional Court. He was not asked to plead and the case was postponed to September 29 for trial.

According to the charge sheet he is charged with sabotage by wrongfully, unlawfully and wilfully throwing petrol bombs and or containers with petrol into the charge office of the Brooklyn police station in Pretoria on June 15, damaging the station.

Illegal meeting: Pupils freed

C. 7. 1980
331
22/6/80

Staff Reporter

THERE were jubilant scenes at Paarl Magistrate's Court yesterday when two students and five high school pupils were acquitted on a charge under the Riotous Assemblies Act for holding a meeting of more than ten people.

Mr Albert Kuisen, 19, Mr Kenneth Leonard Jacobs, 21, Mr John Tisana, 20, Mr Lloyd Wesley Fortuin, 18, all of Paarl, Mr Peter M Titana, 18, of Langa, and two youths, pleaded not guilty to a charge under the Prohibition of Gatherings (Section 2 (3) (b) of Act 17 of 1956 — the Riotous Assemblies Act.

The prohibition, effective in 45 magisterial districts — including Paarl — from July 1, 1980 to August 31, 1980, was promulgated in a Government Gazette dated June 27.

First case

According to legal sources it was the first case under the act since its promulgation.

A member of the Paarl security police, Detective Sergeant Henry J Daniels, said after receiving a report he went to a house in Paarl East on Friday, July 25. He was accompanied by another policeman.

They went to a garage at the side of the house and opened the door. Mr Fortuin, one of the youths and another person jumped through the garage window, but they were caught. The other man ran away.

The rest of the accused, were inside the garage. He took possession of several papers strewn on the ground.

Mr S Desai, for the accused, said they denied the gathering was illegal.

Mr Govender told the court the group had held a meeting in the garage to discuss whether or not the schools boycott should be called off. He said as there had been a police baton-charge at the Klein Nederburg High School, Paarl, the previous day he felt it would be wise to call off the boycott.

Summing up Mr Desai said "Surely discussion on the filling in of a form is not of a riotous nature." Furthermore the State did not prove that there were more than 10 people present at the meeting.

The magistrate, Mr A N E Louw, said there was an element of doubt and the benefit of that doubt should be accorded to the accused.

20/8/80 Argus

Petrol bombing: Boy for trial

Argus Correspondent
PRETORIA. — A 16-year-old boy is to stand trial on charges of sabotage and attempted murder after a petrol bomb attack on a police station.
The boy, who may not

(331)
be named, appeared briefly today in a Pretoria Regional Court. He was not asked to plead and the hearing was postponed to September 29 for trial.

According to the charge sheet he is charged with sabotage by throwing petrol

bombs into the charge office of the Brooklyn police station in Pretoria on June 15, damaging it.

An alternative charge is the attempted murder of constables J A de Lange, K M Molieleng, K K

Bapela, J C Scheepers and Lieutenant W J Vlotman.

A second alternative charge is one of arson.

The second main charge is attempting to murder Lieutenant Vlotman by throwing a petrol bomb at him.

Judgment today on 128 workers

EAST LONDON — Judgment was reserved yesterday in the case against 128 workers who were alleged to have held an illegal gathering outside NCI here recently.

An application for their discharge on the main count under the Riotous Assemblies Act was granted, but refused on the alternative count.

The workers, who were arrested by police on July 11, all pleaded not guilty.

They were alleged to have held a gathering of more than 10 people outside the West Bank plant on that day after a walkout three days earlier.

The State claimed the meeting was an illegal gathering and prohibited in terms of a government notice published on June 30.

After lunch yesterday, their legal representative, Mr G. M. Mxenge, made a successful application for their discharge on this count.

An application for their discharge on a count of contravening the renewal in March of the ban on gatherings under the Riotous Assemblies Act was unsuccessful.

This renewal expires on March 31 next year.

The chief security officer at NCI, Mr Cecil Benito, told the court the employees had gathered outside the plant on three successive days before their arrest.

This followed a walkout on Tuesday morning when some of the workers were refused permission to enter their plant.

Mr Benito said he refused to let them in because of management's decision to dismiss workers who were "working against the interests of the company".

After the walkout, management appealed to the workers to return and they did so — but walked out again when they saw some were refused entry.

Captain Phillipus Olivier of the Security Police said workers were told on Wednesday that they would be paid off if they refused to enter the premises, and should collect their pay on Friday July 11 at 2 pm.

On Wednesday and Thursday they moved off when Captain Olivier asked them to, but on Friday police were called in and 128 workers arrested.

Both Mr Benito and Captain Olivier agreed with Mr Mxenge when he said the crowd behaved in an orderly manner, both before and after their arrest.

The workers had gathered on Friday morning to collect their pay cheques he said and this could not be seen as an illegal gathering in terms of the law.

He said there had been a misunderstanding about what time the workers were supposed to be paid, but this was dismissed by Captain Olivier as "very unlikely".

Applying for a discharge on both counts, Mr Mxenge said: "This type of gathering, where men arrive to collect their pay, is obviously not one of those the legislators had in mind when they drew up this provision."

The prosecutor, Mr Willie Opperman, opposed the application.

The magistrate, Mr N. R. Oosthuysen, granted the application on the main count but refused it on the alternative.

Mr Oosthuysen will pass judgment on the alternate count at 11 am today. — DDR

128 workers fined for illegal gathering

EAST LONDON — One hundred and twenty-eight, former NCI workers were found guilty here yesterday of holding an illegal gathering outside their factory.

They were each fined R20 (or 20 days).

The magistrate, Mr N. R. Oosthuysen, said in his opinion the workers had contravened the Riotous Assemblies Act when they gathered outside the factory on July 11.

Three days earlier, they had walked out of the plant after management dismissed nine members of the South African Allied Workers Union.

Mr Oosthuysen rejected the defence claim that they had gone to collect their pay — all three State witnesses told him the men were instructed to fetch it at 2 pm that day, not at 7 am.

He also rejected a statement to this effect handed in by their legal representative, Mr Griffith Mxenge, as it was not signed by all the accused and had the wrong date.

"It was obviously drawn up with great haste and is of no probative value," he said.

None of the men had testified, so the only evidence he had came from the State witnesses, which he accepted.

By gathering in the road outside the factory, they had prevented free access and blocked traffic.

"But that was not their only aim," he said.

"They also had a common purpose of trying to negotiate with management and to possibly put them under pressure."

The workers were guilty of an offence under the Riotous Assemblies Act, he said, for holding an illegal gathering outside the factory.

The defence attorney, Mr Griffith Mxenge, asked that the men be cautioned and discharged, and claimed the man behind all the

trouble was Captain Phillipus Olivier of the Security Police.

"I am told you go from factory to factory telling the employers they must not recognise SAAWU," Mr Mxenge said.

Captain Olivier denied this and said he could not tell all the factory managers which union to accept and how to react to their claims.

Captain Olivier had been called by the State prosecutor, Mr Willie Opperman, to tell of his experiences on the labour beat in this area.

There had been six strikes since June, he said, and all centred around trade unions trying to compel management to take certain action.

The strikers often gathered outside factories and prevented work-seekers from entering.

"I am afraid this might lead to confrontation between strikers and work-seekers," Captain Olivier said.

"Strikers feel they can force management to recognise them by keeping work-seekers out."

Mr Oosthuysen said a R20 fine or 20 days imprisonment was a satisfactory sentence.

The workers, who were released on bail when they first appeared in court, were paid R10 of their R30 bail after the fine was deducted.

They are: Mr Moffat Ndlela, 32, Mr Walter Kate, 25.

Mr Bensent Goda, 60; Mr Mlindell Reuben Siselana, 22; Mr Zola Richmond Nyaniso, 22; Mr William Makeleni, 26; Mr Petrus Saiman, 24; Mr Albert Mazomba, 22; Mr Martin Kupiso, 22; Mr Wilson Jwill, 20; Mr Mzingisi Norman Maku Makuzeni, 23; Mr Andile Augustine Notshati, 22; Mr Ashton Kili, 25.

Mr Mongezi Siyo, 25; Mr Luvuyo Somtsewu, 25; Mr Welcome Dikana, 31; Mr Sonwabo Mbekani, 27; Mr Willie Ngxonono, 29; Mr Samuel Geswind, 29; Mr Cyril Cakata, 62; Mr Ngekeza Bom, 32;

Mr Michael Siko, 37; Mr Cameron Ngudle, 29.

Mr Herbert Jodi, 40; Mr Lungstine Ngcwangu, 24; Mr Bloem Mjilana, 33; Mr Tennyson Ndungane, 45; Mr Ernest Dinjwa, 26; Mr Headman Mayekiso, 45; Mr Bonakele Mazwayi, 21; Mr Samuel Ntsakana, 20; Mr Mzwanele Futschani, 23; Mr Lawrence Ngcukana, 26; Mr Howard Mlindi Qoboza, 66.

Mr Alfred Bambelo, 23; Mr Edward Yapi, 46; Mr Jacob Hewu, 20; Mr Nkenke Dukisa, 36; Mr Mitchell Saiman, 27; Mr Sophitsho Rani, 29; Mr Ndyabo Ketelo, 21; Mr Lawrence Luka, 21; Mr Promise Diko, 29; Mr Leonard Goniwe, 27; Mr Manduleli Ngaka, 24; Mr Sidwell Gijana, 24; Mr Benjamin Mnyute, 34; Mr Mlandeli Matonise, 21; Mr Eric Yose, 42.

Mr Thami Banjwa, 40; Mr Merriman Nohai, 28; Mr Mzimasi Xobongo, 23; Mr Alphius Gwadana, 35; Mr Matthews Suntele, 33; Mr Mithunzi Sikhaka, 30; Mr Mpumelelo Kupiso, 27; Mr Mhlangani Gxekilali, 25; Mr Mota Katse, 32; Mr Walter Kase, 20; Mr Thembinkosi Qongq, 25; Mr David Ntshoza, 24.

Mr Richard Gijana, 40; Mr Michael Nqoma, Mr Sandisile Vika, 25; Mr Alfred Gqweta, 40; Mr Desmond Hanabe, 42; Mr Wellington Rafani, 26; Mr Sithembele Mabula, 23; Mr Michael Mbutuma, 26; Mr Ndonozoio Kwellimfene, 44; Mr Christopher Miseli, 46; Mr

Sonwabo Mbangi, 30; Mr Nkululeko Mlunguza, 22; Mr Joseph Nonzinyana, 26; Mr Terry Damenti, 21; Mr Lunga Mahlanvana, 21.

Mr Nkosi Nkholi, 39; Mr Stoto Kilani, 22; Mr Myuka Gcaza, 19; Mr Lazarus Matsila, 24; Mr Willie Jwill, 62; Mr Gilbert Mayekiso, 25; Mr Willie Matyotweni, 23; Mr Richard Boshula, 23; Mr Boy Msongelwa, 52; Mr Wilson Nguta, 46; Mr Makapula Tora, 29; Mr Ntsikelelo Nqoloba, 50; Mr Freeman Meka, 24.

Mr Madoda Qelo, 34; Mr Ndoda Daniso, 38; Mr Lindela Jaderweni, 27; Mr Mgoso Diko, 38; Mr Ephram Sekhala, 38; Mr Meshack Ndaliso, 21; Mr Hamilton Fikizolo, 38; Mr Isaac Gqirana, 38; Mr Maxlroy Best, 40; Mr Matthew Plaatjie, 47; Mr Robben Mofodi, 42; Mr Daniel Kombela, 26; Mr Otto Tokwe, 26.

Mr Kholisile Ndleleni, 28; Mr Banele Godlo, 23; Mr Mongezi Makoa, 24; Mr Bernard Ketelo, 35; Mr Johnson Mbembe, 34; Mr Elliot Sintame, 36; Mr Hamilton Dikana, 34; Mr Zolile Kilana, 42; Mr Stanley Sofute, 22; Mr Maxwell Duma, 24; Mr Sampu Dunjwa, 29; Mr Alfred Daniso, 26; Mr Temba Dukisa, 30.

Mr Mninimzi Gxwali, 33; Mr Darrington Matowane, 29; Mr Preston Nyila, 24; Mr Maxwell Mzini, 38; Mr Trayitshite Tsewu, 32; Mr Leonard Makala, 42; Mr Fumanekile Tona, 25; Mr Melvin Gotyana, 24; Mr Albert Magadiela, 23; Mr Clerington Hoho, 36; Mr Mtshwashekhaya Ngceba, 52 and Mr Sydney Mbuyazwe, 49. — DDR.

22/8/80
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Police expert for Dalindyebo trial

UMTATA — Paramount Chief Sabata Dalindyebo's son, Mr Mimi Dalindyebo, 21, and Mr Theophilus Va, 24 will appear in court here again on September 22 when a police expert from Pretoria will give evidence for the state in the case in which they are charged with distributing subversive pamphlets.

Mr Dalindyebo is on R200 bail, while Mr Va is in custody.

Their appearance is in connection with pamphlets found scattered at Nyanga High School, Engcobo district in October last year.

The pamphlets called on students to boycott classes.

For the state, Mr J. Fourie, said in court yesterday the expert would testify on similarities between typewriters allegedly used and the typed pamphlets.

The magistrate, Mr D. B. Muir, said he sympathised with the defence for the unnecessary delays in calling state witnesses and promised that defence counsel would be given an opportunity to call their own experts if the need arose. — SAPA.

Bail not fixed in Mavi's absence

A Johannesburg magistrate today declined to fix bail in absentia for Mr Joseph Mavi (42) who was not brought to court by the Department of Prisons.

Mr Mavi's secretary, Mr Phillip Dhlamini (29), was granted bail of R1 000 on condition that he reports daily at the Jabulani police station and hands over any travel documents in his possession to the police.

Mr Mavi and Mr Dhlamini were both due to appear today to be granted bail.

When Mr Dhlamini appeared alone, the prosecutor, Mr A du Plooy, told the magistrate that an amount of R1 000 bail was to be fixed for both.

He said Mr Mavi was not in court as he had not been brought.

Mr M Basllian, for Mr Mavi, told the magistrate, Mr J J F Coetzer, there had been previous cases where bail was fixed in the absence of the accused.

Mr Coetzer refused to fix bail in Mr Mavi's absence.

Mr Mavi, president of the Black Municipality Workers' Union, and Mr Dhlamini had been charged with sabotage for their alleged role in last

month's strike by employees of the Johannesburg City Council.

The hearing of the case against Mr Dhlamini was adjourned to August 28.

On his release, Mr Dhlamini was met by his wife Patricia and the 74-year-old father of his co-accused, Mr Joseph Mavi.

Asked whether the detention of a further two executive members of his union would affect its future, Mr Dhlamini said the organisation would continue "whatever happened."

"The union was formed by workers," he said, "and they will replace us if they have to."

Judgment reserved in Mange appeal

331 Posi 22/8/80

THE Appeal Court in Bloemfontein yesterday reserved judgment on the appeal of James Daniel Mange against a death sentence for high treason.

In the Natal Supreme Court on November 15, 1979, Mr Justice J J F Hefer found Mange had done the groundwork for an attack to exterminate the magistrate and police sergeant at Whittlesea, near Queenstown, and had accepted leadership of

the group which was to carry out the attack.

The judge found that had Mange not committed a "silly traffic offence" for which he was arrested, the attack on Whittlesea would have been carried out.

The appeal was heard by the Chief Justice, Mr Justice Rumpff, sitting with Mr Justice Kotze and Mr Justice Trengove.

Mr S Kentridge SC, with him Mr Z M Ya-coob for Mange, said that he was one of 12 persons convicted of high treason. He alone was sentenced to death.

He submitted that the grave disparity in sentences was not warranted, that the death sentence was an excessive punish-

ment, creating a sense of shock and that, in imposing it, the judge misdirected himself on the facts.

He contended that a long prison sentence would meet all the requirements of an adequate punishment.

Mr Kentridge said the finding of the court was accepted that Mange underwent military training in Angola and Russia during the period September 1976 to October 1978. However, certain of the other findings were challenged.

He submitted that even if all the findings of the trial court were accepted, the death sentence was excessive and should be set aside. Alternatively, certain of the findings of fact were unwarranted and

on this ground the sentence should be set aside.

Mr K Attwell, with him Mr R Seggie, for the State said the trial court had found the "third accomplice" to be an impressive witness in every respect.

It was at all times aware that the witness was an accomplice whose evidence had to be treated with caution, especially as such evidence was not challenged or disputed by Mange or anyone else.

The "third accomplice" had given evidence involving a great mass of detail and was corroborated in countless ways by numerous other credible witnesses.

STAR 23/8/80
Mavi has

'restful' (331)
night after
release (324)

M. Joseph Mavi, president of the Black Municipality Worker's Union (BMWU), who is facing charges under the Sabotage Act, said today at his Soweto home that he spent a restful night for the first time in three weeks after his release on R500 bail yesterday.

He is facing the charge following the recent municipal workers' strike.

He told The Star he has been warned by his attorney not to give interviews to the Press.

On his arrival at his Zola home last night friends and relatives were waiting for him. His wife, Ruth, was in another part of the township but he managed to be with her last night.

Mr Mavi's ten-year-old daughter, Tembeka, said: "I am so happy to see daddy. We have been alone for a long time."

Many people visited the Mavi home as early as 7.00 am today. Friends said they were delighted to see him.

Mr Mavi, a 42-year-old father of seven, was detained by the Security Police in the corridors of the Rand Supreme Court on July 31, minutes before his union brought an urgent interdict against the Johannesburg City Council and the Minister of Police to prevent them from taking action against members of the BMWU.

Mr Mavi, who has lost weight since his arrest, came to Johannesburg from Transkei in 1957.

Transkei rulers ignore court in firing chief

S Express 24/8/85 103 331

THE Transkei Government has ignored its recently-created Appeal Court by firing Chief Sabata Dalinyebo as King of the Tembus.

Chief Dalinyebo, 51-year-old leader of the opposition Democratic Progressive Party, fled to Swaziland after being deposed by the Transkei Cabinet.

He was deposed as a result of his conviction in April, under Transkei's Constitution and Public Security Acts, for undermining the dignity of the Transkei State President, Paramount Chief Kaiser Matanzima.

After his trial, however, Chief Dalinyebo was granted leave to appeal against the conviction and the decision to depose him was heard by the Transkei Appeal Court.

He was therefore technically innocent until the Appeal Court judgment, but the Cabinet decision ignored this and in the process ignored the authority of the territory's highest court,

By DAVID NIDDRIE

which is less than a year old.

It was created this year so Transkei appeals would no longer be heard by the South African Appellate Division.

Professor John Dugard, director of the Centre for Applied Legal Studies, told the Sunday Express: .

"As far as I am aware, the Transkei Appeal Court is in its early days and it is very unfortunate that the Government has chosen to ignore this court in its hasty actions against Chief Dalinyebo."

Official Swazi sources refused to comment on Chief Dalinyebo's presence, but the police confirmed he was staying as a guest of King Sobuza "somewhere out of town".

The Transkei Cabinet's decision to depose Chief Dalinyebo was taken after the Dalinyebo regional authority had found

the chief guilty of misconduct — a charge arising from his Constitution and Security Acts convictions in April.

The regional authority had recommended that he be suspended for two years. An earlier recommendation that he be fined R100 for misconduct was rejected by the Cabinet.

Chief Dalinyebo was arrested in July last year at his Umtata home, Bumbane Great Place, soon after he had told an opposition political rally that the Transkei was "a pigsty".

He also said the State President maltreated the people and had accepted Transkei independence on terms dictated by "the White Boers in Pretoria", and that his (Dalinyebo's) house had been taken from him and given to the concubine of a senior Government official.

He was held in detention for a week, but released on bail after angry demonstrations in Umtata, led by his senior wife, No-Canada.

He was tried, found guilty, and fined R700 or 18 months' jail, of which R200 or six months was suspended for three years.

Court told of attack on police station

STP
25/8/80
(331)

Own Correspondent

A policeman told the Pretoria Supreme Court today how the Soekmekaar police station was attacked by automatic weapon fire after two men had approached it in the dark.

Constable Mankatu Emmanuel Mashapa told the court that he and Constable Thari Mothibi were on duty on the night of January 4. They were on the front verandah having cold drinks when a white van approached. It stopped and switched off its lights. Then it started again, moved slightly forward and again the lights were switched off.

He said it suddenly drove off at speed and he noticed two people approaching the police station. They went to the gate where the vehicles entered but it was locked. They then went to the gate that led to the charge office.

Constable Mashapa said that, as the two men approached, he could not see if they were carrying anything because the only light was from a paraffin lamp in the police station. One of the men threw something at him. He grabbed the object and threw it back before running into the charge office.

He wanted to get out through the back door but two bullets hit the door from behind him and another bullet, fired from the back, also struck the

door. He told the court that before he could get into the charge office, he heard an explosion and something hit him in the back.

Constable Mashapa said he heard another explosion outside the station and then he heard shots which sounded like automatic weapon fire.

"I went and lay under the table," he told the court.

Constable Mashapa was giving evidence at the trial of Mr Neimibhi Johnson Lubisi (28), and eight others who have pleaded not guilty to high treason, murder, attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

The eight other accused are: Mr Pius Tsepo Mashigo (20), Mr Maphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hloli Benjamin Tau (24), Mr Phumalani Grant Shezi (24), Mr Jeremiah Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

The case continues.

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20/8/80
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Stoning deaths man for institution

A YOUNG Nyanja man who appeared in the Magistrate's Court, Reetse yesterday in connection with the deaths near Crossroads of Mr Casper Frederick Jansen and Mr George Beeton was sent to Valkenberg Hospital for 30 days' observation.

Mr Lawrence Lerothodi, 18, of 11126, Nyanja, was not asked to plead to the murder, alternatively culpable homicide, of Mr Jansen and Mr Beeton by throwing stones and bricks at them and setting them alight on August 11.

Mr Jansen and Mr Beeton died after their vehicles were set alight and stoned in Old Kloofontein Road.

THOUGHT SLOWLY

Dr P O Fischer, a district surgeon who examined Mr Lerothodi yesterday, said Mr Lerothodi thought very slowly and had received treatment at Valkenberg Hospital. He found it difficult to get his name and address from him, even with a good interpreter.

Dr Fischer said he had contacted the Cape Mental Institute where Mr Lerothodi had received treatment, and was told he was mentally retarded. He suggested Mr Lerothodi be referred to the institute for reassessment.

REPORT

A report on Mr Lerothodi will be drawn up after 30 days by the medical superintendent of Valkenberg Hospital or a psychiatrist appointed by him, by a psychiatrist appointed by the court, and by a psychiatrist chosen by Mr Lerothodi if he wishes it.

The hearing was postponed to September 24. Mr Lerothodi is in custody.

Mr G A Dell was on the bench. Mr P Gamble appeared for the State.

Public violence charges against five withdrawn

CHARGES of public violence against five people — among them two Johannesburg journalists — were withdrawn in the Pretoria Regional Court yesterday.

Cases against the remaining 26 people were postponed until today for trial.

Mr Willie Bokala of POST and Mr Willie Nkosi of the Star were among 31 people charged with public violence

after the unveiling, in April of the tombstone for hanged former ANC guerilla and Mamelodi High School pupil Solomon Mahlangu.

An alternative charge is breaking the ban on political gatherings.

POLICE

The 31 people were arrested after police had baton-charged a crowd near a railway station in Mamelodi that morning.

Also withdrawn were charges against Mr Lucas Ntatseng and two girls whose names cannot be mentioned because of their ages.

The case is being

heard by Mr J Carstens. The court was cleared of reporters and the public, except those with a direct interest in the case, and the hearing continued behind closed doors.

All the accused pleaded not guilty to the charges. They were represented by Mr M T K Moerane (instructed by Maluleke, Seriti and Mosenke of Pretoria).

Names and numbers of the accused were pinned to their chests. But Mr Moerane objected, saying that the identities of the accused would be an issue.

He asked that the

names be put on their backs and that the accused persons change position for positive identifications. The objection was sustained.

Two of the accused failed to turn up for the trial. Mr William Mnguni already had a warrant of arrest against him and his bail was estreated when he did not appear at an earlier hearing.

WARRANT

The prosecutor, Mr M Schutte, asked for a warrant of arrest to be issued against Mr Colin Matjila, and for his bail to be estreated.

The accused are: Mr Simon Nkodi, Miss M J

Mahlangu, Miss E Mabuza, Mr S Zulu, Miss J Myankeni, Miss C Phala, Mr J Phatswane, Mr W Zulu, Mr E Moiloa, Mr S Thusi, Mr J Nsiza, Mr T Mokatsanyane, Mr A Moropoli, Mr P Malindi, Mr D Mokoena, Mr S Thwala and Mr C Phakathi and seven youths.

The State alleges that the accused endangered the maintenance of law and order, commanded the taxi, undermined the authority of the police and allegedly assaulted them by throwing stones at them. They allegedly also displayed placards carrying inflammatory slogans.

Proceeding.



Willie Bokala

ARROW FURNISHERS

GREATEST

LOWEST PRICES
EAST TERTS
BIG VALUES

Shots fired

the Government and advanced towards the large group of pupils at the nearby shopping centre. They were pelted with stones. Pupils scaled sec-

From Page 1

ed, and roads were littered with broken glass. Camouflaged police reinforcements arrived with dogs, and there was a

STAR 26/8/80 (331)

Former students in court

PIETERSBURG — Two former University of the North (Turfloop) students appeared briefly in the Pietersburg Magistrate's Court yesterday on seven charges under the Terrorism Act.

They are the president of the Congress of South African Students (Cosas), Mr Ephraim Mogale (23) and a member of the Black Arts Council, Mr Thabo Makunyane (24).

They appeared before Mr W J van Zyl, were not asked to plead and no evi-

dence was led. The hearing was postponed to September 2.

Alternative charges were that they had contravened the Internal Security Act and Unlawful Organisations Act.

Three of the charges include their alleged recruitment of banned African Nationalist Congress members, and the establishment of clubs for the promotion of unrest, the other four charges involve the unlawful distribution of banned literature. — Sapa.

Ex-SRC president's conviction set aside

Staff Reporter

A FORMER president of the University of Cape Town Students' Representative Council, Mr Steven Kahanowitz, had conviction and sentence for possessing banned publications set aside in the Supreme Court yesterday.

He received a suspended sentence of a R100 fine or 100 days in the Regional Court on April 26 last year after being found guilty of possessing prohibited publications.

The publications were six copies of "The Riot Police and the Suppression of Truth", by the Rev David Russell, and one copy of "South Africa — A Police State", published by the

Christian Institute.

He was acquitted of possessing two other publications — National Student Number 1 and Political Imprisonment in South Africa.

Evidence was that the publications were found in an old suitcase on top of a cupboard in Mr Kahanowitz's room when security police raided his home on June 6, 1979.

Mr Kahanowitz, who pleaded not guilty, denied he knew that the banned material was in the suitcase. He said he had used the suitcase in a move from Mowbray.

The case had contained an "untidy pile" of papers and publications. When he arrived

at the Vine Street home he had removed only "essential items".

He knew the two publications were banned, and would have disposed of them had he known he had them. He had done so with other copies he had had in his files.

Mr Justice De Kock said yesterday it had not been proved beyond reasonable doubt that Mr Kahanowitz had wittingly possessed the publications. He set aside conviction and sentence, with Mr Justice Schock concurring.

Mr P. van der Merwe appeared for the state. Mr J. R. Whitehead, instructed by Buchanans Incorporated, appeared for Mr Kahanowitz.

P&T 26/8/86
Terror trial
THE Terrorism Act trial in the Pietersburg Regional Court, in which the president of the Congress of South African Students Mr Ephraim Mogale, and a Turfloop student, Mr Thaba Makunyane, are facing charges of recruiting people for the ANC, was postponed again yesterday. The two will appear again next Tuesday, September

331

Accused saw attack on police station, court told

Own Correspondent

One of the nine accused in the treason trial in the Pretoria Supreme Court was present during the attack on Soekmekaar police station, defence counsel told the court today.

In cross-examination of Constable M Mashapa, who was injured in the attack, Mr Jules Browde said that the accused, Mr Petrus Mashigo, who was there, would testify that two hand-grenades exploded, both when Constable Mashapa was inside the charge office.

Constable Mashapa said in evidence that the first hand-grenade exploded while he was in the doorway of the charge office.

Under cross-examining Constable Mashapa said he heard two explosions.

Mr Browde said that Mr

Mashigo would agree there were two explosions but they were while Constable Mashapa was inside the police station.

Constable Mothibi told the court that on January 4 while he and Constable Mashapa were sitting outside the police station a van stopped in the road. When it drove off, two people crossed the street and went through the gate that led to the police station.

"It seemed to me that they took something out of their clothes and, at the same time, started shooting," said constable Mothibi. "I jumped up, saw Constable Mashapa doing the same, and ran around the police station."

He told the court that

he heard only one explosion which sounded like a hand grenade.

The accused are Mr Ncimbithi Lubisi (28), Mr Petrus Mashigo (20), Mr Naphtali Manana (24), Mr Ikanyeng Molebatsi (27), Mr Hlole Tau (24), Mr Phumulani Shezi (24), Mr Jeremia Radebe (26), Mr Boyce Bogale (26) and Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Their appearance follow the attacks on the Silverton branch of Volkskas Bank and on Soekmekaar police station in January.

The case continues.

Doctor: Lengthy police grilling is like assault

Staff Reporter

A SENIOR Johannesburg district surgeon told the Kemp-ton Park Regional Court yesterday that, in his opinion, lengthy interrogation — similar to that used by Security Police — constituted an assault.

Dr Norman Jacobson was giving evidence in the trial of Miss Thandi Modise, 21, of Vryburg, Mr Khowi Nkosi, 24, of Central Western Jabavu, and Mr Slim Mogale, 21, of Meadowlands, Soweto — appearing on various charges under the Terrorism Act.

All have pleaded not guilty before Mr G Steyn.

Dr Jacobson told the court he had been a senior district surgeon for more than six years and had been designated to examine most of the detainees at John Vorster Square.

He said the first thing he did, before examining a detainee, was to ask the policeman accompanying the patient to leave. He said he made the patient strip completely on the first occasion. He wrote down in his report whatever he was told by patients.

Dr Jacobson said the first question he asked detainees was: "Have you been assaulted by the police in any way?"

"I am well aware of allegations of assault made by detainees against the Security Police. Whatever the patients tell me I put down in a report. I'm there to protect them as far as their medical well-being is concerned.

"The accused (referring to Miss Modise) was five months pregnant when she was brought to me for the first time on November 1 and I would have preferred her to be at The Fort. As a pregnancy case it would have been ideal for her to have been in a maternity hospital. I may have made a recommendation verbally".

Dr Jacobson said.

He said he kept a copy of the medical report and gave the other one to the Security Police.

He told the court most of his patients, like Miss Modise, complained of headaches. From his his experience, these were tension headaches as a result of detention.

Replying to a question from Mr E Dane, for Miss Modise, Dr Jacobson said a woman in her condition would show signs of anxiety and depression. She was also vulnerable to protracted interrogation and susceptible to influence. She would find it a traumatic experience.

Dr Jacobson said: "Lengthy periods of interrogation in my opinion could constitute an assault. I believe, and I have seen, that the Security Police subject detainees to strenuous interrogation."

Dr Jacobson told the court he had testified in the trial of Solomon Mahlangu, in the same procedural manner. He agreed it was found by the court in that trial that

Mahlangu had a bump on his head.

"I did not see the bump when I examined him on the first occasion. He probably had a bump on his head on the second occasion and I concede that I failed to record my findings, notwithstanding the fact that it was important," Dr Jacobson said.

The hearing continues today.

When all hell broke loose at Soekmekaar police station

Pretoria Bureau

A POLICEMAN told the Silverton trial yesterday he was sitting on the stoep of the Soekmekaar police station when a grenade and small arms attack was launched on the building.

Constable M E Mashapa was giving evidence at the resumption of the trial in the Pretoria Supreme Court after a 10-day adjournment.

The charges stem in part from the attack on the Soekmekaar police station.

Const Mashapa said that on January 4, about 8.20pm, he and a colleague were sitting on the stoep with soft drinks.

They saw a light truck come down the street, stop, move forward, stop again, and then speed away.

Two people came into view. They approached the police station.

"We just sat watching them. In the darkness we could not see whether they were carrying anything."

"As they drew level with the flagpole, one of them threw something at me which struck me on the chest. I caught it and threw it back toward them."

"I then hastened into the police station and heard firing behind me," Const Mashapa said.

As he ran back inside he was wounded in the back. There was a heavy explosion.

"Something then blew up outside the charge office and a similar sound came from the back of the building."

"I lay under the table, listening to the automatic weapons fire at the back and the front of the office," he said.

THE accused in the Silverton trial in the Pretoria Supreme Court are Mr Ncibithi Johnson Lubisi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Naphtali Menana, 24, Mr Moses Molebatsi, 27, Mr Hlolile Benjamin Tau, 24, Mr Grant Shezi, 24, Mr Jeremia Radebe, 26, Mr Boyce Johannes Bogale, 26, and Mr Thomas Mngadi, 29.

They are appearing before Mr Justice De Villiers and two assessors on a charge of high treason, two charges of murder, 21 of attempted murder and one of robbery with aggravating circumstances.

There are four alternative charges of taking part in terrorist activities.

All nine have pleaded not guilty to all the charges.

The two murder charges arise from the death of two women hostages during the siege of the Silverton branch of Volkskas Bank.

The charges of attempted murder arise from injuries to people during the siege and injuries to two men during an attack on the Soekmekaar police station.

Mr Ellison Mandle, a high school teacher, told the court that the same day he had stopped to give a hitch-hiker a lift.

"While I was looking out of the righthand window to see if the hitch-hiker was coming, the lefthand door opened and an armed man ordered me to get out."

He said two men took him a short distance away from the road.

They told him they would not do anything "bad" to him, as they were "helping the black man".

They said that on their return from Soekmekaar they would return his truck and pay for the use of it.

Mr Mandle's hands and feet were bound and he heard the doors closing and the truck being driving off.

Later he managed to free his feet, and staggered through the veld to the Goudplaas station-master's house. The station-master called the police.

Earlier yesterday Brigadier A J Wandrag told the court how he handled the siege of the Silverton bank as commander

of the police special task force.

Brig Wandrag said the problem facing police was how to eliminate all three gunmen at the same time. The police had a listening device in the bank.

"One of the terrorists was standing out of sight behind the cashiers' cubicles, the other two were on the public side of the counter, but one was out of sight of the mezzanine floor, where the police were coming from."

"We decided to gain access from the basement, in an attempt to eliminate the man behind the cashiers' cubicle from below."

"Lieutenant Charles Brazelle was given this task. After a reconnaissance, he returned and said it was possible to do this."

"It was also essential to lure the man standing below the mezzanine forward, so that he would be visible."

"Captain Mickey de Swart, who has since been promoted to colonel, went into the bank to negotiate. If the person under the mezzanine came forward into sight, he would say a codeword, at which the police

already in the bank would go into action."

"At 7.05pm we were in position, when a shot was heard. Immediately we stormed in."

"Two handgrenades exploded, the one behind the counter and the other in the lobby where two black men lay on the ground."

"The whole inside of the bank was filled with dust. Shots were still being fired behind the counter. When the dust settled, Col De Swart ran behind the counter and fired again."

"While all this firing was taking place, we shouted to the hostages to run out, and helped carry out the wounded hostages," Brig Wandrag said.

Captain M J Strydom said he led a four-man elimination squad which attacked from the mezzanine floor.

On hearing the codeword, they opened fire from above and the two men in the lobby were killed immediately.

"I then went down into the bank and fired one shot at the man behind the counter, whose head was still moving," Capt Strydom said.

The trial continues today

Terror³³¹ trial is^{20m} postponed^{24/6/80} once more

Own Correspondent

PIETERSBURG. — The Terrorism Act trial in which two former students are involved was again postponed when it came before the Pietersburg Regional Court yesterday. It will come up again next week, on Tuesday, September 2.

Mr Ephraim Mogale, 23, president of the Congress of South African Students (Cosas) and Mr Thabo Makunyane, 24, a University of the North student, made a brief appearance before Mr W G M van Zyl. They have been in detention since September last year.

Press and the public were not allowed into the court.

The two had appeared previously on June 24 and April 21.

Allegations against them are that they promoted the objects of communism and of the banned African National Congress (ANC) between October 1977 and October 1979.

In 1977 they are alleged to have distributed pamphlets entitled "Being Black in South Africa Today" and "Declaration of War". They are also alleged to have recruited members for the ANC and to have worked for the formation of youth clubs to promote unrest between 1977 and 1979.

They also allegedly prepared a stencil for the production of pamphlets entitled "Come, Let Us Unite and Defeat Our Oppressors", and to have established an organization called "Communist Advancement Movement".

Soekmekaar shots 'from AK 47s'

Own Correspondent
A POLICE colonel told the Silverton siege trial in the Pretoria Supreme Court how he found an unexploded hand-grenade outside the bullet-riddled Soekmekaar police station.

Lieutenant-Colonel Sarel Johannes Strydom, commanding officer of the Northern Transvaal security police, was giving evidence at the trial of Mr Ncimbithi Johnson-Lubisi and eight other men who have pleaded not guilty to high treason, murder, attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Colonel Strydom said that shortly after 9 p.m. on January 4, he was cal-

He also found nearly 60 cartridge cases which had been fired from AK-47 submachine guns.

"Alongside the path near the veranda I found an unexploded hand-grenade. The ring was removed from the safety pin but the pin was still in position," said Colonel Strydom.

In the flowerbed and at the corner of the cell block, he found hand-grenade levers. Bullet points were removed for inspection from various parts of the building, including a file in the typists' office.

PRESENT

Earlier defence counsel Mr Jules Browde said that one of the accused was present during the attack on the police sta-

'Live grenade lay on path'

by the prosecutor, Mr Chris Jansen, Constable Mothibi said he did not see any other movement on the part of Constable Mashapa before he jumped the fence.

"The position was that both of us tried to get

pa's chest. He grabbed it and threw it back in the direction from which it came. As she turned to run into the charge office, he was hit in the back and wounded.

Constable Mashapa had told the court that bullets struck the wall in front of him as he tried to get out of the back door of the station. Another bullet fired from outside the back door hit the door frame.

He hid under the table and heard another explosion followed by automatic weapon fire.

away safely," he said. Constable Mothibi told the court that he heard only one explosion which sounded like a hand-grenade.

ACCUSED

The accused are Mr Ncimbithi Johnson-Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hloile Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremiah Radebe (26), Mr Boyce

Johannes Mogale (26) and Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Their appearance follows the attacks on the Silverton branch of Volkskas Bank and on Soekmekaar police station in January. The hearing continues.

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led to Soekmekaar police station.

BULLETS

He said that during investigations that night and the following day he found 21 places where the windows had been damaged by bullets.

On the southern side of the station there were 12 marks that appeared to have been made by bullets. More marks were found in three places behind the cells.

On the garage doors there were five holes in the corrugated iron. There was a hole in the asbestos wall of the telephone exchange behind the cell block and the water tank platform had a hole which also appeared to have been caused by a bullet.

Colonel Strydom said on the path from the small gate to the entrance of the police station he found a hole in the lawn which seemed to have been caused by an explosion.

"Behind the police station, in the flowerbeds, there was also a hole in the ground which appeared to have been caused by an explosion. There were marks on the wall and the corrugated iron which were caused by shrapnel," the colonel said.

tion.

During cross-examination of Constable M Mashapa, who was injured in the attack, Mr Browde said that the accused, Mr Petrus Mashigo, would say that two hand-grenades exploded, both of them when Constable Mashapa was inside the charge office.

Constable Mashapa said in evidence that the first hand-grenade exploded while he was in the doorway of the charge office.

Mr Browde said: "Mr Mashigo will be surprised that a grenade injured you because you were inside the charge office when it went off."

"I did not say I was injured by a grenade but I had a wound on my back which was caused by a piece of metal," said Constable Mashapa.

EXPLOSIONS

Cross-examined about how many explosions he heard, Constable Mashapa said he heard two.

Mr Browde said that the significance of these details was that Mr Mashigo would say there were two explosions but they were while Constable Mashapa was inside the police station.

The court had been told that Constable Mashapa and Constable Thari Mothibi were sitting on the veranda of the police station on the night of January 4 when two figures approached in the dark.

An object was thrown against Constable Masha-

TWO PEOPLE

Constable Mothibi told the court that on January 4, while he and Constable Mashapa were sitting outside the police station, he noticed a van which had stopped in the road. When it drove off, two people crossed the street.

He said they walked towards the gate through which police vehicles entered and tried to open it.

When they found it locked they walked along the fence to the smaller gate which was the entrance to the police station.

Constable Mothibi said the two people walked one after the other and, when they got to the flagpole, they acted very quickly.

"It seemed to me that they took something out of their clothes and, at the same time, they started shooting," said Constable Mothibi. "I jumped up, saw Constable Mashapa doing the same and ran around the police station."

He said he fell, got up and ran again. He fell a second time and, when he got up, he saw another person at the back of the police station.

He said he ran along the fence between the police station and the post office, climbed a tree, jumped the fence and ran to get help.

In answer to a question

A PRETORIA Regional Court heard how a group of youths attending the unveiling of Solomon Mahlangu's tombstone forced vehicles to take them to the cemetery.

Major Simon Lekganyane, Mamelodi station commander, was giving evidence in a case in which 24 youths were charged with public violence and, alternatively, attending an unlawful meeting in terms of the ban imposed by the Minister of Justice, Mr Alwyn Schlebusch, prohibiting meetings of a political nature.

Major Lekganyane said he received a report on the morning of April 27,

this year, that there was some trouble near the Mamelodi Administration Board offices. On his arrival he saw a group of youths forcing their way into a car, he said.

Not very far from the crowd was a group of police who seemed to be watching the proceedings, Lieutenant W Pretorius,

who had testified earlier, was also present when the group chanted slogans, sang songs and raised their clenched fists in a black salute, Major Lekganyane said.

There were also a number of placards carrying slogans such as "give us freedom or give us death." He could not see others

Chanting youths at Mahlangu's tombstone, Cop

there is going to be trouble," he said.

Asked what the unveiling of a tombstone was all about, Major Lekganyane said it was an old African custom to remember and honour their dead at one time or the other. A person need not necessarily be invited to attend such a ceremony, he said.

Asked if he knew who Solomon Mahlangu was, he said he knew nothing more than what he read in the papers.

Mahlangu was sentenced to death early last year for his part in the Goch Street shooting in 1977.

The case continues.

until after the group was surrounded by police and some banners strewn on the site where the group was demonstrating, he said.

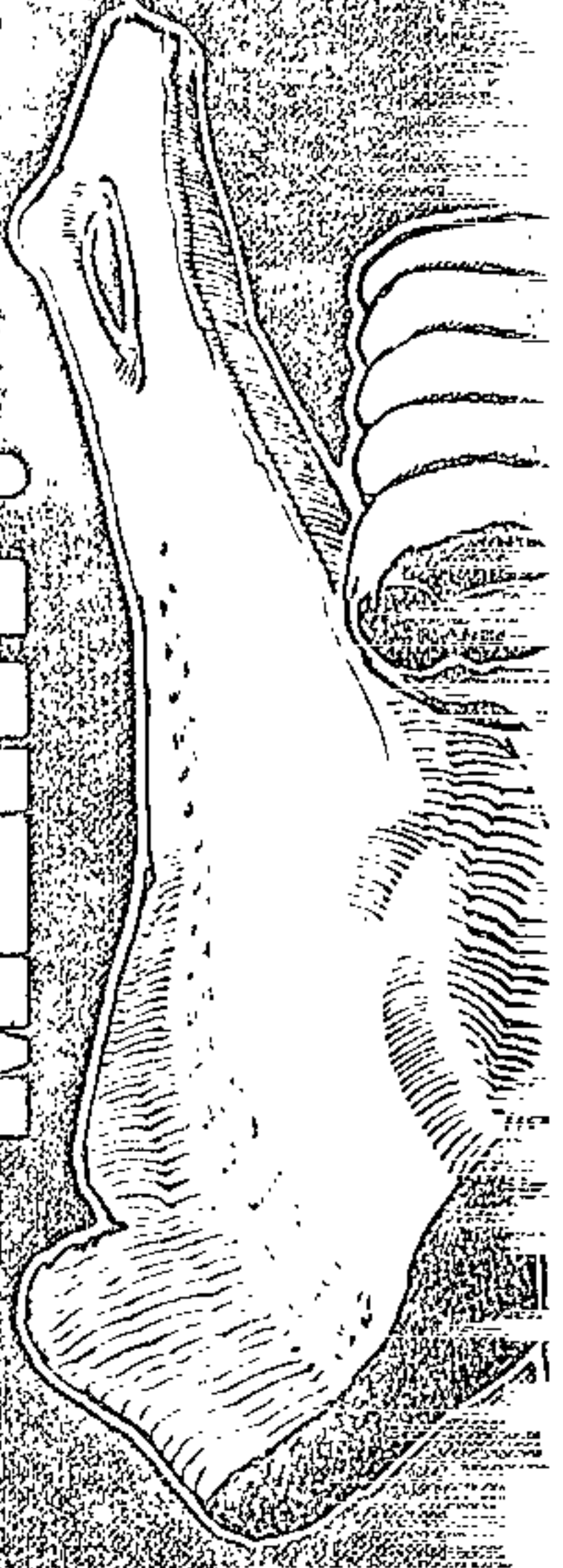
Major Lekganyane said he gave orders to police to arrest the chanting group. There were about 100 to 150 people involved but the police managed

ed to arrest 30 of them, he said.

Asked by the prosecution for what his impression was, Major Lekganyane said the crowd displayed a belligerent attitude towards the police.

"When a crowd starts shouting 'Black Power' with raised clenched fists then you should know

DAILY FRESH MEAT!



DAILY FRESH FRUIT & VEG!



851 2 16/60

Mazwi in court

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1004
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ANOTHER member of the Black Municipality Workers Union (BMWU), Mr Gatsby Mazwi, appeared in the Johannesburg Magistrate's Court yesterday on a charge of "sabotage".

He was granted bail of R500.

Mr Mazwi, acting secretary of the organisation, was the fourth member of BMWU arrested by security police after the recent black municipal workers strike which swept Johannesburg after a pay dispute with the City Council.

Two other leaders of the organisation, Mr Joseph Mavi, president, and Mr Phillip Dlamini, secretary, were granted bail of R500 and R1 000 respectively last week.

Mr Mazwi appeared before Mr C H Fouche in the Johannesburg Magistrate's Court.

Mr Mazwi will now join Mr Mavi and Mr Dlamini as accused number three when they appear in court again tomorrow.

The men are being charged with contravening Section 21 (B, D and F) of the Criminal Law Amendment Act, commonly known as the Sabotage Act.

The conditions of Mr Mazwi's bail are that he report daily at the Jabulani Police Station in Soweto.

Terror accused tells of trip to 'prophet'

Own Correspondent

A MAN charged under the Terrorism Act told the Pretoria Regional Court yesterday that he bought a train ticket to Komatipoort because he wanted to visit a "prophet" there.

Mr Athlone Khima (32), no address given, was arrested on March 29 at Eerstefabriek railway station where he and Mr Johannes Nkosi had bought tickets to Komatipoort.

The State alleges they were on their way to Maputo for military training.

Mr Khima has pleaded not guilty to charges of enticing Mr Johannes Nkosi and Mr Johannes Nkhabela to undergo military

training in South Africa or elsewhere which could aid people interested in undermining State security and which could affect the good order of the State.

Mr Khima told the court yesterday in cross-examination that he met the "prophet" on a train journey in March.

This man, Mr Khima said, told him that he was unhappy because he had not offered a sacrifice for his dead father for many years. The "prophet" also said Mr Khima's father was worried about this.

Mr Khima said he was so impressed that he arranged to meet the "prophet" at Komatipoort station where he would be given medicine and would offer a sacrifice.

Mr Nkosi, who also had

problems, wanted to go with him, Mr Khima said.

He met Mr Nkosi when he approached him and asked if he could borrow R5. Mr Nkosi promised him he could collect the money on the following day.

When he went, the money was not available, nor was Mr Nkosi. He threatened to take a hi-fi set instead but, Mr Khima told the court, he would not really have done so. He merely wished to give Mr Nkosi and his sister a fright.

The charge was most probably laid against him because Mr Nkosi was annoyed with him for threatening to take the hi-fi set.

In reply to a question by the magistrate, Mr E C Wilken, Mr Khima said

he knew nothing about the Silverton siege nor Mr Mugabe.

It is claimed that he spoke to both the men he allegedly enticed to undergo military training about both the siege and Mr Mugabe.

The case was postponed to September 15 for verdict.

Mr Naas de Jager is counsel for the defence and Mr A du Pienaar is prosecuting.

331 Unionist
is charged

722 Staff Reporter

134 A THIRD person, the acting secretary of the Black Municipality Workers' Union, Mr Gatsby Mazwi, was charged with contravention of the Sabotage Act in the Johannesburg Magistrate's Court yesterday.

20 m 24 81 50 Last week the president of the BMWU, Mr Joseph Mavi, of Soweto, and the secretary, Mr Phillip Dlamini, also of Soweto, appeared in court.

Mr Mazwi and the other two men are facing charges relative to the recent black municipal workers' strike.

Mr Mazwi was released on R500 bail.

Mr Mavi and Mr Dlamini were released on bail of R500 and R1 000 respectively.

The men will appear again on August 28.

Robben Island prisoner will be recalled on court order

Staff Reporter

A MAGISTRATE in the Kempton Park Regional Court yesterday ordered that a former Soweto student, now serving a five-year sentence on Robben Island, be brought to court as a witness.

The order was granted by Mr G Steyn following an application by Mr David Soggot, representing two of the three accused appearing on various charges under the Terrorism Act.

The accused are Miss Thandi Modise, 21, of Vryburg, Mr Khowi Nkosi, 24, Mr Slim Mogale, 21, both of Soweto. All have pleaded not guilty.

Mr Soggot made the application on the strength of affidavits made to a Cape Town lawyer four days ago by David Maduna, a 20-year-old former student from Mofolo Village.

In March Maduna was convicted and sentenced in Kempton Park on charges under the Terrorism Act.

Granting the order, Mr Steyn said that because Maduna had allegedly told Mr Nkosi, while they were detained together at John Vorster Square, that he should expect brutality at the hands of the police, it was necessary and important for Maduna to give evidence for the defence.

Miss E Waite, for the State, opposed the application on the grounds that Maduna's appearance would bring about violence, but she did not elaborate on this.

The magistrate said the court had no grounds to refuse the application, because it found no reason to believe that Maduna's appearance in court would be a threat to public safety.

Earlier, Mr Nkosi told the court that he was detained by Security Police at his place of employment, the Jeppe Post Office, at noon on November 5. He said that he was surprised when the police confronted him with certain information and so he decided to "tell everything".

"I thought that what had been done to others would happen to me too. I had not heard of anyone who had been to John Vorster Square who had not been assaulted.

"While in my cell I had a discussion with David Maduna, who was in another cell. Maduna told me that I would be tortured in the 'waarheid kamer' (truth room) and that I would be made to admit things I knew nothing about," Mr Nkosi said.

Mr Nkosi told the court that he had always been afraid of the police because of what he had read in newspapers and what he had heard said by others, old and young.

He said that when he was taken to a magistrate to make a statement, he thought of telling the magistrate that he had been under duress. But then he thought: "What will happen to me when I get back to John Vorster Square?"

Mr Nkosi said: "I lied to the magistrate when I said that I was not threatened, assault or influenced by the police to make a statement. During interrogation Sergeant James Tierney insisted that I should say that I knew Miss Modise had undergone military training outside South Africa and that she was a member of the African National Congress (ANC). I knew nothing about those things."

He also said that a Constable Maqubela of the Security Police had told him not to withhold anything, otherwise he would be crippled, like a "certain detainee". Maqubela advised him to say everything he knew about Miss Modise.

The hearing continues today.

Attack sounded 'like kids with crackers'

WHEN the Soekmekaar police station was attacked, a police constable thought at first it was children playing with crackers, he told the Silverton siege trial in Pretoria yesterday.

Constable Stephanus Botha told the Pretoria Supreme Court that on the night of January 4 he was off duty and about to have a bath in the single quarters attached to the police station.

He said he heard a noise which sounded like crackers exploding. It was difficult to say where the noise was coming from because his bath water was running. He said he thought it was children playing with crackers.

"I was on the point of getting into the bath when I heard a very loud bang in front of the police station and shortly afterwards a sound of automatic fire. I realised it definitely was not children playing with crackers."

Const Botha was giving evidence at the trial of Mr Mcimbithi Johnson Lubisi, 28, and eight others, who have pleaded not guilty to high treason, murder, attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Const Botha said he immediately put out the gas lamp in the bathroom and started to fetch his rifle in the bedroom. As he turned to go out of the bathroom, he heard another

loud bang directly next to the bathroom window, which broke and showered him with glass.

He went to the bedroom and fetched his rifle. As he went out the firing stopped. When he went into the charge office he put out the gas lamp there and radioed the Pietersburg police station.

He heard a knocking coming from the cupboard. It was Constable M Mashapa, who told him he had been wounded. He examined Const Mashapa and saw he had been injured in his back. Const Botha then waited for reinforcements.

Appearing were Mr Mcimbithi Johnson Lubisi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Naphtali Manana, 24, Mr Ikan-yeng Moses Molebatsi, 27, Mr Hloli Benjamin Tau, 24, Mr Phumulam Grant Shezi, 24, Mr Jeremiah Radebe, 26, Mr Boyce Johannes Bogale, 26, and Mr Thomas Mngadi, 29.

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Their appearance follows the attacks on the Silverton branch of the Volkskas Bank and on the Soekmekaar police station in January.

Sergeant Jacobus Kruger, commanding officer of Soekmekaar police station at the time it was attacked, told the court about 80 white people lived in

the village and there were about 150 black people in neighbouring black residential areas.

Mr Chris Jansen, the prosecutor, said the official mouthpiece of the African National Congress, "Sechaba", had mentioned problems with resettling the black people.

Sgt Kruger said they had been taken from Mkgotosruit and resettled on the farm Kromhock, but he was unaware of any problems.

Under cross-examination by Mr Jules Browde, SC, for the accused, he said a large number of blacks who were moved went to neighbouring black areas.

Sgt Kruger said his men were reinforced by police from other stations and they were all armed. But they were only there to prevent crime and violence during the resettlement.

Sgt Kruger said the people had stayed there for many years and some of them had "felt bad" about moving.

Lieutenant Jacobus Pienaar, a detective from Tzaneen, said he was called to investigate the alleged robbery of a van on the night of January 4. The vehicle was found, about 9.30pm abandoned along the road from Tzaneen to Soekmekaar. The engine was still warm. He placed a guard at the vehicle and reported the matter to the Security Police.

The trial continues today.

'Black Power' means violence says witness

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Own Correspondent
A STATE witness told a Pretoria Regional Court that Black Power meant violence and destruction to property.

This evidence was given on the third day of the trial in which 24 youths are charged with public violence or alternatively, contravening a ban on public gatherings imposed by the Minister of Justice.

Major Simon Lekganyane, the Mamelodi police station commander, cross-examined by Mr M T K Moerane, appearing for

the accused, said that whenever a group of people shouted "Black Power", everyone should know that violence and destruction of property were imminent.

Asked by Mr Moerane what his reaction would be if someone came to him, raised a clenched fist and said: "Black Power" or "Amandla", Major Lekganyane said he would be scared.

Ever since the 1976 Soweto riots the words "Black Power" had spelt trouble, he said.

Asked if he knew Mr Steve Biko and the Black Consciousness philosophy, Major Lekganyane said he did not know either.

Mr Moerane then said that Mr Biko was the man who taught people to have pride in their blackness.

The words "Black Power" had nothing to do with violence as the major alleged.

But Major Lekganyane was adamant that Black Power, violence and destruction of property went together.

DEMONSTRATION

Major Lekganyane told the court how, not far from the Mamelodi Administration offices he found a group of about 100 to 150 people demonstrating.

Lieutenant W Pretorius was already on the scene with about nine other white policemen.

Major Lekganyane said that he took over command of the police.

Mr Moerane pointed out to Major Lekganyane that there was a conflict between his evidence and that of Lieutenant Pretorius.

Lieutenant Pretorius, who testified before the

Major, said he found Major Lekganyane and Mamelodi policemen arresting the demonstrators.

White policemen were not involved, Lieutenant Pretorius said in his evidence.

Major Lekganyane disagreed and said that he gave orders to both black and white policemen to arrest those involved in the disturbances.

The arrests were made after two police vans had arrived to reinforce the police contingent which was already at the scene.

No one who was not involved in the incident was arrested, Major Lekganyane said.

The major said he did not know of, nor did he order, the arrest of Lucas Ntlatseng and a youth in whose possession a "Free Mandela" poster was found.

Mr Moerane said the two were arrested at the home of Mr Solomon Mahlangu. The charges against Mr Ntlatseng, who was accused number one at an earlier hearing, were withdrawn this week.

But Major Lekganyane, said that he knew of the arrests of two Johannesburg-based journalists Mr Willie Nkosi, of The Star, and Mr Willie Bokala, of POST. They were found at the scene of the disturbance, the Major said.

The accused are: Mr S Nkosi, Miss J M J Mahlangu, Miss E Mabuza, Mr S Zulu, Miss J Mnyakeni, Miss C Phala, Mr J Phatshwane, Mr W Zulu, Mr E Moiloa, Mr S Thusi, Mr J Masiza, Mr T Mokatsanyane, Mr A Moropoli, Mr P Malinda, Mr D Mokoe-na, Mr S Thwala, Mr C Phakathi and seven youths.

The case continues.

Soekmekaar residents 'felt bad'

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Own Correspondent

A POLICE witness told the Silverton siege trial in the Pretoria Supreme Court yesterday that many black people who were moved from their homes near Soekmekaar by the Department of Co-operation and Development were unhappy about the resettlement.

Sergeant Jacobus Kruger, who was commanding officer of Soekmekaar police station when it was attacked, told the court that about 80 white people lived in the village and there were about 150 people in the neighbouring black residential areas.

Mr Chris Jansen, the prosecutor, said the official mouthpiece of the ANC, Sechaba, had referred to problems that had arisen in the resettlement of the black people.

Sergeant Kruger said

the people had been resettled from Mkgotospruit to Kromhoek farm, but he was unaware of any problems.

He said the police station at Soekmekaar was always manned but he was not on duty on the night of the attack.

Under cross-examination by Mr Jules Browde, SC, who is appearing for the nine accused, Sergeant Kruger said that many of the blacks who were moved went to neighbouring black areas.

His men were reinforced by police from other stations and they were all armed. But they were there only to prevent crime and violence during the resettlement operation.

Sergeant Kruger said the people had been there for many years and "felt bad" about having to move.

The case continues.

Accused held child hostage - evidence

ONE of the accused men in the Silverton Siege trial held a child hostage in an attempt to avoid arrest, the Pretoria Supreme Court heard yesterday.

Warrant Officer Johan Potgieter of the Nelspruit Branch of the Security Police told the court that on January 30 he and another policeman went to the Oaktree Reservation in the district of Hazyview.

They believed that Mr N C I Mbithi Lubisi, the first accused, was in a house there. He said they arrived at 3.30 am and knocked at the door.

A voice asked who was there and he said it was the police and the man must open the door.

Warrant Officer Potgieter said that when he said it was the police at the door a child started crying as if in pain and he assumed that Mr Lubisi was in there and was holding the child as hostage.

He said Mr Lubisi threatened to kill the child if they didn't leave him alone.

Warrant Officer Potgieter said he told him they were armed and that he was to come out and not to try anything.

He said the door opened and the child came running out. Mr Lubisi still refused to come out and then suddenly rushed out falling on the ground. They handcuffed him and asked him to identify his possessions to them.

PISTOL

Among the possessions pointed out was a Russian-made pistol which was loaded. They also found R400 in R20 notes in Mr Lubisi's possession.

In court are Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Naphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hloli

Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremiah Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances, and taking part in terrorist activities.

Their appearance follows the attacks on the Silverton branch of the Volkskas Bank and on the Soekmekaar Police Station in January.

Warrant Officer Potgieter said that on January 26, a detective from the Nelspruit Security Police arrested Mr Mashigo and handed him over to him. On searching him he found a reference book with Mr Mashigo's photograph in it but the name on the reference book was different.

Under cross-examination by Mr Jules Browde, SC, who is appearing for the nine men, Warrant Officer Potgieter said a shot had been fired to show Mr Lubisi he and his colleagues were armed.

He denied the child started crying after the shot was fired. He said he judged the age of the child to have been about 10 years.

He denied that Mr Lubisi had been kicked while lying on the ground.

The court heard that after Security Police questioned Mr Lubisi, at about 6.30 am he took them to a house in Nelspruit where Mr Manana, the third accused, was arrested.

A copy of the January issue of "Sechaba", the official mouthpiece of the ANC was found in his possession, as was a reference book with his photograph but with the name Rakewa Mlambo.

(Proceeding).

Mavi 'sabotage' case postponed

By KINGDOM
LOLWANE

THE "sabotage" case against three executive members of the Black Municipal Workers' Union was again postponed in the Johannesburg Magistrates' Court yesterday.

The three, Mr Joseph Mavi, Mr Phillip Dlamini and Mr Gatsby Mazwi, appeared before Mr J C

Kotze. They were not asked to plead and are out on bail.

The men are charged with contravening Section 21 (B, D and F) of the Criminal Law Amendment Act, commonly known as the Sabotage Act.

They were arrested by security police after the recent municipal workers' strike which brought Johannesburg to a standstill after being sparked off by

a pay dispute with the City Council.

Mr Mavi and Mr Mazwi are out on R500 bail each while Mr Dlamini on R1 000. The conditions of their bail are that they report daily at Jabulani Police Station, in Soweto.

Mr Ernest Wentzel SC, instructed by Mrs Pricilla Jana and Associates, appeared for Mr Mavi and Mr Mazwi. Mr Dlamini was represented by Mr Ratha Mokgoathheng.

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Gqweta granted bail of R500

EAST LONDON — The national organiser of the South African Allied Workers Union, Mr Thozamile Richard Gqweta, who appeared in court here yesterday charged under the Riotous Assemblies Act, was released on R500 bail.

Bail was fixed at a previous hearing but only became effective yesterday. Mr Gqweta was also told he should not interfere with any of the State witnesses. He would get a list of them from the investigating officer, Captain Phillipus Petrus Olivier.

He was again not asked

to plead and no evidence was led.

He is charged with intimidating workers at Raylite Batteries here.

His appearance followed a strike at the battery plant recently.

In another hearing Mr Ndiphiwe Makatala, 31, of Zone Eight, Mr Lancelot Booi, 30, of Zone Four, Mr Vuyisile Pato, 25, of Zone Three, and Mr David Tandani, 27, of Zone Eight, all from Mdantsane, were also released yesterday on R100 bail each.

They are charged with inciting workers to strike or to proceed with a strike. — DDR

As easy as falling off a chair . . .

Staff Reporter

A SECURITY Police witness yesterday told the Kempton Park Regional Court that the floor at John Vorster Square was so slippery that people could fall and injure themselves even while sitting in a chair.

Spectators in the public gallery laughed loudly at this, and even the magistrate, Mr Gert Steyn, found some amusement in this evidence.

Sergeant Edward James Tierney, stationed at John Vorster Square, was giving evidence in a trial in which a woman and two men are facing various charges under the Terrorism Act.

The accused are Miss Thandi Ruth Modise, 21, of Vryburg, Mr Khosi Moses Nkosi, 24, of Central Western Jabavu, Mr Slim Aaron Mogale, 21, of Meadowslands, Soweto.

Miss Modise, an alleged member of the banned African National Congress, ANC, is facing three charges under the Terrorism Act, one under the Sabotage Act and another of attempted arson or malicious damage to property. Mr Nkosi and Mr Mogale face two charges under the Terrorism Act.

Asked by Mr D Soggot, for two of the accused, how a man could be injured while in the custody of police, Sgt Tierney said: "The floor is so slippery that a person can fall and injure himself or even fall while sitting on a chair".

The hearing continues today.

By TONY STIRLING
Chief Reporter

AN ACCUSED in the Silverton trial was alleged to have shown Security Police a hole in the ground amid dense bush, which led to an underground chamber, described by the prosecutor in court yesterday as "the Soekmeekaar Base — Base One".

This was stated in evidence by Major J J I Badenhorst, Security Police branch commander at Tzaneen.

He said that on January 31 he was taken to a spot on the farm Goudplaas, about 13km from Soekmeekaar, by Mr Ncimbithi Johnson Lubisi, accused No 1.

This place was situated in dense bush, about 500m from a gravel road running parallel to the railway line and about 1.5km from the Goudplaas railway station.

In the bush Mr Lubisi pointed out two holes in the ground, one large enough for a big man to crawl into and the second about 20cm in diameter.

The hole was covered by sawn timber and grass.

Underneath was a chamber about 2m broad and 3m long.

Inside he found several items, including a primus stove.

Maj Badenhorst said he gained the impression that the hole was intended to be invisible from the air and could have

been used as a hiding place.

Mr Chris Jansen, SC, for the State, said: "I shall refer to it as the base, the Soekmeekaar Base, Base No 1."

He indicated that he would be referring to other bases in the course of the trial.

Maj Badenhorst said Mr Lubisi showed him another hole in the ground under a tree off the Tzaneen-Lydenburg road, about 20km from Tzaneen.

In this hole a yellow plastic bucket was discovered. Its contents included two handgrenades, 14 boxes, each containing 20 rounds of AK-47 ammunition, two detonators and anti-malaria tablets.

Maj Badenhorst said Mr Lubisi took him to two more holes in the area.

"The accused appeared very surprised when they were opened and found empty," he said.

Mr Jansen told the court the items in these holes had already been removed by another Tzaneen Security Police officer, and evidence on this would be led later.

Maj Badenhorst said that the next day Mr Lubisi took him to a spot on the Duitwelskloof-

Mooketsi road, about 2km from Mooketsi, where he had earlier found a truck belonging to Mr Pile Montle.

He said he took Lubisi towards Soekmeekaar and was shown where Mr Montle was allegedly robbed of the truck.

He then took Mr Lubisi to the Soekmeekaar Police Station, where the accused had pointed out certain spots in the vicinity.

He and Mr Lubisi went to Solomondale, after Mr Lubisi had drawn a map of the area when asked about the hiding places of arms.

This sketch was handed in as an exhibit.

Across the road from a farm gate marked "J H Hugo", Mr Lubisi showed him a spot behind a bush, where it was evident a hole had been dug.

Maj Badenhorst told the court that the same day he, accused No 3, Mr Naphthali Manana, showed him other spots.

Mr Manana took him to a kloof about 20km from Tzaneen where he found a blue T-shirt and an empty bully beef tin under a rock.

"I got the impression that people had stayed there for a

How Soekmeekaar base was revealed

Silverton trial — all the details

THE accused in the Silverton trial in the Pretoria Supreme Court are Mr Ncimbithi Johnson Lubisi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Naphthali Manana, 24, Mr Moses Molebatsi, 27, Mr Hloile Benjamin Tau, 24, Mr Grant Shezi, 24, Mr Jeremiah Radebe, 26, Mr Boyce Johannes Bogale, 26, and Mr Thomas Mngadi, 29.

They are appearing before Mr Justice De Villiers and two assessors on a charge of high treason, two charges of murder, 21 of attempted murder and one of robbery with aggravating circumstances.

day, perhaps longer," he said.

He took Mr Manana to the Mooketsi-Soekmeekaar road, where he pointed out the bridge where Mr Montli was allegedly robbed.

Later, Mr Manana also pointed out certain spots around the Soekmeekaar Police Station.

Maj Badenhorst said: "He also took me to a certain point on the farm Goudplaas, where he showed me Base No 1." He identified photographs of Mr Manana pointing out "Base No 1".

Under cross-examination, Maj Badenhorst said that it would have been practically impossible to find the places in

the bush pointed out by the accused "unless you knew what you were looking for".

He denied either Mr Lubisi or Mr Manana had been threatened or assaulted.

Neither had he made any promises to them to gain their co-operation, he said.

He said they co-operated freely and spontaneously.

Earlier yesterday two Nelspruit Security policemen described to the court the arrests of Mr Lubisi, Mr Manana and accused No 2, Mr Petrus Tsepo Mashigo.

Adjutant Officer Johann Hendrik Potgieter said that on January 26 he was conducting

There are four alternative charges of taking part in terrorist activities.

All nine have pleaded not guilty to all the charges.

The two murder charges arise from the death of two women hostages during the siege of the Silverton branch of Volkskas Bank.

The charges of attempted murder arise from injuries to people during the siege and injuries to two men during an attack on the Soekmeekaar police station.

Tzaneen.

Adj-Officer Potgieter said that after receiving information, he went to a hut in the Oakdene Reserve, Hazyview district, at about 3.30am on January 30.

Security Police Sergeant Johann du Plooy was with him.

"We knocked once. There was no reply. We knocked a second time and a man's voice asked who it was," he said.

"I said it was the police, and that he must open the door.

Just then a child began to cry. I could deduce that the child had been hurt.

"I then accepted that accused No 1 — Mr Lubisi —

investigations together with a Detective-Sergeant Mashigo.

They were in separate cars, and split up during the investigation.

At about 1pm Det-Sgt Mashigo brought Mr Mashigo to him.

"I searched him. I found a reference book in the pocket of his pants. It bore a photograph of the accused and the name Richard Vusi Sibeko," he said.

The reference book was handed in as an exhibit.

Adj-Officer Potgieter said he arrested the man and handed him over to Major Rutger van Wyk. Later he was handed over to a Sergeant Ehlers at

Silverton base was revealed

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was in the house.

"I said to the person in the house: 'We are armed', and told him to leave the child and to come out with his hands up.

"He said he would kill the child unless we went away and left him alone.

"We warned him again we were armed... The door was opened and the child came running out.

"The person inside refused to come out. The accused then came out and fell flat on the ground, hard," Adj-Officer Potgieter said.

He and Sgt Du Plooy held the man with his hands behind his back. They took him into the house, where Lubisi identified parcels and belongings.

Adj-Officer Potgieter said he searched these. Inside a cardboard box he found a Makarov 9mm pistol with a magazine containing seven bullets and an eighth in the firing chamber.

In a shopping bag he found another magazine containing eight bullets.

He found a pair of shoes which Mr Lubisi identified as belonging to "Shoes".

Questioned from the bench, he said Mr Mashigo had admitted the shot was fired.

"Shoes" was his codename.

The officer said he also found R400 in R20 notes.

The items listed were handed in as exhibits.

Cross-examining, Mr Jules Browde, SC, for the defence, asked Adj-Officer Potgieter whether he had told the court everything that happened when Mr Lubisi was arrested.

The officer said he had told the court everything of importance.

"Was there not a shot fired?" Mr Browde asked. Adj-Officer Potgieter confirmed a shot was fired by Sgt Du Plooy, who had a shotgun.

"Do you not consider that important?" Mr Browde asked. Questioned further, Adj-Officer Potgieter denied the shot was fired through the roof of the hut. He said it was fired into the air to show the accused that they were armed.

He said Sgt Du Plooy fired after the child started to cry. Sgt Du Plooy was standing close up against the hut, he said, and it would have been dangerous to fire into the roof directly overhead.

Adj-Officer Potgieter denied the child started to cry after the shot was fired.

He denied Mr Lubisi was kicked twice by Sgt Du Plooy as he lay on the ground. "I was in charge. It did not happen in my presence," he said.

Adj-Officer Potgieter also denied that all the bullets of the Makarov pistol seized in the hut had been in the magazine.

"I examined the gun personally to see if it was safe. There was definitely a bullet in the firing chamber."

Questioned by Mr Browde, he said he removed the bullets (which were lying loose in the court exhibit) to count them.

He said the gun was in the "fire" position when he examined it in the hut.

Constable Andries Jacobus Visser, also of the Security Police at Nelspruit, said he took part in the interrogation of Mr Lubisi on the morning of January 30.

Following certain information Mr Lubisi gave, Const Visser went to a house in Nelspruit at about 6.30am and found Mr Manana there, he said.

He asked him to identify his possessions. He searched these and found a reference book in the name of Rakawae Malambo. It bore a photograph of accused No 3 (Mr Manana).

His search also uncovered a copy of the January edition of "Sechaba", the official publication of the ANC.

The trial continues today.

Mix-up in State evidence at violence trial

A STATE witness in a public violence trial held at the Pretoria Regional Court denied some of the evidence he had given earlier.

Constable Paul Rakgolela, who was the third State witness on the fourth day of the hearing, said that the placards which were produced in court as exhibits were the ones which were found at the scene of a disturbance near

the Mamelodi Administration Board offices. Appearing before Mr J. Carstens were 24 youths charged with public violence and, alternatively, contravening a ban on all public gatherings.

Cross-examined by Mr M. T. K. Moerane, appearing for the accused, Constable Rakgolela denied having said the placards were the same but that they were similar to those confiscated from a group of demonstrating

youths on the morning of April 27 this year.

Constable Rakgolela told the court that when he and other members of the police force arrived at the scene of the alleged disturbance, confusion prevailed.

It took about two hours to round up and arrest all the people involved in the disturbance. There were more than 500 people participating in the unrest and about 70 black and white policemen at the

scene, Constable Rakgolela said.

Asked by Mr Moerane why the police took long to arrest about 30 people involved in the demonstration, Constable Rakgolela said the crowd was throwing stones at the police and were running away.

The crowd chanted slogans, sang freedom songs, taunted the police and used abusive language. No dogs were used when arrests were made and none of the

people arrested was assaulted by either himself or any member of the police force, Constable Rakgolela said.

Another witness, Constable George Sindane, pointed out Mr Lucky Thwala as the person he arrested on that day. But in his statement, which was read in court, he had said that he arrested Mr Simon Nkosi and Mr Moerane pointed out that no person of that name was among the accused.

The fifth State witness, Sergeant Petrus Motau, said he arrested three people at the scene of the disturbance, including Constance Phala, Johanna Mahlangu and Martha Shabangu. He said that Martha Shabangu was not in court.

When asked to identify the people he arrested, Sergeant Motau pointed out Miss Jane Mnyakeni as Johanna Mahlangu.

(Proceeding)

Three in court after strike

Staff Reporter

THE "Sabotage Act" case against three executive members of the Black Municipality Workers Union in connection with the recent Johannesburg municipal strike was postponed in the Johannesburg Regional Court yesterday after the brief appearance of the three men.

The case under the Act, the General Law Amendment Act of 1982, which provides a minimum jail sentence of five years and a maximum penalty of death, was postponed to September 29.

The union's president, Mr Joseph Mavi, together with secretary, Mr Phillip Dlamini and deputy secretary, Mr Gatsby Mazwi, were not asked to plead and no evidence was lead.

The three men are on bail. The national president of the Black Allied Workers Union, Mr M J Kumalo, was also at court as a "mark of solidarity", he said.



Three executives of the BMWU, from left, Mr Joseph Mavi, Mr Gatsby Mazwi and Mr, Phillip Dlamini outside the Johannesburg Regional Court yesterday.

Picture: JOHANNESBURG

This is a terrorist base inside South Africa.

The picture, released as part of the evidence in the Silverton Siege Trial in Pretoria, allegedly shows one of the accused pointing out the underground base to policemen.

It is situated on a farm just 13 km from Soekmekaar in the Northern Transvaal, where the po-

Court is shown alleged hide-out of terrorists

lice station was attacked in January by terrorists.

The Volkskas bank at Silverton was also attacked. The base was found by po-police after they arrested

two of the accused in the trial.

Giving evidence yesterday in the trial, Major J Badenhorst, commanding officer of the Security Po-

lice in Tzaneen, said that on January 31, Mr Ncimbithi Johnson Lubisi, one of the nine accused in the trial, showed him the terrorist base. Inside, he

found stores and a primus stove.

Today Warrant Officer Johannes Ehlers told the court one of the accused directed him to an arms cache.

The nine accused in the case have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.



Cape Town (124) (330)
Overseas funds

30/8/80.
for Mavi denied

LEGAL representatives of black trade unionist Mr Joseph Mavi have denied knowledge of funds sent by overseas organisations for his defence.

Mr Mavi, leader of the Black Municipal Workers Union, which led the recent municipal workers strike in Johannesburg face charges related to the strike.

On Friday he was released on R500 bail. Previously bail was set at R1000.

The State opposed bail and referred to a news report which stated that the Black Consciousness Movement of Azania, which is based in London, had revealed that an amount of R5000 had been sent to South Africa for Mavi's defence.

DENIED

This was denied by Mr Mavi's counsel.

Bail was set at R500 on condition that Mr Mavi hands over to the police any travel documents and reports daily to the Jubulani police station.

After his release Mr Mavi told newspapers that his lawyers warned him that he must not give interviews to the Press.

Relatives and friends of Mr Mavi visited him at the weekend and said they were happy he was out on bail.

'Chanting crowd was stoning policemen'

Pretoria Bureau.

A MAMELODI police sergeant yesterday told the Pretoria Regional Court how he and his colleagues saw a chanting crowd of about 500 people throwing stones at white policemen who were trying to make arrests.

Sergeant Petrus Motau, of the Mamelodi Police Station, was giving evidence for the State at a trial of 24 students, including six minors, charged under the Riotous Assemblies Act.

The students allegedly took part in a procession during the unveiling of the tombstone of Solomon Mahlangu, a former Mamelodi High School student who was hanged last year for his part in the Goch Street

shooting in 1977.

The students have pleaded not guilty to the charge before Mr J Carstens.

Sgt Motau said when he and other black policemen arrived near the Mamelodi Administration Board offices, he saw a crowd of about 500 people throwing stones at white policemen who were trying to arrest them.

"Between us and the white policemen were about 200 of the crowd, which was singing slogans with clenched fists raised, others carrying placards."

He said he was told by his station commander to arrest a chanting group.

Asked to identify the girls he arrested among the accused,

Sgt Motau pointed out two girls and said the third was not in court. (Charges against her had been withdrawn.)

When Sgt Motau was asked to name the girls he pointed out, it was found that the second was named incorrectly. He admitted that she could not be the person he had arrested.

The defence, Advocate M T Moerane, asked Sgt Motau if any of the white policemen were injured by the crowd. He said he did not see or hear of any being hurt.

He said the people he arrested were not carrying placards nor were they throwing stones. But they were singing slogans with clenched fists.

The trial was postponed until October 1.

rom 308182 (331)

Defence wants to see SP diary

Staff Reporter

THE defence in a Terrorism Act trial at the Kempton Park Regional Court yesterday applied for an order compelling the Security Police to produce a diary on the whole investigation of the case.

The application was made by Mr D Soggot in the trial of a woman and two men appearing on various charges under the Terrorism Act.

Appearing before Mr G Steyn were Miss Thandi Ruth Modise, 21, of Vryburg, Mr Khowi Moses Nkosi, 24, of Central Western Jabavu, and Mr Slim Aaron Mogale, 21, of Meadowlands.

Miss Modise faces three Terrorism Act charges, one under the Sabotage Act and another of arson or malicious damage to property. Mr Nkosi and Mr Mogale face two charges under the Terrorism Act. All have pleaded not guilty.

Yesterday's application was made as a result of evidence given in court by two Security Policemen.

Captain Daniel Heystek and Sergeant Edward James Tierney told the court they were not involved in the investigation. But Sergeant Nicholas Deetlefs, another witness, said Sgt Tierney interrogated Mr Nkosi.

Mr Soggot said Sgt Tierney was a crucial witness in that he has disclaimed Sgt Deetlefs' evidence. The defence needed access to a diary which indicated what role the policemen played in investigations.

Miss E Waite, for the State, opposing the application, said it was not in the interest of State security to make police methods public.

Judgment will be given next Thursday.

Policeman tells siege trial of veld blast

Argus Correspondent

PRETORIA. — A hand grenade exploded in the veld between Mamelodi and Eersterust near Pretoria on February 12, injuring a man, the Silverton siege trial heard today.

Captain Frederick Nel, of the Security Police, told the Supreme Court here that he examined the scene of the explosion beneath a tree.

He said it was clear that people had stayed there for some time.

CARRY-BAG

The blast had caused a hole in the ground and a packet of bullets had exploded. Several were embedded in the tree.

Captain Nel said he found clothing and a carry-bag at the scene.

In addition, he said, he found an issue of the African Communist, a pamphlet with a photog-

raph of Solomon Mahlangu, pamphlets of the Year of the Spear, documents issued by the ANC, and a hospital card in the name of Solly Motstewtswa.

He also found a packet of 20 AK bullets.

Captain Nel said a Mr Klaas Mahlangu was injured in the explosion and was taken to hospital.

He could not give a satisfactory explanation for the explosion said Captain Nel.

He said that on February 15 one of the accused, Mr Hlonile Tau, was brought to his office. Mr Tau identified the hospital card as his.

He said he had last seen the articles in a terrorist

base near Garankuwa.

Captain Nel said he visited the base two days later and found an empty cigarette packet on which a sketch was drawn in ballpoint pen.

It appeared to depict the petrol storage tanks at Waltloo, he said.

TREASON

The nine accused have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances, and taking part in terrorist activities.

Their appearance follows attacks on the Silverton branch of the Volkskas Bank and on the

Soekmekaar police station in January.

(Proceeding)

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POST 3/9/60

gine running while they left to attack the station. When they came back we went to Duiwelskloof where we left the vehicle and went into the bush," said the statement.

Mr Lubisi's statement said he was arrested shortly afterwards.

He said his African National Congress commander had instructed him to go to Soekmekaar to study the area. He did so and, later, he and three others were ordered to go back and attack the police station.

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery.

The case continues.

10.

'Man told of getaway from Soekmekaar'

By TONY STIRLING
Chief Reporter

AN ACCUSED in the Silverton trial is alleged to have made a statement before a magistrate in which he said he was the driver of the vehicle used in the January raid on the Soekmekaar police station, which "we were ordered to attack".

In a voluntary statement read into the court record at the trial yesterday, Mr Ncimbithi Johnson Lubisi said he waited in the vehicle while three others — referred to by the codenames of "Shoes", "Lungile" and "George" — went to carry out an attack on the police station.

The statement was made in terms of article 217 of the Criminal Procedure Act before Mr V V Smit.

Mr Lubisi is alleged to have stated that while in Mozambique he was instructed by an African National Congress commander called "Zaba" to go to Soekmekaar "so that I could have a good look at the place and take the people there later".

After surveying the area for two days, he and a person called "Mashego" went back to Swaziland, where "Shoes, Lungile and George were brought to us".

(In previous evidence, accused No 2, Mr Petrus Tsepo Mashigo, was referred to by the code name of "Shoes," and accused No 3 as "George". The name "Lungile" has not appeared as any alleged code-name for an accused.)

The statement said Mr Lubisi and these three people went to Soekmekaar where they dug holes and lived in them.

"The people gave us R1 500 to use for food and clothes. We lived there for a month," the statement said.

The statement described

detailed instructions leading to a spot off the road to Pietersburg, 3km to 4km from Solomondale, where "Shoes" and Mr Lubisi allegedly dug up weapons.

"We found weapons there, namely four AK guns. We took the four AK guns. We could not carry everything. It was only "Shoes" and myself."

Mr Lubisi and "Shoes" went back the next day to collect more materiel, according to the statement.

"We agreed to get a vehicle to make a quick getaway."

The statement said they found a black man with a vehicle and that Lungile and Shoes tied him up and left him at a bridge before they drove into Soekmekaar.

Mr Lungisi waited in the vehicle while the other three left to attack the police station, the statement said.

"I waited with the engine idling, ready to race away."

"The three others returned after the attack. We then left for Duiwelskloof. Near Duiwelskloof we left the vehicle and went into the bush. We came out at Letaba."

They went on and had arrived at Mariti (a river in the area), the statement said.

George had said he would go by train to Carolina and meet them there. Shoes had said he would stay in the Pola trust area. Mr Lubisi and Lungile had gone back to Swaziland but had returned the next week, the statement said.

They were to wait for a certain "Mashego" at Mariti. They also had to recruit people to take back to Swaziland from Letaba, the statement said.

"We were then arrested, before we could go any further."

Voluntary statements before a magistrate by Mr Mashigo and accused Mr Naphthali Men-

ana were also read into the record yesterday.

Mr Mashigo's alleged statement said he and "another person" came back to South Africa "on a mission to teach other people".

They were supposed to meet a certain person at Mariti but had not done so and while they tried to hitch a lift on the road to Malelane a vehicle stopped and a man pointed a gun at them, according to the statement.

"Myself and my friend then ran away in different directions. Then they caught me," the statement said.

Mr Menana's alleged statement said that while in Mozambique he had received an order to return to South Africa. The order "was principally for propaganda — military and political propaganda", according to the statement.

The statement said that when asked what he meant by military propaganda Mr Menana said: "It was the use of weapons for the promotion of propaganda. A certain target, for example a police station, had to be sought out over which there existed a difference in opinion. These places are attacked to show the people we are there."

The hearing continues today.

THE accused in the Silverton trial in the Pretoria Supreme Court are Mr Ncimbithi Johnson Lubisi, 28, Mr Petrus Tsepo Mashigo, 20, Mr Naphthali Menana, 24, Mr Moses Molebatsi, 27, Mr Hloli Benjamin Tau, 24, Mr Grant Shezi, 24, Mr Jeremiah Radebe, 26, Mr Boyce Johannes Bogale, 28, and Mr Thomas Mngedi, 29.

They are appearing before Mr Justice De Villiers and two assessors on a charge of high treason, two charges of murder, 21 of attempted murder and one of robbery with aggravating circumstances.

There are four alternative charges of taking part in terrorist activities.

All nine have pleaded not guilty to all the charges.

The two murder charges arise from the death of two women hostages during the siege of the Silverton branch of Volkskas Bank.

The charges of attempted murder arise from injuries to people during the siege and injuries to two men during an attack on the Soekmekaar police station.

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KDS
3/9/80

Students guilty in terror trial

3/9/52 *331*

PIETERSBURG. — Two students charged under the Terrorism Act were found guilty of promoting the aims of communism and of the African National Congress when they appeared in the regional court here yesterday.

Joseph Mogale, 23, president of the Congress of South African Students (Cosas) and Thabo Makunyane, 24, of the University of the North were found guilty on one count and three counts respectively. They had pleaded guilty to the charges on the related counts.

Charges relating to military training were withdrawn. Judg-

ment will be passed on September 30.

Their pleas and admissions before Mr W G M van Zyl were heard *in camera* and the press and the public were allowed in yesterday only.

In a long summary the magistrate said that the two had preached liberation of the black man from oppression by the white man. Their aim was to galvanize the black youth so as to identify with unrest and uprising when these occurred.

The two were represented by Mr C Farber, instructed by Ngope, Nkadameng and Machaka of Pietersburg.

Terrorist tells court of betraying companions to police

(331) ST AR
3/19/80

Own Correspondent

trained ANC terrorist told the Silverton siege trial how he led police to his companions after they came into South Africa, resulting in a shoot-out between police and the terrorists.

The 28-year-old man, who may not be identified, gave evidence in the Pretoria Supreme Court today at the trial of nine

men. He told the court he and six others returned to South Africa after being tried by the ANC in Angola. They crossed the border at night during January last year.

They were armed with AK sub-machine guns, hand grenades and TNT. Their aim was to commit acts of sabotage in Ga-

Rankuwa, just north of Pretoria.

The witness said the following morning he told his companions, as he left them, he would be back in a short while.

He stood at the side of the road and stopped a white motorist.

"He spoke Tswana and I asked him to take me to the police. He asked why and I told him I came from

Angola where I had received military training. I produced a handgrenade and gave it to him. He turned back and drove to the police at the border," said the witness.

He told the court he led the police to his companions and in the shoot-out, one was killed.

The witness said in 1976 he and a friend left the country because they want-

ed to get scholarships for further study in Tanzania. They went via Zambia to Tanzania where they were told that scholarships were not available.

They were sent to Angola for military training instead.

He recognised Mr Naphthali Manana and Mr Hloile Benjamin Tau as being two of the men who were trained at the same

time as him in Angola.

The men accused are Mr Icimbithi Johnson Lubisi (28), Mr Peirus Tsepo Mashigo (20), Mr Naphthali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hloile Benjamin Tau (24), Mr Ph mulani Grant Shezi (24), Mr Jeremia Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

Their appearance follows the attacks on the Silverton branch of Volkskas and on the Soekmekaar police station in January.

(Proceeding)

Two guilty on terror charges

THE president of the Congress of South African Students (Cosas), Ephraim Mogale (23), and a Turf-loop student, Thabo Makunyane (25), were yesterday found guilty in the Pietersburg Regional Court of various charges under the Terrorism Act. They appeared before

Mr W G M van Zyl and entered pleas of guilty to charges of endangering the maintenance of law and order; producing, possessing and distributing subversive literature; promoting the aims of banned organisations; and forming an organisation known as the Communist Advancement Movement.

Mogale also pleaded guilty to forming youth clubs for the advancement of unrest in South Africa. The pleas were accepted by the State and two charges of complicity in the recruitment of people for the ANC were dropped. The case was postponed to September 30 for sentence.

The general approach will now be applied to the problem in MAN. 530 which follows.

Re: Term 5: The riskiness of this flow is likely to be equal to that of Term 3 thus the same discount factor is suggested. This stream is the tax shield arising from the tax deductibility of the interest on an equivalent (the displaced) loan.

Re: Term 4: The riskiness of this flow is likely to be equal to that of Term 3 thus the same discount factor is suggested. To facilitate a fair comparison with leasing the most rapid method of depreciation allowed by the Receiver of Revenue should be used. Further- more depreciation in this context includes the invest- ment and initial allowances.

Re: Term 3: Here it is suggested that a discount factor equal to (or slightly higher than) the interest rate on a comparable loan should be used for this term. This stream is riskier than the stream in Term 2 because the lessee requires to have a taxable income to get the cash flow.

Terrorist led police to colleagues, court told

3/9/80 ARMS (231)

Argus Correspondent

PRETORIA. — A trained African National Congress terrorist told the Silverton siege trial how he led police to his companions after they came into South Africa, resulting in a shoot-out between police and the terrorists.

The 28-year-old man, who may not be identified, gave evidence in the Pretoria Supreme Court today at the trial on nine men.

He told the court he and six others returned to South Africa after being trained by the ANC in Angola.

They came through the border at night in January last year.

WELL-ARMED

They were armed with AK sub-machine guns, offensive and defensive hand grenades and TNT. Their aim was to commit acts of sabotage in Ga-Rankuwa, just north of Pretoria.

The witness said he told his companions the following morning as he left them that he would be back soon. He stood at the side of the road and stopped a white man passing by in a car.

He spoke Tswana and I asked him to take me to the police. He asked why and I told him I came from Angola where I had been militarily trained. I produced a hand grenade and gave it to him. He turned back and drove to the police at the border,' the witness said.

ONE KILLED

He told the court he led the police to his companions and in the ensuing shoot-out one was killed and the others fled.

He said he had left South Africa and returned across the Botswana border.

The men standing trial

shigo on March 7. He had healed marks in his legs and right foot. Dr Lindeque said Mr Mashigo told him he had been injured by a hand-grenade explosion.

X-rays showed the presence of five small pieces of metal, one in Mr Mashigo's right lower leg, three in his right foot near the heel and one in his left thigh.

Terrorist led police to colleagues, court told

3/9/80 ARMS (23)

Argus Correspondent
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He said he had left South Africa and returned across the Botswana border.

The men standing trial are Mr Ncimbithi Johnson Lubixi, 28; Mr Petrus Tsepo Mushigo, 20; Mr Naphtali Manana, 24; Mr Ikanyeng Moses Molebatsi, 27; Mr Hloikile Benjamin Tau, 24; Mr Phumulani Grant Shezi, 24; Mr Jeremiah Radebe, 26; Mr Boyce Johannes Bogale, 26; and Mr Thomas Mngadi, 29.

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**Sabotage:
pupils
in court**

EAST LONDON — Six Khulani High School pupils appeared briefly in the Mdantsane Magistrate's Court on a charge of sabotage yesterday.

Zukiswa Mapevi, 19, Malusi Mbidlana, 20, and four others aged between 15 and 17, were not asked to plead.

No evidence was led and all were released into the custody of their parents or guardians who were warned to bring them to court on October 6.

Their appearance was in connection with the burning of books at their school on August 13.

**5 pupils
charged**

EAST LONDON — Malusi Mbidlana, 20, and four other Khulani High School pupils appeared briefly in the Mdantsane Magistrate's Court on a charge of public violence yesterday.

They were not asked to plead and no evidence was led.

All five were released in the custody of their parents who were warned to bring them to court for trial on October 6. —DDR

They were not asked to plead and no evidence was led.

Siege trial witness weeps for his brother

A WITNESS in the Silverton siege trial cried yesterday as he identified one of the accused men as his younger brother.

Mr Daniel Molebatse was giving evidence in the Pretoria Supreme Court at the trial of Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphtali Manana (24), Mr Ikanyeng Moses Molebatse (27), Mr Hloli Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremia Rade-

be (26), Mr Boyce Johannes Bogale (26), and Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances, and taking part in terrorist activities.

As Mr Molebatse entered the witness box the prosecutor, Mr Chris Jansen, asked him if he knew the fourth accused, and as the wit-

ness said he did, he started to cry. "He is my younger brother," he said.

Mr Molebatse told the court that his brother disappeared in 1977. Last year he had a telephone call at his work from someone called "George" who arranged to meet him during his lunch hour. When "George" arrived it was his brother.

During the next few days he had discussions with his brother about where he had been. His

brother told him he had been to Angola, Russia and Mozambique, Mr Molebatse said.

He noticed a pistol in his brother's belongings and when he questioned him about it, his brother said it was his and he used it for protection. He also said he was a member of the ANC.

At the end of November his brother told him he was going to Swaziland for a few days. He saw him again at a taxi rank when he was on his way to Atteridgeville

and his brother on his way to Ga-Rankuwa.

Lieutenant Gert Visser, the 53rd witness at the trial, told the court that on December 18 last year as a result of information he went to 60 Koe-doe Street, Atteridgeville. He questioned the owner of the house and she pointed out a brown carrier bag next to a couch. In it was a pistol and some clothing.

Lt Visser said he then told his colleague to move their car from the front of the house and he hid in a bedroom.

Lieutenant Visser said that about 10 minutes later he heard a man's voice at the back door. He rushed out, pinned the man against the wall and said: "Are you the terrorist?" The man, who was Mr Ikanyeng Molebatse, replied: "Yes, I am."

He arrested Mr Molebatse and, on the way to his office, he questioned Mr Molebatse who told him he had been in Angola.

The case continues today.

4/24/65 P 651 (12/64) (331)
Mavi case
THE president of the
Black Municipal Workers
Union (BMWU), Mr Ju-
seph Mavi appeared in
court yesterday, but his
case has been postponed
until September 29.

By TONY STIRLING
Chief Reporter

A WITNESS at the Silverton trial wept yesterday when called to give evidence about his brother, one of the nine accused.

Mr Daniel Molebatsi stood in the witness box with tears streaming down his face when asked by the State to give evidence on his brother, Mr Moses Molebatsi, accused No 4.

Mr Daniel Molebatsi said that he had lived with his brother until 1974.

In 1977 he heard the police were looking for Moses.

He had not seen his brother again until November last year when he received a phone call at work from "George" — the name he had always known his brother by.

They met at lunchtime and discussed family affairs, but later, at an eating house near the Boulevard Hotel in Pretoria, he asked his brother where he had been.

"George" told him he had been to Angola, Mozambique and Russia and had learnt to be a soldier, Mr Molebatsi said, and that he had joined "people known as the ANC".

Mr Molebatsi said he only learnt later from newspapers that this was a banned

took possession of a brown handbag. There was a pistol inside it, he said.

He had a black Security Police colleague move their vehicle away from the house, while he hid in one of the bedrooms.

About a minute later, someone entered the house.

Lieut Visser said he ran to the back of the house and pinned the man he found there against the wall. This man was Mr Moses Molebatsi.

Mr Molebatsi had identified the bag and the pistol as his.

He asked Mr Molebatsi if he was "the terrorist", he said. Mr Molebatsi had replied: "Yes, I am a terrorist."

He took Mr Molebatsi back to the Security Police offices under arrest.

Lieut Visser said that questioned during the journey, Mr Molebatsi told him he had come from Mozambique, and that he had been trained in Angola.

Mr Jules Browde, SC, for the defence, objected at this stage,

organisation.
Mr Molebatsi said he carried his brother's case to an hotel in Atteridgeville, where George stayed for two nights. The case felt very heavy. He found a long-barreled pistol inside it.
He said his brother told him he carried the pistol for protection.

His brother left on November 30, saying he was going to Swaziland for an undisclosed purpose.

He saw his brother again on December 13 last year. His brother said he was going to Ga-Rankuwa. "He refused to say why."

The witness was not cross-examined.

Lieutenant Gert Visser, a sub-inspector of explosives attached to the Security Police, Pretoria, told the court earlier he went to a house in Kudu Street, Atteridgeville, after receiving certain information on December 18 last year.

In the house he found a Mrs Jane Molepo.
After she spoke to him he

Accused's brother sobs in witness box

comrades were camped in the bush.

A skirmish followed in which the commander of the group, "Muzorewa", was killed. The rest of the group fled.

When the accused were asked to stand up in court, he said he knew accused No 3, Mr Naphtali Menana, from Tanzania and Angola, and accused No 5, Mr Hloile Benjamin Tau, from the Novagatenga camp in Angola.

Questioned later, he said he knew all the accused.

He said he left South Africa for Botswana, where he joined the ANC, after a friend told him that if they went to Tanzania he could obtain an education and "anything he liked" free.

Mr Browde said he would argue the admissibility of the evidence of the witness.

For the State, Mr Chris Jansen, SC, said he would argue for the admissibility on the grounds that it was relevant as part of an ANC conspiracy.

Under cross-examination, the

witness said he had been an illegal hawker in Soweto.

He was tricked into going to Tanzania by his friend's promises of a better life, he said.

He had not spoken to his friend about this, neither had he asked not to be sent for military training, because he was scared somebody might shoot him.

He gave himself up because he had not wanted to be trained as a soldier.

Mr Browde said the defence would put it to the witness that at the time he left South Africa in 1976, many people were leaving the country because they were afraid of the police and of what was happening in Soweto.

Questioned, the witness said the ANC orders would not permit them to attack targets such as houses in Ga-Rankuwa. Examples of the type of target meant were a bridge or a police station.

Re-examining, Mr Jansen brought up an incident which occurred at the tea interval, in which accused No 2, Mr Petrus

Tsepo Mashigo, was alleged to have asked the witness why he had not mentioned "a policeman" who had been shot.

Cross-examined on this point, the witness said the term used had been "Boer", denoting a policeman.

He agreed this was also the term used generally among blacks to describe Afrikaners.

Earlier yesterday, Capt Paul Hattingh, an explosives inspector attached to the Security Police in Pretoria, identified grenades and grenade fragments in photographs as those given to him allegedly in relation to the attack on the Soekmeaar police station.

The Pretoria District Surgeon, Dr Willem Lindeque, told the court he examined Mr Mashigo, who was brought to him by Adjutant Officer Johann Ehlers, a Tzaneen Security Police officer investigating the Soekmeaar raid.

He examined X-rays handed into court earlier and said they had shown Mr Mashigo had five pieces of metal lodged in his legs.

He could not say what these fragments were, but when he asked, Mr Mashigo had told him they were the result of a hand grenade blast.

The trial continues today.

Silverton siege trial: All the details

vating circumstances.

There are four alternative charges of taking part in terrorist activities.

All nine have pleaded not guilty to all the charges.

The two murder charges arise from the death of two

women hostages during the siege of the Silverton branch of Volkskas Bank.

The charges of attempted murder arise from injuries to people during the siege and injuries to two men during an attack on the Soekmeaar police station.

Johannes Bogale, 26, and Mr Thomas Mgadi, 29.

They are appearing before Mr Justice De Villiers and two assessors on a charge of high treason, two charges of murder, 21 of attempted murder and one of robbery with aggra-

ing and who, the court ordered, may not be identified, yesterday gave evidence of a skirmish between police and a group of his comrades after they crossed back into South Africa from Angola.

He told the court that after being trained in Angola, he crossed into South Africa from Lobatse by night in January 1979 with six comrades.

They each had an AK rifle, six defensive and two offensive grenades, TNT and tins of food. The witness said his group's

photographs handed in as an exhibit as being of armaments found in a brown leather bag at the Volkskas Bank in Silverton after the bank siege.

These included two hand grenades, four boxes containing 20 rounds of AK 47 ammunition, four loose cartridges and five AK magazines.

The arms — except for the grenades, which Lieut Visser said were destroyed — were handed in as exhibits.

Another alleged accomplice, who was given the legal warn-

saying that he believed there was a confession made by Mr Molebatsi to the police and that he might argue on the admissibility of this evidence later.

Lieut Visser said Mr Molebatsi told him he was in South Africa for reconnaissance. He had to trace a certain "Tabu".

At the Security Police offices the lieutenant examined the pistol. He told the court it was a 9mm Russian-made Makarov, containing eight cartridges. It was handed in as an exhibit.

Lieut Visser also identified

Mr Molebatsi back to the Security Police offices under arrest.

Lieut Visser said that questioned during the journey, Mr Molebatsi told him he had come from Mozambique, and that he had been trained in Angola.

Mr Jules Browde, SC, for the defence, objected at this stage,

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Court told accused showed hide-out

POST Reporter
ONE OF the accused in the Silverton trial led security police to the base which was allegedly used by the three Silverton gunmen, the Pretoria Supreme Court heard yesterday.

Lieutenant Gert Visser of the security police in Pretoria told the court that on January 29, following information, Mr Hloliile Tau was brought from Pretoria central prison where he was awaiting trial.

Lieutenant Visser said he was wearing a jersey similar to the jersey another accused, Mr Ikanyeng Molebatsi, was wearing at the time of

his arrest in December last year.

He showed Mr Tau a photograph of Mr Molebatsi and he said he knew him as Simon Ngweni.

"I showed him the police terrorist photograph album," said Lieutenant Visser. He said there were 18 photographs on each page and on three different pages Mr Tau identified the three Silverton gunmen whom he knew by other names.

Lieutenant Visser said Mr Tau told him they had lived together near Ga-Rankuwa.

In the early hours of January 30, Mr Tau took Lieutenant Visser, accompanied by other members of the police force, to

Zone 16, Ga-Rankuwa.

They walked in a westerly direction into the veld but could not find the place.

Lieutenant Visser said they decided to wait until it was light before searching further.

He said Mr Tau led them further into the hills and then showed them a place that had clearly been a base.

NEWSPAPERS

Lieutenant Visser said it was an open piece of ground, closed in on one side by rock and vegetation on the other three sides. Newspapers had been spread on the ground, presumably so that people could sleep on them and there were tins and bottles lying around.

About two metres above the base in a cleft in the rock, he found, on Mr Tau's instructions, about 19 small articles buried about two metres deep.

Lieutenant Visser said he took these articles back to his office where they were photographed on inspection.

One of the packets, which was sealed in plastic, contained 50 military detonators.

The men are Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Naphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hloliile Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremiah Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Their appearance follows the attacks on the Silverton branch of the Volkskas Bank and on the Soekmekaar police station.

Police found passports at 'terror base'

By TONY STIRLING
Chief Reporter

THREE passports were found at an alleged terrorist base north of Pretoria near Ga-Rankuwa, in Bophutha-Tswana. One carried the photograph of a man killed during the terrorist raid on the Silverton branch of Volkskas Bank in Pretoria, and the others had photographs of two of the nine men charged with the raid.

This was alleged yesterday at the trial of nine men in the Palace of Justice, Pretoria, when evidence was given relating to two places pointed out by the accused, described in court as Base Two and Base Three — the Silverton raid bases.

At each place, both near Ga-Rankuwa, about 23km north of Pretoria, it was alleged that arms caches were found. One included a grenade launcher.

Continuing his evidence, Lieutenant Gert Visser, a sub-inspector of explosives attached to the Security Police, Pretoria, described how an accused, Mr Hloile Benjamin Tau, had led police to a spot on a hill west of Ga-Rankuwa on January 30.

Lieut Visser said the place was surrounded by dense bush and rocks. There were newspapers, bottles and tins lying round, which indicated that people had stayed there.

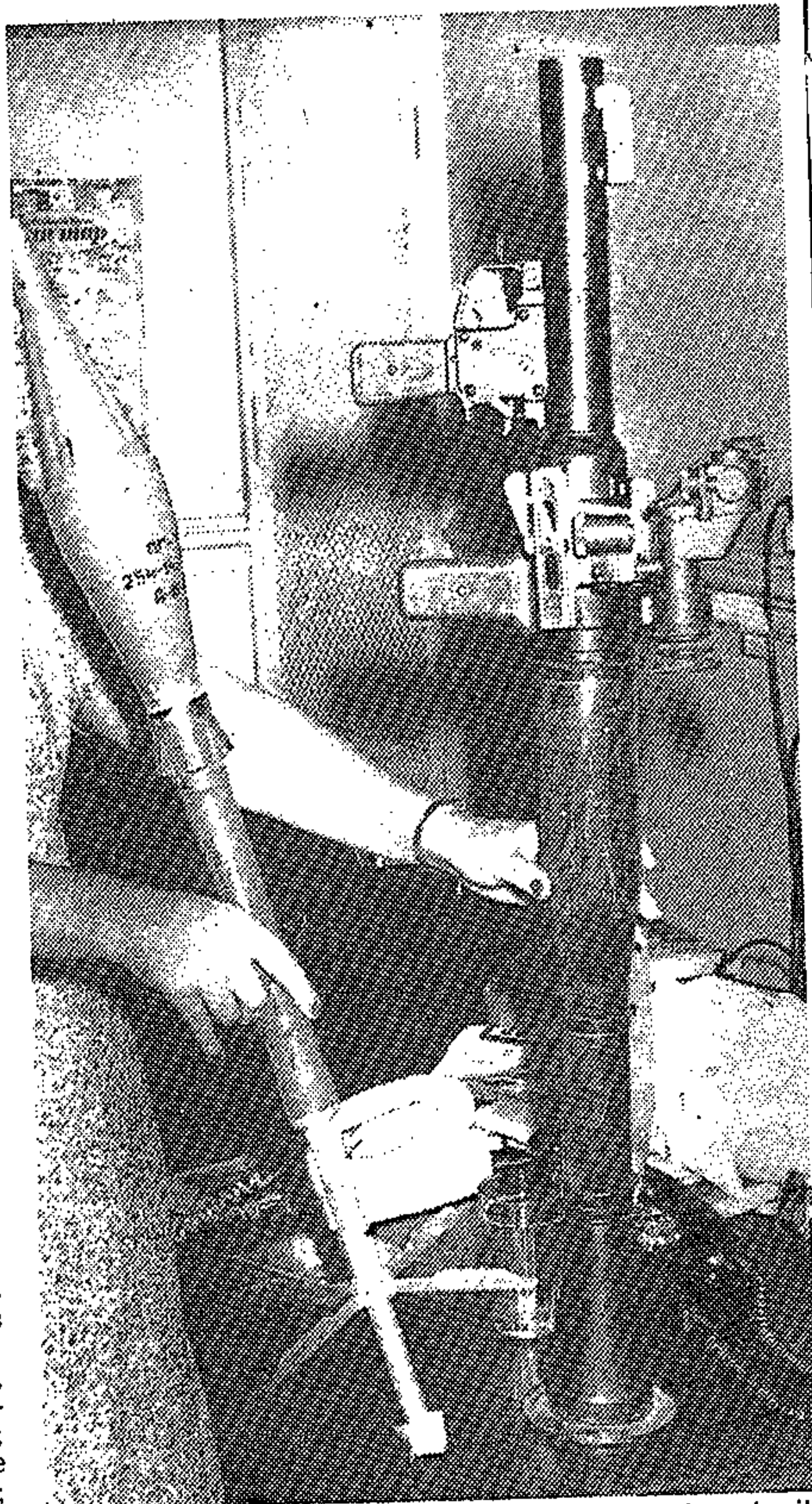
Mr Tau, he said, showed them a large crevice in rocks nearby. A number of articles were found there.

According to Lieut Visser, the articles included a Russian-made RPG7 grenade launcher; AKMS sub-machine gun (the northern version of the AK); 453 rounds of 0,762 ammunition, which would fit the AKMS; 25 200g sticks of TNT; 60 rounds of 9mm ammunition that would fit a Makaroff pistol; three metres of safety fuse; 38,5 metres of detonating fuse; and a collection of electronic and percussion detonators that could be used to explode TNT.

Three Swaziland passports were also found. In each, the last stamp was an entry stamp dated January 8 at Oshoek border post.

Lieut Visser said the first of the three passports — handed in as exhibits along with the arms, except for the grenades, which were destroyed — carried a photograph of a man known to him, from the "police terrorist album", as Fanie Steven Mofoko. The name on the document was Samuel F Mkhonta.

Mofoko was one of the three men killed in the police assault on the Volkskas Bank at Silver-



A Russian-made RPG7 launcher and missile handed in as exhibits yesterday during the Silverton Siege trial in Pretoria.

ment was described by Lieut Visser. The name on it was Ben M Similane. He said it contained a photograph of Mr Tau. The last entry was also an Oshoek border post stamp dated January 8.

The third travel document, the lieutenant said, carried a photograph of accused Mr Moses Molebatsi. It also had an Oshoek Border Post stamp dated January 8.

Lieut Visser said the documents contained stamps indicating that each had been used to enter and leave South Africa on a number of occasions, through either Oshoek or Houtkop border posts.

In evidence about the weapons found, Lieut Visser said no ammunition for the grenade launcher had been found — only

from the weapon.

The detonating fuse, he said, had two general uses. It could be used either as a detonator mechanism in setting up a chain of explosives such as TNT, or as an explosive itself. A strip could be wrapped round a pole to snap it off at the point of explosion.

The accused are: Mr Ncimbithi Johnson Lubisi, 28; Mr Petrus Tsepo Mashigo, 20; Mr Naphtali Menana, 24; Mr Moses Molebatsi, 27; Mr Hloile Benjamin Tau, 24; Mr Grant Shezi, 24; Mr Jeremiah Radaba, 26; Mr Boyce Johannes Bogale, 26; and Mr Thomas Mngadi, 29.

They are appearing before Mr Justice De Villiers and two assessors on a charge of high treason, two charges of murder, 21 of attempted murder, and one of robbery with aggravating circumstances. There are four alternative charges of taking part in terrorist activities.

All have pleaded not guilty to all charges. The two murder charges arise from the death of two women hostages during the Silverton Siege. The attempted murder charges arise from injuries to people during the siege, and injuries to two men during an

ppm 331
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Trial within a trial begins as torture allegations made

Own Correspondent

Two of the accused in the Silverton siege trial were tortured by a security policeman to extract information from them, it was alleged in the Pretoria Supreme Court today.

Mr Jules Browde, who is appearing for the nine accused men, objected to evidence being led by the State on information that Mr Hlolike Tau gave to Warrant Officer Johannes van der Westhuizen.

He said that it was his instructions that Warrant Officer van der Westhuizen, in what he called interrogation of Mr Mole-

batsi and Mr Tau, had in fact been torture.

Mr Justice Jaap de Villiers said there would be a trial within a trial and excused his two assessors.

The court was told that as a result of information given by the two men to Warrant Officer Van der Westhuizen a cache of arms was discovered. A sketch plan was also drawn by Mr Tau.

Mr Browde said he would submit that the names had been filled in on the sketch by Mr Tau on Warrant Officer Van der Westhuizen's instructions.

Warrant Officer Van Der Westhuizen said he interrogated Mr Tau on January 29, on February 1, 9, 15 and 25.

He said he used no force and Mr Tau had given his full co-operation from the start.

He said he sent Mr Tau to a magistrate on January 29 to make a confession.

Mr Browde asked him if he knew that Mr Tau had complained to the magistrate of his fear of being assaulted and he said he did not.

Warrant Officer van der Westhuizen said that Mr Tau had said in his statement that he was in fear of being assaulted but not that he had been threatened.

The nine accused are Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Hlolike Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremia Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

(Proceeding)

Schoolboy tells of rocket in veld

A 12-YEAR-OLD
Eersterust school-
boy told the Silver-
ton Siege trial how
he and a friend dis-
covered a project-
ile in the veld
while they were
out looking for
nests.

Nayton Rood of

Nantes Laerskool told
the Pretoria Supreme
Court he was in Stan-
dard 2A of Nantes
Laerskool.

Mr. Justice Jaap de
Villiers asked him what
his teacher would do if
he told a lie.

"He would give me a
hiding," replied the boy.
"So you know it is
wrong to tell a lie. You
have come here to tell
us the truth today," said
Mr. Justice de Villiers.

The boy told the
court that on Friday,
a week before last, he and
a friend were walking
in the veld looking for
nests near Silverton.
His friend, Adam pick-
ed up what they
thought was a piece of
iron and they were
walking down the street
with it, when a white
man stopped them and
asked what it was.

Nayton said the man
called the police. The
area where the projec-

tile was found was open
veld, he said.

Earlier in the trial
Warrant Officer Johan-
nes V van der Westhui-
zen, who questioned two
of the nine accused
men in the trial, denied
that he had "sadistic-
ally" assaulted M Ika-
nyeng Molebatse and
Mr. Hlolle Tau.

He said he was aware
of allegations of assault
being investigated
against him, but he had
not made a statement to

the police, because these
allegations were un-
true.

Mr. Jules Browde, SC
who is appearing for
the nine men, said Mr.
Molebatse would say
he was taken to a ma-
gistrate on January 31
and complained of War-
rant Officer van der
Westhuizen assaulting
him. He alleged that a
plastic bag had been
put over his head and
he felt as if he was
suffocating. He had also

been shocked by elec-
trodes fixed to his spine
and handcuffed in a
squatting position to a
bar.

Warrant Officer van
der Westhuizen denied
ever assaulting either
Mr. Tau or Mr. Moleba-
tse, saying assaulting
prisoners was not his
method.

Among the nine ap-
pearing are Mr. Ncimb-
thi Johannes Lubisi (28)
and Mr. Petrus Tsepo
Mashigo (20).

Torture claims

in sieger trial

TWO of the accused in the Silverton siege trial were tortured by a security policeman to extract information from them, it was alleged in the Pretoria Supreme Court yesterday.

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He said it was his instructions that W/O Van der Westhuizen — in what he called interrogation of Mr Molebatsi and Mr Tau — had in fact been torture.

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Mr Browde said he would submit that the names had been filled in on the sketch by Mr Tau on W/O Van der Westhuizen's instructions.

W/O Van der Westhuizen said he interrogated Mr Tau on January 29, on February 1, 9, 15 and 25.

He said he used no force and Mr Tau had given his full co-operation from the start.

He said he sent Mr Tau to a magistrate on January 29 to make a confession.

Mr Browde asked him if he knew that Mr Tau had complained to the magistrate of his fear of being assaulted. He said he did not.

Mr Browde asked W/O Van der Westhuizen if he had read the statement Mr Tau had made. He said he had, but Mr Tau did not say he had been threatened.

W/O Van der Westhuizen said Mr Tau had said in his statement that he was in fear of being assaulted but not that he had been threatened.

"He co-operated from the beginning and told me everything he knew," he said.

The defence counsel has alleged that admissions made by Mr Tau to W/O Van der Westhuizen are inadmissible evidence because they were obtained by illegal means, as he was allegedly assaulted.

The Court must decide at this trial within the trial whether this evidence is admissible.

If it is not, then it cannot be heard by the two assessors. Should the Court decide that such evidence is, however, admissible the evidence will again be presented to the full Bench.

The men appearing are Mr Nchimbi John, 28, Mr Petrus Tsepo Mashigo, 20, M. Naphras Mubana, 24, Mr Ikanyo, Moses Molebatsi, 27, Mr Hlolike Benjamin Tau, 24, Mr Phumolani Grant Shazi, 24, Mr Jeremiah Ratches Wyn, Mr Boyro Johannes Bengele, 20, and Mr Thomas Mupadi, 29.

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Their appearance follows the attacks on the Silverton branch of the Volkskas Bank and on the Bookmakers Police Station in January.

Court told of police error

Staff Reporter

THE investigating officer in a Terrorism Act trial at the Kempton Park Regional Court said yesterday he had made a mistake in entering the name of Captain Daniel Heystek in the investigation diary as the person who took a confession from one of the accused.

Miss Thandi Ruth Modise, 21, has alleged that Capt Heystek, a Security Policeman, threatened and assaulted her into making an involuntary state-

ment to the police. Capt Heystek denied earlier he had been involved in the investigation.

Miss Modise, appearing before Mr Gert Steyn, faces three Terrorism Act charges, one under the Sabotage Act and another of arson or malicious damage to property.

Appearing with her are Mr Khowi Moses Nkosi, 24, and Mr Slim Aaron Mogale, 21, both of Soweto and both facing two charges each under the Terror-

ism Act. All have pleaded not guilty.

The investigating officer, Sergeant Nicholas Deetlefs, who kept the investigation diary, was recalled for further cross-examination by the defence counsel, Mr David Soggot, after Lieutenant A P van Niekerk had given evidence.

Lt van Niekerk said he had been delegated by the head of the Witwatersrand Security Police, Colonel H C Muller, to claim privilege for the investigation diary after Mr Soggot had made an application for an order compelling the Security Police to produce the diary.

Judgment on the application will be given tomorrow when the hearing resumes.

Miss E Walke is appearing for the State. Mr Eric Dane represents Miss Modise. Mr Soggot represents Mr. Nkosi and Mr. Mogale.

Court told of cache in trunk

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Own Correspondent

Police discovered a cache of arms, including more than 700 rounds of ammunition in a trunk in the veld, the Silverton siege trial heard today.

The Pretoria Supreme Court was told that Mr. Manyeng Molebatsi, one of the nine accused, gave police a description of a certain point in the veld at Kwa-Thema, near Springs.

He and Mr. Hlollile Tau, another one of the accused, took Security Police during February to the spot.

A trunk was found buried in the veld.

Lieutenant M C Botha of the Springs Security Police, told the court five AKM rifles and bayonets were found in the trunk.

The rifles were wrapped in plastic bags and sealed with masking tape.

A rocket launcher and optical accessories were also found in the trunk, as were two RPG 7 rockets.

Six hundred rounds of AK ammunition and 64 rounds of 9 mm ammunition were also packed in the trunk.

Lt Botha said various pamphlets and photographs as well as a spade, batteries, three AKM gunbelts and plastic explosives were found in the trunk.

The nine accused pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Their appearance follows the attacks on the Silverton branch of Volkskas Bank and on the Soekmekaar police station in January.

(Proceeding)

Own Correspondent

"WE are not terrorists, but ANC freedom fighters," one of the Silverton gunmen allegedly said during conversations listened into by the police in the bank, the Pretoria Supreme Court heard yesterday.

Captain Frederick Nel was giving evidence at the Silverton Siege trial.

He said he was in control of the overall investigation of the case.

He had been present

in the headquarters set up by the police next to the bank during the siege on January 25. He had also helped install listening apparatus.

Captain Nel said it was obvious from the

conversations held by the three gunmen they were "ANC terrorists."

He heard one of them say this was "the first such action taken by the ANC during the

day, but it would not be the last."

After the siege, Captain Nel said, he searched the three dead gunmen. On each he found a reference book con-

taining a photograph of the dead man, but with a different name to that which each was identified by at the post mortem.

Earlier, the court

Bug overheard talk of Siege 'freedom fighters'

was told that one of the nine accused men, Mr. Ikanyeng Molebatse, took security policemen to a spot he had described to them in the veld at KwaThema, Springs.

Lieutenant M C Botha said arms had previously been found in a trunk at this spot. An empty trunk had been found in another hole in the ground nearby. The arms had been removed before Mr Molebatse showed them this place, he said.

is suggested that a discount factor equal (slightly higher than) the interest rate on a taxable loan should be used for this term. This stream is riskier than the stream in Term 2 and the lessee requires to have a taxable income to generate the cash flow.

The business of this flow is likely to be equal to Term 3 thus the same discount factor is used. To facilitate a fair comparison with the most rapid method of depreciation allowed the Receiver of Revenue should be used. Further depreciation in this context includes the investment initial allowances.

The business of this flow is likely to be equal to Term 3 thus the same discount factor is used. This stream is the tax shield arising from the tax deductibility of the interest on an amount (the displaced) loan.

This will now be applied to the problem in MAN.

Cop tells court of grenade explosion

POST 11/9/80

A HAND-grenade exploded in the veld between Mamelodi and Eersterust, near Pretoria, on February 12 injuring a man, the Silverton siege trial heard yesterday.

Captain Frederick Nel of the security police told the Pretoria Supreme Court that he examined the

scene of the explosion which was beneath a tree and it was clear that people had stayed there for some time.

There was a hole in the ground caused by the explosion and a packet of bullets had also exploded. Several bullets and cartridges were found embedded in the tree.

Captain Nel said he found pieces of carpet underfelt, clothing and a red carrier-bag at the scene.

In the bag he found an issue of the African Communist, a pamphlet with a photograph of Solomon Mahlangu, pamphlets of "The Year of the Spear," documents issued by the ANC, and a hospital card in the name of Solly Motsetswa.

He also found a packet of 20 AK bullets, a tin of deodorant, clothes and a blanket.

Captain Nel told the court the explosion was caused by an offensive hand-grenade. A

Mr Klaas Mahlangu was injured in the explosion and taken to hospital where pieces of metal were removed from his body.

He could not give a satisfactory explanation of the explosion, said Captain Nel.

On February 15 Mr Hloille Tau was brought to his office, Captain Nel said. The red carrier-bag was in the office and without being told to, Mr Tau went to it, looked inside and took

out the hospital card which he said was his. He said he last saw the articles in the second terrorist base near Ga-Rankuwa.

Captain Nel said that, two days later, he visited the second base and found an empty cigarette packet on which was a sketch drawn in ball-point pen.

The sketch appeared to be of the layout of the petrol storage tanks at Waitloo.

The accused are Mr

Ncimbihi Johnson-Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naph-tali Manana (24), Mr Ikanyeng Moses Mele-batsi (27), Mr Hloille Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremia Rade-be (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, charges of murder, attempted murder, robbery and terrorist activities.

Thursday, September 11, 1980

SP diary sensitive court decides

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11/9/80

Staff Reporter

A KEMPTON Park Regional Court magistrate yesterday refused to grant an order compelling the Security Police to produce a diary on the investigation of a Terrorism Act case.

The judgment was given by Mr Gert Steyn on an application made two weeks ago by Mr David Soggot, for the defence, following police evidence in the trial of Miss Thandi Ruth Modise, Mr Khowi Moses Nkosi and Mr Slim Aaron Mogale.

Miss Modise, of Vryburg, allegedly a trained member of the banned African National Congress, faces three charges under the Terrorism Act, one under the Sabotage Act and another of arson or malicious damage to property.

Mr Nkosi and Mr Mogale, both of Soweto, face two charges each under the Terrorism Act. All have pleaded not guilty.

Mr Steyn told the court that after studying the document he was satisfied that certain information it contained could not be made available to anyone but the police.

On Monday, Lieutenant A P van Niekerk, an investigating officer, told the court he had been delegated by the head of the Witwatersrand Security Police, Colonel H C Muller, to claim privilege for the investigation diary.

The hearing continues today.

Appeal judges slate court's action

BLOEMFONTEIN. — The Appeal Court in Bloemfontein yesterday upheld the appeals of two youths, aged 15 and 14, against their convictions and sentences of five years' jail for sabotage.

A magistrate in Port Elizabeth found on April 6, 1978, that the two youths had been part of a group of six people who committed offences in New Brighton on February 22, 1978.

Yesterday, Mr Justice Kotze, with Mr Justice Viljoen and Mr Justice Botha (acting Judge of Appeal) concurring, upheld their appeal against convictions and sentences.

He said that in the circumstances, where the accused were children who had barely progressed beyond the stage of "doli incapaces" (incapable of wrongdoing) and who faced serious and complicated statutory charges, he had no hesitation in holding that the right to be represented by a legal adviser embraced the right of tendering the plea vicariously through such legal adviser.

The judge said it followed that the attorney, whose right and authority to appear on behalf of the appellants at the trial was not in question, was entitled to tender pleas of not guilty on their behalf.

His attempt to do so has been brushed aside, disregarded and irregularly replaced by pleas of guilty.

Irregular and lengthy questioning ensued which unfortunately led to the recording of admissions highly prejudicial to the appellants.

If the tendered pleas of not guilty were recorded, as they should have been, the procedure outlined in Section 115 of the Criminal Procedure Act (and not that of Section 112) would have been applicable.

Mr Justice Kotze said it fell within the appellants' rights to place every issue in dispute and, if the pleas had been correctly recorded, that might well have happened. In these circumstances the appeal fell to be decided without reference to the wrongly obtained admissions upon which the magistrate founded his verdict.

Turning to the question whether the Eastern Cape Supreme Court had correctly sustained the convictions, Mr Justice Kotze said that basic to the decision of that court was a finding that a co-accused's implication of the appellants justified the convictions.

With that finding he could not agree. In his view the cogency of the evidence of this accused was slender in the extreme and of minimal probative value, the judge said.

"One may in the light of accused No 3's contradictions and the magistrate's view of his credibility justifiably pose the question how any reliance can be placed on his evidence in seeking to establish another's guilty beyond reasonable doubt" he said.

— Sapa.

Mange wins death sentence appeal

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BLOEMFONTEIN. — James Daniel Mange, sentenced last year to hang for high treason, yesterday won his appeal against the death sentence. The Appeal Court ordered that he be jailed for 20 years instead.

Mange was sentenced to death by Mr Justice J J F Hefer in the Natal division of the Supreme Court in November. The judge found that he had done the groundwork for an attack to kill the magistrate and police sergeant at Whittlesea, near Queenstown, and had accepted leadership of the group to make the attack.

He found that if Mange had not been arrested for a traffic offence, it would have been carried out.

Yesterday, the Chief Justice, Mr Justice Rumpff (with Mr Justice Kotze and Mr Justice Trengove concurring), said the submission of Mange's defence had been that though high treason was a serious offence, it was not a crime for which the death sentence was ordinarily imposed in South Africa.

The Chief Justice added that the Appeal Court had held previously that in cases where the death sentence was discretionary, it should be imposed only in extreme cases.

But, he said, it was to be pointed out that "in our turbulent history, cases of high treason mostly originated from situations in which military forces were only engaged against persons who could be called rebels".

At present, South Africa had been subjected to blatant terrorism.

"I use the word 'terrorism' to describe violent attacks on, inter alia, completely innocent persons — more often than not committed by people from the Republic who have undergone military training in foreign countries.

"Trained terrorists seek . . . to kill innocent people in order to overthrow the State. This is terrorism in any language."

Mr Justice Rumpff said that

however lenient the attitude of the courts may have been in the past to "our own historical brand of high treason", a complete change of attitude to the present type would not be surprising — nor unjustified.

He said that though the trial judge had not misdirected himself, the death sentence should not have been imposed in Mange's case, and the court had acted unreasonably in doing so.

This was confirmed, he said, by the sentence imposed on a fellow accused.

Mr Justice Rumpff said that, with great respect to the trial judge, it would seem that in the circumstances, the offensive action taken by the fellow-accused to avoid arrest could not really be distinguished from the conduct of a person who committed a "premeditated" act.

Had the death sentence been imposed on the fellow accused, it might well have been a proper sentence, he said. — Sapa.

DAILY DIS 12/9/80
264 in court

EAST LONDON — A total of 264 Ngcelwane High School pupils appeared in Mdantsane magistrate's court yesterday charged under the Ciskei emergency regulations.

The charge was under Section 13 of the regulations and involved the holding of an illegal meeting at the Zone Nine shopping centre, Mdant-

sane, yesterday morning.

All pleaded not guilty and were warned to appear in court on September 23.

Two other pupils, who were represented earlier had charges against them withdrawn after their attorney had insisted he be given time to study the charges and prepare their defence. — DDR

CAPL TIMES 12/9/80 (331)

Student guilty of ANC activity

PORT ELIZABETH. — A Rhodes University student was convicted in a Port Elizabeth Regional Court yesterday on charges under the Internal Security Act and Unlawful Organizations Act.

Ian Msekeli Mgijima, 30, a second-year journalism student and Daily Dispatch bursary-holder, pleaded guilty to both counts.

He was charged with unlawfully performing acts as a member of the African National Congress (ANC) and carrying or possessing South African Communist Party (SACP) and ANC literature between September 1979 and July this year.

In a statement handed to the magistrate, Mr B P Loots, Mgijima said he knew the ANC was an unlawful organisation and that he had received several pamphlets, booklets and a tape from Lesotho.

He said he showed some of the literature to Miss Zubeida Jaffer, 22, a Rhodes journalism graduate, and Mr Gladstone Vuyani Mqigwana, 38, who was doing a doctoral thesis at the Rhodes Institute of Social and Economic Research.

His counsel, Mr George Bizos, said both Miss Jaffer and Mr Mqigwana had been detained by the security police.

Mgijima said his brother-in-law in Lesotho told him in September last year about the aims and workings of the ANC and said he should not associate himself with the ANC's violent means.

Mgijima said he was not an ANC office-bearer but he had been told about the courier sys-

tem, whereby individuals transported ANC literature.

He said he showed some of the documents to Miss Jaffer and Mr Mqigwana in July shortly after receiving them.

The state alleged that he agreed to inform certain friends in South Africa of the ANC's aims and workings and that he informed and handed some ANC and SACP literature to some Rhodes students.

Professor Gavin Stewart, head of Rhodes' Department of Journalism, said in mitigation of sentence that Mgijima was a diligent and conscientious student who was good material for professional journalism.

His assignments and work for the Daily Dispatch were balanced and showed no political extremism, Professor Stewart said.

Professor Stewart said that even he had trouble knowing what material was banned or legal. There were about 100 statutes which dictated what the press might or might not publish.

He and his staff often received literature through the post which they were unsure of.

"This is handed to the security police as far as I know."

"What is lawful to possess on Thursday is not always lawful on Friday. Material not obtainable often makes students even more curious," he said.

When black students had been asked to refrain from writing examinations in June in sympathy with the schools' boycott, Mgijima had written and had done well.

The trial continues today. — Sapa

problem in MAN.

interest on an
field arising
ount factor is
to be equal

more depreciation in this context includes the invest-
by the Receiver of Revenue should be used. Further-
leasting the most rapid method of depreciation allowed
suggested. To facilitate a fair comparison with
that of Term 3 thus the same discount factor is
Re: Term 4: The riskiness of this flow is likely to be equal to
to get the cash flow.
because the lessee requires to have a taxable income
This stream is riskier than the stream in Term 2
a comparable loan should be used for this term.
to (or slightly higher than) the interest rate on
Re: Term 3: Here it is suggested that a discount factor equal

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Terror Act 9 to appeal

AN APPEAL against
both the conviction
and sentence of nine
Apartheidists who
were charged
this year joined to a
total of 40 years
will be heard at the
Treason Supreme
Court on September
15.

The nine were convicted
on charges under the
Terrorism Act.

The group, known as
(23) a reporter, and
Johannes Majala (23)
were each sentenced to
seven years by Mr W F
Mogel in the Pretoria
Regional Court in
March.

The other seven were
each sentenced to five
years imprisonment.
They are Ronald Ma-
habe (19), Cansy
Mabane (18), Pecos
Senge (22), Andrew
Pach (18), Leonard
Mabane (23), Cornelius
Maphahle (18)
and a 17-year-old youth.

Silverton siege witness describes how police quizzed her for hours

A WITNESS from Durban said yesterday in the Silverton siege trial that she was interrogated by the police for several hours in connection with one of the accused men.

Mrs Jane Kambula told the Pretoria Supreme Court that Mr Phumulani Grant Shezi, one of the nine accused

men, came to see her at about the end of January. He told her he had undergone military training in Angola and had come back to attack places where white people met, so that the black people could rule the country.

The police came to see her a few days later and questioned her for several hours in their offices, she said, and she made a statement.

Under cross-examination by Mr C R Mailer, one of the defence counsel for the nine men, she said the police were not satisfied with her statement. They questioned her again about a week later for several hours and she made another statement.

Mr Mailer suggested that she was confused about what Mr Shezi

had actually told her and what the police suggested he had told her. Mrs Kambula said she did remember what he had said.

The nine men appearing are: Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphthali Manana (24), Mr Ikenyeng Moses Molobatsi (27), Mr Hloile Benja-

min Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremia Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

They have pleaded not guilty to two charges of murder, 21 of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities. The trial was postponed to Monday.

Terror 12/10/80 accused 12/9/80 alleges assault (331)

Staff Reporter

ARGUMENT began yesterday on the admissibility of an alleged confession made by a woman accused in a Terrorism Act trial being heard in the Kempton Park Regional Court.

Miss Thandi Ruth Modise, 21, an alleged member of the African National Congress, has alleged she was assaulted and coerced into making a confession statement to a Johannesburg magistrate.

Miss Modise, of Vryburg, appearing before Mr G Steyn, faces three Terrorism Act charges, one under the Sabotage Act and another of arson or malicious damage to property.

Appearing with her are Mr Khowi Moses Nkosi, 24, and Mr Slim Aaron Mogale, 21, both of Soweto.

They face two charges each under the Terrorism Act and have pleaded not guilty.

Addressing the court yesterday, Mr Eric Dane, for Miss Modise, said the confession was not made freely and voluntarily.

He said there was a probability that Miss Modise was unduly influenced to go to the magistrate to make a statement.

He attacked the State for what he described as a "cover-up" in the manner in which she was interrogated.

Miss Modise, he said, was subjected to strenuous interrogation while she was pregnant. She had been afraid she would lose her child.

Mr Dane said that Major Arthur Cronwright, head of personnel at John Vorster Square, was the "pivotal point" in the case and that Captain Daniel Heystek and Warrant Officer Petrus Jordaan were responsible for assaulting Miss Modise.

The hearing continues today.

ONE of the nine accused in the Silverton Siege trial, Mr Jeremia Radebe, led security police to the veld in KwaZulu, where he unearthed plastic explosives and firearms, the Pretoria Supreme Court heard yesterday.

Lieutenant Roelof Maritz, of the Durban Security Police, said

Accused showed cops plastic explosives, Siege trial told

Mr Radebe made a statement to him after his arrest on January 31. After he had finished the statement, Lieutenant Maritz questioned him further and Mr Radebe gave him further information.

He said he and another policeman and Mr Radebe drove to KwaZulu, following Mr Radebe's direc-

tions. About 30 kms from Durban, several metres from the road where they stopped, Mr Radebe unearthed a plastic raincoat, buried shallowly in the ground.

Inside the raincoat were two plastic bottles containing plastic explosives, two nine volt batteries, two electric time mechanisms, with percussion caps attached, into smaller plastic bags. Two makarov pistols were found in oil-

soaked cloths. Lieutenant Maritz told the court.

According to Mr Radebe's statement, which was handed into court, he said he was born in May 10, 1954. He took part in the June 16 demonstrations to protest against Afrikaans being used in schools as a medium of instruction. He said he heard students were leaving the country for military training.

Mr Radebe said in his statement that he and a

friend went to a meeting place at Diepkloof. Eight people were picked up by a Kombi and taken to Manzini.

He said from there they travelled to Maputo, Tanzania and eventually Angola, where he underwent military training. He was eventually sent back in 1978 to Mocimboa as a platoon commander.

He was then sent to Swaziland where his du-

ties were to transport people into South Africa and establish a communication point for them.

The nine men who are appearing are Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hloile Benjamin Tau (24), Mr Phumulani Grant Shezi (24), Mr Jeremia Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, two charges of murder, 21 of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

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UNIVERSITY OF CAPE TOWN EXAMINATION ANSWER BOOK

EVERY CANDIDATE MUST enter in column (1) the number of each question answered (in the order in which it has

Witness tells of ANC's 'code to kill' document

since 12/8/80

331

Own Correspondent

A witness in the Pretoria high treason trial described today how the ANC's "code to kill" operated.

The witness, who may not be identified, said under re-examination by Mr Chris Jansen (for the State) that the fourth accused in the trial, Mr Ikanyeng Moses Molebatsi (27), had been a commander in the ANC for the Transvaal urban areas.

Mr Molebatsi would have known about a document issued by the Revolution-

ary Council of the ANC with instructions to kill.

Mr Jansen asked him if this instruction was a general one issued by the ANC or if killing was done at a person's own discretion.

The witness replied: "If you are a commander in the Republic of South Africa, then if they (ANC) don't give you that order, if you realise this person is becoming a danger, or the situation is dangerous, unless you kill this person, you use your own discretion and kill and later give your reasons to the

ANC."

He said the only person he was aware of that had been killed by the ANC was Mr Leonard Nkosi, who had been a member of Mkomoti we Sizwe.

Earlier the witness identified the three Silverton siege gunmen shot by police as having undergone military training in Angola.

He said he recognised the three men from photographs. They had been at Nova Katenga, one of three training camps he attended in Angola.

Cross-examined by Mr Jules Browde, SC, who is appearing for nine accused men, the witness said that when he left South Africa he just wanted to kill whites.

Mr Browde said: "At that stage you didn't know what the aims of the ANC were at all. When you left South Africa you knew nothing about targets, you knew nothing about how the targets would be selected, and you certainly didn't know it would be in anybody's individual discretion to select targets."

"Yes," said the witness.

The men appearing are Mr Meimbithi Johnson Lubisi (23), Mr Petrus Tsepo Mashigo (20), Mr Naphthali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hloile Benjamun Ta (24), Mr Phumuni Grant Shezi (24), Mr Jeremia Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances, and to taking part in terrorist activities.

Their appearance follows the attacks on the Silverton branch of Volkskas bank and on the Sockme-kaar police station in January.

WRITING

1. The answers only on the right hand pages will be marked. The left hand pages may be used for rough work, but no credit will be given for such work.
2. Enter at the top of each page and in column (1) of the block on this cover the number of the question you are answering.
3. Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.
4. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.

1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
2. Candidates are not to communicate with other candidates or with any person except the invigilator.
3. No part of an answer book is to be torn out.
4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University

Nat paper in ANC court threat

331

R07n 13/9/80

By AMEEN AKHALWAYA
Political Reporter

THE staunchly pro-National Party newspaper, Die Transvaler, is expected to be charged in court in connection with reports it published about an interview with a leader of the banned African National Congress.

The newspaper's managing editor, Mr Hennie Kotze, said yesterday: "Police are investigating the matter and they have been in touch with us. We are expecting a summons."

Sources close to the newspa-

per believe the newspaper could be charged under the Internal Security Act, renamed from the old Suppression of Communism Act.

Earlier yesterday, a spokesman for the Attorney-General's office, asked if any action would be taken against Die Transvaler, said a decision had been taken, but that he could not reveal what it was before the newspaper had been told.

Later, the Attorney-General, Mr J E Nothing, asked if charges would be brought against the newspaper and under which laws, said through a

secretary at his office that he had no comment at the moment.

In June, Die Transvaler published reports based on an interview given to the New York Times by an ANC vice-chairman, Mr Thabo Mbeki.

Subsequently, in response to a question by the Rand Daily Mail, the Minister of Justice, Mr Alwyn Schlebusch, said through a spokesman that no permission had been given to Die Transvaler to publish the ANC views.

The Minister also refused the

"Mail" permission to publish a report on the New York Times interview.

He said the matter had been referred to the Attorney-General. Police investigated the matter and submitted a docket to the A-G.

Newspapermen are expecting the matter to become a "test case" if it reaches court. Newspapers are governed by about 100 laws concerning what they may or may not publish, and such a case could determine to what extent they may write about banned organisations such as the ANC.

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D. DISP 13/9/80

DAILY DISPA

Court shown ANC article in magazine

PORT ELIZABETH — Giving evidence at an Internal Security Act trial here yesterday, Rhodes University journalism professor, Professor Gavin Stewart, held up a Newsweek magazine containing an interview with the banned African National Congress leader, Mr Oliver Tambo.

Prof Stewart, who was testifying in mitigation of sentence for a student of his, Mr Ian Msekeli Mgijima, said that while Tambo could not be quoted in South Africa, the August 11 Newsweek edition was freely available.

Mr Mgijima, 30, was convicted on Thursday on charges under the Internal Security and Unlawful Organisations' Acts. He pleaded guilty.

Mr Mgijima was convicted of possessing more than 60 ANC and South African Communist Party (SACP) pamphlets, booklets and a tape recording of Tambo's "New Year message." He was also convicted of performing acts as a member of the ANC.

Similar material contained in the booklets that Mr Mgijima was found guilty of possessing were available in the Oxford History of South Africa, Prof Stewart said.

Mr R. G. Buchanan, for the state, said Mr Mgijima's possession of the documents was a culpable one.

Sentence was postponed until Tuesday. — DDC.

Defence counsel slates^{rom} 13/9/80 police³³¹ action

Staff Reporter

COUNSEL for the defence told a regional magistrate during a Terrorism Act trial in Kempton Park yesterday that some evidence from the police had presented the court with a startling picture of neglect in terms of law and regulation.

On trial are: Miss Thandi Ruth Modise, 21; Mr Khowi Moses Nkosi, 24; and Mr Slim Aaron Mogale, 21.

Miss Modise, of Vryburg, faces three charges under the Terrorism Act, one under the Sabotage Act and another of arson or malicious damage to property.

Mr Nkosi and Mr Mogale, both of Soweto, are facing two charges each under the Terrorism Act.

All have pleaded not guilty before Mr Gert Steyn.

Representing the two accused men, Mr David Soggot criticised methods used by the police, during his argument on an alleged confession made by Mr Nkosi shortly after his detention.

He said the dominant feature in the investigational machine at John Vorster Square, was the threat of violence. Linked to this were the subtle threats by a Sergeant James Tierney, who told Mr Nkosi that he would remain in detention indefinitely.

Mr Soggot said that there were claims of shock treatment and suffocation at John Vorster Square, where detention was associated with solitary confinement even by people who had never been there.

This fear, he said, would affect "successive generations" of witnesses.

Sgt Tierney had agreed that manacling could induce a fear of helplessness in the minds of detainees and as a result "knuckle contact" was not necessary.

Mr Soggot said that the policemen, including Major Arthur Cronwright, had failed to account for one-and-a-half hours' events on November 6. He said the State had failed to use its resources to prove that the police took a trip to Soweto that day.

"Booking out of detainees should appear in the occurrence book. The taking of photographs and motorcar trips should also be recorded in a register.

"John Vorster Square is an institution which should be run in terms of the law. This

court was presented with a startling picture of neglect in terms of the law and regulations," Mr Soggot said. He described Sgt Tierney's evidence as "evasive comedy and another unshakable testimony of unpreparedness". He cited as an example Sgt Tierney's evidence that the floor at John Vorster Square was so slippery that people could fall and injure themselves. Mr Soggot said there was no basis of reality in his evidence except that there was danger at John Vorster Square. Criticising the evidence of Sgt Tierney and a Constable Maqubela, Mr Soggot said: "There exists a climate of impenetrable fog which fills the corridors and offices so that no policeman knows what the others are doing". The trial was postponed until Tuesday.

US anti-apartheid demos

By RICHARD WALKER

NEW YORK. — The seven-day trial of a group of anti-apartheid protesters has ended with their acquittal on all charges. The 10 lecturers and students are believed to be the first university group promoting United States disinvestment to be prosecuted.

They were arrested in Kalamazoo, Michigan, last October, and charged with disturbing the peace during a meeting of Western Michigan University's board of trustees.

Though the charges carried maximum penalties of only \$90 fines or 90 days' jail, the trial became a bitterly fought test

case.

Kalamazoo is the home of the Upjohn Company, whose investments in South Africa became the major target — with the students bringing in veteran South African activist

Mr Dennis Brutus to launch a defence fund.

During the trial, Western

Win court fight

double victory — in having also succeeded in turning the trial into a platform for the disinvestment cause.

Michigan's principal, Mr John Bernhard, described apartheid as "a pernicious evil" likely to lead to a bloodbath, while trustees contended Upjohn's presence in South Africa did more good than harm.

After the verdict, a spokesman for the accused claimed a

A series of Bills are pending in the Michigan State legislature which seek to force the withdrawal of state funds from businesses involved in South Africa.

Rhodes student convicted for ANC pamphlets

By VICTOR MPOFU

A SECOND-YEAR journalism student at Rhodes University was convicted by the Port Elizabeth Regional Court this week on two counts under the Suppression of Communism Act.

Mr Msekeli Ian Mgiijima (30), pleaded guilty to both counts. He was charged with unlawfully performing acts as a member of the African National Congress (ANC) and carrying or possessing South African Communist Party (SACP) and ANC literature between September 1979 and July this year.

In a statement handed to the regional magistrate, Mr B P Loots, Mgiijima said that he had received several pamphlets, booklets and a tape from Lesotho. He said he showed some of the literature to Miss Zudeida Jaffer (22), a Rhodes journalism graduate and reporter and Mr Gladstone Mgqingwana (38), who was doing a doctorate thesis at Rhodes University.

Mr Mgiijima said his brother-in-law in Lesotho told him in September last year about the aims and workings of the ANC and said he should not associate himself with the ANC's violent means. He told the court that he was not an ANC office-bearer but he had been told about the courier system, whereby individuals transported ANC literature.

Professor Gavin Stewart, head of Rhodes Department of Journalism, said in mitigation of sentence that Mgiijima was a diligent and conscientious student who was good material for professional journalism.

Mgiijima's interest in current politics was legitimate, he said. Students were encouraged to develop a high level of curiosity and interest in politics. Debate on Nelson Mandela and his alleged letter from Robben Island was especially keen among black students, he said.

Prof Stewart added that even he had trouble knowing what was banned or legal.

Sentence was postponed.

57AK
15/9/80
**Terror Act
acquittal:
witness
'dangerous'**

Own Correspondent

Evidence that a State witness in a terrorism trial planned to join the Security Police made him a dangerous witness, said a Pretoria regional magistrate today before acquitting Mr Athlone Khima.

Mr Khima (32), no address given, was acquitted of enticing Mr Johannes Nkosi and Mr Johannes Nkhabela to undergo military training in the Republic or elsewhere which could undermine State security.

The magistrate, Mr E C Wilken, said today Mr Nkosi's evidence had to be treated with caution as he was proven a liar several times in the trial.

BANK ACCOUNT

Mr Nkosi, who is suspended from the police force, denied a conviction for driving without a licence and without the owner's permission until it was proven by defence counsel Mr Naas de Jager.

He had also lied about a false bank account which the prosecutor, Mr A du Plessis, had admitted was never opened.

Mr Nkosi had two assault convictions.

Mr Khima said he met Mr Nkosi when he was approached for a R5 loan. Mr Nkosi was going to accompany him to Komatipoort because he also had problems. Both men were arrested at Eerste-land Station on March 20.

Verdict reserved in Terrorism Act appeal

200/16/1/160 331

Pretoria Bureau

JUDGMENT was reserved in the Pretoria Supreme Court yesterday on an appeal by a Post reporter, Thami Mkhwanazi, 38, and eight Atteridgeville residents against their conviction for contravening the Terrorism Act.

Mkhwanazi and Jeremiah Mjatladi, 23, were appealing against their seven-year jail sentence while Ronald Maoepa, 18, Christy Mokone, 18, Petrus Senabe, 22, Andrew Phala, 18, Deacon Mathe, 22, Cornelius Lecuw, 18, and a 17-year-old youth were appealing against a five-year jail term.

The men were sentenced in the Pretoria Regional Court last April for encouraging, enticing and persuading other Atteridgeville residents to undergo military training outside the country.

The court also found they had conspired to encourage others

in Atteridgeville and at the Pretoria News Buildings in May last year to receive military training in order to endanger the security of the State.

Arguing on behalf of all the convicted men — except Maoepa — Mr Andrew Wilson, SC, told Mr Justice Theron and Mr Justice Preiss that Mkhwanazi had only intended to write a story for his newspaper. He had never intended helping the youths to go abroad for military training.

Mr Wilson argued that even the man who had translated the telephone conversations between Mkhwanazi and Majatladi had gained the impression that Mkhwanazi was on to a good story and wanted to "make the best possible use of it".

Mr Wilson said the court erred in accepting the evidence of the tape transcripts as being admissible to convict Mkhwanazi and Majatladi.

The identity of the persons whose voices were on the tape should have been proved beyond reasonable doubt.

He also argued that there was no proof that the other convicted men had had the intention of leaving the Republic for military training when they visited the Pretoria offices of Post on May 24 last year.

It could not be proved that the other convicted men had a conspiracy to undergo military training, which may have existed between Majatladi, Mkhwanazi and Maoepa before May 24 last year.

There were so many "differences and inconsistencies" that his clients should have been given the benefit of the doubt, he contended.

Opposing the the appeal, Mr W Wildenboer, said the State had proved its case beyond reasonable doubt. Intention to leave the country and conspiracy had been proved, he said.

People lived better in Russia - Siege trial is told

PEOPLE lived better in Russia, with higher pay and shorter working hours, one of the nine accused in the Silverton Siege trial allegedly told a witness.

Mr Edward Kambule was giving evidence in the Pretoria

Supreme Court yesterday.

He said the sixth accused, Mr Phumutani Grant Shezi had tried to recruit him for military training early this year. Mr Kambule said Mr Shezi asked him if he knew what communism,

socialism and imperialism meant.

Mr Shezi then allegedly said that in Russia people lived well, with better pay for shorter hours. Everything belonged to everyone, Mr Shezi allegedly told him.

Mr Kambule said Mr

Shezi told him he had been to Russia and Rhodesia. Mr Shezi allegedly told him the struggle of the black people started in this country when the white people came and took the cattle and imposed taxes.

Mr Kambule told the

court Mr Shezi asked him if he wanted to go for military training and he said he wasn't interested because he was happy with his life in this country.

The nine men are Mr Neimbiti Johnson Lubisi (28), Mr Petrus Tsepa Mashigo (20), Mr

Naphthali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hloile Benjamin Tau (24), Mr Phumutani Grant Shezi (24), Mr Jeremiah Radebe (26), Mr Boyce Johannes Bofale (26) and Mr Thomas Mgadi (29).

The have pleaded not guilty to two charges of murder, 21 of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

Witnesses (331) lived in ADM 16/9/80 constant fear. . .'

Staff Reporter

FORMER members of the ANC who gave evidence in Terrorism Act trials lived in constant fear of assassination, but the police could not protect them forever, a security policeman told the Kempton Park Regional Court yesterday.

Warrant Officer Petrus Jordaan, was giving evidence in a Terrorism Act trial.

Appearing before Mr G Steyn are Miss Thandi Modise, 21, of Vryburg, Mr Khosi Nkosi, 24, and Mr Slim Mogale, 21, both of Soweto.

Miss Modise faces three charges under the Terrorism Act, one under the Sabotage Act, and another of attempted arson or malicious damage to property. Mr Nkosi and Mr Mogale face two charges under the Terrorism Act.

All have pleaded not guilty.

W/O Jordaan told the court under cross-examination from Mr E Dane, for Miss Modise, that organisations such as the ANC regarded their former members who turned State witnesses as sell-outs.

He agreed the lives of people who gave evidence in trials such as the Maritzburg treason trial were in constant danger.

W/O Jordaan said such trials received adverse publicity in newspapers and the public believed allegations made by the accused in court on how they had been treated by the Security Police while in detention.

He said he wouldn't be surprised if he heard a witness from Soweto say in court that he feared the Security Police because the people of Soweto feared them.

The hearing continues on Monday.

Terror Act appeal is told: 'Opinions differ'

JUDGMENT has been reserved in the Pretoria Supreme Court appeal against the conviction of nine men from Atteridgeville who were found guilty of contravening the Terrorism Act.

They were convicted of either being "recruited for terrorist training or recruiting others to undergo terrorist training outside South Africa."

Jeremiah Majatladi (23) and Thamsanqa Mkhwanazi (38) were sentenced to seven years' by Mr W F Krugel in the Pretoria Regional Court in March this year.

Ronald Mamoepa (19), Lebogang Mokone (18), Petrus Senabe (22), Andrew Phala (18), Deacon Sekibela Mathe (22), Cornelius Leeuw (18) and a 17-year-old youth were each sentenced to five years' imprisonment.

In papers before the Pretoria Supreme Court yesterday, the defence team of Mr A Wilson SC, representing eight of the men, and Mr M Basslian, representing Ronald Mamoepa, said the magistrate had erred in certain of his findings.

Regarding the conviction of Mkhwanazi and Majatladi, the defence submitted that the court should have found that the "sole and only interest of Mkhwanazi in the other men accused with him, was to write a story about them in the POST newspaper and also to further his career as a

journalist."

They said it was not the intention of Mkhwanazi to assist some of the other men to leave the country for military training and thus "endanger the maintenance of law and order in the Republic of South Africa."

They said the evidence of one of the State witnesses (who may still not be named) that "skipping" the country was the same as leaving the country for military training was his own opinion.

"The court should have found that the version of

the accused that they wanted their photographs taken so that these could be published in newspapers in the event of their being detained was reasonable and possibly true," the defence submits.

The State said the photographs were taken so they could be published after the men had left the country for military training.

Yesterday both judges, Mr Justice H J Preiss and Mr Justice C D J Theron, said they could not give their judgment in one day.

Post

16/9/80

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Accused tried to recruit me, pupil tells court

A TEENAGE schoolboy yesterday told the Supreme Court, Pretoria, that one of the nine accused in the Silverton Siege trial had tried to recruit him for military training in Angola.

The boy, whose home is in Durban, said that on January 26, Mr Phumulani Grant Shezi, visited him at his home.

During the course of the evening he asked Mr Shezi, whom he had last seen in 1976, where he had been.

Mr Shezi replied that he had undergone military training in Angola and in Russia.

Mr Shezi told him that on his return to Angola he had taken part in an attack on white people, whom they had chased back into South West Africa.

The boy said that when he asked him why he had come back to South Africa, Mr Shezi said that his instructions were to attack certain places, but he did not say what places.

The purpose of this was to overthrow the Government and give rule "back to the blacks".

Mr Shezi asked him if he would be prepared to go back with him to Angola to undergo military training.

He told Mr Shezi he was not prepared to do so, because he was not interested in such things.

Mr Shezi also told him one of the reasons he came back to this country was to recruit people to undergo military training in Angola.

The nine accused are: Mr Ncimbithi Johnson Lubisi, 28; Mr Petrus Tsepo Mashigo, 20; Mr Naphtali Manana, 24; Mr Kanyeng Moses Molebatsi, 27; Mr Hlolile Benjamin Tau, 24; Mr Phumulani Grant Shezi, 24; Mr Jeremiah Radebe, 26; Mr Boyce Johannes Bogale, 26; and Mr Thomas Mngadi, 29.

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances, and taking part in terrorist activities.

The charges arise out of the attacks on the Silverton branch of the Volkskas Bank and on the Soekmekaar Police station. — Sapa.

Silverton accused 'led police to arms cache'

com 1/1/50

(33)

ONE OF the nine accused in the Silverton siege trial, Mr Jeremia Radebe, led security police to a spot in KwaZulu, where he unearthed plastic explosives and firearms, the Pretoria Supreme Court heard yesterday.

Lieutenant Roelof Maritz, of the security police in Durban, said Mr Radebe made a statement to him after his arrest on January 31.

He, another policeman and Mr Radebe drove to KwaZulu. About 20km from Durban, Mr Radebe unearthed a plastic raincoat which was buried several metres from the road, said Lieut Maritz.

Inside the raincoat were two bottles containing plastic explosives, two nine-volt batteries and two electric time mechanisms with percussion caps attached.

In two smaller plastic bags two Makarov pistols were

found in oil-soaked cloths, Lieut Maritz said.

According to Mr Radebe's statement, which was handed into court, he was born on May 10, 1954. He took part in the June 16 demonstrations in 1976 to protest against Afrikaans being used in schools as a medium of instruction.

He heard students were leaving the country for military training.

Mr Radebe allegedly said in his statement that he and a friend went to a meeting place at Diepkloof. Eight people were driven to the border. They walked across the border and were later picked up and taken to Manzini.

From there they travelled to Maputo, Tanzania and eventually Angola, where he underwent military training. He was sent back to Mozambique in 1973 as a platoon commander.

He was then sent to Surin-

land where his duties were to transport people to South Africa and establish a communication point for them.

The nine men who are appearing are Mr Meimbithi Johannes Lubisi, 28, Mr Petrus Tsapo Mochigo, 20, Mr Naphtali Manana, 24, Mr Ikanyeng Moses Molebatsi, 27, Mr Mhlole Benjamin Tau, 24, Mr Phamulani Grant Shezi, 24, Mr Jeremia Radebe, 26, Mr Boyce Johannes Bagale, 23, and Mr Thomas Mugadi, 29.

They have pleaded not guilty to lead treason, two charges of murder, 21 of attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

The hearing continues today. — Sapa.

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single elastic collision with a proton. The maximum nuclear recoil energy E_{max} resulting from elastic scattering of neutrons (of mass m_n and energy E) on a nucleus of mass m_N is given by

$$E_{max} = 4m_n m_N E / (m_n + m_N)^2 \quad \dots \dots \dots (34)$$

Thus E_{max}/E is much smaller for heavy nuclei than for hydrogen.

(c) Gamma rays

The three most important effects in the interaction of gamma rays with matter are the photoelectric effect (described in section 2.1), the Compton effect (section 2.1, p.5) and pair production (section 2.3, p.8). Energy is transferred from the incident gamma photon to a photoelectron, a Compton electron or an electron-positron pair respectively. These charged secondary particles then interact with the medium as described in (a). As in the case of neutrons, the interaction of gammas with matter is a statistical process and is governed by an exponential absorption law of the form given by eq. (33) but with α representing the gamma ray absorption coefficient. This coefficient can, in turn be considered as the sum of components α_{pe} , α_c and α_{pp} , corresponding to the photo-, Compton and pair effects. Thus

$$\alpha = \alpha_{pe} + \alpha_c + \alpha_{pp} \quad \dots \dots \dots (35)$$

The absorption coefficients are largest for the heaviest elements (e.g. lead) and α_{pe} usually dominates for gamma energies below 0.5 MeV, α_{pp} for energies above ~ 10 MeV and α_c for energies around 1 MeV.

A convenient measure for gamma interaction calculations is the half-thickness, analogous to the half-life in radioactivity. This is defined as the thickness $x_{1/2}$ of the particular medium required to reduce the fraction N/N_0 (eq. (33)) to one half for a particular gamma energy.

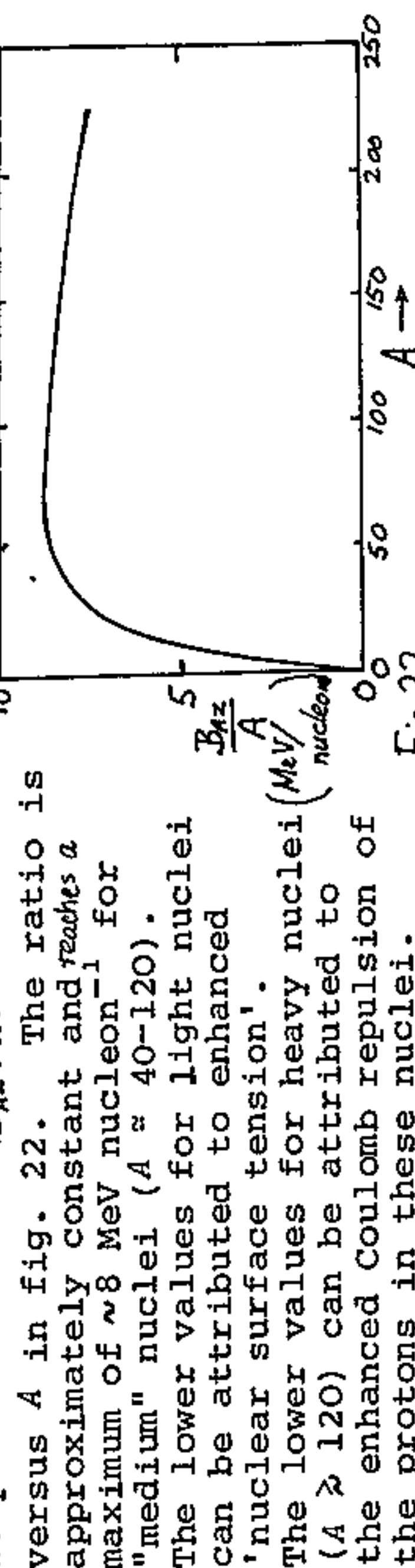
$$\text{Thus } N/N_0 = \frac{1}{2} = \exp(-\alpha x_{1/2}) \quad \dots \dots \dots (36)$$

Some values of $x_{1/2}$ are given below (in mm)

Energy	Lead	Concrete
1 MeV	9.0	47.0
5 MeV	14.5	100.0

4.8 Fission and Fusion

In the stable nuclei the nuclear binding energy B_{AZ} increases as the nucleon number A increases. To show the rate of increase we plot the ratio (B_{AZ}/A)



If we fuse light ($A \lesssim 10$) nuclei into medium nuclei or if we split (fission) heavy ($A \gtrsim 200$) nuclei into medium nuclei our final system will therefore be more tightly bound than the initial system (fig. 22). In other words, there will be a further release of energy (like latent heat) which will be liberated as the kinetic energy of the reaction products. In order to produce fusion one or both of the initial nuclei must have sufficient energy to overcome their mutual Coulomb repulsion, so as to reduce the nuclear separation to within the range of the nuclear force. Fission occurs spontaneously in some very heavy nuclei and is thus a form of radioactivity in these cases. It may also be induced as a nuclear reaction, for example by bombarding a heavy nucleus such as ^{235}U with neutrons (fig. 23). The product nuclei (fission fragments) produced exhibit a range of A values, average $A \approx 117$, are initially highly excited and are usually unstable in their ground states and therefore radioactive. Two or three neutrons are also released in the fission process and these are important in the production of self-sustaining fission chain reactions. Most of the energy released in each fission (~ 200 MeV) appears as the kinetic energy of the fission fragments.

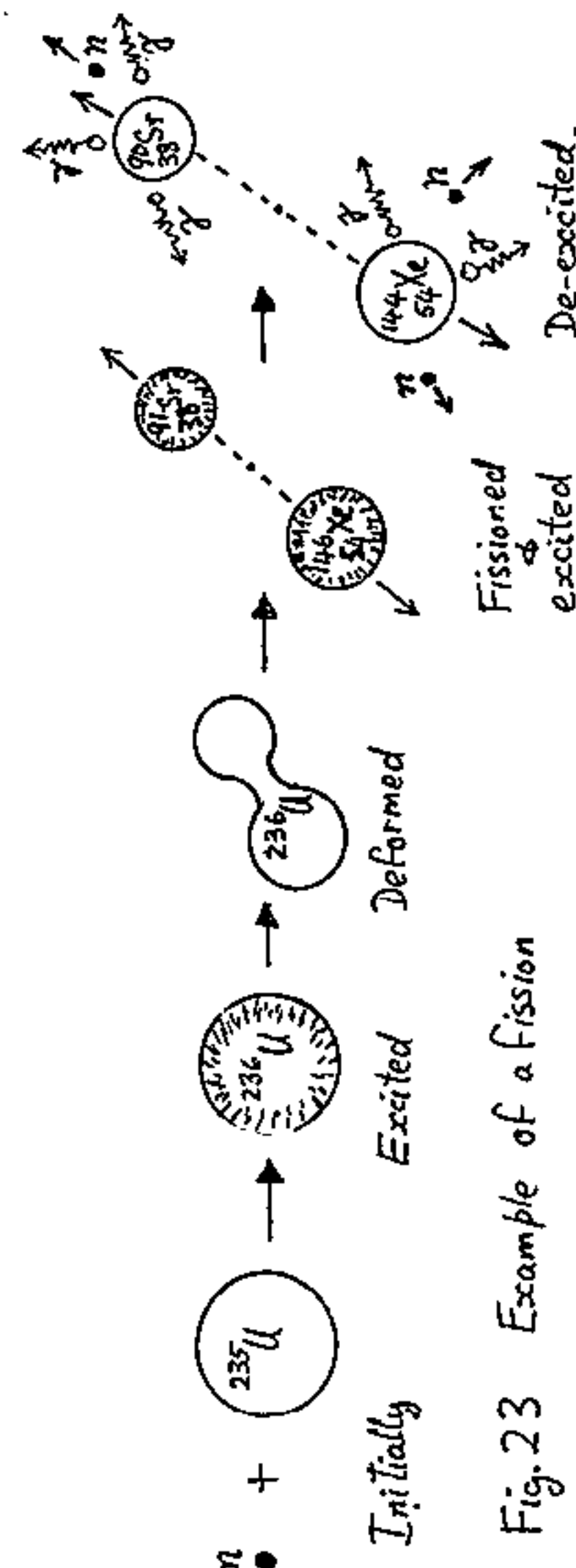


Fig. 23 Example of a fission

Interactions and Measurements of Nuclear Radiations

We consider only radiations (particles) having kinetic energies

Court will rule on accused's statements

By MONTSHIWA MOROKE

JUDGMENT on the admissibility of two confession statements allegedly made by two accused appearing in a Terrorism Act trial in the Kempton Park Regional Court will be given on October 22, when the trial resumes.

Yesterday, the State and the defence concluded argument on the statements which the defence has challenged because it claims they were not made freely and voluntarily.

Appearing before Mr Gert Steyn are Miss Thandi Ruth Modise, 21, Mr Khowi Moses Nkosi, 24, and Mr Slim Aaron Mogale, 21. Miss Modise, of Vryburg, faces three charges under the Terrorism Act, one

under the Sabotage Act and another of attempted arson or malicious damage to property.

Mr Nkosi and Mr Mogale, both of Soweto, face two charges each under the Terrorism Act. All have pleaded not guilty.

The defence contends that the statement made by Miss Modise, an alleged member of the banned African National Congress (ANC), was extracted from her under duress after she was assaulted by the Security Police during interrogation on the 10th floor of John Vorster Square, while she was pregnant.

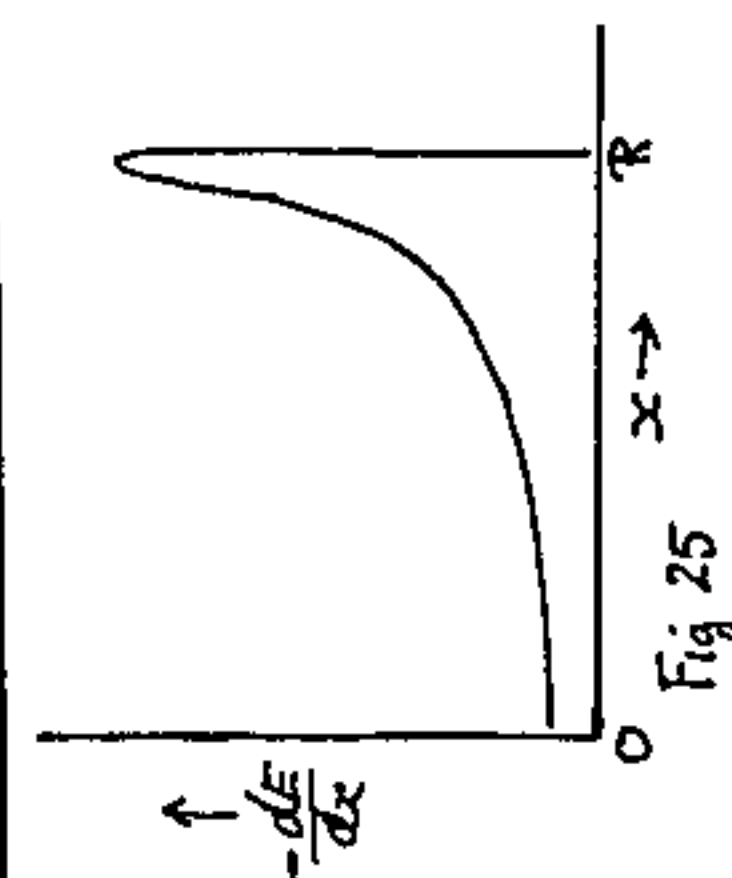
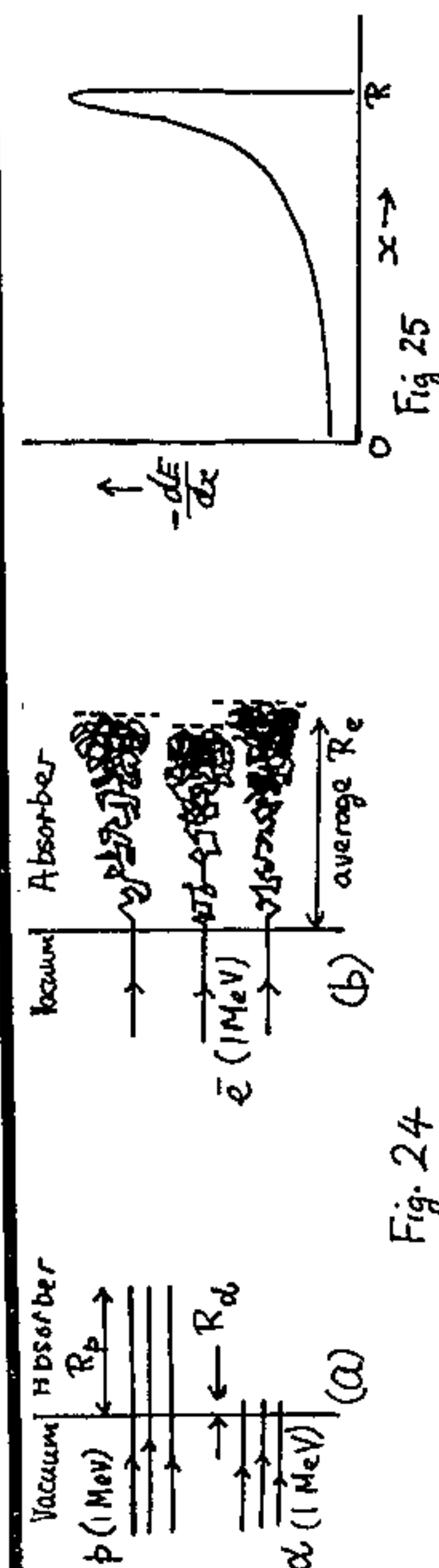
The defence has also said that Mr Nkosi made his statement after he was threatened

with violence and with indefinite detention if he refused to co-operate with the police.

Miss E Waite, for the State, yesterday urged the court to accept both statements from the accused because they were made freely and voluntarily, and without inducement.

She told the court that people who had been trained in political ideology would not easily co-operate with the police by giving them information. She said that Miss Modise's evidence should be rejected on the grounds that it was contradictory.

Miss E Waite is representing the State, Mr E Dane and Mr D Soggot, are appearing for the accused.



Sentenced for ANC activity

A RHODES journalism student, Ian Msekeli Mgijima (30), was jailed for five years on charges relating to the ANC when he appeared in a Port Elizabeth Regional Court this week. An additional three years' imprisonment was conditionally suspended for five year.

Mgijima pleaded guilty at an earlier hearing on two counts of contravening the Internal Security Act and Unlawful Organisations Act.

He was sentenced to an effective three years in jail for performing acts for the banned

ANC and passing on certain information and banned literature to four other Rhodes students, Miss Zubeida Jaffer, Mr Gladstone Vuyani Mqenqwana, Mr Cecil Gayo and Mr Chati Sopheg.

The effective two year sentence in jail was for possession of banned ANC and Communist Party literature.

Bail was refused pending an appeal against his

sentence.

Opposing bail for Mgijima, a Security Policeman Captain Hermanus de Villiers, said banned ANC agents in Swaziland had tried to secure bail so he could flee the country.

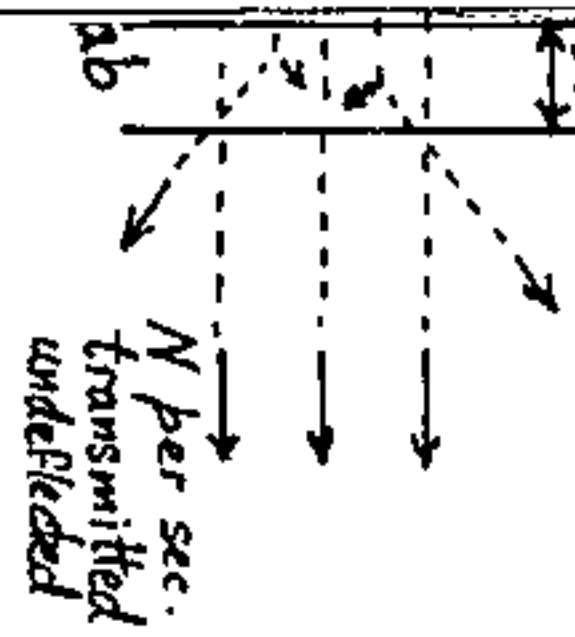
It took at the most only three hours to leave the country and having Mgijima report twice daily as a condition of bail would not prevent him escaping, Capt de Villiers said.

There was no extradition treaty between South Africa and Lesotho or Transkei. Mgijima had contacted his brother, Ralph, who was a trained terrorist with the ANC and operated freely between Swaziland, Tanzania and Zambia. He had strong family ties outside South Africa, Captain de Villiers said.

The magistrate Mr B P Loots said that in the light of Capt de Villiers evidence, stringent bail conditions would not carry much weight.

Mr A de V La Grange appeared for the state. Mr G Bizos, Mr P J de Bruyn and Mr D Chetty (instructed by Herbert, Fischel and Associates) appeared for the defence.

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Thus E_{max}/E is much smaller for heavy nuclei than for hydrogen.

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The absorption coefficients are largest for the heaviest elements (e.g. lead) and α_{pe} usually dominates for gamma energies below 0.5 MeV, α_{pp} for energies above ~ 10 MeV and α_C for energies around 1 MeV.

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Some values of $x_{1/2}$ are given below (in mm)

Energy	Lead	Concrete
1 MeV	9.0	47.0
5 MeV	14.5	100.0

Siege witness tells of chase

331
Post 15/9/80

Own
Correspondent
SHOTS were fired and a violent struggle ensued when police tried to arrest one of the nine accused men in the Silverton siege trial, the Pretoria Supreme Court heard yesterday.

Detective - Sergeant Jan Janse van Vuuren of the security police, Vryheid, Natal, told the court that he was called to a house

in Montlo Township, about 25 km from Vryheid.

As he drove into the yard, accompanied by other policemen, he saw someone running and heard an order shouted for the man to stop. He gave chase and eventually caught the man who he identified as Mr Thomas Mngadi, one of the accused.

Sergeant van Vuuren said shots were fired during the chase by him and by another policeman.

The sergeant said that he caught hold of Mr Mngadi who started to struggle. Mr Mngadi eventually started struggling violently and he hit and punched him to subdue him.

Mr Mngadi had bruises on his face and body and his mouth was bleeding, Sergeant van Vuuren said.

When Mr Mngadi was taken back to the house where he had been staying he identified four

hand-grenades which were found in a room as belonging to him and his "comrade."

Sergeant van Vuuren testified that Mr Mngadi said his name was Edward.

A Makarov pistol and seven rounds of ammunition were also found in the room the two men had hired, the sergeant said.

The court heard that when Mr Mngadi's "comrade", Mr Boyce Bogale, was arrested he produced an identity document which gave the name of Ignatius Kumbé. Later he told police that his name was Boyce Bogale.

Earlier a witness told the Silverton siege trial that he sold a firearm belonging to an alleged guerilla which was hidden in his home to get money for medicine for his sick child.

Mr Samuel Mncube told the Pretoria Supreme Court yesterday that on March 3 the ninth accused in the trial, Mr Thomas Mngadi, whom he knew as Ndlovu came to see him at his home.

He was accompanied by another one of the accused men, Mr Boyce Johannes Bogale, who was introduced as Thami.

He said that they wanted to hire a room for two weeks. He said he gave them a room in his house which had an outside door. There was an interleading door from that room into his bedroom, which he closed off with a wardrobe.

The nine men who are appearing are Mr Ncimbithi Johnson Lubisi (28), Mr Petrus Tsepo Mashigo (20), Mr Naphtali Manana (24), Mr Ikanyeng Moses Molebatsi (27), Mr Hloli Radebe (26), Mr Boyce Johannes Bogale (26) and Mr Thomas Mngadi (29).

They have all pleaded not guilty to high treason, murder, attempted murder, robbery with aggravating circumstances and taking part in terrorist activities.

The case was postponed to October 13 to allow defence counsel to conduct an investigation.

D. J. Sp 18/9/80

331

Albany death: 13 youths charged

GRAHAMSTOWN — Thirteen Grahamstown youths were yesterday indicted to appear in the Supreme Court on October 13 on charges of murder and public violence, relating to the death of a taxi-driver during township unrest in May.

The youths, whose ages range from 15 to 18, are charged with murdering Mr Alfred Soya, 49, by stoning him to death during a confrontation between boycotting school pupils and a

vigilante group, the Peacemakers.

Meanwhile, notice was served this week on the Attorney-General of the Eastern Cape, Mr E. C. Heller, of an intention to apply for bail for the 13 youths in the Supreme Court today.

Bail was refused at an earlier magistrate's court hearing after an order prohibiting bail had been handed in from the Attorney-General. — DDC.

Court
hears
of
firearm
sale

A WITNESS told the Silverton
Serge trial yesterday he had
sold a foreigner belonging to
an alleged terrorist to get
money or medicine for his
sick child.

Mr Samuel Maccube told the Pretoria Supreme Court that on March 3, one of the accused on the trial, Mr Thomas Mngedl, whom he knew as Nelson, came to see him at his home.

He was accompanied by another of the accused, Mr. Prince Johannes Papale, who was introduced last Thursday. He said he rented then a room in his home which had a separate entrance.

Mr. Kneale said that on March 13 his baby daughter fell ill and his physician went into the rented room to look for money to get medicine for the child.

She came back carrying two
firearms. He took one to his
neighbor who gave him \$10
and hid the other.

The next day, Mr. Nelson and Elmer went drinking together. When they returned home they called Lisa for their signatures.

Mr. McIlroy and Thami each fetched an object which Mr. L'houe described as similar to a small flower pot. He was told if they used one of these objects it would let everyone in the house and they threatened to kill him if he did not return their firearms.

He said Mr. McIlwain kept watch over him all right. They told him the fixings were used in their work and if they did not get them back their employment would be in jeopardy.

Then told him they were
bombers.

Mr. Mueslin said the next morning he sent his children out on the porch of the inglenook, but instead she called a neighbor who was a policeman. He said the neighbor came in and spoke to them.

He said Mr Holloway became suspicious and left to follow his pet dog.

Shortly afterwards the police arrived. He hid in the meantime but the screaming broke into the room. He had reacted to the two men because he was afraid that Mr. Wilson would hit him when he came back.

The second Loro Mr. Melnibithi
Solomon, 19; Mr. 20; Mr.
Temo Mestiga, 21; Mr.
Mendali Manana, 21; Mr.
Mianeng Moses Malabete,
22; Mr. Hable Pionemou
Tan, 23; Mr. Phantangi
Gwen' Sheri, 24; Mr. Jernia
Bosho, 25; Mr. Pango Jo-
Jannes Bagala, 26, and Mr.
Thomas Kigadi, 27.

They have pleaded not guilty to high treason, two charges of murder, 21 charges of attempted murder, robbery with aggravating circumstances, and taking part in terrorist activities.

Their appearance follows the attacks on the Silverton branch of the Volkskas Bank and on the Soekmekaar Police Station in January. The trial continues. — Sapa.

Mr Ian Mgiijima

Our attention has been drawn to certain evidence given in the Port Elizabeth Regional Court on Tuesday.

The evidence was given by Mr Ian Msekell Mgiijima in support of an application for bail pending his appeal against a sentence imposed on him by the court.

Mr Mgiijima told the court that his journalism studies at Rhodes University were being financed by a bursary from the Daily Dispatch and that he was under contract to work for them for two years after graduating.

This is incorrect and the Daily Dispatch wishes

to place on record that the facts are as follows:

The Daily Dispatch made a donation of R300 towards Mr Mgiijima's university costs after he had decided to study journalism and had failed to qualify for one of the Daily Dispatch scholarships available through Rhodes University. The grant was unconditional and did not bind the Daily Dispatch to the student or him to the newspaper.

He was employed by the Daily Dispatch for a brief period of three weeks during one of his vacations.

THE EDITOR

Jailed father: A

mother's dilemma

By MARION SPARG

DIPOU Moerane, James Mange's childhood sweetheart, talked yesterday of her task in bringing up their four-year-old son Luck while he serves the 20 years imposed on him by the Appeal Court which lifted his death sentence.

Mange, 24, was the central figure in a seven-week treason trial in Maritzburg last November.

Mange stood trial with seven ANC recruits on charges of high treason and conspiracy to murder.

He was the only one sentenced to death.

Mr Justice J J F Hefer found he had accepted leadership of the ANC group which planned to kill the magistrate and police sergeant at Whittlesea, Cape.

But on Thursday the Chief Justice, Mr Justice Rumpff, said the death sentence should not have been imposed.

Dipou, 22, told me: "I always believed James would win his appeal. Of course I am happy about that . . . though I cannot forget that our son Luck will be 24 when he sees his father come out of jail."

"James and I are still young and I think our love will win, but I am tempted sometimes."

"I cannot just leave him alone. I must have a partner and won't be able to support my child alone when he goes to school."

Luck (short for Lehlohonolo), is living with his grandmother, Miss Winifred Mange and two aunts, Elizabeth and Fransina.

Dipou remembers Mange as "a very understanding, considerate and patient person."

"Now in his letters to me he always says he wishes he could do something for his child."

She said he was always concerned about the political situation.



LUCK MOERANE
Father Jailed

James loved the nation and always said to me . . . 'if only I could succeed for my people'."

She was not surprised when he left the country in 1977 for training in Angola and the Soviet Union.

"I thought maybe he was forced by emotions to leave after the riots in 1976."

Dipou and James were about to marry when he was arrested. Now she is back at school in Standard 8.

Dipou was also arrested and detained for a year after Mange's arrest but was released on the same day Mange was sentenced to death.

James' mother, Miss Winifred Mange, 43, said: "My prayers have been answered."

She will visit him in Pretoria today.

She used to see him every day until she began work again a month ago.

Her greatest fear is that she will not be alive to see her son walk free in 20 years time.

James was born when Miss Mange was only 15 and still at school in Pimville, Soweto. She left school and never married his father, Ernest Dichaba, who also lives in Soweto.

In his early youth, Mange was left with his grandparents while his mother lived and worked as a domestic servant in Johannesburg.

Harvard chance for SA blacks

Education Reporter

A PLAN to send South African blacks to study the Master of Business Administration (MBA) course at the Harvard Business School in the United States has had to be amended because of

the low standard of black education in this country.

About two years ago the Harvard Business School Club of South Africa, made up of businessmen who have studied at the school, started a fund raising programme aimed at

supporting black MBA students at Harvard.

Club members were approached for both individual and corporate sponsorship and the programme was advertised to find suitable applicants.

Unfortunately, it was found that our educational

system does not prepare candidates to a sufficiently high level of mathematical ability for them to undertake the MBA programme, a spokesman for the club said.

Professor Warren MacFarlan, chairman of the Harvard Business School

executive education programme, visited South Africa recently and during talks with the executive of the South African Club suggested that candidates be recommended for the shorter executive programme which do not place emphasis on mathematical prowess.

His proposals were fully supported by the Dean of the Harvard Faculty.

FIRST

The first candidate for the 14-week management development programme is Mr M B Kumalo, Mayor of Katlehong township on the East Rand, who has a number of business interests in the township.

He is also a lecturer in the Department of African Languages at Wits and is studying for an MA degree.

Mr Kumalo left for Harvard last week.

19/1/80 RE CUC

(33)

Three SA prisoners invited to UK

33 D
19/9/80

By STANLEY UYS
London Editor

THE British Labour Party is to invite three jailed South Africans to its annual conference in Blackpool in October.

Invitations will be sent to Nelson Mandela and Herman Toivo ja Toivo on Robben Island, and to David Kitson at the Pretoria Central prison.

The invitations are intended to demonstrate the Labour Party's solidarity with the three imprisoned men in their anti-apartheid struggle.

The Labour Party does not expect the South African authorities to allow the men to attend the conference.

Meanwhile Miss Zinzi Mandela, daughter of Nelson Mandela, is to apply for a passport to enable her to travel to India where she hopes to collect a prestige award on behalf of her jailed father.

Miss Mandela is hoping to travel with her sister Zeni, who is married to Prince Thumbumuzi Dlamini of Swaziland and travels on a Swazi passport.

Mr Mandela, former leader of the banned African National Congress, has been awarded the Jawaharlal Nehru Award for International Understanding for 1979.

He is serving a life sentence on Robben Island.

The Nehru Award, to be made by the Indian President, carries a prize of about R10 000. Both Mr and Mrs Mandela were invited to India.

Mr Mandela's wife, Mrs Winnie Mandela, who is restricted to the Free State town of Brandfort, has recently been unsuccessful in getting a passport to enable her to travel abroad.

Terror case appeal fails

20m
19/9/80

331

BLOEMFONTEIN. — The appeal of a KwaZulu teacher, Vusumuzi Lucas Mbatha, against a conviction and sentence of five years imprisonment for terrorist activities, was dismissed by the Appeal Court in Bloemfontein yesterday.

In the Natal Supreme Court in Maritzburg on June 16, 1978, Mr Justice P W Thirion found that the evidence established that Mbatha, between April 1, 1976 and December 14, 1977, incited, instigated, advised or encouraged two men to undergo military training which could be of use to a person intending to endanger the maintenance of law and order in South Africa.

At the time of his arrest on December 14, 1977, Mbatha taught at the Mvuzini School.

Mr Justice van Heerden, acting Judge of Appeal, with the concurrence of Mr Justice Muller and Mr Justice Tregrove, said the trial court found the witness, Mr Michael Khumalo, to be an excellent witness and his testimony was not open to serious criticism.

Although a comparison of his version with that of Mr Norman Mhlungu revealed marked discrepancies, his testimony as to the joint approach made by Mr Mhlungu and Mbatha was broadly corroborated by Mr Mhlungu.

On the other hand Mbatha's evidence contained a number of unsatisfactory and improbable features. It had not been shown that the trial court misdirected itself in any material respect.

The judge was not convinced that the trial court erred in rejecting Mbatha's evidence.

— Sapa.

Appeal on terrorism charge fails

(33)

BLOEMFONTEIN—The appeal of a KwaZulu teacher, Vusumuzi Lucas Mbatha, against a conviction and sentence of five years' imprisonment for terrorist activities, was dismissed by the Appeal Court in Bloemfontein yesterday.

In the Supreme Court at Pietermaritzburg on June 16, 1978, Mr Justice Thirion found that between April 1, 1976, and December 14, 1977, Mbatha incited, instigated, advised or encouraged two men to undergo military training which could have been of use to a person intending to endanger the maintenance

of law and order in South Africa.

At the time of his arrest on December 14, 1977, Mbatha taught at the Mvuzini School.

Mr Justice van Heerden, with the concurrence of Mr Justice Muller and Mr Justice Trengrove, said it had not been shown that the trial Court had misdirected itself in any material respect.

The Appeal Judges were not convinced that the trial Court erred in rejecting Mbatha's evidence — (Sapa)

schedule

8. If Not, Suggest Ways In Which the Approach Could Be Improved:

9. What is Your Opinion of Having Different Lecturers Lecturing Various Topics on the Course?

TWO young men, Njengabantu Sithole (21) and Christopher Nzuza (21), have been found not guilty and discharged by a local magistrate for allegedly trying to overthrow the South African Government by violent means.

Mr Sithole and Mr Nzu-

Liberation plan: two Natal men acquitted

za first appeared in court on January 17 with five other youngsters on a charge of inciting 19 people to undergo military training in Tanzania, Mo-

zambique and Swaziland.

They were also charged with planning to return, after military training, to kill white people, overthrow the Government

and liberate the black people.

The magistrate, Mr X Odendall, in his judgement said there was no evidence to convict the two young men.

The other five men will appear in the same court on Tuesday. — SUNDAY POST Correspondent.

She wanted to assist us — SP

NDM 21/9/80

Staff Reporter

A MAJOR in the Security Police yesterday told the Kempton Park Regional Court that an accused said she was prepared to assist the police in identifying people she had undergone military training with.

Major Arthur Cronwright, who is stationed at John Vorster Square, was giving evidence in the trial of a woman and two men appearing on various charges under the Terrorism Act.

The accused are Miss Thandi Modise, 21, of Vryburg, Mr Khosi Nkosi, 24, of Central Western Jabavu and Mr Slim Mogale, 21, of Meadowlands, Soweto.

Miss Modise faces three charges under the Terrorism Act, one under the Sabotage Act and another of attempted arson or malicious damage to property. Mr Nkosi and Mr Mo-

gale face two charges under the Terrorism Act.

All have pleaded not guilty before Mr G Steyn.

Major Cronwright said he met Miss Modise in his office on the 10th floor of John Vorster Square where he interrogated her behind closed doors. He said that he told her he had information that she had left the country illegally between 1976 and 1977 and had undergone military training.

He said Miss Modise had said: "Major I'm sorry about all this nonsense of mine. I'm prepared to assist you people if you take me under escort to Soweto and Johannesburg to see if I can identify some of the people who underwent military training with me."

The police had taken Miss Modise with them on several occasions in an attempt to find those people without success, he said.

The hearing continues today.

'Wrong locks used in evidence'

331
RDM
21/2/80

Pretoria Bureau

A PRETORIA Central Prison locksmith yesterday told the Regional Court that three locks exhibited to the court were not from the cells of three political prisoners who escaped last December.

The locksmith gave evidence at the trial of Sergeant Francois Daniel Vermeulen, arising out of the escape of Alexandre Moumbaris, Timothy Jenkin and Stephen Lee.

The magistrate, Mr J J Bekker, called two witnesses who guarded the main gate on the night of the escape and recalled to the witness box a prison locksmith who had previously given evidence.

Sgt Vermeulen has pleaded not guilty to a charge of assisting terrorists or alternatively aiding prisoners to escape.

Sergeant P A Coetzee, the prison locksmith, said yesterday that after the escape, the locks of all doors in the section involved — except the escapees' cells — were taken out and examined.

He said the locks on the trio's cells were only removed later, by a warder, and that the locks exhibited in court were not from their cells.

At earlier hearings the court was told the locks had come from the escapees' cell doors.

Warder J Robertse said yes-

terday he was on guard duty at the main gate on the night the three prisoners escaped.

He said he checked cars coming in and out and at no time could the trio have escaped through this gate while he was on duty.

During the night he saw three men running from the prison. They were in warder's uniforms and he recognised them, he said. He told the court they were not the escapees.

He said at 11.30pm he discovered the prison front door was broken open, as well as another wooden door, and a grille gate was also open.

He had pointed this out to Sgt Badenhorst, who had just come on duty, but did not take any further action.

Warder P Nkoane said he was on duty at the main gate with Warder Robertse that night.

During the night he saw three men running from the prison premises, but did not recognise them.

No-one could have come out of the door of the prison without him seeing them.

The case was adjourned to today. Bail of R50 was extended.

Mr Ben Bredenkamp, assisted by Mr M Schutte, prosecuted. Mr Ike Swartzburg, assisted by Mr W Cornelius, appeared for the defence.

Mange appeal against death sentence for treason opens

331 RDM 22/2/80
BLOEMFONTEIN. — James Daniel Mange, sentenced to death for high treason, began his appeal in the Appeal Court yesterday.

It is being heard by the Chief Justice, Mr Justice Rumpff, sitting with Mr Justice Kotze and Mr Justice Trengove.

When Mange was sentenced in the Natal Supreme Court on November 15, 1979, Mr Justice J J F Hefer found he had done the groundwork for an attack to kill or injure the magistrate and police sergeant at Whittlesea, near Queenstown, and had accepted leadership of the group which was to carry out the attack.

The judge found that if Mange had not committed a "silly traffic offence" — for which he was arrested — the attack would have been carried out.

Mr S Kentridge, SC, appearing for Mange, said Mange was one of 12 persons who had been

convicted of high treason — but the only one sentenced to death.

He submitted that the grave disparity in sentences was not warranted: that the death sentence was an excessive punishment creating a sense of shock; and that in imposing it the judge misdirected himself on the facts.

Mr Kentridge said the court finding that Mange underwent military training in Angola and Russia between September 1976 to October 1978 was accepted, but certain other findings were challenged.

He submitted that even if all the trial court's findings were accepted, the death sentence was excessive and should be set aside. Alternatively, certain of the findings of fact were unwarranted, and on this ground the sentence should be set aside.

Mr Kentridge submitted that what Mange was found to have

done did not include any use of arms, violence, or any act of sabotage.

He said it was difficult to believe that society demanded the death sentence on a man who had not killed or injured anybody, whatever the ultimate possible consequences of his acts.

It was a pessimistic view of human nature which held that a young man of 23, who was not a hardened criminal and whose motivation was political, was incapable of reform, however long he spent in prison.

"Though Mange may have loomed large (at the trial), he was a minor figure in the overall conspiracy.

"It may be that the judge's perception of the true role of Mange was clouded by the atmosphere of the trial. The judge's feelings of particular distaste for him could hardly have been based on anything except Mange's contemptuous

conduct in court."

(At the trial, the accused chose not to be defended and refused to participate. During its course, all were found guilty of contempt.)

Mr Kentridge said the court's findings were not challenged to the extent that it was held that Mange returned to South Africa in 1978 for the purpose of reconnoitring the police station complex and magistrate's court and home at Whittlesea, and that he did, in fact, perform certain reconnoitring operations. Also that he returned to South Africa later to make certain arrangements.

Mr Kentridge submitted that it should not have been found that:

- The purpose of the reconnoitre exercise was to attack, render ineffective, and destroy the buildings reconnoitred, and to murder or cause injury to persons within the buildings;

- Mange's return to South Africa was designed to make arrangements for the achievement of that purpose;

- The purpose was one specifically approved and directed by the officials of the African National Congress, and it had designated a gang to carry out that purpose, with Mange as the "commander".

Mr Kentridge said that to arrive at the findings specifically challenged, the judge relied solely on the evidence of the third accomplice, who received no corroboration at all in respect of any of the facts challenged.

The evidence of this accomplice, standing alone, should not have been accepted.

Mr K Attwell, for the State, said the trial court had found the "third accomplice" to be an impressive witness. It was at all times aware that the witness was an accomplice whose evidence had to be treated with caution — especially as such evidence was not challenged or disputed by Mange or anyone else.

The "third accomplice" had given evidence involving a great mass of detail, which was corroborated by many other credible witnesses.

On sentence, Mr Attwell submitted that the judge was correct in stating that one need not wait until people had been killed and property destroyed before concluding that the conduct was such as to qualify for the death penalty.

It was argued that the calculated, cold-blooded and cowardly brutality of Mange's contemplated attack was such that it could not be said that the trial judge could not reasonably have considered this an "extreme" case.

Judgment was reserved. — Sapa.

Escape case officer criticised in court

Pretoria Bureau

THE chief investigating officer at the trial of a prison warder accused of assisting three political prisoners to escape was accused yesterday of having deliberately withheld vital evidence in the Pretoria Regional Court.

Mr Ike Swartzburg, for the defence, told the court that Sergeant Francois Daniel Vermeulen, who pleaded not guilty to aiding and abetting the escape of three political prisoners from the Pretoria Central Prison last year, was pressured into making a confession.

Mr Swartzburg said that if Captain W F Cooper, the investigating officer, had not withheld certain evidence from the court, Vermeulen's confession would not have been accepted.

At a previous hearing Capt Cooper denied that he had received documents and plans of alternate escape routes.

Mr Swartzburg said the State had not proved its case and in fact the evidence led by other witnesses had been contradictory.

Mr Swartzburg said that Capt Cooper had later produced the documents he had earlier withheld from the court.

The court heard that Sgt Vermeulen had been on duty from 4pm to midnight on the day of the escape. He was alleged to have walked home after duty that day but was called back to the prison at 8am when the escape was discovered.

Mr Swartzburg said that after being threatened and questioned for a full day by an investigating officer, Sgt Vermeulen had made a confession.

Mr Swartzburg said that Sgt Vermeulen had then been taken to a magistrate where he had signed the confession. He was then returned to prison by Capt Cooper.

"I hope the law is altered, so that a confession made before a magistrate is not given back to the investigating officer, but is immediately handed to the Chief Magistrate in a sealed envelope after the confession is signed," Mr Swartzburg said.

Mr Swartzburg told the court that Sgt Vermeulen had not been told of his rights before he had been pressured into signing the confession.

Capt Cooper had not conducted any further investigations after obtaining the confession, Mr Swartzburg said.

other warders could also be suspected of aiding the escapers.

Mr Swartzburg further alleged that the trial had shown that the maximum security prison was not secure, because locks had been found that did not function properly and doors had been left open.

Mr Swartzburg also said that a set of five perfect duplicate prison keys had been found and that tools were missing from the workshop.

Sgt Vermeulen is charged with assisting terrorists or alternatively of aiding Alexander Moumbaris, Timothy Jenkin and Stephen Lee to escape from the Pretoria Central prison on December 11 last year.

The case was postponed to September 25 for judgment. Bail of R300 was extended.

Mr J J Bekker was on the bench. Mr Ben Bredenkamp, assisted by Mr M Schutte, prosecuted. Mr W Cornelius assisted Mr I Swartzburg in the defence.

Modise's sentence 'too harsh'

THE 12 months sentence imposed on Modise Metsing, the secretary of the Congress of South African Students (Cosas) for tearing an examination paper, has been described as harsh and not commensurate to the offence by Mr Popo Molefe, chairman of the Soweto region

of Azapo.

Modise was sentenced to 18 months imprisonment by Mr A H Barlow at the Orlando Court on Monday. Six months of the sentence was suspended for three years.

A notice of appeal will be lodged by his attorney today.

'Motivated' schoolboy's guilty plea of bombing

Own Correspondent

"I am against the Government — that is why I did it," a 17-year-old matric pupil allegedly told a police officer who had arrested him after three petrol bombs had been thrown into a Pretoria police station.

Lieutenant Johannes Vlotman, of the South African Police, Brooklyn, told this to a Pretoria Regional Court during the trial of the youth from a Pretoria school, who pleaded guilty to an attempted murder charge which states that he tried to kill Constable K M Molieng, Constable K K Bapela, Constable J C Scheepers, and Lieut Vlotman, all of the Brooklyn station, by throwing the bombs at them.

He pleaded guilty to an arson charge, another of attempted murder, concerning Lieut Vlotman, and having in his possession petrol bombs which could give rise to suspicion that he was carrying them for the injury of persons.

The explanation of plea was held in camera.

In a police statement handed in as evidence, the boy, who was 16 at

the time of the offence, told of how his political thoughts and anti-Government feelings had been motivated by his history teacher and five school friends.

He wrote: "If any of the political and emotional factors had been absent I would not have done the rash, impulsive and most irrational deed of my life."

He told of how in standard 7 his anti-government feelings were given root in his history class when his teacher would discuss in anti-Government terms the South African situation.

An example he gave was that she linked Hitler's repressive policies, propaganda methods and excuses for doing everything in the national interest, to the Nationalist Government's policy.

The mother of the accused, who may not be named, said she had had behavioural and disciplinary problems with him since she and her husband were divorced in 1977.

In reply to the defence, Mr Johan Els, she said she no longer felt her son should be in her custody but in that of his father.

(Proceeding)

Council strike face sabotage charge

Mr Joseph Mavi and two executive members of the Black Municipal Workers' Union appeared briefly before a Johannesburg magistrate today on a sabotage charge.

The hearing was adjourned to October 17 for further investigation by security police. The men were not asked to plead

and no evidence was led.

Bail for Mr Mavi (42), of R500, Mr Phillip Dhlamini (29), of R1 000, and Mr Gatsby Mazwi (29), of R500 was extended by the magistrate, Mr J V Myburg.

The allegation of sabotage arises from a strike by workers of the Johannesburg City Council in July.

Actor refused terror discharge

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An application to discharge actor Mr Bingo Bentley on a charge under the Terrorism Act was today refused by a Johannesburg Regional Court magistrate.

Mr Bentley, who was appearing with his stepson, Mr Archibald Mzinyathi, has been charged with harbouring his stepson.

Mr Mzinyathi has been charged with undergoing military training in Russia. They both pleaded not guilty to the charges.

In his application Mr M Basllian (defending) said that there was no evidence to show whether Mr Bentley knew that his step-

son was a terrorist or had received training or had guns.

The evidence was that Mr Mzinyathi had been living for a certain period at Mr Bentley's flat.

There was State evidence that Mr Mzinyathi had stayed for a period with Mr Bentley and that Mr Bentley took Mr Mzinyathi to a farm in the Free State.

This evidence was insufficient to show the offence, since at that time Mr Bentley did not know that his stepson had received training.

Mr G Steyn refused the application.

(Proceeding)

Plea to clear Bingo refused

charged particles and these particles then interact with the matter as described in (a). Hydrogenous media such as wax, water or plastic are of particular interest because a neutron can lose any fraction (0-100%) of its kinetic energy in a

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The evidence was that Mr Mzinyathi had been living for a certain period at Mr Bentley's flat.

At this stage there was State evidence that Mr Mzinyathi had stayed for a period with Mr Bentley and that Mr Bentley together with State witness

Mr Eddie Baloi and his wife, took Mr Mzinyathi to a farm in the Free State.

This evidence was insufficient to show the offence, since at that time Mr Bentley did not know whether his stepson had received training or was a terrorist.

Mr G Steyn refused the application.

In a short judgment he said the court had only to take into account the evidence in totality given before him.

The hearing continues.

increases, as the particle penetrates deeper into the medium. The density of energy deposited ($-dE/dx$) is therefore highest at the end of the range (Fig. 25).

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single elastic collision with a proton. The maximum nuclear recoil energy E_{max} resulting from elastic scattering of neutrons (of mass m_n and energy E) on a nucleus of mass m_N is given by

$$E_{max} = 4m_n m_N E / (m_n + m_N)^2 \quad \dots \dots \dots (34)$$

Thus E_{max}/E is much smaller for heavy nuclei than for hydrogen.

(c) Gamma rays

The three most important effects in the interaction of gamma rays with matter are the photoelectric effect (described in section 2.1), the Compton effect (section 2.1, p.5) and pair production (section 2.3, p.8). Energy is transferred from the incident gamma photon to a photoelectron, a Compton electron or an electron-positron pair respectively. These charged secondary particles then interact with the medium as described in (a). As in the case of neutrons, the interaction of gammas with matter is a statistical process and is governed by an exponential absorption law of the form given by eq.(33) but with a representing the gamma ray absorption coefficient. This coefficient can, in turn be considered as the sum of components α_{PE} , α_C and α_{pp} , corresponding to the photo-, Compton and pair effects. Thus

$$\alpha = \alpha_{PE} + \alpha_C + \alpha_{pp} \quad \dots \dots \dots (35)$$

The absorption coefficients are largest for the heaviest elements (e.g. lead) and α_{PE} usually dominates for gamma energies below 0.5 MeV, α_{pp} for energies above ~ 10 MeV and α_C for energies around 1 MeV.

A convenient measure for gamma interaction calculations is the half-thickness, analogous to the half-life in radio-activity. This is defined as the thickness $x_{1/2}$ of the particular medium required to reduce the fraction N/N_0 (eq.(33)) to one half for a particular gamma energy.

$$\text{Thus } N/N_0 = \frac{1}{2} = \exp(-\alpha x_{1/2}) \quad \dots \dots \dots (36)$$

Some values of $x_{1/2}$ are given below (in mm)

Energy	Lead	Concrete
1 MeV	9.0	47.0
5 MeV	14.5	100.0

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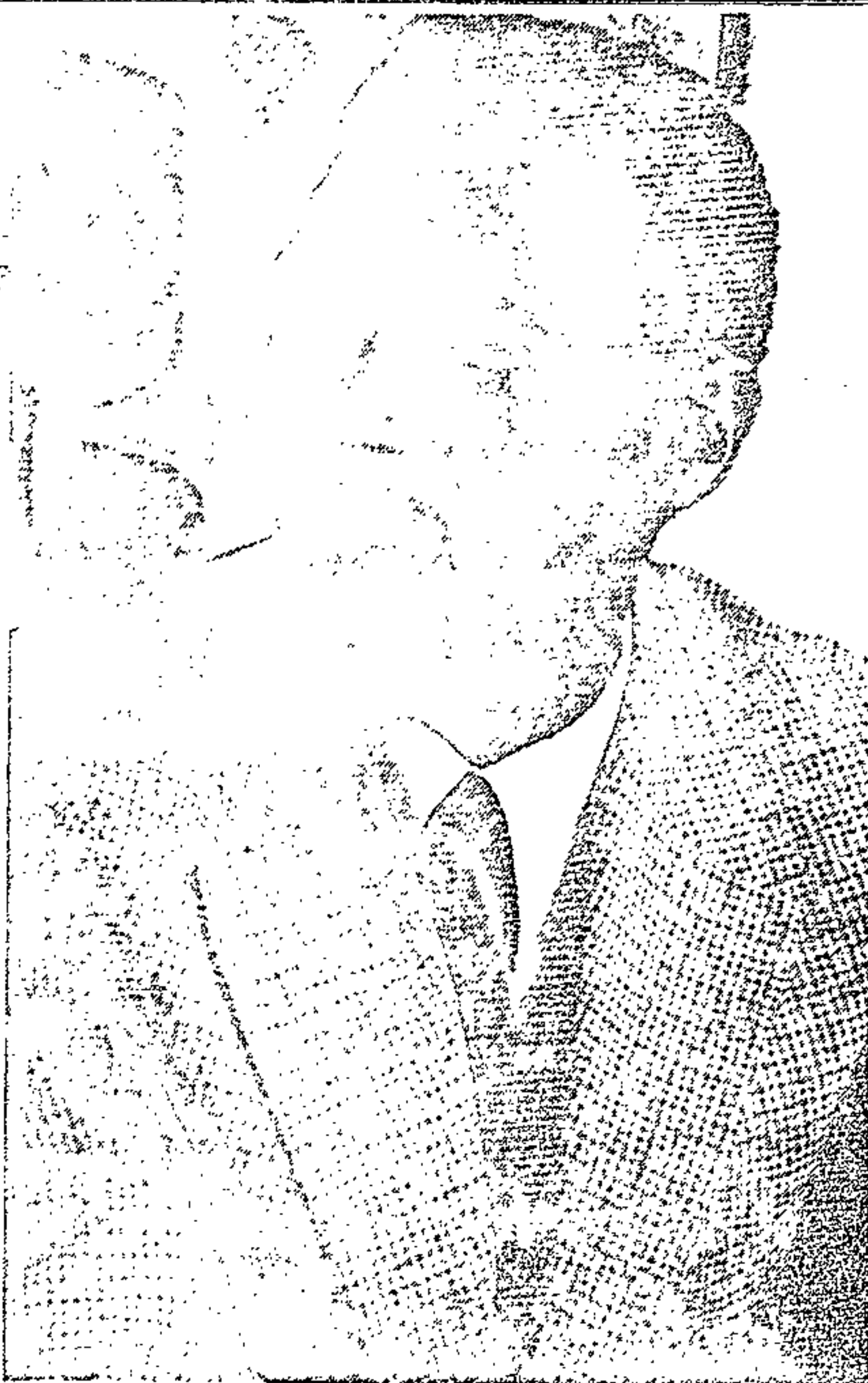
Mavi case is put off

THE "sabotage" case in which the three Black Municipality Workers Union (BMWU) leaders are appearing was yesterday postponed to Friday, October 17.

The three, Mr Joseph Mavi, president, Mr Phillip Dlamini, general secretary and Mr Gadsby Mazwi, treasurer appeared before Mr J Myburgh in the Johannesburg Magistrate's Court.

They were not asked to plead and no evidence was led.

Their appearance is a sequel to the strike by more than 1000 black municipal workers who demanded more pay.



Joseph Mavi.

No discharge for Soweto actor

Staff Reporter

THE Johannesburg Regional Court yesterday refused a defence counsel application for the discharge of Soweto actor, Mr Bingo Bentley, who is facing a charge under the Terrorism Act.

The magistrate, Mr. Gert Steyn, refused the application saying that the totality of evidence given against Bentley did not allow for his acquittal at this stage.

Mr Bentley, 46, of Extention 3, Eldorado Park, is alleged to have harboured his stepson, Mr Archibald Monty Mzinyathi, 23, of Orlando East, at his home between October 1978 and April last year.

Mr Mzinyathi — also on trial — is alleged to have undergone military training in Odessa, Moscow, and other places in Russia between March and July 1977, to endanger the maintenance of law and order in South Africa.

Both have pleaded not guilty

to charges under the Terrorism Act.

Yesterday's application was made by Mr M Basslian, for Mr Bentley, on the basis that the signed confession made by Bentley did not directly implicate him. The application was opposed by Mr A Hatting, for the State.

A defence witness, Mr Dick Baloyi, told the court he first met Mr Mzinyathi in Buthe Buthe, Lesotho, at the beginning of 1977.

He said Mr Mzinyathi stayed with him but later went to live at a refugee camp in New Europa. He said Mr Mzinyathi came back to live with him because he said conditions at the refugee camp were not favourable.

Mr Baloyi told the court he and Mr Mzinyathi belonged to the Mpine Dramatic Society and both took part in a play entitled "Who is guilty".

The hearing continues today.

Robben Island room was bugged, claims Mandela

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Own Correspondent

CAPE TOWN — Warders could eavesdrop on prisoners and their attorneys in the Robben Island prison consulting room although this was contrary to a prisoner's rights, the former leader of the African National Congress, Nelson Mandela, claimed in the Supreme Court, Cape Town, today.

Mandela has applied to the Supreme Court to reverse a decision of the Commissioner of Prisons that two documents which he wrote for his Cape Town attorney, Mr Stanley Kawalsky, be handed to the prison authorities for safe-keeping and that he be allowed to hand the documents to his attorney.

He has also asked the court that he be allowed to give his attorney written instructions and that

Regulation 123 of the Prison Service Regulations of 1959 be declared ultra vires and invalid or alternatively that it be not applied to inhibit a prisoner giving written instructions to his attorney.

In an affidavit Mandela said he was charged in 1977 with the alleged contrivance of several prison regulations and he prepared two statements for his lawyers.

One document, about 40 pages long, dealt with his defence and another, eight pages long, dealt with the bugging of the prison consultation room.

He was visited by his attorney Mr Kawalsky but was not allowed by the prison authorities to hand over the documents.

Mandela added that he conducted a test with his attorney and found that

everything said in the consulting room in a normal voice could be heard clearly by anyone outside the room.

On August 3 1977 he was told that all the charges against him had been dropped and a prison official ordered him to hand over the documents. He refused.

But, Mandela said, eventually he had no alternative but to hand the documents to the prison authorities.

After the prison authorities had refused to return the documents he applied to the Supreme Court to have them returned and they were handed to him.

But on February 18 this year the prison regulations were amended and

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Mandela

331 says room

was bugged

from page 1

the prison authorities interpreted the new regulation as giving them the power to take his documents from him.

The authorities also refused to allow him to hand the documents to his family or to his attorney.

Mandela said he would not be able to write or give any written instructions to his attorney without the approval of the Commissioner of Prisons.

"Because of this and because of the fact that any oral instructions which I give my attorney may be overheard I have been, and will continue to be, inhibited from giving my attorney instructions of a privileged and confidential nature," he said.

The hearing continues.