

# TOTALITARIANISM — POLITICAL TRIALS

6 JAN. 1982 — 28 MARCH 1982

year 1982

331

Alleged <sup>Star</sup> ~~ANC~~ men  
on terror  
charges

Own Correspondent

DURBAN — Three men appeared in the Durban Regional Court yesterday on Terrorism Act charges.

It is alleged that Mr Fana George Sithole of Umhlanga, Mr Jabulani Wilfred Ngcobo of Umhlanga and Mr Pili Alodia Mthanyane of Soweto were members of the banned ANC and conspired to form an organisation known as the Africa Youth Congress to further ANC aims.

It is alleged that they canvassed ANC supporters in Durban and Botswana for funds and obtained a plan of the Caltex Installation at Island View, information of security arrangements there, and firearms and/or explosives.

They are also accused of inciting people to leave South Africa for military training.

They were not asked to plead and were remanded in custody to February 23.

# Seven charged after strike at PE plant

## Court Reporter

SEVEN men who allegedly threatened fellow workers last year at the strike-ridden South African Bottling plant, appeared in court today charged with contravening the Riotous Assemblies Act.

Mr Albert Sonwabo Mkayo, 37, Johnson Road, Soweto, Mr Richard Sokutu Ranfane, 35, Soweto, Mr Major Douglas Pikolo, 30, Site and Service, Mr Elias Mvuleni Gxagxe, 24, Single Men's Hostel, Kwazakele, Mr Johnny Mdoana, 37, Site and Service, Mr Bryne Singaphi, 29, Ngwekazi Street, Zwide, and Mr Wilson Kana, 41, Site and Service, appeared before a regional magistrate, Mr A W Meiring.

All pleaded not guilty.

The State alleges they hindered certain people from performing their duties at the Harrower Road plant by using or threaten-

ing violence. The incidents are said to have occurred between October 6 and 9.

They are also alleged to have told employees at the factory their homes would be burnt down if they reported for duty.

According to an annexure to the charge sheet, Mr Mkayo, Mr Rafane, Mr Pikolo, Mr Singaphi and Mr Kana, as members of a committee chosen by the employees, addressed a meeting at the Holy Spirit Hall, New Brighton, on October 8 and instructed the workers not to return to work.

They allegedly told the meeting violence would be used if they did not heed the instruction.

Mr M C Swart, store manager at the factory, told the court he was on duty at 7.15am on October 6 when workers in the production department walked out.

According to him, a man called "Faanwill" played the leading role in the walkout. He said Mr Gxagxe was in front of the group.

It appeared to Mr Swart the workers had been instructed to stop work.

Company officials tried to negotiate with them to find out what their grievances were. The workers later dispersed.

Under cross-examination by Mr P N Langa (for the defence), he said the trouble originated in the production department where a coloured person was employed and blacks had been fired.

He said he was aware of certain grievances which the workers had put to management on September 28.

(Proceeding.)

Mr J Nel appeared for the State. Mr Langa was instructed by T Majodina and Co.



# Supreme Court for tower bomb 'plotters'

THE TRIAL of two young men - one black and one white - who allegedly plotted to destroy the SABC-TV tower in Brixton will be heard in the Rand Supreme Court.

Mr Mandla Eliot Themba (25) of Soweto and Mr Robert Martin Adam (26) of Yeoville appeared briefly in the Johannesburg Regional Court yesterday on three counts of contravening the Terrorism Act and two counts under the Internal Security Act.

They were not asked to plead and Mr F Z Krynauw provisionally remanded them to January 15.

According to the charge sheet, Mr Themba and Mr Adam - employees of the South African Higher Education Trust (Sached) - allegedly obtained information and took photographs

## BYINKORANE MAKOBANE

of the SABC-TV tower to assist the African National Congress (ANC) in attacking and destroying it.

It is said they visited the tower in July and were taken on a tour by an unknown SABC-TV official and obtained information of the transmission system and other aspects of the tower which were intended to be forwarded to the ANC.

Later, the charge sheet continues, Mr Adam, an MSc Honours graduate, drew up a "Report on Reconnaissance of the SABC-TV Transmission in Auckland Park."

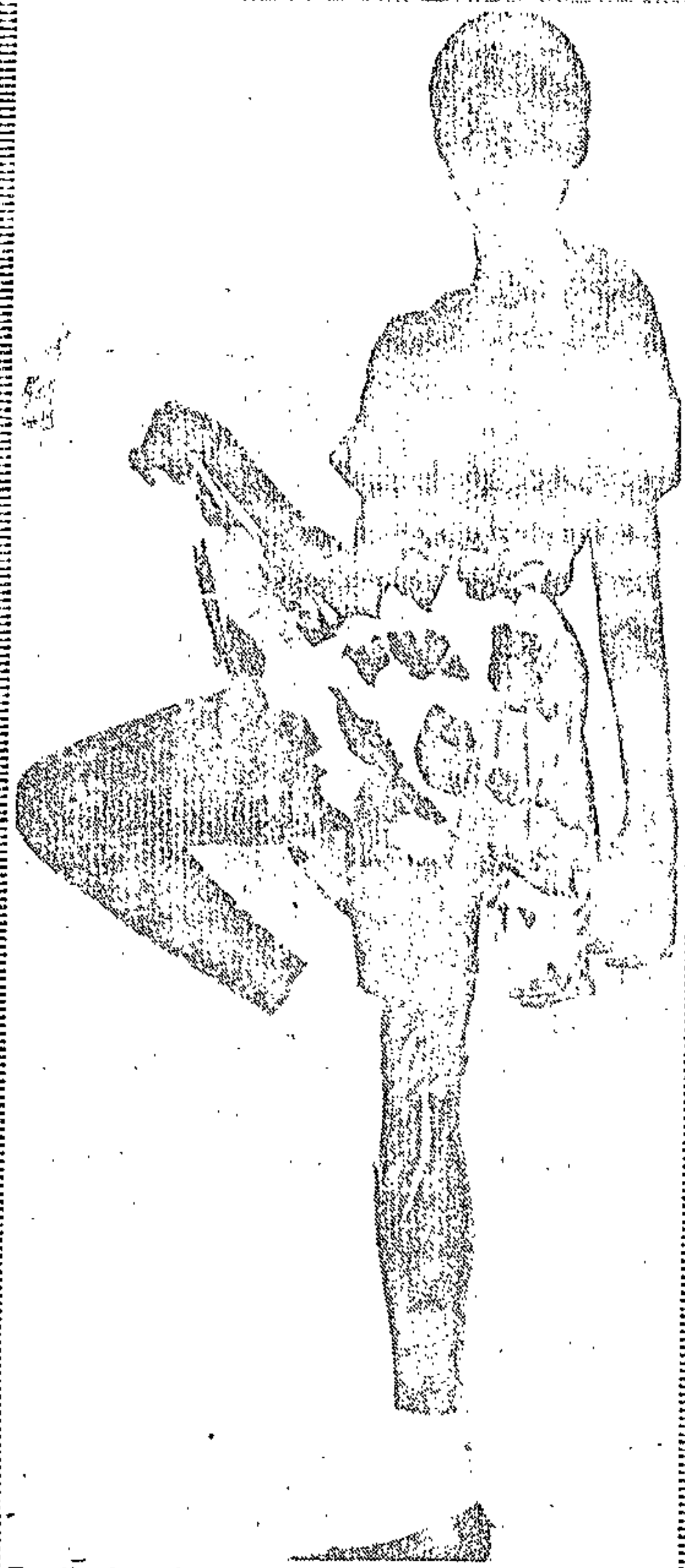
The report and four photographs were allegedly placed in a dustbin used as a "dead letter box" in Klein Street, Joubert Park, where they were to have been collected.

It is further alleged

that in the same report possible targets for the attack had been set out, their location, directions as to how to destroy them, security measures at the tower and a map of the area.

Mr Adam, who is alleged to have started working for the ANC in November 1980 is also accused of attempting to recruit a Mr Ghandi Badela - a student of his - to undergo military training during May and June last year. Mr Themba allegedly sat in on one of the discussions between them.

The State further alleges that the accused received and distributed pamphlets and publications of the ANC to further its aims and to campaign for its support to overthrow the Government by violent means.



Exotic London model Koko Ekpeyong shows off some of the Mary Quant Spring Collection for 1982 - a dashing floral ruffle skirt in bold patterns, teamed with a cotton-knit T-shirt.

**STINKING**  
NIGHTSOIL buckets in Ratanda township, Heidelberg have not been removed for the past week.

Residents interviewed by The SOWETAN yesterday said their buckets were last removed on Wednesday, December 30, and they had to spend the whole New Year weekend with stinking toilets.

Mr L M Mhlomi, chairman of the local community council, said yesterday the East Rand Administration Board has promised to start removing the buckets before the end of the week.

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1204 7/1/82 (331)

## 2 charged with briefing ANC on SABC-TV tower

By MIKE LOUW

TWO men alleged to have planned to give information to the African National Congress (ANC) so the Brixton SABC-TV tower could be destroyed are to be tried in the Rand Supreme Court.

Mr Robert Martin Adam, 26, of Felicity Court, Yeo Street, Yeoville and Mr Mandla Elliot Themba, 25, of

Jabulani in Soweto appeared briefly yesterday before Mr F Z Krynauw in the Johannesburg Regional Court.

A notice attached to the charge sheet from the acting Attorney General of the Transvaal, Mr Sieghard A Engelbrecht, says the two men — facing three charges under the Terrorism Act — will be tried in the Rand Supreme Court, and that they must not be freed on bail before the trial is complete.

The state alleges Mr Adam and Mr Themba conspired with each other or the ANC to find out how the SABC-TV transmission system worked, and would have given the information to the ANC.

### Letter box

Mr Themba allegedly took photographs of the system, and drew up a report entitled "Report on Reconnaissance of the SABC-TV".

He allegedly tried to send the report to the ANC by placing it in a dustbin — used as a dead letter box — in Plein Street, Joubert Park.

Alternatively, the men are charged with intending to endanger the maintenance of law and order, or any radio transmission, and the free movement of any traffic on land, sea and air.

They also were South African residents, and could obtain information useful in furthering ANC aims.

The offences allegedly took place between September and November 18 last year. They were remanded in custody, and will again appear on January 15.

# Witness says he joined a PE strike because he was afraid

331 2. Post 7/1/82 1842 152

BY RAYMOND HILL

A STATE witness said in the Port ELizabeth Regional Court today that he joined the strike at the South African Bottling Plant last year because he was afraid of being assaulted.

Mr Leonard Mapuma, a labourer at the company's Harrower Road plant in Port Elizabeth, was testifying at the trial of seven men charged with contravening the Riotous Assemblies Act.

They are Mr Albert Sonwabo Makayo, 37, of Johnson Road, Soweto, Mr Richard Sokutu Rafane, 35, of Soweto, Mr Major Douglas Pikolo, 30, of Site and Service, Kwazakele, Mr Elias Mvuleni Gxagxe, 24, of Single Mens' Hostel, Kwazakele, Mr Johnny Mdoana, 31, of Site and Service, Kwazakele, Mr Bryne Singaphi, 29, of Ngwekazi Street, Zwide, and Mr Wilson Kana, 41, of Site and Service, Soweto.

The State alleged that the men, former employees of South African Bottling (Pty) Ltd, stopped some people from working by threatening them or using violence. The incidents are alleged to have taken place between October 6 and October 9 last year.

The men are also alleged to have told employees at the plant that their homes would be burnt down if they reported for duty.

According to an annexure to the charge sheet, Mr Mkayo, Mr Rafane, Mr Pikolo, Mr Singaphi, and Mr Kana, as members of the committee chosen by the employees,

addressed a meeting at the Holy Spirit Hall in New Brighton on October 8, and instructed the workers not to return to work.

They allegedly told workers at the meeting that violence would be used against them if they did not heed the instructions.

All pleaded not guilty before Mr A W Meiring.

Mr Mapuma said under cross-examination by Mr P N Langa (for the defence) that he joined the strike on the third day because it was said that those who did not take part would be assaulted.

He did not know then what caused the strike. He was sweeping the floor in the maintenance production department at the time and joined the strike because he was afraid of being assaulted.

Mr Mapuma explained that he and the others had gone to the Holy Spirit Hall to attend a meeting addressed by a certain Mr Duze. He was nominated to serve on a special workers' committee but declined because of his church activities.

He was later asked by a certain Mr De Wet at the plant to make a statement, explaining why he went to the Holy Spirit Hall. He was scared of being arrested and thought he would be dismissed from his job "for nothing".

He later made a statement to the police.

(Proceeding.)

Mr J Nel appeared for the State. Mr Langa was instructed by T Majodina and Co.

Police said the coffee

SALISBURY — The South African Government has

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(331) D. Dispatch 7/1/82

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## Man charged with furthering the aims of communism

PC  
EAST LONDON — A Queenstown man, Mr Kor-da Lungelo Manqina, 30, appeared in the Regional Court here yesterday on a charge of furthering the aims of communism.

Mr Manqina, who pleaded not guilty to the charge, appeared before Mr G. E. Clark. He was charged under article 11 (a) of Act 44 of 1950 (The Suppression of Communism Act).

Under the main charge, the State alleged that during the period 1978 to 1980 at Queenstown, Mr Manqina was a member of an organisation called the People's United Front for the Liberation of South Africa.

It was alleged that he committed acts aimed at promoting the aims of communism. According to the charge sheet, these aims were the overthrow of the South African government and the institution of a communist orientated government system, the propagating and distribution of the communist doctrine, the propagating

of Marxism and the organising of revolution by persuading the black population to create political, social or economic changes within South Africa through violent or disorderly ways.

Under the alternative charge, the State alleged that Mr Manqina, during the same period, pleaded for, defended or encouraged behaviour that furthered the aims of communism.

Professor J. Cilliers, a professor in political science at the University of Port Elizabeth, gave evidence yesterday morning about the orientation of some of the literature exhibited in the case.

Under cross-examination by Mr M. Moerane, who appeared for Mr Manqina, Professor Cilliers said that although the South African society was overwhelmingly capitalistic, there were certain areas where socialism was present.

He said he did not agree that a person's race in South Africa determined

his status to a large degree. Mr Moerane said that South Africa was distinguished from the rest of the so-called Western world by the country's emphasis on race.

Asked by Mr Moerane whether he could name any other country where certain people could not marry because of their race, Professor Cilliers said he could not name any specific country.

A former Transkei teacher, Mr Roadwell Gwe, told the court that he was involved with people who told him they belonged to the People's United Front for the Liberation of South Africa.

He said he also met Mr Manqina. Mr Gwe told the court that the people in the organisation felt that he was a risk to them and that he was not reliable. They also wanted him to quit his job as a teacher.

His job was to collect money so that people could be sent away to places to have discussions with other people. The case continues today. — DDR



HOUSEHOLDS BY NUMBER OF TRANSFER INCOMES, OTHER INCOMES, WHETHER LOCAL OR MIGRANT WORKERS AND SEX OF HOUSEHOLD HEAD

MALE HEADED HOUSEHOLDS

(ROWS NUMBER OF TRANSFER INCOMES, COLUMNS WHETHER OR NOT OTHER INCOME)

	NO EARNERS		LOCAL EARNERS ONLY		MIGRANT WORKERS ONLY		LOCALS AND MIGRANTS	
	YES	NO	YES	NO	YES	NO	YES	NO
0	1	1	2	1	10	25	5	
1	0	0	0	0	2	3	1	
2	1	0	0	0	1	0	1	
3	0	0	0	0	0	0	0	
4	0	0	0	0	0	0	0	

## FEMALE HEADED HOUSEHOLDS

(COLUMNS WHETHER OR NOT OTHER INCOME)

NO EARNERS	LOCAL EARNERS ONLY	MIGRANT WORKERS ONLY	LOCALS AND MIGRANTS
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

Worker  
claims  
getting  
death  
threat

By RAYMOND HILL.

DURING a strike at the South African Bottling plant last year, a woman was called a "sell-out" and told she would die, she told a regional magistrate in Port Elizabeth today.

Miss Margaret Tafane was giving evidence before Mr A W Meiring in the trial of seven former employees at the factory who are charged under the Riotous Assemblies Act.

They are Mr Albert Sonwabo Mkyao, 37, of Johnson Road, Soweto, Mr Richard Sokuu Hlalele, 35, of Soweto, Mr Major Douglas Pkolo, 30, of Site and Service, Mr Elias Mvulene Gaxongo, 73, of Single Men's Hostel, Kwazakhele, Mr Johnny Mdedana, 37, of Site and Service, Mr Bryne Singaphi, 29, of Ngwekazi Street, Zwile and Mr Wilson Kana, 41, of Site and Service.

All pleaded not guilty.

Miss Tafane was on duty the morning of October 6 when she was told that some workers were striking. When she went off duty at 4.30pm, she saw a group of workers standing inside the factory clapping their hands.

Asked by Mr Mkeayo why she was working, she replied that she had come from Grahamstown to work for her children.

According to her, Mr Singaphi, who was also present, referred to her as "this rubbish".

She worked as usual and went home. The next morning she entered the factory premises through a different gate. After work, her landlady said that some factory workers had been there.

On the third day, she got up at 3am and left her children with neighbours before going to work because she was afraid they would be "burnt out".

The case was postponed to March 15. All seven accused are out on bail of \$1000 each.

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Lieutenant Michael John Earp, killed in action in the operational area, with his parents Major-General D. J. Earp and Mrs Earp.

area in South West Africa earlier this week. — DDC.

EAST LONDON — A young Queenstown man told the Regional Court here yesterday how he met people who introduced him to the writings of the late communist leader, Mao Tse Tung.

The man whose name may not be released, was giving evidence in the trial of a Queenstown man, Mr Korda Lungelo Manqina, 30, who is appearing before Mr G. E. Clark on two counts under the Suppression of Communism Act. Mr Manqina pleaded not guilty to the main count of furthering the aims of communism and the alternative count of pleading for and defending actions that would further the aims of communism.

Yesterday, the trial entered its second day. A police handwriting expert from Pretoria, Warrant Officer A. P. Bam, gave

## I learnt about Mao — witness

331 D. Rispach  
8/1/82

evidence about points of similarity between certain documents handed to him and a sample of the accused's handwriting.

He told the court that he found several points of similarity and said in his view the sample handwriting and the documents were written by the same person.

The young Queenstown man was warned as a possible accomplice before he started his evidence. He said during 1972 he was playing soccer in Zwelitsha and he met a relative there.

In 1978 he met the man

again, this time in Queenstown and the man told him he wanted to see him again. Within a few days he met the man again and they went to his father's house in Queenstown.

He was questioned about his activities and he told the man that he was not employed but that he was secretary of the soccer club and that he also went to church.

The man then went away but promised to come again and said he wanted to show him certain things. He returned the same day but said he could not get the things. The witness told the court the man

asked him if he knew what the B.P.C. stood for and he understood it to be an organisation called the Black Peoples Consciousness. The man told him he used to belong to the organisation.

He was also later introduced to a woman he knew as "Josephine" and she showed him a book written by Mao Tse Tung called "Four Essays on Philosophy."

Josephine read the book out to him and explained it to him. The readings continued over a period and later he was introduced to other people and he was given some more books. During this time he got a teaching post.

He was told to give the books to his friends. He also met the accused at one stage. The case is continuing. — DDR

Star 8/1/82  
**Police hit  
me instead  
of demos,  
court told**

A man accused of taking part in an illegal demonstration against last year's Republic Day celebrations alleged in the Regional Court in Pretoria yesterday that he was beaten with batons by police.

Mr Selbourne Nkosi (32) said he had approached demonstrators out of curiosity over their placards when he found himself confronted by a police baton charge which led to his arrest. He was giving evidence in his own defence before Mr B J O van Schalkwyk.

#### SINGING

Mr Nkosi is charged, together with Mr Joseph Phtasoane and a 15-year-old girl, in connection with an alleged illegal meeting in Mamelodi on May 31 last year. All three pleaded not guilty.

Mr Nkosi told the court that on May 31 he saw a group of people singing and holding placards. A police truck had stopped behind them.

He was reading the placards when police wielding batons charged the people.

#### MOVED AWAY

He moved away and stood next to the fence of a school.

Mr Nkosi claimed four policemen near him did not catch any demonstrators but when they saw him they caught him and beat him with batons.

Bail of R50 for Mr Nkosi and Mr Phatsoane was extended and the girl was put in the custody of her father. The trial continues today. — Sapa.



# ANC message (331) Star 8/1/82 'was for study'

Own Correspondent

DURBAN — A journalism student, Mr Mohamed Salek Abba Omar (25) appeared in the Durban Regional Court yesterday, accused of contravening the Internal Security Act by distributing a pamphlet issued by the banned African National Congress.

Mr Omar pleaded not guilty to distributing the pamphlet, "A message to the people of South Africa by comrade President Oliver Tambo on the occasion of the 69th anniversary of the ANC" to Miss Sandra Chetty last July.

He said he had been given the pamphlet in the street by an African man and asked Miss Chetty to make photostat copies for him for discussion and analysis of the political and journalistic contents at his journalism course.

The court heard police were called in after one of three copies Miss Chetty had made were found at her place of employment.

Mr Omar said Miss Chetty told him there was trouble because the police knew about the pamphlets.

The case continues.

Cape Times 8/1/82

## Booklet: Student in court

Own Correspondent

DURBAN. — A journalism student at the Natal Technikon, charged with contravening the Internal Security Act by distributing copies of a banned African National Congress booklet, appeared in the Durban Regional Court yesterday.

Mr Mohammed Salek Abba Omar, 25, said he had intended to give the copies to fellow students for discussion in class. He told the court he did not think there was anything wrong with his idea to photostat and discuss the booklet although he was aware the ANC was a banned organization.

### Message

Mr Omar said he obtained the booklet in July last year while eating his lunch when a black man, who he did not know, gave it to him.

He thought it was religious literature and put it in his cupboard. Later Mr Omar read the booklet and saw it contained a message from Oliver Tambo issued on the 69th anniversary of the ANC.

He had given the booklet to a friend, Miss Sandra Chetty, to make three or four photostats.

### 'Dangerous'

Miss Chetty told the court she was asked by Mr Omar to make as many copies as she could. A girl at work found a copy Miss Chetty had left in the office by mistake and told her it was "dangerous". Miss Chetty said she did not want to get involved with the matter.

The police questioned Miss Chetty about the booklet. She then telephoned Mr Omar and he told her to "get rid" of the booklet and that there "was nothing to worry about".

The case was adjourned to January 22.

9/1/82 (331) Daily Dispatch

## Four charged with terrorism

MDANTSANE — Four men appeared briefly in the magistrate's court here yesterday charged with participating in terrorist activities and being members of the banned African National Congress.

Mayekiso, 23.

They were not asked to plead and no evidence was led. The men were remanded in custody to January 15.

Tight security was main-

tained when the men appeared in court. A number of uniformed and plain clothed policemen were present. The men remained handcuffed during their brief appearance. — DDR.

They are: Mr Mabone William Duna, 31, Mr Dumisani Maninjwa, 31, Mr Jeffrey Bayi Keye, 52, and Mr Luyanda Patric



Star 11/1/82

# Trade union rights tested in homeland

152 331

By Drew Forrest

Charges brought against three organisers of the National Automobile and Allied Workers' Union by the authorities of Bophuthatswana are developing into a crucial test of trade union rights in the territory.

The three men — Mr Taffy Adler, Mr Martin Ndaba and Mr Nelson Rakau — appeared in the Ga-Bankuwa magistrates' court last week on charges of convening an illegal gathering under Bophuthatswana's Internal Security Act.

Defence counsel Mr Martin Brassey asked the court for a further postponement, saying it would be argued that the section of the Internal Security Act at issue conflicted with the Bill of Rights in the Bophuthatswana constitution.

Bophuthatswana is the only southern African territory with an American-style constitution, against which laws can be tested and found wanting.

The hearing will continue on April 5.

## Illegal meeting 531

Two men charged with holding an illegal meeting told a Pretoria Regional Court they were not part of a demonstration against the Republic Day festival, but were spectators.

Mr Silas M. Nkosi 32, of Watville, and Joseph Phisoane 21, of Mamelodi East, a 15-year-old girl from Mamelodi and Ms M. M. M. Khehane 21, of Mamelodi East, were arrested after they allegedly attended an illegal gathering in Mamelodi on May 31 last year.

They all pleaded not guilty.

A Mamelodi police man told the court he

and other policemen were sent to disperse a crowd of people singing and walking in the road, carrying anti-Republic Day festival placards.

Mr Nkosi and Mr Phisoane said yesterday they were just watching the demonstration when the police arrived.

"They thought we were part of the demonstration and arrested us," Mr Nkosi said.

Ms Khehane failed to attend court. She is to be brought to trial when she is found.

The accused were on R50 bail except for the 15-year-old girl who is in her parents' custody.

# Germiston court clears 4 of charges of arson

331  
Star 12/1/82

By Erik Larsen,  
East Rand Bureau

Four jubilant people today walked free from the Germiston Regional Court after a harrowing 10-month ordeal.

Mr Leslie Maphosa (24), Mr John Leputla (23), Miss Edith Chamakoane (23) and Miss Nomsa Nkwenya (23) were acquitted on a charge of burning down Edgars Department Store in President Street, Germiston, on March 31. Damage to the store was estimated at about R2,8-million.

"We are glad it's all over — the past 10 months have been hell," said a beaming Miss Nkwenya.

"We have been unable to get work because as soon as prospective employers learnt we had been accused of arson they refused to give us jobs," she said.

The magistrate, Mr P

Muller, said the State had not led evidence on the cause of the fire. "The court cannot rule out the possibility that the fire was caused by an electrical fault."

There was also evidence that other Edgars employees had entered the stockroom before the fire and they could equally have started it, said Mr Muller.

He said no reasonable person could convict any of the accused on the available evidence.

Mr Muller added there had been several contradictions in the evidence of the State's chief witness, Miss Elsie Njokweni, an undercover security agent at the store, who said Mr Maphosa had told her before the fire that several employees had been fired and he intended setting fire to the store before he was dismissed.



# 69-year-old man convicted of intimidation

(331)  
E. Post  
13/1/82  
(152)

By CHRIS RENNIE

A SIXTY-NINE-YEAR-OLD man, convicted of intimidating a worker during the Post Office strike last year, was sentenced to R50 or 50 days' imprisonment, plus three months suspended, by the Port Elizabeth Regional Court today.

Charlie Mayekiso pleaded not guilty to the charge and said he merely asked Mr Fesikile Dingeni in a friendly manner to attend three daily strike meetings.

Mr Dingeni said on October 12, he was working with Mr J van Heerden and Mr Kelvin Smith on a junction box in Kwazakele. He was fetching tools in a vehicle when he was jerked out by Mayekiso who asked why he was working when others were on strike.

He said he had a family

to support and Christmas was near. Mayekiso said he was going to call the other strikers and that he had better not be there when they returned.

Mr Dingeni told Mr Smith and they packed up and left.

His evidence was corroborated by Mr Smith who said that although he did not understand Xhosa, Mayekiso was loud and aggressive. Mr Dingeni was obviously frightened so they left and telephoned the police.

In mitigation, the court was told that after 34 years' service, Mayekiso lost his work and his pension rights.

The magistrate, Mr J B Robinson, said Mayekiso had acted stupidly and had lost a lot as a result. In view of the circumstances, he would try and keep him out of jail.

# Union to test rights in court

331  
110  
ROM 13/1/82

By STEVEN FRIEDMAN

THE right of trade unions to operate and hold meetings in Bophuthatswana is to be tested in the courts — and the case is certain to put independent homelands' attitudes to unions under the spotlight again.

In a statement yesterday, the National Automobile and Allied Workers' Union announced that it is to fight a case in which three of its organisers who held a union meeting in Ga-Rankuwa township, outside Pretoria, were arrested by Bophuthatswana police.

Ga-Rankuwa is officially part of Bophuthatswana and the organisers — Mr Nelson Rakau, Mr Taffy Adler and Mr Martin Ndaba — have been charged under that territory's Internal Security Act for allegedly holding an illegal gathering.

## Guarantees

The union revealed yesterday that it has instructed its lawyers to argue that the law under which the three were arrested violates Bophuthatswana's Bill of Rights which guarantees freedom of association.

If the courts were to uphold this argument they would also uphold the right of unions to hold meetings and operate in the territory.

A union spokesman said yesterday that many workers in the Rosslyn industrial township — which was the scene of labour unrest last year — lived in Ga-Rankuwa and that the union therefore regarded the case as vital.

He said NAAWU was prepared to take its case to the Bophuthatswana Supreme Court and the South African Appeal Court, which hears appeals from the Bophuthatswana courts.

## "Freedom"

"NAAWU has instructed attorneys to fight this case in the strongest possible way. At stake is NAAWU's right and ability to hold meetings for its membership, without which no democratic union can function," the statement says.

"The union awaits the outcome of the case with interest for Bophuthatswana has a Bill of Rights guaranteeing freedom of association. We shall see whether this freedom extends to unions," it adds.

The three organisers have already appeared in court in Ga-Rankuwa and their next appearance is due in April.

Mercury 14/1/82

# Accused under influence halts the trial

Mercury Reporter

THE trial in which 43 black men and women appeared in the Stanger Magistrate's Court on a charge of trespass was abruptly postponed yesterday when one of the accused stood up and said: 'Sign me off, sign me off.'

Mr Bhekumuzi Mngadi, 58, was found to be under the influence of liquor after he twice interrupted proceedings by asking the Court to sign him off.

After a short adjournment, the Court was again interrupted by Mr Mngadi and the Magistrate, Mr H Fraser, postponed the trial to January 25.

A policeman later took Mr Mngadi away.

The 43 accused who pleaded not guilty to the charge were warned by Mr Fraser that any conduct such as that of Mr Mngadi would not be tolerated by him again.

He said he would have punished Mr Mngadi because he was in contempt of Court, but because the trial was to have been postponed in spite of the interruptions, he would not do so.

## Threatened

The misconduct of one accused could cause prejudice to the other 42, the magistrate warned.

He also threatened to keep Mr Mngadi in custody until the trial resumed on January 25, but after an assurance from the defence that Mr Mngadi would not drink when he appeared on January 25, he was allowed to go home.

The accused — 17 women and 26 men — were arrested by the South African Police on November 3 for allegedly trespassing at the Zinkwazi Caravan Park on the Natal North Coast where they had been employed.

The owner of the park, Mr Helmut Achtzehn, a German immigrant, told the Court that the workers went on strike on October 31 after two other workers had been dismissed.

The workers — 28 who were on the permanent staff and 15 casuals — were sacked after refusing to work until the two dismissed workers were reinstated, Mr Achtzehn said.

He said that when the workers refused to vacate their lodgings, which were provided free by the company on November 2, he called the police.

The police gave the workers a deadline to leave. When they failed to do so they were arrested.

Star 15/1/82

~~152~~ (331)

# 13 acquitted of strike charge

West Rand Bureau  
Thirteen factory  
workers from Cobra  
Brassware were ac-  
quitted in the Krugers-  
dorp Regional Court  
yesterday on charges of  
taking part in an ille-  
gal strike and inciting  
others to strike last  
September.



(331)  
**Advocate**  
*Star 19/1/82*  
**released**

**Own Correspondent**

**KIMBERLEY** — Durban advocate Mr J Poswa, who was jailed yesterday morning by a Kimberley magistrate after refusing to pay a fine for contempt of court, has been released pending seizure of some of his property to pay the fine.

Mr Poswa had indicated to the court that he would rather be jailed for 25 days than pay a R25 fine because he did not have the money on him.

*D. Dispatch*  
*15/1/12* **Charges** **331**  
**against 5**  
**withdrawn**

MDANTSANE — Charges under the Suppression of Communism Act and the Riotous Assemblies Act were withdrawn against five local men when they appeared in the regional court here.

The men who faced two charges under the Suppression of Communism Act and one under the Riotous Assemblies Act were Mr Thobile Maninjwa, 32, Mr Mcebisi Venkile, 18, Mr Mzimasi Venkile, 22, Mr Mphakamisi Tom, 25, and Mr Welile Maninjwa, 23.

When they appeared the prosecutor said the charges were being withdrawn on instructions from the Attorney-General.

They were not asked to plead. — DDR

ADM 15/1/82

## Advocate jailed, (331) released

A DURBAN advocate was yesterday jailed and subsequently released after being found guilty of contempt of court by a Kimberley magistrate.

Mr Justice Poswa was fined R50 or 25 days. He told the court he did not have the money and would serve the jail term instead.

The magistrate, Mr A J van Wyk, subsequently had Mr Poswa released by arranging, in accordance with Section 288 (1a) of the Criminal Procedure Act of 1977, for the seizure of some of Mr Poswa's property to pay the fine.

Mr Poswa had been found guilty of contempt of court for addressing the prosecutor directly after being warned more than once not to do so.

Mr Poswa is defending five youths who have pleaded not guilty to charges of participating in terrorist activities, arson, housebreaking and attempted arson.

The case resumes today — Sapa.

# Terrorism advocate sentenced

DURBAN Advocate Mr J Poswa, who was yesterday morning jailed by a Kimberley magistrate after refusing to pay a fine for contempt of court, has subsequently been released pending seizure of some of his property to pay the fine.

Advocate Poswa had indicated to the court that he preferred to be jailed for 25 days rather than pay a R25 fine because he did not have the money on him to pay the fine.

The magistrate, Mr A J van Wyk, has subsequently released Advocate

Poswa from the Kimberley Magistrate Court cells where he was being held and is applying Section 283(LA) of the Criminal Procedure Act of 1977.

Mr Poswa is defending five youths who have pleaded not guilty to taking part in terrorist activities,

housebreaking, arson and attempted arson during school boy-cotts in the black township of Galeshe- we in September 1980. They are Mr Neville Motlabakwe (19), Mr Johannes Kers (18), Mr Eugene Mokgoatsi (20), Mr Nelco Hlatshwayo (20) and Mr Ben Fani (21).

The incident in court yesterday came about while Mr Poswa was cross-examining a Kimber-

ley security policeman about the way in which he had questioned some of the youths while they were in detention last year.

A question that Mr Poswa put to the policeman, Warrant Officer L J S du Plessis, was disallowed by the magis-

trate, who told Mr Poswa to continue with his cross-examination. The prosecutor, Advocate S J M

Henning, then rose and asked the magistrate who Mr Poswa was laughing at, the court, the State or who?

Mr Poswa then objected, saying he would not allow Mr Henning to make insinuations, and addressing Mr Henning, said: "You don't run my life."

The magistrate asked Mr Poswa to give his reasons as to why he should not be fined for contempt of court for addressing

the prosecutor directly and not through the court. The magistrate pointed out that Mr Poswa had been warned on several occasions for doing so.

Mr Poswa said he had nothing to say, pointing out that Mr Henning had also been warned for doing the same thing.

When asked by Mr Van Wyk who he was laughing at, Mr Poswa said he had not laughed, but smiled,

and said that if he had been laughing at the court he would have said so.

He said he had been smiling at things which concerned him personally. "If I started telling you the things I laugh about you might not like to hear," he added.

Mr van Wyk said the court's patience had been drawn out. He had been trying to avoid conflict and had warned Mr Poswa on several occasions, he said.

## OWN CORRESPONDENT





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## WARNING

1. 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.
2. 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.
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.

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**

(844) D. Dispatch  
16/1/82 331

# 4 Mdantsane men on terror charges

MDANTSANE — Four Mdantsane men appeared briefly in the magistrate's court here yesterday on three counts under the security laws.

Mr Mabone William Duna, 31, Mr Dumisani Bizette Maninjwa, 31, Mr Jeffrey Bayi Keye, 52 and Mr Luyanda Patric Mayekiso, 23, were not asked to plead and no evidence was led.

According to the charges they are alleged to have participated in terrorist activities, to have been members of the banned African National Congress and to have been in possession of banned literature.

On the charge of con-

travening the terrorism Act it is alleged that during June 1980 to August 1981 at or near Mdantsane and at various other places in Ciskei, South Africa, Transkei and Lesotho, they conspired to incite, instigate and encourage other persons to commit certain acts which could endanger the maintenance of law and order and to further the aims of the ANC.

The first alternative charge is that Mr Duna, Mr Maninjwa and Mr Keye incited certain persons to undergo training which could be of use to any person intending to endanger the maintenance of law and order.

The second alternative charge is that Mr Duna, Mr Maninjwa and Mr Mayekiso obtained information about the South African Allied Workers' Union from Mr Thozamile Gqweta which could be used to further the aims of the ANC.

On count two it is alleged that the four accused became or continued to become members of the ANC.

Count three alleges that they possessed banned literature.

The men were remanded in custody to February 22 when they will be tried in the Ciskei High Court. — DDR.

# 3 found not guilty of stoning house

*D. Dispatch 16/1/82*  
*331*  
*184*

MDANTSANE — Three former Wilson Rowntree workers — Mr Selby Tyanda, 33, Mr Thobele Fana, 28, and Mr Mongezi Didiza, 26 — were found not guilty and discharged when they appeared on a charge of malicious injury to property before Mr J. Dracatos in the regional court here yesterday.

All three pleaded not guilty.

Three others who appeared with them, Mr Government Tuze, 42, Mr Siphiso Vumindaba, 30, and Mr Mlungisi Mkiva, 30, had the charge against them withdrawn at the start of the trial.

The prosecutor, Mr J. Kristafor, said he had no evidence implicating them.

Initially all the men were charged with public violence with an alternative charge of malicious injury to property. Mr

Kristafor said he was proceeding only with the malicious injury to property charge.

Another case, in which the six men were charged with intimidation, alternatively endangering the maintenance of law and order, and another charge of attempted arson, was withdrawn.

In acquitting the three men, Mr Dracatos said he had evidence from one state witness against a denial from one of the accused.

He said that because the incident had occurred at night, in poor light, it was clear the state witness, Mr Zola Majavu, had not had enough time to identify people who threw stones at his house.

Mr Dracatos added that in cases like this cowards came in the middle of the night to attack the innocent.

He could not be satisfied beyond reasonable doubt that the men were the culprits.

Mr Majavu said at midnight on March 12, 1980, he was awakened by stones being thrown at his window panes.

He got up and tried to put on his outside lights but found they had been broken.

He then peered through a curtain and recognised Mr Tyanda, Mr Fana, a man called Lawrence, who was not in court, and Mr Didiza in a crowd of fewer than 20 people.

Damage to the panes in his house cost him R86.

Mr Fana, who was the only one of the three men who gave evidence, denied going to Mr Majavu's house and throwing stones. He said he was not aware Mr Majavu was still working at Wilson Rowntree after the strike. — JDR.



The case was postponed until February 24. Mr. Mshizana is out on R50 bail. — SAPA.

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will have ~~less~~ much as spent. The estimate  
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further estimated to the limited nature of  
investment.

(2) Technological change. Investment also depends on innovation, because if a firm-state or process as material ~~technology~~ which ~~can~~ has the possibility of cutting costs in a particular sector of the economy will thereby attract profits, so that encourage people to invest. But technological investment is liable to change erratically.



# Men appear on charge of intimidation

Court Reporter

THREE MEN who allegedly intimidated two brothers who worked at Aberdare Cables while others were on strike appeared in the Port Elizabeth Regional Court today.

They are Mr Z S Mzizimi, 24, and Mr B Mantambo, 30, both of Kwazakele, and Mr N Gqolana, 28, of Zwide.

At an earlier hearing, they pleaded not guilty of intimidation and to malicious damage to property.

They allegedly threatened to circumcise Mr B M Pakati and burn down the home of his brother, Mr M W Pakati, unless they joined a strike at Aberdare Cables.

They are also alleged to have broken eight windows and to have burnt a curtain at Mr W Pakati's house on November 11 last year.

All three admitted being in the house on November 9, but denied being there two

days later.

Mr B Pakati said that on November 4 he was ordered to go to a worker's meeting.

He was made to stand on the stage and explain why he went to work. Mr Mantambo then said the People's Court had found him guilty, that they were registering his name and that he was to stop work.

Mr Pakati said that on November 9 he was woken by his brother to tell him that 14 people were in the house and wanted to see him. One of them, Mr Mzizimi, threatened to circumcise him.

He did not take it as a threat but as an insult. He went to the kitchen and returned with a stick and ordered the people to leave.

(Proceeding)

Mr A P J van der Merwe was on the Bench. Mr M L le Roux appeared for the State. Mr S Kanunu appeared for the three men.

# Two on Defence charges

331

By MIKE LOUW

254

RDM 19/1/82

A MAN and a woman will appear in the Johannesburg Regional Court today in connection with allegations of contravening the Defence Act. They will also face charges of fraud.

They are Mr Willem Hendrik Kruger, 40, of Trichard Street, Doornkop, and Ms Theresa Lawrence, 39, of Tramway Street, Turffontein.

The State alleges they wrongfully and unlawfully encouraged, incited or instigated Mr. Michael John Koury, Mr Gregory Murray, Mr Joseph Gonsalves Sequeira and Mr Gary Alexander to refuse to render any service required under the Defence Act.

It is alleged Ms Lawrence offered a gift as an inducement to Mr Kruger to arrange for Mr Koury, Mr Murray, Mr Sequeira and Mr

Alexander not to undergo national service or military training.

It is also alleged that Mr Kruger attempted to receive a gift from Ms Lawrence for him to obtain an exemption from national service or military training.

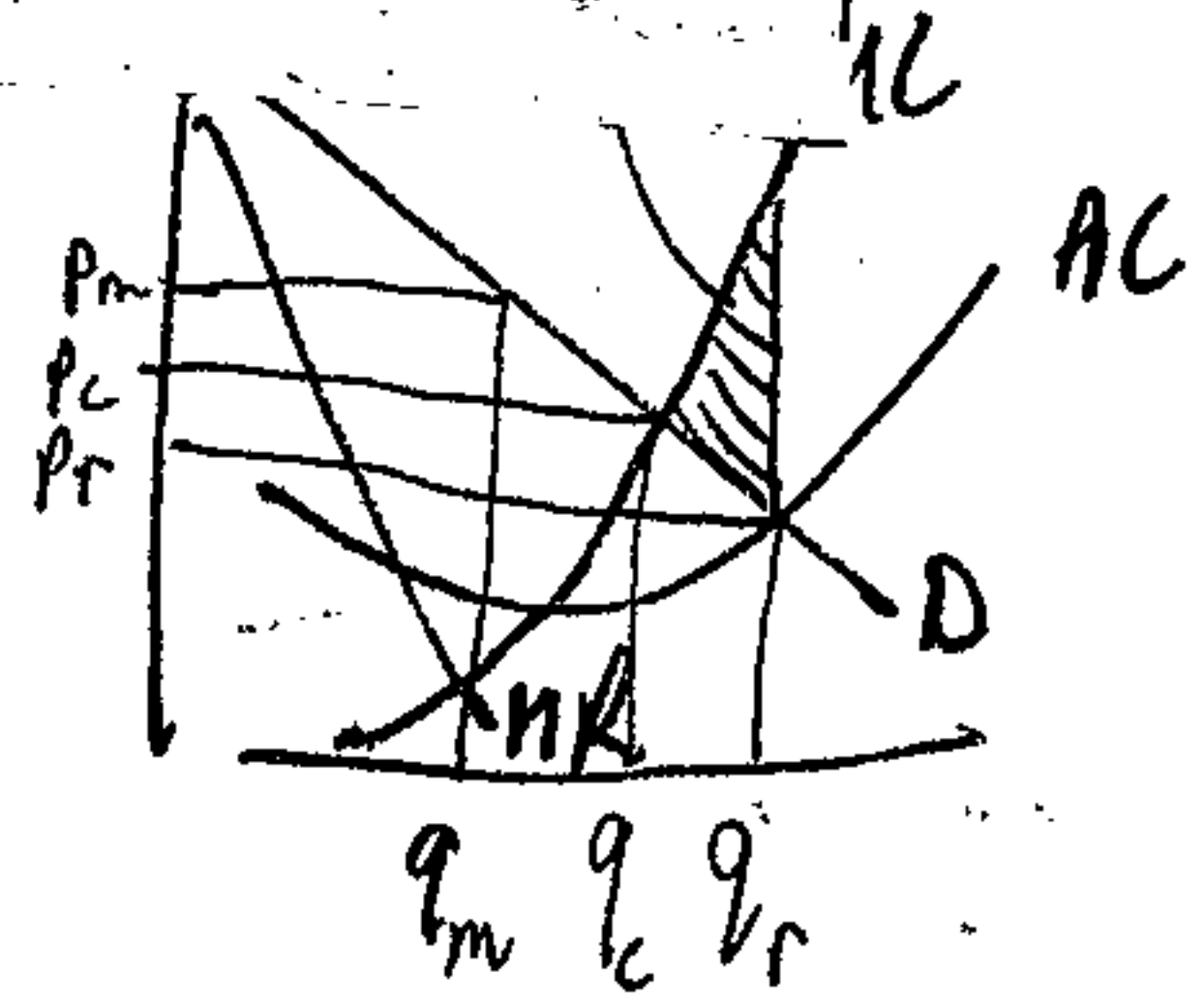
It is alleged that Mr Kruger and Ms Lawrence charged a total of R3 550 for making arrangements for the exemption from national service or military training, alternatively that they stole the money.

## Prejudiced

It is further alleged that they prejudiced the South African Defence Force or the proper administration of the State.

The offences are alleged to have been committed in Johannesburg between March 1977 and November 1978.

to relation



## Banned work had 'literary merit'

331

Star

19/1/42

Writers should be free to write what they please without fear of censorship, a Johannesburg Regional Court magistrate was told yesterday.

Mr Gerrit Olivier, a lecturer in Afrikaans-Nederlands at the University of the Witwatersrand, was giving evidence before Mr C A Allcock in the trial of Mr Daniel Francois Roodt (23) of Princess Road, Windsor Park, on a charge of producing an undesirable publication.

A publication edited by Mr Roodt "Taaldoos 1 plus 1," was declared undesirable last year. The Publication Control Board found it contained offensive words and that contributions in it had no literary merit.

Mr Olivier said it had literary merit — particularly in its use of a kind of "plat taal" which was not often found in Afrikaans works.



ZWELITSHA — One of the

42 members of the South African Allied Workers Union (SAAWU) facing charges in the regional court here was stabbed to death after the trial was postponed last year.

Advocate M. Brassey, appearing for the union, told the court at the resumption of the trial yesterday that Mr Weille Luthuli had been stabbed and was buried last week.

Advocate J W. Jurgens, for the state said the trial would continue.

The state closed its case last year on November 27 and the hearing was postponed until yesterday.

The Saawu members are

# Saawu man stabbed dead court told

charged with incitement to public violence, under the Riotous Assemblies Act, two alternative charges.

Mr Thozamile Manelli, the first of the accused to testify, said he was a Saawu member and had been employed at a sweet factory in East London.

On September 6 last year he attended a Saawu meeting at a cinema in East London.

After the meeting he boarded a bus going to Mdantsane. The bus was diverted at the Mdantsane

bus terminus by the police to the Mdantsane police station.

There he and the other passengers were instructed to alight from the bus and were searched. The names and addresses of the passengers were noted by the policemen.

He was later taken to Bell police station in Peddie. On September 9 he was taken back to Mdantsane police station where he was held.

Under cross-examination Mr Manelli said that during the meet-

ing he did not take part in the deliberations. There was singing at the meeting and shouts of amandla.

Although other people sang and shouted on the bus he did not do so.

Mr Manelli said that he did not see people raise their fists on the bus.

Mr Charles Pepani, said on September 6 last year he was the driver of a bus which was boarded by many people in North End and near Frere Hospital.

There was singing in the bus which continued until

it reached the bus terminus at Mdantsane.

He could not hear the words of the song.

At the terminus when the passengers were about to disembark they were stopped by the police.

He was instructed by the police to drive the bus to the Mdantsane police station.

Mr Pepani said at the police station passengers were searched as they alighted from the bus.

He did not hear songs sung mentioning "a

leopard, Mandela, blood will flow, there will be explosion and gun shots."

Under cross examination Mr Pepani said there were a lot of people at the bus terminus but he did not see any disturbance. There was no singing on the way to the police station.

Mr Thembelani Konongo, told the court he was a golf caddy. On September 6 he boarded a bus bound for Mdantsane.

At North End a lot of people boarded the bus and on the way there was singing.

He remembered only one song sung during the journey.

The words were "Saawu is difficult, it will confuse Charles Sebe-Iz-kumbida".

There was no shouting of slogans that "Charles Sebe be killed. Mandela is our leader. Informers belong to them. up Mandela, down Ciskeian Government"

Mr Konongo said that he was detained at the police station and released following Friday.

Under cross examination he said, there were a lot of people in the bus and not all of them sang.

Mr Jurgens, for the state, pointed out that his evidence contradicted what was given in a statement to police.

Mr Konongo said a statement was never made back to him although he had signed it.

The hearing continues today. — DDr



# 'Riot': Trialist stabbed to death

Argus Bureau

EAST LONDON. — One of the 42 members of the South African Allied Workers' Union who are appearing in court in Zwelitsha near King William's Town has been stabbed to death. Mr Martin Brassey SC, defending, said yesterday.

The unionists, who are facing charges under the Riotous Assemblies Act, incitement to public violence, holding an unlawful gathering and two alternative charges, appeared in the Regional Court yesterday.

In an interview after the hearing Mr Brassey said he understood the man had died in a township fight on November 27.

The first of the accused to testify, Mr Thozamile

Maneli, told the court that on September 6 last year he had attended a SAAWU meeting in East London.

Afterwards he had boarded a bus to Mdantsane. At the Mdantsane bus terminus Ciskei police had prevented passengers from alighting and had instructed the bus driver to take them to the charge office.

At the charge office the passengers were searched and a list of names taken.

## NO SLOGANS

Under cross-examination Mr Maneli denied he had taken part in the meeting's proceedings. There had been singing and shouting of 'Amandla' at the meeting.

He also denied singing or shouting slogans on the bus while travelling to Mdantsane.

The bus driver, Mr C Pepani, said the unionists had sung on the bus but he could not remember hearing songs mentioning Mandela, a leopard, gunshots or that blood would flow.

He had also not seen any disturbances.

Mr Themelani Kenongo, said in evidence that the only song sung he could remember said 'SAAWU is difficult, it will confuse Charles Sebe.'

He had heard no slogans shouted such as 'Charles Sebe be killed,' 'Mandela is our leader,' 'Informers belong to them,' 'Up Mandela, down Ciskeian Government.'

(The trial continues today.)

## Student hears charges in camera

By D. Ann Shoebottom  
The Star 19/1/82

In a case held in camera yesterday, Witwatersrand University student Mr Benjamin David Greyling (20) pleaded not guilty to three charges under the Official Secrets Act.

The address of Mr Greyling — who was arrested on July 31 last year and has been in custody since — was given by his family as The Fort.

In the first charge he is accused of tempting, instigating, ordering or having Mr Gerhardus van der Werff contravene the Official Secrets Act to the detriment of the security of interests of South Africa by making a sketch of the Military Psychological Institute at Verwoerdburg.

The second charge involves drawing up two documents, one entitled: "Treatment of Detainees in Keikana-chad" and the other: "Diagnostic Study with References to the Aim, Nature, Composition and Functioning of the Special Forces of the South African Defence Force."

Mr Greyling was remanded in custody. The case continues today in the Johannesburg Regional Court.

# Student's Secrets case held in camera

Mail Reporter

THE Official Secrets Act case against a student was heard in camera when it started in the Johannesburg Regional Court yesterday.

Mr Pauline David Greuling, 29, a final year BA student at the University of the Witwatersrand, pleaded not guilty to the charge.

An application by the State that proceedings be held in camera was granted by the magistrate.

Students and friends, including journalists who intended listening to evidence, waited outside the court during proceedings.

The trial continues today and Mr Greuling was represented by Mr. J. H. M. M. M. M.



331  
ZWELITSHA — Judgment in a trial in which 41 members of the South African Allied Workers Union (Saawu) charged with incitement to public violence, under the Riotous Assemblies Act, unlawful gathering and two alternatives appearing in the regional court here, was postponed until February 15 and members allowed out on warning.

The trial started on November 19 last year and yesterday the defence closed its case. After the state and defence advocates had addressed the court the magistrate, Mr J. Kotze, said before giving judgment he would like to go through evidence recorded on tapes and would not only rely on notes taken during the trial.

Yesterday five members of Saawu testified in court. Mr Thobile Manqina, Mr Mawisa Goduka, Mr Gcinikhaya Mbiza, Mr Mboneli Landani and Mr David Thandani, told the court that they were not in the first bus that was diverted to the Mdantsane charge office on September 6 last by the police at the Highway bus terminus at Mdantsane. Mr Manqina and Mr Thandani claimed

they were in the second bus and Mr Goduka, Mr Mbiza and Mr Landani in the third bus.

They said there was singing in the bus and shouting of slogans but they did not join in. The buses they boarded never reached the Highway bus terminus at Mdantsane but on the way were diverted to the charge office at Mdantsane. They said their names were taken inside the charge office and not at the bus.

After the defence had closed its case the state re-opened its case and called Sergeant Mlandeli Nonxuba. He told the court he took down a statement from a caddy, Mr Thembelani Konongo. He read back the statement in Xhosa and administered an oath to Mr Konongo as

to the correctness of the statement. In the statement Mr Konongo said he heard the people in the bus saying Mandela was their leader. Mr Konongo when he gave evidence for the defence denied having said the people in the bus said Mandela was their leader.

Mr J. W. Jurgens, for the state, said all the members of Saawu had a common purpose. He said they were all in the first bus and it was common cause that there was singing, shouting and raising of fists in the bus. At the Highway bus terminus police had to defuse a potentially dangerous and explosive situation. He said the court should accept the evidence of the state witnesses and that all Saawu members should

be found guilty on all charges.

Mr M. Brassey, for the unionists, said the state had failed to prove its case beyond reasonable doubt. It had not proved which members of Saawu had participated in the offences. The defence said six of the unionists were not in the first bus but the state was adamant and said they were in the first bus. He said only Mr Mandela Thobezweni was identified by Sergeant Ngwanya as one of the people who came out of the first bus.

Mr Brassey said there was no evidence as to who shouted the slogans "up Mandela down Ciskei", "Charles Sebe be killed", "blood will flow" and "there will be explosion and gun shots". The state had not proved who the principal offenders were. He said the fact that the unionists happened to be in a bus did not establish common purpose.

Mr Brassey said the trial was of a highly political nature, a trial of strength between Saawu and the government. He applied for the acquittal of all the unionists on all the charges. — DDR.

# Saawu trial: judgment on February 15

*D. Dispatch 20/1/82*



*Stan*  
**Student (331)**  
*20/1/82*  
**acquitted**  
**but still**  
**in custody**

By Diann Shoebottom,  
Court Reporter

Mr Benjamin David Greyling (20), a University of Witwatersrand student, was acquitted in the Johannesburg Regional Court today of three charges under the Official Secrets Act.

But he will remain in custody — where he has been for six months — because he still has to appear with three other Wits students in connection with alleged contraventions of the Internal Security Act.

Mr Greyling had pleaded not guilty to the Official Secrets Act charges.

The hearing was held in camera, but the magistrate made his judgment public today.

He said the State had only one witness, Gerhardus van der Werff, who had been convicted of a similar charge and was said to be an accomplice in the present case.

Van der Werff said he had been in the South African Defence Force and had given Mr Greyling two documents and a sketch of the Military Psychological Institute at Verwoerdburg, where he was stationed.

The magistrate said today the State had not proved its case against Mr Greyling beyond reasonable doubt.

20/1/82

## Defence charges dropped

Charges against a man who allegedly tried to get others to refuse to render national service and who offered to obtain exemption for them were withdrawn in the Johannesburg Regional Court yesterday.

Mr Willem Hendrik Kruger (40) of Trichard St, Doornkop, had been charged with five counts under the Defence Act and four counts of fraud.

### WARRANT

Another accused in the matter, Theresa Lawrence (39) of Tramway St, Turffontein, failed to appear in court for the second consecutive day.

Mr H S van Heerden issued a warrant for her arrest.

The alleged offences took place between March 1977 and November 1978.

(331) Argus 20/1/82

# Student cleared in secrets case

Argus Correspondent  
JOHANNESBURG. —  
Witwatersrand University  
student Benjamin David  
Greyling, 20, was today  
acquitted on all three  
charges under the Official  
Secrets Act by a Johan-  
nesburg Regional magi-  
strate.

Mr Greyling remains in  
custody, where he has  
been for six months, as  
he is still to appear with  
three other Wits students  
in connection with con-  
traventions of the Internal  
Security Act.

He had pleaded not  
guilty to the three  
Official Secrets Act  
charges. The case was  
held in camera.

The magistrate, Mr  
P A J Kotze, said the  
State had supplied only  
one witness, Mr Gerhar-  
dus van der Werff, who  
was previously convicted  
on a similar charge and  
was said to be an accom-  
plice in this case.

## SKETCH

Mr van der Werff said  
he had been in the South  
African Defence Force  
and had given Mr Grey-  
ling two documents and  
a sketch of the Military  
Psychological Institute at  
Verwoerdburg where he  
was stationed.

He also said he and Mr  
Greyling had seen a man  
in Swaziland who had

told them he could put  
them in contact with an  
organisation which Mr  
Van der Werff believed  
was an anti-apartheid  
organisation.

Mr Greyling said Mr van  
der Werff had brought  
documents to his flat and  
he had seen him busy with  
sketches, but denied hav-  
ing received any of these.

He agreed they had  
visited Swaziland but said  
the man there had not  
offered to bring him into  
contact with an organisa-  
tion.

The magistrate said the  
State had not proved its  
case beyond reasonable  
doubt and found Mr  
Greyling not guilty.

(331) 152  
'Circumciston  
Argus 20/1/82  
threat' in strike

Argus Bureau

PORT ELIZABETH. — A man told the Regional Court in Port Elizabeth yesterday that a former colleague at a factory here threatened to circumcise him if he did not take part in a strike.

Mr Zangezile Pakati told the court he was forced to attend a workers' meeting in Holy Spirit Hall, New Brighton, where he had to stand on the stage and explain why he had gone to work.

He was giving evidence in the trial of three men charged with intimidation and malicious damage to property during the November strike at Aberdare Cables.

They are Mr Zabulunga Simon Mzizimi, 24; Mr Rabini Mantambo, 35; and Mr Moreat Goolana, 28, all of Kwazakela.

All pleaded not guilty.

Mr Mzizimi allegedly threatened to circumcise him and burn down his brother's house unless they joined the strike, said Mr Pakati.

He took the threat more as an insult.

They also allegedly broke eight windows and burnt a curtain at his house.

The case was postponed to March 1.



THURSDAY, JANUARY 21, 1982

# Court told worker hit with iron rod

D. Dispatch 21/1/82 (331)

EAST LONDON — Six people, five men and a woman, appeared in the Regional Court here yesterday on a charge of threatening violence to prevent people from committing lawful actions.

The six, who all pleaded not guilty to the charge, are Mr Randile Mva, 31, Mr Mkengeli Matadi, 21, Mr Ntsikelelo Soguntuza, 26, Mr Monkwalusi Bonakele, 26, Mr Mhlangabezi Nimrod, 23, and Miss Nomande Qelese, 22.

On the main count the state alleged that on November 11, 1981, the accused, together or separately, threatened workers at the Western Province Preserving Company.

On three alternative counts, the accused are charged with assault with intent to do grievous bodily harm in that they allegedly assaulted three supervisors at the factory, Mrs Agnes Mkhosi, Mrs Daphne Luxomo and Mrs Victoria Mongoli.

A foreman at the company, Mr Alwyn Thomas Gowar, told the court that on the morning of November 11, after the tea break, five men came into the factory and started shouting to the workers to get out. He said he saw Mr Mva with an iron rod in his hand. Mr Mva went to one of the supervisors, Mrs Victoria Mongoli, and struck her with the iron

bar above her eye. The police were called and he later pointed the men out to them.

Mrs Agnes Mkhosi, a supervisor at the factory, told the court that after the tea break, she and other supervisors went back to the factory. She realised that only a few workers had returned with them.

The rest, a group of about 80, stood outside and shouted to them to get out. Five men entered the factory. They were armed with planks.

Mrs Mongoli said she saw Mr Mva with an operating iron in his hand. He approached her and the five men shouted "Get

out" to the workers in the factory.

She said she felt a blow on the back and she ran to the cloakroom. She said she had a mark on her back and was bleeding as a result of the blow.

Mr M. Moerane, who appeared for the accused, put it to Mrs Mongoli that nobody had hit her with an iron rod.

He also said that Mr Mva was a prominent and active member of the African Food and Canning Workers' Union. Mrs Mongoli said she too was a member.

The trial was postponed until today. The bail of the six accused was extended. — DDR

# Secrets Act: (331) student cleared

By MIKE LOUW

A STUDENT at the University of the Witwatersrand was acquitted yesterday by a Johannesburg Regional Court magistrate on three charges under the Official Secrets Act.

But he remains in custody pending trial for alleged offences under the Internal Security Act.

Mr Benjamin David Greyling, 20, no address given, appeared before Mr P A J Kotze. He pleaded not guilty.

The State alleged Mr Greyling persuaded Gerhardus van der Werff, sentenced to four years imprisonment for a similar offence last year, to make him a sketch which would endanger law and order and to provide him with documents which could help the country's enemies.

It was also alleged Mr Greyling received the documents knowing it was an offence to do so.

## Friends

Evidence was that the two were schoolfriends and that Mr Greyling went to Wits while Van der Werff went for army training.

The magistrate said Van der Werff supplied Mr Greyling with two documents and a sketch which were returned to him by Mr Greyling saying he feared they would be found on him.

The two men went to Swaziland where they met a man who said he would put them in touch with an anti-South African organisation.

The magistrate said Mr Greyling admitted that Van der Werff brought documents to him, but denied having received or asked for them.

Mr Greyling admitted going to Swaziland, but denied that arrangements would be made to bring him into contact with a certain organisation.

The State had relied on evidence of a single witness who was an accomplice.

It was not Mr Greyling's duty to prove his innocence; the State had to prove his guilt.

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EAST LONDON — An application was made yesterday for the discharge of four of six people charged in the Regional Court here with threatening workers at a preserving factory.

Mr M. Moerane, who appears for the six accused, applied for the discharge of Mr Mkangeli Matadi, 21, Mr Ntsikelelo Soguntuza, 26, Mr Mankwalusi Bonakele, 26, and Mr Mhlangabezi Nimrod, 23.

The application was refused by Mr S. van Zyl. Two other people, Mr Randile Mva, 31, and Miss Nomande Qelese, 22, are also appearing on the same charge.

The six accused also face alternative counts of assault with intent to do grievous bodily harm.

Their appearance arose out of an incident at the

factory of the Western Province Preserving Company in East London on November 11 last year when workers were allegedly chased out of the factory and three supervisors allegedly assaulted with an iron rod and planks.

A supervisor at the factory, Mrs Victoria Mongoli, told the court that after the tea break on the morning of November 11, a group of people came into the factory, and told the workers to get out.

She said Mr Mva came to

her and assaulted her. She received a blow on her thighs and also one on her eye. She ran away.

Another supervisor, Mrs Daphne Luxomo, said she also saw a group of people coming into the factory, armed with an iron rod and planks. When she saw the other workers running, she also started to run. Mrs Qelese hit her with an iron rod on her back and on her waist. The other accused joined in, except Mr Soguntuza who was waving his arms and trying to stop

them.

In his defence, Mr Mva said he and other workers were told by one of the management officials to get out of the factory within five minutes.

They ran to where the other workers were to get their money and saw the workers were running out. He denied he had an iron rod and that he assaulted anybody with the rod or that he told workers to get out of the factory.

Under cross examination by the prosecutor, Mr P. M. A. Pretorius, Mr Mva said he was a member of the African Food and Canning Workers Union. He said at the time of the incident there was a grievance among workers about bonuses and there had been a decision to strike — DDR

*D. Dispatch*  
**Assault case  
22/1/82 discharge  
call rejected**



# Rally for ex-Robben Island prisoners

Weekend Post Reporter

THE Congress of South African Students (Cosas) will hold a rally tomorrow at the Sisonke Community Centre in Zwide for the 31 ex-Robben Island prisoners who returned home on Wednesday.

The 31 students were arrested by the Security Police in 1976 during the countrywide school boycotts.

It was alleged they were going to organise a march into town after they were

found in possession of placards and petrol bombs.

They were found guilty and sentenced to five years imprisonment.

There will be representatives speaking from the South African Council of Churches, the Motor Assemblers and Components Workers Union of South Africa (Macwusa), the Port Elizabeth Black Civic Organisation (Pebco), the General Workers Union, the United Woman's Organisation (UWO) and pupils' leaders.



ANC (31)

## case man *Star 23/1/82* is guilty

Own Correspondent

DURBAN — A journalism student Mohamed Salek Abba Omar (25), was convicted in the Durban Regional Court yesterday of contravening the Internal Security Act by distributing a pamphlet issued by the banned African National Congress.

Omar was sentenced to be detained until the rising of the court and a further 12 months imprisonment was suspended for five years.

He had pleaded not guilty to distributing to Miss Sandra Chetty the pamphlet, "A message to the people of South Africa" by ANC president Oliver Tambo, on the 69th anniversary of the ANC.

The court heard that Omar, who said he was given the pamphlet in the street, had given it to Miss Chetty in July last year to make photostat copies for him.

Giving judgment, Mr X Odendaal said Omar was a pathetic witness who had obviously lied.

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# Student guilty on ANC count

EDM 23/1/82  
(331)

A JOURNALISM student, Mohamed Salek Abba Omar, 25, was convicted in the Durban Regional Court yesterday of contravening the Internal Security Act by distributing a pamphlet issued by the banned African National Congress.

Omar was sentenced to be detained until the rising of the court and a further 12 months' imprisonment was suspended for five years.

He had pleaded not guilty to distributing the pamphlet "A Message to the People of South Africa" by "Comrade President Oliver Tambo on the Occasion of the 69th Anniversary of the ANC" to Miss Sandra Chetty in July last year.

Omar told the court he was given the pamphlet in the street and had given it to Miss Chetty to make photostat copies for him.

Giving judgment, Mr Odendaal said Omar was a pathetic witness who had obviously lied.

He said the legislature viewed this sort of offence in a very serious light. — Sapa.

# Court told

## 43 fired

### after park

### ruckus

#### Mercury Reporter

A CARAVAN park owner on the Natal North Coast yesterday told a Stanger Magistrate how he was forced to sack 43 of his black workers when they armed themselves with sticks and knobkerries and demanded that two workers he had earlier dismissed be reinstated.

Mr Helmut Achtzehn, owner of the Zinkwazi Caravan Park, said this in evidence when the 43 workers — 17 men and 26 women — appeared before Mr H Fraser on charges of trespass.

Mr Achtzehn alleged that the workers had refused to leave the caravan park, where they had been employed, after they had been dismissed and ordered to vacate his premises on October 31 last year.

#### Afraid

The workers threatened the Indian staff and also went to his house. They were not peaceful, he said.

He was afraid and called the police who allowed the workers to remain at the park until November 2. The dead line was extended to November 3.

When the workers refused to leave on the due date the police again arrived and arrested them for trespass, he said.

Under cross-examination by Mr Paul David, for the defence, Mr Achtzehn told the Court that he spoke to the workers in

English on the day they were dismissed. A senior worker, one of the accused, had interpreted, he said.

Mr David said since the interpreter was an accused, the Court would not be able to establish what in fact was interpreted to the workers.

He said it was unfair to ask anyone who worked for a company for 15 years to leave within 24 hours and find alternative accommodation.

Black workers had no bargaining rights or trade unions to fight for them. The only alternative was strike, Mr David told the Court.

Judgment was reserved until February 16.

(331) D. Ansohetch 22/1/82

# Re-trial: Beaufort youth guilty of public violence

EAST LONDON — A Fort Beaufort youth was found guilty of public violence when his case was re-heard in the Regional Court here yesterday.

The 15-year-old youth had previously been convicted on the same charge in Fort Beaufort and sentence had been postponed for five years.

Judgment was set aside on appeal to the Grahamstown Supreme Court and a re-trial was ordered.

When the youth appeared yesterday he was found guilty and sentenced to be detained until the rising of the court.

Constable R. du Toit, of the Fort Beaufort riot unit, said there had been gener-

al unrest among scholars in the township.

He was armed with a shotgun during a patrol. He and his group came across a group of youths who were stoning policemen who were removing obstructions from a road.

The youth was also in the group. He fired a shot at them because he realised the lives of the other policemen were in danger. The others fled but the youth fell down and was arrested.

The youth said he had gone to a shop for his mother and was walking along a street when he was shot.

Policemen also stood on him and he was assaulted, he said. As a result he

sustained a broken collarbone and a fractured right thigh besides numerous puncture wounds caused by the pellets from the shotgun.

Dr J. C. Sadler, of Frere Hospital, confirmed the injuries the youth had suffered and said a bone protruded through the skin of his leg.

The youth, he said, had been transferred from Fort Beaufort by another doctor.

When addressing the court before judgment, Advocate P. N. Langa, from Durban, for the youth, said there was a civil case pending against the police involved in the shooting and the Minister of Police. — DDR





**Political prisoners ask for interdict**

# APPEALS DENIED

~~253~~  
331

Sowetan

29/1/82

AN application by five female political prisoners for an interdict restraining the Minister of Prisons, Commissioner of Prisons and Officer-In-Command of the Pretoria Central Prison from keeping them in solitary confinement was dismissed with costs in the Pretoria Supreme Court this week.

The five applicants, Ceasearine Mokhoere, Thandi Modise, Elizabeth Nhlapo, Kate Serokolo and Elizabeth Gumede, made the application before Mr Justice C F Eloff.

They were convicted under Section 83 of the Terrorism Act.

In their affidavits, they said they had been kept in solitary confinement as punishment for crimes committed while in prison. They claimed their isolation was not in accordance with the provisions of Section 78 of the Prisons Act.

The women submitted that complete isolation without work, restricted exercise, denial of any reading matter save the Bible, restrictions on receipt of letters and visitors, and refusal of the right to study were "separately and cumulatively a punishment of the severest kind".

Gumede's case was described as acute as she was over 60, suffered from hypertension, and found isolation "so claustrophobic that she screams for long periods".

In his affidavit the Chief Deputy Commissioner of Prisons, Lieutenant-General M C P Brink, said prisoners were grouped in accordance with their behaviour and record of their past conduct while in prison.

Mokhoere had been isolated because of her assault on prison staff members, resisting orders, insulting language, rowdiness, making black power salutes, and various disciplinary contraventions, he said.

The other four had invariably been guilty of taking part in hunger strikes, screaming, disobedience, refusing to wear prison uniforms, aggressiveness, taking other prisoners' food, obscene language, singing "freedom songs" and refusing to bath.

The judge said the applicants had been segregated under various sections "consequent to findings that they displayed or threatened violence."

"There does not seem to me to be any basis for attacking those findings. Those applicants have bad records and frequently misconducted themselves while in prison."

# Mpetha was too weak to leave cell — relatives

Argus 1/2/82

331

CONCERN has been taken from Pollsmoor prison with a marked deterioration in his condition. Mr Oscar Mpetha, the 72-year-old trade unionist and community leader, was taken to Groote Schuur Hospital for treatment on Friday.

Mr Mpetha, a diabetic, today.

He has been on trial since August 13, 1980. The union's committee said the State had consistently refused to grant bail.

The charges follow the deaths of two men after stoning incidents. Mr Mpetha has been in

good health as long as he remains in jail.

It could be another six months or a year before the State closed its case. This will be the first opportunity for the defence to apply for a discharge.

Relatives said Mr Mpetha was suffering from great pain and had been taken to hospital the following day.

A spokesman for Groote Schuur Hospital said today Mr Mpetha had not been admitted.



Mr Oscar Mpetha



**Mpetha**

ARGUS 3/4/82

**back in**

**hospital**

COMMUNITY leader and trade unionist Mr Oscar Mpetha was taken to Groote Schuur Hospital from Pollsmoor Prison today, for the second time in a week.

Mr Mpetha, 72, has been in custody since August 13, 1980. He is appearing in a Supreme Court trial with 18 others on charges of murder and participating in terrorist activities.

A diabetic, he was examined at Groote Schuur Hospital on Friday. Family members said he was in great pain and his health had deteriorated.

A spokesman for the Food and Canning Workers' Union said Mr Mpetha was examined today for a toe complaint.

Last August, during the trial, he had a toe operation at Groote Schuur Hospital.



# Mpetha had 'routine check-up'

MR OSCAR MPETHA, the 72-year-old trade unionist and community leader on trial with 18 others on charges of murder and participating in terrorist activities, was taken to hospital yesterday for 'a routine check-up', a spokesman for the Prisons Service said in a statement today.

Brigadier H J Botha, Assistant Commissioner, Information, denied that members of Mr Mpetha's family had been unable to see him at Pollsmoor Prison last Thursday because he was too weak to leave his cell.

He indicated that he was not feeling well and that he only wished to have his clothes changed.

## 'NO NEED'

A request by his visitors to visit him in his cell was not granted because there was no need for such an exception to the rule.

Referring to a report of Mr Mpetha's visit to Groote Schuur Hospital on Friday, Brigadier Botha said Mr Mpetha was referred to the hospital by the District Surgeon on his own initiative.

He said Mr Mpetha received medication for pain in accordance with the prescription of the District Surgeon.

(331) (31/12/82)

# Khotso up in court

By SAM MABE  
FORMER president of  
the banned SA Students  
Representative Council  
(SSRC) Mr Khotso  
Seathlolo and a Soweto  
woman, Miss Masabata  
Loate, will appear in  
the Vereeniging Regio-  
nal Magistrate's Court  
on Monday on charges  
under the Terrorism  
Act.

The first two appear-  
ances were in the  
Johannesburg Magi-  
strate's Court where  
his hearing was post-  
poned and a date was  
set for February 8 for  
trial.

A tight security  
network was thrown  
around the courtroom  
where he appeared.  
The majority of people  
who filled the court-  
room were armed  
policemen and police-  
women in civilian  
clothing.

Mr Seathlolo was  
arrested by the Security  
Police in Soweto, while  
he was on an alleged  
secret visit from  
Botswana where he had  
been living since he left  
South Africa.

Also detained in  
connection with Mr  
Seathlolo's arrest are  
Mr Zwelakhe Sisulu,  
the banned former  
president of the Media  
Workers Association of  
SA (Mwasa) and Mr  
Thami Mazwai, news  
editor of The SOWETAN  
and national secretary  
of Mwasa.

Charges preferred  
against Mr Seathlolo  
and Miss Loate are  
that they were mem-  
bers of the SSRC after  
it had been declared an  
unlawful organisation  
in 1977.

Mr Seathlolo, to-  
gether with other  
fugitive members of  
the SSRC are alleged to  
have formed the South  
African Youth Revolu-  
tionary Council  
(Sayrco), of which Mr  
Seathlolo was presi-  
dent.

The organisation  
aimed at using violence  
to undermine law and  
order in the Republic,  
it is alleged.

Mr Seathlolo is also  
alleged to have aimed  
Sayrco at inciting  
blacks to revolt against  
the lawful Government  
of the Republic of  
South Africa, to recruit  
people for military  
training, to make  
contact with organisa-  
tions within the country  
and through them,  
further the aims of  
Sayrco.

Miss Loate is alleged  
to have arranged a  
meeting between two  
members of Sayrco  
from Botswana, and  
Azapo's national orga-  
niser, Mr Thabo  
Ndabeni during June.

She is alleged to have  
arranged a meeting  
between Mr Thami  
Mazwai and Mr Seath-  
lolo and another  
unnamed member of  
Sayrco.

Mr Seathlolo is  
represented by Mr  
Ratha Mokgoathleng  
and Miss Loate by  
Priscilla Jana and  
Associates.

C. 7.10.82 5/2/82  
**Mpetha**  
**in Groote**  
**Schuur**

Staff Reporter

MR OSCAR Mpetha, the 72-year-old Nyanga civic leader on trial with 18 others in the Supreme Court on charges of murder and terrorism, is being treated at Groote Schuur Hospital.

This was confirmed yesterday by a Prisons Service liaison officer in Pretoria.

Mr Mpetha's son, Mr Themba Mpetha, said that during a visit to his father in Pollsmoor prison yesterday, his father had said in a faint voice: "I am dying."

Mr Mpetha's was excused from the Supreme Court trial last year following complaints related to a diabetic condition. One of his toes had to be amputated.

Mr Mpetha's attorney, Mr Brian Lutzno, said yesterday that part of Mr Mpetha's complaint was a local infection on the stump of the amputated toe.

He said Mr Mpetha's private doctor had been granted permission to examine him.

● Mr Themba Mpetha said after visiting the prison that his father had to be carried into the room by another prisoner, "who was holding him in his arms like a baby." His father had not recognized him.

"He spoke very faintly, and the first words he said to me were: 'I am dying'."



# Memento of one day in court...

By Diann Shoebottom

A dead rose stands in court, evidence of a bitter-sweet day two weeks ago when a young student stood trial.

It was left behind in the dock when 20-year-old Benjamin Greyling returned to the cells.

A court orderly who had befriended him rescued the flower as a memento.

Every time he looks up at the withered petals, Johannes Ratthogo is reminded of the soft-spoken young man and the pretty girl who brought a bunch of roses for the prisoner. He speculates she may have been his sweetheart, friend or sister, for she threw him the rose and a smile during a break in the proceedings — but at the end of the case the rose was forgotten on the bench

where he had been sitting.

Benjamin had been in The Fort for six months by the time he was acquitted on charges under the Official Secrets Act, but Johannes had to lead

him back to the cells where he is waiting to appear on other charges.

Whenever anyone asks about the shrivelled rose, Johannes tells them how he put the perfect bloom in the

half-full bottle of apple juice Benjamin had been drinking and topped it up with water every day.

The reddish-yellow flower lasted several days and eventually died, but

the leaves have only just started to droop.

Johannes refused to throw it away, hoping to show it to Benjamin when he appears in court again in a fortnight's time.



## 'Guilt' keeps aged alive

Own Correspondent

DURBAN — Dr Margaret Barlow, Addington Hospital's outspoken medical superintendent, believes it is mostly guilt-ridden relatives who want to keep dying old people alive.

"When I do my rounds of the geriatric wards, many of the sick aged ask me if they can't be left to die," she said, reacting to criticism of her atti-

in Durban.

Dr Barlow has been taken to task for saying people should be allowed to die if they want to and for asking: "Can any country in the world afford this expense?" referring to the cost of keeping old, terminal patients alive.

"It is very, very expensive," Dr Barlow said.

"And if people are gaining nothing for their quality of life should we be doing it?"

"By unnaturally pro-

## 'Unicorn' roams again

GENEVA — The World Wildlife Fund has announced that 10 rare white antelopes, identified by some experts as the mythical unicorn, have been turned loose in the Arabian desert after a 20-year breeding programme to save the species from extinction.

The oryx, which once roamed the deserts of Arabia and Mesopotamia and can go for years

## Reversal by censor board

The "score" adults-only price list and "Naughty Underwear Catalogue" have been found to be undesirable, the Directorate of Publications said in Cape Town yesterday.

The Publications Appeal Board has set aside a committee decision that three novels in the "Penetrator" series were not undesirable. It declared "Captivate II" (Penetrator No 3), "Mardi Gras

"Captive Splendours" by Fern Michaels undesirable.

It will now be an offence to import and/or distribute the following (name of author or producer in brackets):

Captured Women (Jeff Dunas); Naughty Underwear — catalogue (Score); Price List — Adults Only (Score); Het Dochtertje Van De Waayrouw, is the 1981 edition No ISBN 90 214 9500 7; Guss Kuller; Customs (Lisa Zeldner); Der Kampf Der Volker Afrika Gegen Kolonialismus, Imperialismus Und Neokolonialismus (Rote Hilfe, Westerland); Muslim News, Vol 21, No 23, December 12, 1981 — (Muslim News Publications, Athlone).



# Top advocate defends Khotso in Terror trial

By J S MOJAPPELO

A SENIOR Johannesburg advocate has been briefed to defend the former Soweto student leader, Mr Khotso Sidney Seatlholo, 25, who will appear on charges under the Terrorism Act, in the Vanderbijlpark Regional Court on Monday.

Mr J F Coaker, SC, will be assisted by Mr Eric Dane.

The trial in which Mr Seatlholo will be appearing with Miss Mary Masabatha Loate, 23, is expected to last about two weeks.

Miss Loate and Mr Seatlholo are appearing on two counts under the Terrorism Act.

The six-page charge sheet alleges that both Mr Seatlholo and Miss Loate are members of the now banned Soweto Student's Representative Council.

It is further alleged that:

- Mr Seatlholo formed the SA Youth Revolutionary Council (Sayrco), of which he was president, outside South Africa.
- The aim of Sayrco is to attempt to overthrow the country's lawful authority by violent means, to recruit members for Sayrco for military training, and to incite blacks in the country against the lawful authority in South Africa.

## Pamphlets

- Sayrco pamphlets inciting people against the lawful authority were distributed at a public meeting at Regina Mundi Church in Soweto on June 16 last year.
- Miss Loate was also a member of Sayrco.
- On June 17 last year Miss Loate brought in contact the secretary of the Media Workers Association of South Africa (Mwasa), Mr Thami Mazisi, with Mr Seatlholo and other members of Sayrco.



Mr Oscar Mpetha

## Trial judge excuses Mpetha

MR OSCAR MPETHA, 72, community and trade union leader, was today excused from his trial by a Supreme Court judge because of ill health.

Mr Justice Williamson granted an order that the proceedings could continue in Mr Mpetha's absence.

At present the proceedings do not affect him at all and to continue in his absence would not be prejudicial, he said.

Mr J Whitehead, for Mr Mpetha, said Mr Mpetha had been admitted to Groote Schuur Hospital last Wednesday for X-rays and blood tests. The results were expected tomorrow.

### RELAPSE

Mr Mpetha had suffered a relapse and his condition had deteriorated.

Mr Mpetha, who has been in custody for more than a year, is appearing with 18 others on charges of murder and terrorism arising from events in Crossroads in August 1980.

Mr Justice Williamson is on the Bench.

Mr J Slabbert, with Mr C J van Wyk, appears for the State.

Mr J Whitehead, instructed by Mr I G Farlam, SC, of Frank Bernard and Joffe, appeared for Mr Mpetha. Mr T L Skweyiya appears for 12 of the accused. Mr J Whitehead for four and Mr N Willis for two. They are instructed by A M Omar and Company.

(Proceedings)

Argus

8/2/82

(331) Sta 8/2/82  
**Witness refuses to testify**

The terror trial involving former Soweto Students' Representative Council president Mr Khotso Seatlolo opened in Vereeniging on a dramatic note today when the first State witness refused to give evidence.

Mr Seatlolo (25) and Miss Masabata Mary Loate (23) face two charges under the Terrorism Act. They plead-

ed not guilty.

The public gallery was crammed as the case opened today and security was tight. The courtroom was filled with policemen in camouflage uniform.

When the first State witness, a young woman, took the stand the court was cleared by the magistrate, Mr J Swanepoel, to protect the woman's identity.

She immediately told the court she would rather go to jail than testify against her colleagues.

The magistrate warned her that if she refused to testify she could be charged with perjury and face imprisonment of up to five years.

She was remanded until the end of the trial.

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This leads me to draw the conclusion that what is correct for an individual (i.e. to be thrifty and save) is not always good for the individual's community. This example illustrating the tendency decline in national income. It is a gallery of composition. The weaknesses of this model is that it does not see saving. Being channelled into investment or would be the more likely. However when a community decided to save more why not?

the initial small withdrawal and then multiplied by the super multiplier  $(\frac{1}{MPV-MPI})$  income falls from  $y_1$  to  $y_2$ . Now the community is only saving  $y_2$  where as they were previously saving  $y_1$ . However in terms of the ~~postage~~ savings as a percentage of income, they are saving more.



# Witness refuses to give evidence in terror trial

Own Correspondent

JOHANNESBURG. — A State witness broke down and cried in the witness box when she refused to take the oath and give evidence against two Soweto student leaders appearing in the Vanderbijlpark Regional Court yesterday on charges under the Terrorism Act.

Miss Mary Masabata Loate, 23, of Orlando West, and Mr Khotso Sidney Seatlholo, 25, address not given, were pleading not guilty before Mr A H Barlow to two charges under the Terrorism Act.

Miss X, a young Soweto girl, cried in the witness box after she had been asked to take the oath. She told the magistrate she was afraid to give evidence. She said she told the security police she would rather go to jail than give evidence for the State.

Miss X was called after the magistrate had cleared the courtroom of spectators. The press was allowed to remain in the courtroom on condition that the identities of the State witnesses were not disclosed.

## Warning

Mr Barlow warned Miss X that she faces a sentence of five years if she persisted in refusing to give evidence.

The prosecutor, Mr J. Swanepoel, said Miss X would be provided with a legal representative. She is expected to be called again on Friday.

Earlier, security police witnesses had told how Mr Seatlholo and Miss Loate were arrested in Soweto on June 17, last year.

Colonel A M Heystek, chief of the Soweto security police, said the news editor of the Sowetan, Mr Thami Mazwai, was found in the house where Miss Loate and Mr Seatlholo were arrested. The police then went to a house in Dube where they took possession of a luggage belonging to Mr Seatlholo.

Colonel Heystek said that on the way to the Protea police station Miss Loate jumped out of the police car and ran into a nearby house. The police chased and arrested her.

Another security police officer, Captain E G Claassen, said he was present when the police raided a house in Orlando West where they found South African Youth Revolutionary Council (Sayrco) documents hidden under a cushion on a settee. The police also found a forged Botswana passport and telegrams to Botswana.

A Soweto leader of a church youth organization, who may not be identified, testified how a group of Soweto church group went on a church visit to Botswana in December 1980 and met with members of Sayrco.

The youth said Mr Seatlholo was described as the leader of Sayrco. He was told that the organization was formed by leaders of the Soweto Students' Re-

presentative Council. Sayrco was said not to be aligned to either the African National Congress or the Pan Africanist Congress. Sayrco was described as the "third force".

The witness said he was told that Sayrco was committed to the freedom of blacks in South Africa by violent means. He was given Sayrco documents to distribute in South Africa.

The youth said he was invited to a "big house" where Soweto student refugees stayed. After the aims of Sayrco had been explained, the youth was asked to explain the purpose of his organization's trip.

## 'Fed-up'

"I was disappointed when I realized that the audience was fed-up when I told them about the church. I was interrupted and told that God was for whites and we should free ourselves and forget about God," the youth said.

The hearing continues today.



## help rape victim, court told

the Waterkloof eral times and then stop-  
January 12 last ped ahead of them and  
the second on Mr Smuts got out and  
douw Road on chased them.

of August 1. He caught his girl-  
friend and although Mr  
Boti heard her scream for  
help he was afraid to go  
to her aid because he  
thought he might be shot.

'I tried to flag down  
many cars but they all  
passed me,' he said.

He went to the nearest  
police station where he  
was told it would be no  
use trying to find Mr  
Smuts until the following  
morning.

At a previous hearing,  
a 23-year-old St Albans  
woman said Mr Smuts  
attacked her as she was  
walking along the Water-  
kloof road.

(Proceeding).

## sparks row repayer group

and Ottery ted the ward on the  
night. council for six years, ac-  
rington, a for- cused the executive com-  
man of the asso- mittee of trying to con-  
to has represen- trol the ward councillors.

He felt he and Mr  
Oliver represented all the  
people in the ward and  
not merely the 1 000 who  
belonged to the associa-  
tion.

Mr Merrington said he  
was a life member of the  
association and had no  
intention of resigning. He  
had no quarrel with the  
rank and file member-  
ship.

He said he had found  
the situation increasingly  
difficult over the years.

He and Mr Oliver had  
recently had 1 000 'report-  
back' letters printed and  
had distributed them at  
random through letter-  
boxes in the ward.

The executive commit-  
tee of the ratepayers'  
association had objected  
to this.

Mr Merrington said he  
and Mr Oliver had decid-  
ed it was no longer  
possible to work with the  
committee. He had sent a  
statement to the associa-  
tion explaining that he  
had decided, with deep  
regret, 'to sever my rela-  
tionship with the execu-  
tive committee.'

Mr Merrington said he  
intended, however, to con-  
tinue to attend the asso-  
ciation's quarterly meet-  
ings.

Mr Oliver was expelled  
from the association when  
he opposed its official  
candidate, sitting council-  
lor Mr Charles Steyl, in  
the last municipal elec-  
tions.

The next municipal  
elections will be held in  
September.

the robbers  
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ide territory. They  
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aws to repair it.

ete jungle.

## Police made terror trial

## visitor strip naked - claim

Argus Correspondent

JOHANNESBURG. —  
The General Secretary of  
the Congress of South  
African Students (Cosas)  
claims he was stripped  
naked by police when he  
went to the Khotso Seat-  
holo terror trial in the  
Vanderbijlpark Regional  
Court yesterday.

Mr Simon Nkodi, 23, of  
Sebokeng Township said  
he was in a group of 10  
people who went to  
attend the trial. They  
were all body-searched by  
police in camouflage uni-  
form as they entered the  
courtroom.

'I was singled out by  
one policeman who said I  
should be stripped naked  
because I was a terrorist,'  
said an angry Mr Nkodi.

But the station com-  
mander at Vanderbijlpark  
police station today said  
he was unaware of the  
incident and did not  
know Mr Nkodi.

### TOILET

Mr Nkodi alleged that  
five policemen man-  
handled him to a toilet  
outside the court and he  
was made to strip naked.

'I was left there for 10  
minutes and later taken  
to the Vanderbijlpark  
police station.

'A Captain Willers told  
me to stay away from the  
trial, because I would get  
into trouble. He did not  
give reasons. I was then  
told to go back home,'  
said Mr Nkodi.

He said he was prob-  
ably singled out because  
he was detained under  
Section Six of the Terror-  
ism Act. Last year he  
spent six months in jail.  
He said he was taking  
the matter to his lawyers.

A witness at the trial  
yesterday told the court

that Mr Sydney Khotso  
Seatholo, leader of the  
Sayouth Revolutionary  
Council, tried to recruit  
members of a church  
youth club to join his  
organisation when the  
club visited Botswana last  
year.

Mr Seatholo and his  
co-accused, Miss Mary  
Masabata Loate, 23, both  
of Soweto, pleaded not  
guilty to two counts un-  
der the Terrorism Act.

The two appeared  
before Mr A H Barlow.

A witness told the  
court that his Wesleyan  
Church Guild Youth Club  
visited their colleagues in  
Botswana in December  
1980.

There they were intro-  
duced by their colleague  
(who refused to testify  
earlier) and a priest to  
the South African exiles  
who were members of  
SAYRICO.

Among the exiles was  
Mr Seatholo whom he  
knew as a former leader  
of the banned Soweto  
Students Representative  
Council during the 1976  
riots, the witness said.

At a meeting held two  
days later in a house with  
the exiles, Mr Seatholo  
and his colleagues told  
him about the aims of  
SAYRICO.

After that meeting  
SAYRICO members gave  
him and his colleague  
booklets about the organi-  
sation and several others  
about Leonid Brezhnev  
and Mao Tse-Tung to dis-  
tribute in Soweto.

Although he accepted  
the booklets, the witness  
said, he did not distribute  
them as instructed.

The hearing continues.

## Navy's tiny yacht in bid to beat deadline

By Bill Goddard had a complete refit Janeiro and 13 still have  
THE South African Navy's before the start of the to finish.

(331)  
**Counsel**

**queries**  
**alleged**

**statements**

**Court Reporter**

Statements made to security police by four Witwatersrand University students, charged under the Internal Security Act, were not admissible because they were "not freely and voluntarily made," magistrate Mr H J Oosthuizen heard in the Johannesburg Regional Court today.

Appearing before him are Mr Benjamin David Greyling (20) of Smit Street, Joubert Park, Miss Elaine Rose Mohammed (20) of Wanderers Road, Newclare, Mr Michael Anthony O'Donovan (21) of Homestead Avenue, Randfontein and Mr Leslie Lax (23) of Hunter Street, Yeoville.

They are charged with manufacturing and publishing posters commemorating the 60th anniversary of the South African Communist Party in July last year, and promoting their aims.

Mr D de la Hunt, defending, objected to questions put to police witnesses by the prosecutor, Mr A R van Wyk, as the accused did not voluntarily make statements.

Captain Van Niekerk, security branch, denied the accused were coerced into making statements.

Under cross-questioning, Captain Van Niekerk said it was possible Mr Greyling was arrested at 3 am on July 31. He said he did not notice if Mr Greyling was tightly and painfully bound at the hands and feet or if there were marks on his neck.

(Proceeding)

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# Noisy protester fined R30

(331) Star 9/2/82

A Johannesburg journalist, Elizabeth Ann McGregor (25), arrested while taking part in a protest against detention without trial, was convicted in the Johannesburg Regional Court yesterday of disturbing the peace.

Miss McGregor, of Hunter Street, Yeoville, was fined R30 (or 30 days).

She pleaded guilty but told the court she had nothing to say concerning her arrest.

She was arrested in Hillbrow on Saturday when a convoy of cars circled the Hillbrow Police Station and hooted to protest against detention without trial.

(331) Star 9/2/82

# Banned student spoke to church youth, court told

A witness in a Vanderbijlpark terror trial yesterday told the court that Mr Sydney Khotso Seatlholo, leader of the SA Youth Revolutionary Council, tried to recruit members of a church youth club to join his organisation while the club visited Botswana last year.

Mr Seatlholo and his co-accused, Miss Mary Masabata Loate (23), both of Soweto, pleaded not guilty to two counts under the Terrorism Act. The two appeared before Mr A H Barlow in the Vanderbijlpark Regional court.

The witness, who may not be named, told the court that his Wesleyan Church Guild Youth Club visited colleagues in Botswana in December 1980.

There they were introduced to the South African exiles who were members of Sayrco.

Among the exiles was Mr Seatlholo whom he knew as a former leader of the banned Soweto Students' Representative Council during the 1976 riots, the witness said.

At a meeting with the exiles held two days later, Mr Seatlholo and his colleagues told them about the aims of Sayrco which had been formed by former leaders of the SSRC after fleeing South Africa.

The witness said members of his youth club were not interested in politics and when he tried to tell Sayrco members

about this, the exiles were disappointed.

"They told me that God would not liberate us from oppression, but we could only liberate ourselves here through an armed struggle," said the witness.

The witness said after that meeting, Sayrco members gave him and his colleague booklets about the organisation and several others about the lives of Brezhnev and Mao to distribute in Soweto.

Although he accepted the booklets he did not distribute them as instructed.

He also told the court that he did not carry out most of the instructions by members of Sayrco because he was only interested in religious matters.

The hearing continues.



ARGUS 9/2/82

# Charges dropped

(113)  
(351) 329

**Argus Correspondent**  
**JOHANNESBURG.** — Charges have been dropped against a Venda minister and a Lutheran Church lay preacher who were facing murder charges stemming from the attack on the Sibasa police station last October.

The Venda attorney-general, Mr J D Visser, said today charges against the Rev A M Mahamba, a cripple, and Mr R Tshikororo were withdrawn yesterday.

Mr Visser was not prepared to give reasons for the withdrawal.

Both men faced two counts of murder and one of attempted murder.

Two other ministers, the Rev P M Phosiwa and the Rev N Phaswane, who face the same charges, will appear in court on Friday.



9/2/82

KEFOTSO

331

Sowetan  
9/2/82

TRAVEL  
DRAWA

By SELLO RABOTHAIJA

331



SPECTATOR: Mrs Zodwa  
Sisulu, wife of Zvelake Sisulu,  
was present at the trial.



**THE TRIAL** at which Khotso Sydney Seatholo, a former president of the Soweto Students Representative Council, is appearing on charges under the Terrorism Act opened on a dramatic note in the Vanderbilpark Regional Court yesterday when the first State witness said she would rather go to jail than testify against her colleagues.

The witness, a young girl who may not be identified, told the magistrate, Mr A H Barlow, that she had earlier told a police captain that she did not wish to give evidence and that she was not in a position to do so.

The court had been cleared when she took the witness stand to protect her identity.

The girl told the court



**OUTSIDE COURT** Some of the spectators who were at the first day of the Khotso trial yesterday.

## Security tight

**SECURITY** was tight at the Khotso Seatholo Terror trial at Vanderbilpark yesterday.

Police in camouflage uniform with dogs threw a tight cordon around the court building. People who entered and left the court were searched for concealed weapons and other material. Bags, cameras and other equipment were not allowed into the court room. The court was cleared after an application by the State that proceedings be conducted in camera.

Capt D Heystek of the Security Branch, told the court that it was common knowledge that people who testified in terror trials fell victim to attacks

— some of them have had their homes burnt and were themselves injured.

He said a State witness to be called in the present trial had given him the assurance that she would be prepared to give evidence on condition such evidence was given in a closed session. The witness had been "very cooperative", during his investigations.

As such, he said, it was important that the witness be protected by the court by allowing her to give evidence in camera. Some other witnesses may also prefer to give evidence under the same conditions.

# Telefunken TV

WINNER — TOMORROW

witness pointed at three youths and asked Guild members if they knew them. The witness said he was then introduced to the youths, two of whom he remembers as "Tebogo" and "Paul".

He said Tebogo told him that the South African Youth Revolutionary Council would liberate blacks through violence.

"He told me to take this seriously as there were about 800 to 1 000 members who had committed themselves," the witness said.

The following day, the Rev Mangwele, who was the priest of the church where they stayed, told them there were a number of youths from South Africa nearby.

At that house, he saw the three people he had met at the Holiday Inn the previous night. He said Tebogo came over to him and introduced him to Khotso Seatholo. He said that Mr Seatholo's name was not new to him, and had been told the previous night that he was the leader of SARYCO.

He was then told what his organisation was all about, and the organisation had been described as a third force which did not align itself with either the ANC or the PAC.

He told the court Khotso asked them if they could get him maps of Soweto as he had heard there were new buildings that he did not know.

The trial continues today.

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9/2/82  
331



# 4 students (331) appear over Red placards

NDM 9/2/82

FOUR students from the University of the Witwatersrand appeared in the Johannesburg Regional Court yesterday on charges under the Internal Security Act.

Appearing before Mr H J Oosthuizen were Mr Benjamin David Greyling, 20, of Argyle Court, Smith Street, Joubert Park; Miss Elaine Rose Mohamed, 20, of Wanderers Road, Newclare; Mr Michael Anthony O'Donovan, 21, of Homestead Avenue, Randfontein; and Mr Leslie Lax, 23, of Hunter Street, Yeoville.

By MIKE LOUW

## Posters

The State alleges they made posters or placards to commemorate the 60th anniversary of the banned South African Communist Party (SACP).

The offences are alleged to have been committed in Johannesburg between July 28 and 31 last year.

They have all pleaded not guilty.

Captain V van Niekerk told the court he was given instructions on July 31 last

year to investigate a case against Mr Greyling and Van der Werff (who is a prisoner).

The captain said he saw Mr Greyling in custody at John Vorster Square on that day.

He said he had warned Mr Greyling to tell him the truth before he questioned him. Mr Greyling had replied to questions voluntarily.

He said he had asked Mr Greyling if he was responsible for displaying placards.

The trial was postponed to today after Mr D de la Hunt, for the accused, told the court Mr Greyling needed an interpreter to translate State's evidence.

The four were remanded.

Exhibits included posters, rubber gloves, a canvas bag and three bottles containing turpentine.

# 'I was stripped naked in toilet'

331 143 Sta 9/2/82

The general secretary of the Congress of South African Students (Cosas) claims he was stripped naked by police when he went to the Khotso Seatlholo terror trial in the Vanderbijlpark Regional Court yesterday.

Mr Simon Nkodi (23) of Sebokeng township says he was in a group of 10 people who went to attend the trial. They were all searched by police in camouflage uniform as they entered the courtroom.

"I was singled out by one policeman who said I should be stripped naked, because I was a terrorist," said an angry Mr Nkodi.

But the station commander at Vanderbijlpark police station said today he knows nothing about the incident.

Neither does he know Mr Nkodi.

Mr Nkodi alleges that five policemen manhandled him into a toilet just outside the court and was made to strip naked. "I was left there for 10 minutes and later taken to the Vanderbijlpark police station.

"A Captain Willers told me to stay away from the trial, because I would get into trouble. He did not give reasons. Then I was told to go home," said Mr Nkodi.

He said he was probably singled out because he was detained last year under Section Six of the Terrorism Act. He spent six months in jail.

He says he will take this matter to his lawyers.

**'Aim of Revolutionary Council to overthrow SA'**

# WITNESSES TELLS OF SAVAGERY

A WITNESS at the trial of Khotso Sydney Seatholo yesterday said he had been told the aims of the South African Youth Revolutionary Council were to overthrow the Government by violent means.

The youth, who may not be identified, told Mr A H Barlow in the Vanderbijlpark magistrate's court that he had been recruited for military training and told that once gone, he would only see his parents again when he came back to fight in South Africa. Later, under cross-examination, he said he had not left the country.

TWO REPORTERS, one from The SOWETAN and the other from the Rand Daily Mail, were yesterday barred from covering the terror trial in Vanderbijlpark because of reports they wrote for their newspapers.

Mr A H Barlow barred Mr Sello Rabothata (SOWETAN) and Mr S J Mojaopelo (Mail)

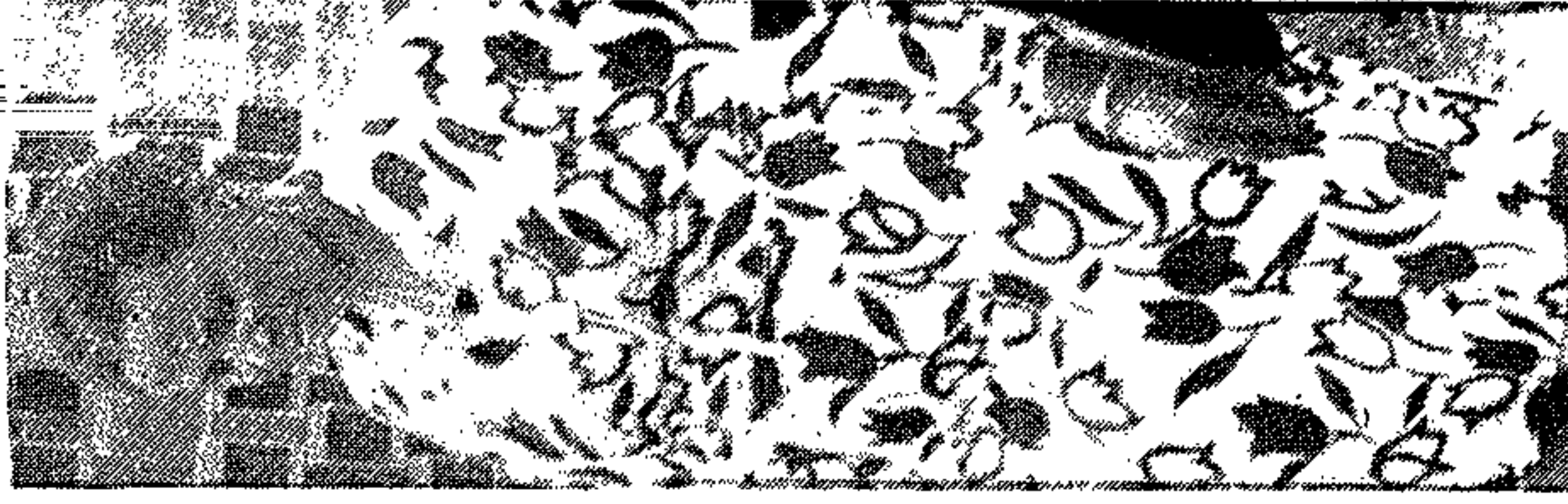
from the trial after the prosecutor, Mr A Swanepoel, objected that their reports "somehow" identified a State witness who testified the previous day.

Mr Swanepoel objected that the reports identified the name of the church youth club of which the State witness was the leader.

Mr Swanepoel pointed out that the public could easily identify the witness because of the name of his youth club.

The magistrate ruled that the two reporters be barred from the trial until it was over.

But at the end of yesterday's hearing he said the two reporters could resume attending the hearing.



MOTHER: Mrs Susan Ngakane.

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Sowetan  
10/2/82



10/2/82

**BY WILLIE BOKALA**

He was testifying at the trial in which Mr. Seutholo, former president of the Soweto Students Representative Council, and Ms. Masabata Mary Lote, are appearing on two counts under the Terrorism Act.

The witness said he had been recruited to join SAYRCO by a woman, called Freedom Sithando. He had gone to three meetings organised by Freedom in Soweto, where he was told that they were to leave for Botswana to undergo military training.

They would have to leave either through illegal or legal channels and were to distribute SAYRCO pamphlets at a meeting at Regina Mundi on June 16 last

year. In Botswana they would be introduced to leaders of SAYRCO.

He was given pamphlets at Regina Mundi and distributed about 300. The youth further said that a man he knew only as Sipho and another by the name of Joe, had told them that the organisation's aim was to overthrow the

Government by violent means.

Under cross-examination by Mr. Eric Dane, for Mr. Seutholo, the witness said he did not believe in violence and that he had not left the country — because he would not see his parents again and that he feared being arrested.

But he then told the court he believed in violence and this idea of not believing in it came only after June 16.

He said he was a reader of The Sowetan and previously of The World. He had read in those newspapers about the African National Congress (ANC), but had never read the newspapers deeply enough to understand the charges of recruiting and military training against those ANC people.

Mr. Dane suggested that the problem with his evidence was that it was so confusing as to suggest that he had

never been recruited.

Witness: I was recruited.

The witness said at the first meeting at the Orlando Post Office, Joe had said that they were also recruiting members of the Azanian Peoples Organisation (Azapo) and the Congress of South African Students (Cosas) for military training in Botswana.

The trial continues today.

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20M 10/1/8 (329) (331)

# Detainee was not naked — police officer

A POLICE officer denied in evidence in the Johannesburg Regional Court yesterday that a student from the University of the Witwatersrand was interrogated while naked, handcuffed and wearing leg chains.

Mr Benjamin David Greyling, 20, of Argyle Court, Smit Street, Joubert Park, and three other Wits students appeared before Mr H J Oosthuizen on charges under the Internal Security Act.

The others were Miss Elaine Rose Mohamed, 20, of Wanderers Road, Newclare, Mr Michael Anthony O'Donovan, 21, of Homestead Avenue, Randfontein, and Mr Leslie Lax, 23, of Hunter Street, Yeoville.

The State alleges they made posters or placards to commemorate the 60th anniversary of the banned South African Communist Party (SACP).

The offences are alleged to have been committed in Johannesburg between July 28 and 31 last year.

They have all pleaded not guilty.

Mr D de la Hunt, for the defence, submitted that the State should not ask police

By MIKE LOUW

witnesses about written or verbal statements alleged to have been made by his clients, because it would be claimed that such statements were not made freely and voluntarily.

The magistrate said a decision would be made later whether the statements were admissible or not.

## Arrested

A police officer told the court that Mr Greyling was arrested after being found in possession of placards belonging to a banned organisation.

Mr Greyling was handed over to the Security Police at John Vorster Square, he said.

Captain Adriaan Pieter van Niekerk, who started testifying on Monday, told the court yesterday that he interrogated Mr Greyling about the placards at John Vorster Square on three occasions.

He said he had earlier told Mr Greyling, while he was kept under Section 22 of the General Law Amendment Act, that the alleged offence was serious and he would be held under Section 6 of the Terrorism Act if the matter was not solved.

Captain Van Niekerk said he never threatened Mr Greyling or the other three people appearing with him or used any influence during interrogation.

He said Mr O'Donovan and Mr Lax made statements before magistrates while Mr Greyling and Miss Mohamed refused to do so.

He denied that Mr Greyling was naked, handcuffed and was wearing leg chains when he first saw him in an office at John Vorster Square.

## Injury

He said he did not remember seeing an injury on Mr Greyling's neck or that a member of the Security Police had threatened to break Mr Greyling's jaw.

He also denied that another policeman pushed a bunch of keys against Mr Greyling's private parts.

Mr De la Hunt said Miss Mohamed would tell the court of a police conversation to the effect that she should be taken into the "end room and be placed on a blue chair", and that one of the policemen had said they could do anything with her and nobody need ever know what had happened to her.

He said Miss Mohamed would say she had made a statement while in detention.

The trial continues today.



# Venda priest: Charges of murder are withdrawn

CMC 10/2/82  
43  
229  
31  
32

## Own Correspondent

JOHANNESBURG. — Murder charges against a crippled Lutheran minister in Venda, the Rev A M Mahamba, have been withdrawn and he is now being detained as a prospective State witness under the Internal Security Act.

Two of Mr Mahamba's fellow Lutheran ministers, the Rev P M Phosiwa and the Rev N Phaswane, still face murder charges arising from the killing of two policemen during an African National Congress attack on the police station in Sibasa last October.

Venda's Attorney-General, Mr J D Visser, confirmed yesterday that murder charges had been withdrawn against Mr Mahamba and a lay member of the Lutheran Church, Mr R Tshikororo.

He declined to comment on why the charges had been withdrawn. "All I can tell you is that they are now being held under section 12 (B) of the Internal Security Act," he said.

## Powers

The relevant clause empowers the Attorney-General to intern witnesses where "there is any danger of tampering with or intimidating of any person likely to give material evidence for the State in any criminal proceeding".

Mr Phosiwa and Mr Phaswane were no longer detained under the Terrorism Act but were now awaiting-trial prisoners, Mr Visser added.

A delegation from the Lutheran Church in Germany arrived in Johannesburg yesterday to act as observers in the anticipated trials of the two Lutheran ministers.

The Rev Reinhardt Schultz, acting secretary

of the Lutheran Church in South Africa, met the delegation at Jan Smuts Airport yesterday but declined to give details about its composition.

## Concern and anxiety

The original detention of four Lutheran ministers in Venda — half of the Lutheran Church's full-time ministers in the minuscule State — evoked concern and anxiety in church circles in Europe and Britain. One of the four detained ministers is the head of the Lutheran Church in Venda, Dean F S Farisani.

Overseas concern about the detentions rose at the weekend as news spread that ministers of the church had been charged with murder and attempted murder. Allegations in court last week that at least one of the ministers had been tortured added to the concern.

The British Council of Churches is understood to be sending an observer to Venda as well.



# Terror trial bars reporter

Two Johannesburg journalists were yesterday barred by a magistrate from reporting a terror trial in Vanderbijlpark because their reports might identify a State witness.

They are Mr S J Mojapelo, of the Rand Daily Mail, and Mr Sello Rabothata, of the Sowetan.

The trial of Mr Khotso Seatlholo (25), former leader of the Soweto Students' Representative Council, and Miss Masabata Loate (23), was held in camera.

Both have pleaded not guilty to charges under the Terrorism Act relating to attempts to recruit several youths for military training outside South Africa.

The magistrate, Mr A H Barlow, ruled that the two reporters be barred after the prosecutor, Mr J Swanepoel, objected that their reports were likely to identify the State witness, who may not be named. Mr Barlow said the two had in previous reports identified witnesses who had testified in camera.

But Mr Mojapelo was later allowed back into the court after an attorney representing the Rand Daily Mail argued there was no proof that Mr Mojapelo had identified witnesses in his reports.

The State witness, in his second day of giving evidence, said under cross-examination by Mr Eric Dane for Mr Seatlholo, that although the South African Youth Revolutionary Council believed in the armed struggle it was not a threat to law and order in South Africa.

"I know the ANC is a communist-oriented organisation. Communists are against religion and therefore it is not Sayrco that is a real threat to South Africa but communism," the witness said.

He said that after a meeting in Botswana last year of his church's youth club and members of Sayrco he decided not to join the organisation.

Asked by Mr Dane why he had brought Sayrco's constitution from Botswana, the witness said he wanted to "establish their thinking so that I should be able to point a finger at them."

Another witness said a man he believed to be a member of Sayrco had told other youths to undergo military training outside the country.

The trial continues.

# Placard sought to promote SACP — expert

331  
Star 10/2/82

By Alex Ball  
Court Reporter

A placard found in possession of a student charged under the Internal Security Act sought to promote the aims of the banned South African Communist Party, an expert on revolutionary groups said in the Johannesburg Regional Court today.

Mr Isak Daniel de Vries, a lecturer at the Rand Afrikaans University, was giving evidence in the trial of Mr Benjamin David Greyling (20) of Smit Street, Joubert Park; Miss Elaine Rose Mohamed (20) of Wanderers Road, Newclare; Mr Michael Anthony O'Donoghue (23) of Hunter Street, Yeoville.

All have pleaded not guilty to manufacturing and distributing placards commemorating

the 60th anniversary of the South African Communist Party promoting the aims of the party.

Mr de Vries was shown a placard reading: "July 30 — Workers Unite — 60th Anniversary of the South African Communist Party."

He said the SACP, together with the African National Congress and the South African Congress of Trade Unions, formed part of a revolutionary alliance. Its aims were the liberation struggle against racism in South Africa, the creation of international communist links and the promotion of marxist — leninist ideas.

Methods of the SACP included strikes and armed struggle, Mr de Vries said.

He quoted from the SACP's official publica-

tion, African Communist, to show that the party regarded strikes as "schools of war."

The use of the words "workers unite" in the placard demonstrated that it was advocating the methods of the SACP.

Mr de Vries said the words were an abbreviation of Karl Marx's exhortation, "Workers of all countries unite."

Posters were also an important propaganda tool. They sought to publicise the SACP and recruit members.

For these reasons, Mr de Vries said, the placard went "beyond a simple commemoration of an historical event."

Earlier in the trial Captain V van Niekerk of the Security Branch said Mr Greyling and Miss Mohamed had admitted taking part in manufacturing the posters.

# Terror trial witness tells of recruitment

A STATE witness who described himself as a non-violent person told the Terrorism Act trial in the Vanderbijlpark Regional Court yesterday how he was tempted to join the South Africa Youth Revolutionary Council (SAYRCO).

The witness, who may not be named, was giving evidence at the trial of Miss Mary Masabata Loate, 23, and Mr Khotso Sidney Seatlholo, 25.

Miss Loate and Mr Seatlholo pleaded not guilty to two counts under the Terrorism Act before Mr A H Barlow.

The State alleges that they were members of the Soweto Students Representative Council and SAYRCO.

Cross-examined by Mr Erick Dane, the witness described himself as a non-violent man and said he had joined SAYRCO in Soweto during March last year.

## Meetings

"I wouldn't join a violent organisation but in the circumstances I was tempted to join," the witness said.

By JOHN MOJAPELO

The witness earlier testified he was recruited by another State witness, Miss X.

He said he had attended three SAYRCO meetings in Soweto.

Another State witness told how she was taken from her home by three black policemen on August 25 last year.

She was taken to the police station where eight white policemen had interrogated her for two hours.

She was afraid, and the next day made a statement to a magistrate.

She said she knew Miss Loate was a member of the Soweto SRC.

On February last year she visited Miss Loate at her

Soweto home.

Miss Loate told her SAYRCO was committed to the violent overthrow of the South African Government. Miss Loate added that Mr Seatlholo was the president of SAYRCO. The witness said Miss Loate recruited her to undergo military training in Botswana.

Under cross-examination by Mr G Bizos, SC, the witness said Miss Loate told her she wanted to go to the University of Bophuthatswana to further her studies.

Both State witnesses gave evidence in camera.

The hearing continues today.

● On Tuesday, the magistrate, Mr A H Barlow, barred Mail reporter John Mojapelo from covering the trial.

He made the ruling after an objection by the prosecutor, Mr A Swanepoel, that Mojapelo's report on Monday's proceedings, read in conjunction with a report in The Sowetan, had been likely to identify a State witness.

The Sowetan reporter Sello Rabothata was also barred. Later, after the Mail made legal representations to Mr Barlow, he ruled that the two reporters might return to the courtroom and resume their coverage.



# Trial told of SACP's national celebration

731 RDM 11/2/82

By MIKE LOUW

A STATE witness told the trial of four University of the Witwatersrand students yesterday that the SA Communist Party claimed to have celebrated its 60th anniversary countrywide last July "under the noses of the Security Police".

The four are appearing in the Johannesburg Regional Court before Mr H J Oosthuizen on charges under the Internal Security Act.

They are Mr Benjamin David Greyling, 20, of Argyle Court, Smit Street, Joubert Park; Miss Elaine Rose Mohamed, 20, of Wanderers Road, Newclare; Mr Michael Anthony O'Donovan, 21, of Homestead Avenue, Randfontein; and Mr Leslie Lax, 23, of Hunter Street, Yeoville.

The State alleges that in July they made and distributed posters commemorating the 60th anniversary of the banned SACP and advocating the purpose or aims of the banned organisation.

All have pleaded not guilty.

A lecturer at the Rand Afrikaans University, Mr Isak Daniel de Vries, told the court he was an expert on revolutionary activities and had written a thesis about revolutionary tactics employed in South West Africa.

He said he had studied prohibited publications of the banned African National Congress, Pan-African Congress and SA Congress of Trade Unions.

He said the SACP, whose chief aim was to establish a socialist society, had continued since it was declared unlawful in 1950.

A poster he was shown by a police officer last year carried the words "workers unite", which he said were extracted from Karl Marx's banned Manifesto. It also said: "July 30, 60th anniversary of the SACP".

## Historic

He said the poster could be viewed as a way of publicising an unlawful organisation and was to be used for an historic event.

He could not say whether the poster would have the same effect as articles in banned publications inciting people to commit illegal acts.

Mr De Vries said the SACP's mouthpiece, "African Communist", published four times a year, said in an article last September that the organisation had been fighting for 60 years, since its establishment in 1921.

The party's central committee was quoted in "African Communist" as saying that the 60th anniversary was celebrated "under the noses of the Security Police" in all main centres, and in many homes.

The four students were remanded. The trial continues today.

# Four accused wear Aggett armbands

331

Star 11/2/82

By Alex Ball,  
Court Reporter

Four students charged under the Internal Security Act appeared in the Johannesburg Regional Court today wearing black armbands in mourning for Dr Neil Aggett.

Mrs. Priscilla Jana, the accuseds' attorney, and several spectators also wore black armbands.

Mr Benjamin David Greyling (20) of Smit Street, Joubert Park; Miss Elaine Rose Mohamed (20) of Wanderers Road, Newclare; Mr Michael Antony O'Donovan (21) of Homestead Avenue, Randfontein, and Mr Leslie Lax (23) of Hunter's Street, Yeoville, have pleaded not guilty to manufacturing and distributing placards commemorating the 60th anniversary of the banned South African Communist Party last July.

## POSTER SLOGAN

A poster seized by the police and shown to the court read: "July 30 — Workers Unite — 60th

anniversary of the SACP."

Mr Isaac Daniel de Vries, a lecturer at Rand Afrikaans University, said the words "Workers unite" on a banner in a sketch on the poster demonstrated that it was advocating the methods of the SACP. Strikes were seen by the SACP as "schools of war".

Mr de la Hunt, defending, submitted that the slogan was closely associated with the SACP and was used in the poster in a ritualistic sense.

"Words and slogans become ritualistic. Certain phrases are thrown out all the time. This is just a ritual," he said.

## ARMED STRUGGLE

Mr de Vries conceded that the slogan could be seen in this way and that the poster could be regarded as a "birthday card" of the SACP.

But he stressed that this was only one interpretation, and said the SACP was part of a revolutionary alliance waging armed struggle against South Africa.

# 'Beauty tried to recruit me,' terror trial told

Star 11/2/82

331

By Themba Khumalo

A witness in the Vanderbijlpark terror trial yesterday testified that she was a "close friend" of Miss Mary Masabata Loate and liked her because she was a beauty queen, and not because of her political involvement with the SA Youth Revolutionary Council.

Miss Loate (23) and Mr Khotso Seatlholo (25), former president of the outlawed Soweto Students' Representative Council, have pleaded not guilty to two counts under the Terrorism Act relating to attempts to recruit several youths to undergo military training outside the country.

The witness said Miss

Loate was the SSRC leader at her school in Soweto in 1977.

In February 1981 Miss Loate sent her a telegram saying she had been involved in a car accident.

"But when I arrived at her home, Miss Loate did not tell me about the car accident and instead asked me to accompany her to Botswana.

"She said she was going to further her studies at the University of Botswana and that I would be offered better education and military training," the witness said.

Under cross-examination by Mr George Bizos, for Miss

Loate, the witness said she turned down Miss Loate because she was not interested in politics.

She said she was "shocked" when she realised that she was to be locked up after eight Security policemen interrogated her at a police station.

"They said they were interested in what Miss Loate told me about military training," said the witness.

Asked by Mr Bizos if she was afraid of two Security officers who were among the eight who interrogated her, the witness said she was. The two officers left the courtroom immediately.

The case continues.



# SACP still active, witness tells court

C. Times  
11/2/82  
331

Own Correspondent

JOHANNESBURG. — The South African Communist Party was still active and had celebrated its 60th anniversary right "under the noses of the security police" last year, a Johannesburg Regional magistrate heard yesterday.

Mr H J Oosthuizen was hearing the trial of four students of the University of the Witwatersrand who are appearing on charges under the Internal Security Act.

They are Mr Benjamin David Greyling, 20, of Argyle Court, Smit Street, Joubert Park; Miss Elaine Rose Mohamed, 20, of Wanderers Road, Newclare; Mr Michael Anthony O'Donovan, 21, of Homestead Avenue, Randfontein and Mr Leslie Lax, 23, of Hunter Street, Yeoville.

## Posters

The State alleges they made posters or placards to commemorate the 60th anniversary of the SACP. Also that they distributed or published posters to advocate, advise or encourage the purpose or aims of the banned organization.

The offences are alleged to have been committed in Johannesburg between July 28 and 31 last year. The students all pleaded not guilty.

A lecturer at the Rand Afrikaans University, Mr Isak Daniel de Vries, told the court he was an expert on revolutionary activities and had written a thesis on revolutionary tactics adopted in SWA/Namibia.

He said he was now working on a doctoral thesis on the concept of peace in the absence of political violence and had studied prohibited publications of the banned African National Congress, the Pan African Congress and

the South African Congress of Trade Unions.

He said the SACP, whose chief aim was to establish socialist societies, had been active right around the country since it was declared unlawful in 1950.

Mr De Vries said a poster with the words "workers unite" which he received from a police officer on November 19 last year was a quotation from Karl Marx's banned manifesto, "Workers of the World Unite".

He said the poster could be analysed as a way of publicizing an unlawful organization and was to be used for an historic event, the way some whites celebrated the Day of the Vow.

Mr De Vries said he could not say whether the poster would have the same effect in inciting people to commit illegal acts as articles in banned publications did.

The poster also had the words "July 30, 60th anniversary of the SACP" printed on it. The organization regarded that date as a commemorative day, he said.

## African Communist

Mr De Vries said the SACP's mouthpiece, "African Communist", published quarterly said in an article in September last year that the organization had been fighting for 60 years since it was established in 1921.

He told the court that the party's central committee had said in its mouthpiece that their 60th anniversary last year had been celebrated "under the noses of the security police" in all the main South African centres, as well as in many homes.

The students were remanded. The trial continues today.

## Witness knew Mary Loate

# The school connection

By SELLO RABOTHATA

A WITNESS at the Khotso Seatlholo trial in the Vanderbijlpark Regional Court yesterday said that one of the accused had asked her to accompany her to Botswana, where they were to undergo military training.

The witness, a young girl who may not be identified, told this to Mr A H Barlow at the trial of Mr Khotso Sydney Seatlholo and Ms Masabata Mary Loate, who are appearing on two counts under the Terrorism Act.

She said, under cross-examination, that Ms Loate had, on two occasions, told her about going to Botswana. She had told her that they would receive education, but would also have to undergo military training. She said she was detained in August last year by a group of eight policemen who, during interrogation, asked her when she had last seen Ms Loate, what they had discussed and also about the Soweto Students' Representative Council. She said the interrogation took about two to three hours.

She said after the questioning, she was locked up and told she would talk to a magistrate the next day. She was told on the second day by police who had come to take her to a magistrate, that Ms Loate had brought her into trouble. She was not told that she was not obliged to say anything and she was also scared of being with eight policemen.

The next day she saw the magistrate, who asked her to tell him everything she had discussed with the police the day before. She didn't, at that time, know that Ms Loate was detained.

She said she had been at the same school as Ms Loate and they had been friends for a long time. Ms Loate was also on the SSRC at her school. She said she did not know why people were being detained. She never thought that it could happen to her.

In March last year, Ms Loate had visited her and stayed overnight. They spoke about their past and school days and Ms Loate told her that she was still going to Botswana and she also asked her (witness) to accompany her.

She told her about undergoing military training. This was not the first time that Ms Loate had suggested this to her, but she was afraid of anything to do with soldiers, she said.

The hearing continues today.

# Judge: Police plea 'alarming'

Argus Correspondent said in the Supreme Court here today. This was criticised as 'an alarming proposition' which was 'inequitable' by Mr Justice Leon. The detainee, Mrs Mavis Magubane, was not able to institute a claim during her detention because she was being held incommunicado under security legislation. Mrs Magubane, of Sobantu village, alleges she was tortured by two white security policemen being laid against her. on September 13, 14 and 15, 1976, in the Loop Street prison here. She was held under Section 6 of the Terrorism Act for 14 months without any charges. During the time she was in prison she had no access to legal representatives. She was only visited by State officials and had no recourse to law. (Contd on Page 3, col 2)

Argus 12/2/82  
'Alarming'  
(321) (331)  
(Continued from Page 1)

until the time of her release.

When she left prison in November 1977, she instituted an action against the Minister of Police and in April 1978 summons was issued.

However, Section 32 of the Police Act demands that a claim must be instituted within six months of the date of assault.

If the Minister of Police succeeds in his contention that she did not comply with the regulations set down in the Police Act, the claim will not go ahead.

She is asking for R4200 damages for permanent disfigurement and suffering caused by the torture. Mrs Magubane alleges she was struck repeatedly on the head with a wet towel by interrogators, resulting in a swollen neck and permanent damage to the skull tissue, including loss of hair.

The claim follows a case in the Transvaal last month in which detainee Mr Daniel Montsisi entered a claim of assault by security police which was dismissed by the judge.

Mr Acting Justice Kriegler accepted the pleas of counsel representing the Minister of Police that it was contrary to Section 32, though he said it was 'deplorable.'

(Proceeding)



# Court told detention without trial is 'weapon'

ARGUS  
12/2/82

229 331

Argus Correspondent

JOHANNESBURG. — Detention without trial is used as a weapon to force detainees to talk, Mr H Oosthuizen heard in the Johannesburg Regional Court today.

Charged under the Internal Security Act are Mr Benjamin David Greyling, 20, of Joubert Park, Miss Elaine Rose Mohamed, 20, of Newclare, Mr Michael Anthony O'Donovan, 21, of Randfontein and Mr Leslie Lax, 23, of Yeoville.

All have pleaded not guilty to manufacturing and distributing posters commemorating the 60th anniversary of the South African Communist Party and promoting the aims of the party.

## ARRESTS

Captain Adriaan Peter van Niekerk told the court Mr Greyling was arrested under Section 50 of the Criminal Procedure Act and later held under Section 32 of the General Law Amendment Act. All the other accused were arrested under Section 22.

When their detention under Section 22 expired, all the accused were re-detained under section 6 of the Terrorism Act, which provides for indefinite detention.

Asked by Mr D de la Hunt, defending, why they were re-detained under Section 6, Captain van Niekerk said because investigation had not been completed.

## METHODS

Asked if no other steps could be taken, he said a judge could be approached for a lengthening of detention under Section 22 or the Attorney-General could issue a warrant of detention.

He had not done this because his investigation was not complete. He agreed that a judge was unlikely to grant a detention warrant unless there were adequate reasons.

Mr De La Hunt submitted that detention without trial was used as a weapon against detainees.

'Section 6 and Section 22 are used to terrorise them and force them into submission. They were used in this case as a weapon of duress. By invoking these sections, he was using them as a weapon against the accused to intimidate them.'

## INVOLVEMENT

Captain van Niekerk denied that detention caused fear among detainees.

'A person is scared because of involvement in an offence and feels better when he talks,' he said.

(Proceeding).

# Journalist jailed for refusing to testify

The news editor of the black daily Sowetan, Mr. Thami Mazwai, was today sentenced to 18 months for refusing to testify in the Vanderbijlpark terror trial because he claimed he was assaulted by the police while in detention.

His attorney, Mr. Raymond Tucker, told the court Mr. Mazwai would not take the oath as a witness because he alleged he had been "physically beaten up by the Security Police".

The trial of former Soweto Students Representative Council leader, Mr. Khotso Seatlholo (25), and Miss Mary Masabuta Loate (23) is in its fifth day.

Both face two charges under the Terrorism Act in connection with attempts to recruit several youths for military training outside South Africa.

Mr. Tucker said one reason Mr. Mazwai would not testify was because he had been kept in solitary confinement from June 17 to November 7. Although transferred, he was not allowed visits from his family and attorney.

Another reason for his refusing to take the stand was that his journalist image would be tarnished.

Page 7: Detainee at police braai, court told.

"Thank you for your prompt acknowledgement of my note thanking you for your..."

all Street Journal

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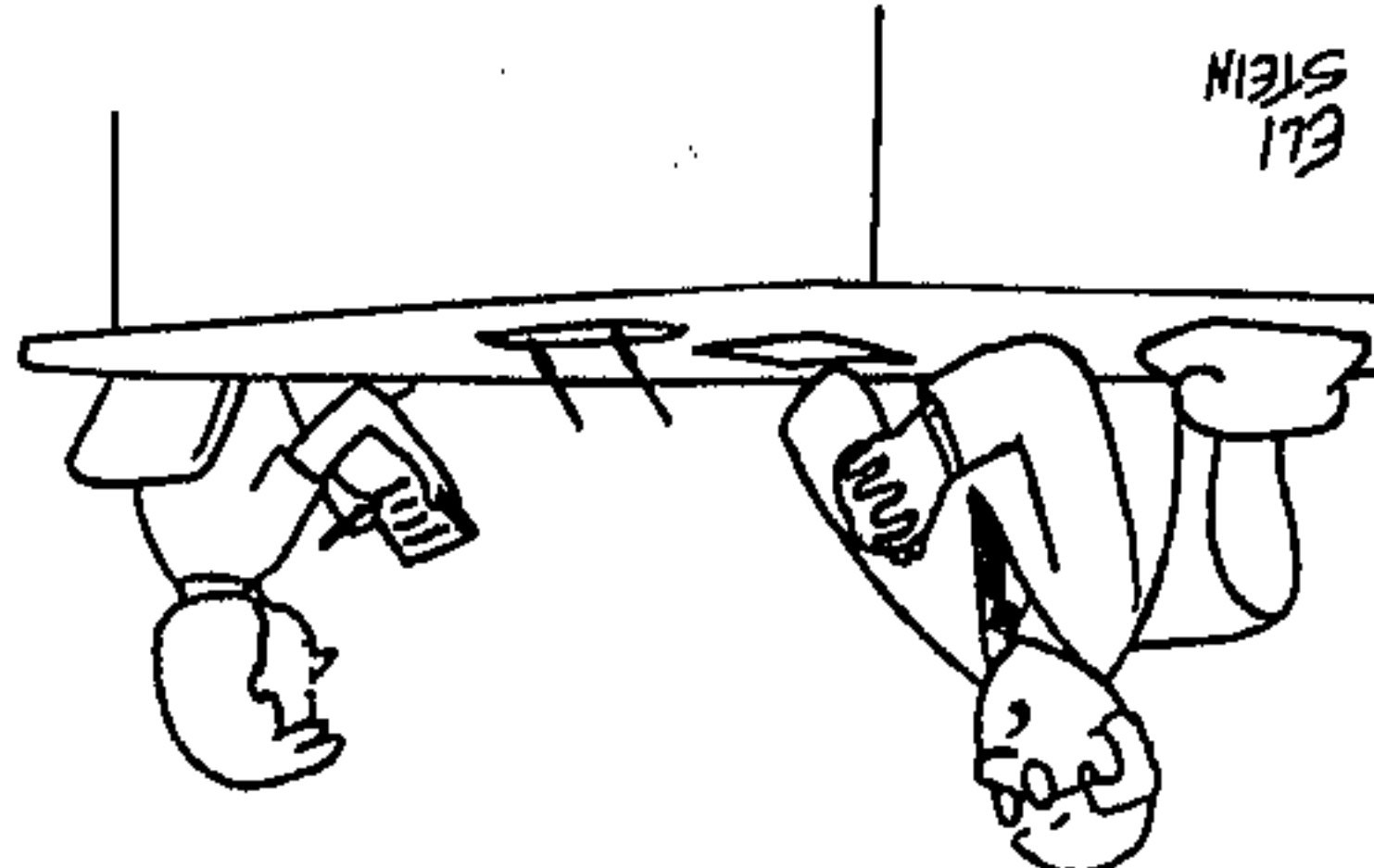
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(331)  
**Section 6**

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**intimidate  
— defence**

By Alex Ball,  
Court Reporter

Detention without trial was used as a weapon to force detainees to talk, Mr H Oosthuizen heard in the Johannesburg Regional Court today.

Mr Benjamin David Greyling (20) of Smit Street, Joubert Park, Miss Elaine Rose Mohamed (20) of Wanderers Road, Newclare, Mr Michael Anthony O'Donovan (21) of Homestead Avenue, Randfontein and Mr Leslie Lax (23) of Hunter Street, Yeoville are charged under the Internal Security Act.

All have pleaded not guilty to manufacturing and distributing posters commemorating the 60th anniversary of the South African Communist Party and promoting the aims of the party.

Captain Adriaan Peter van Niekerk told the court that when their detention under Section 22 of the General Laws Amendment Act expired, the accused were transferred to section six of the Terrorism Act which provides for indefinite detention.

**REASONS**

Replying to Mr D de la Hunt, defending, Captain van Niekerk said this was because the investigation had not been completed.

A judge could be approached for a lengthening of detention under Section 22. He agreed that a judge would require adequate reasons.

Mr de la Hunt submitted that detention without trial and Sections 6 and 22 were used as a weapon against detainees to force them into submission and intimidate them.



# Black bands worn in court

## Mail Reporter

FOUR Wits students, facing charges under the Internal Security Act, yesterday appeared in court wearing black bands to mourn the recent death in detention of Dr Neil Aggett.

Appearing before Mr H J Oosthuizen in the Johannesburg Regional Court were Mr Benjamin David Greyling, 20, of Argyle Court, Smit Street, Joubert Park; Miss Elaine Rose Mohamed, 20, of Wanderers Road, Newclare; Mr Michael Anthony O'Donovan, 21, of Homestead Avenue, Randfontein; and Mr Leslie Lax, 23, of Hunter Street, Yeoville.

The State alleges they made posters or placards to commemorate the 60th anniversary of the South African Communist Party (SACP), and that they published and distributed posters to advocate or encourage the purpose and aims of the SACP.

The offences are alleged to have been committed by the four students in Johannesburg between July 28 and 31 last year. They have all pleaded not guilty.

## Lecturer

A lecturer at Rand Afrikaans University, Mr Isak Daniel de Vries, told the court he was an expert in revolutionary activities. Under cross-examination by Mr D de la Hunt, SC, for the defence, he said blacks in South Africa were more revolutionary than whites.

He said blacks regarded the knowledge of English as a status symbol and there had been a large outcry when Afrikaans was used as a medium of instruction at schools for blacks.

Mr De Vries said the slogan "Workers unite" appearing on one of the posters among exhibits was of a communistic nature.

The SACP was still a threat to South Africa, he said, and the main aim of the SACP and the banned African National Congress was to overthrow the Government.

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The South African Congress of Trade Unions was also propagating violence. He said both the ANC and the SACP claimed to be fighting for liberation and supported an arms struggle. He said the ANC military wing "Umkhonto We Sizwe" (Spear of the Nation) was formed in 1961 and the SACP later claimed to have played a part in its formation.

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c) To persuade a fellow student based on facts the model he should buy.

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# Detainee at police braai, <sup>331</sup> court told <sup>Jan 12/2/82</sup>

A witness in the Vanderbijlpark terror trial told the court that while she was in detention last year the security police invited her to a braaivleis at the back of a police station where they allowed her to see her baby.

This was after the witness had made statements during her detention under Section 6 of the Terrorism Act.

The former president of the Soweto Students' Representative Council, Mr Khotso Seatlholo (25), and Miss Mary Masabata Loate (23), both of Soweto, have pleaded not guilty to charges of attempting to recruit youths for military training outside South Africa.

The witness said she had the baby before her detention in August. The baby was brought by the police from her home and was returned after the party, she said.

Questioned by Mr George Bizos for Miss Loate, the witness admitted having omitted vital issues she told the court in her main evidence, while under cross-examination by the prosecutor, Mr J Swanepoel earlier.

Among these were that Miss Loate told her last year that she was the secretary of the SA Youth Revolutionary Council and Mr Seatlholo was the pre-

sident and she also admitted having forgotten to tell the court that Sayrco wanted to fight oppression in South Africa through an armed struggle.

Mr Bizos put it to her that she forgot to mention these things while under his cross-examination because "Miss Loate did not tell you about Sayrco during that meeting."

"As you told the court earlier, the police told you not to deviate from your statement you wrote with them ... You are trying to say what is in your statement and not what Miss Loate told you during your meeting with her."

Another witness, Mr Floyd Jabulani Shezi, said that in February last year while he and a friend were walking along a street in Orlando West, they met Miss Loate who asked them to go and apply for passports.

A day later they went to the commissioner's office in Johannesburg and filled in application forms for the required documents.

He said his friend later went to collect his passport, but he (the witness) did not do so. Miss Loate refunded them for expenses incurred in their applications.

That was the last time he met Miss Loate.



331

By J'S MOJAPALO

FIVE security detainees who agreed to give evidence for the State were entertained at a braai-party by the Security Police, the Vanderbijlpark Regional Court was told yesterday.

This evidence was given by a State witness who attended the party at a Vaal police station with her parents.

The witness, whose identity may not be revealed, was giving evidence before Mr A H Barlow at the trial of Miss Mary Masabata Loate, 23, and Mr Khotso Sidney Seatlholo, 25.

Miss Loate and Mr Seatlholo, former Soweto student leaders, pleaded not guilty to two counts under the Terrorism Act.

The State alleges they were both members of the banned Soweto Students Representative Council and the

## Court told of guests at SP braai

South African Youth Revolutionary Council (SAYRCO).

The witness said in December last year she was taken to a braai-party by the Security Police, who had previously interrogated her for about two hours.

The witness, who was accompanied to the party by her parents, said there were four other security detainees there — three women and one boy.

The witness, who was cross-examined the entire afternoon by the defence council, Mr G Bizos, SC, admitted that her long detention had made her confused.

Since her release, she no longer felt confused. She said she rejected an attempt by Miss Loate to recruit her to undergo military training in Botswana.

Another State witness, Miss Froyd Shezi, told the court that Miss Loate asked him to apply for a passport during February or March last year.

He was later detained. The hearing continues today.

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The language advisor's job does not fit neatly into the line management hierarchy of the firm, but has an independent position, roughly between those of department head and clerks. It is a specialised job, and the incumbent deals with all the levels of employees from top management down to line staff. The qualifications needed for the job are a degree with one or both the official languages as majors, and a well-developed ability to use language effectively.

ENGLISH LANGUAGE ADVISOR IN AN INSURANCE FIRM

4.5.1 Does the following job description fulfill the requirements?

4.5 Job Description



February 13, 1982

3

6.1.

# Wits 4 plead not guilty

Mall Reporter

A JOHANNESBURG Regional court magistrate heard yesterday that an accused in an Internal Security trial would testify that she was refused permission to be seen by a doctor because she had refused to make a statement.

Four University of the Witwatersrand students had pleaded not guilty to charges under the Internal Security Act.

The four who appeared before Mr H J Oosthuizen were Mr Benjamin David Greyling, 20, of Argyle Court, Smith Street, Joubert Park; Miss Elaine Rose Mohamed, 20, of Wanderers Road, Newclare; Mr Michael Anthony O'Donovan, 21, of Homestead Avenue, Randfontein, and Mr Leslie Lax, 23, of Hunter Street, Yeoville.

The State alleges they made posters or placards to commemorate the 60th anniversary of the South African Communist Party (SACP) and that they published and distributed posters to advocate or encourage the purpose and aims of SACP.

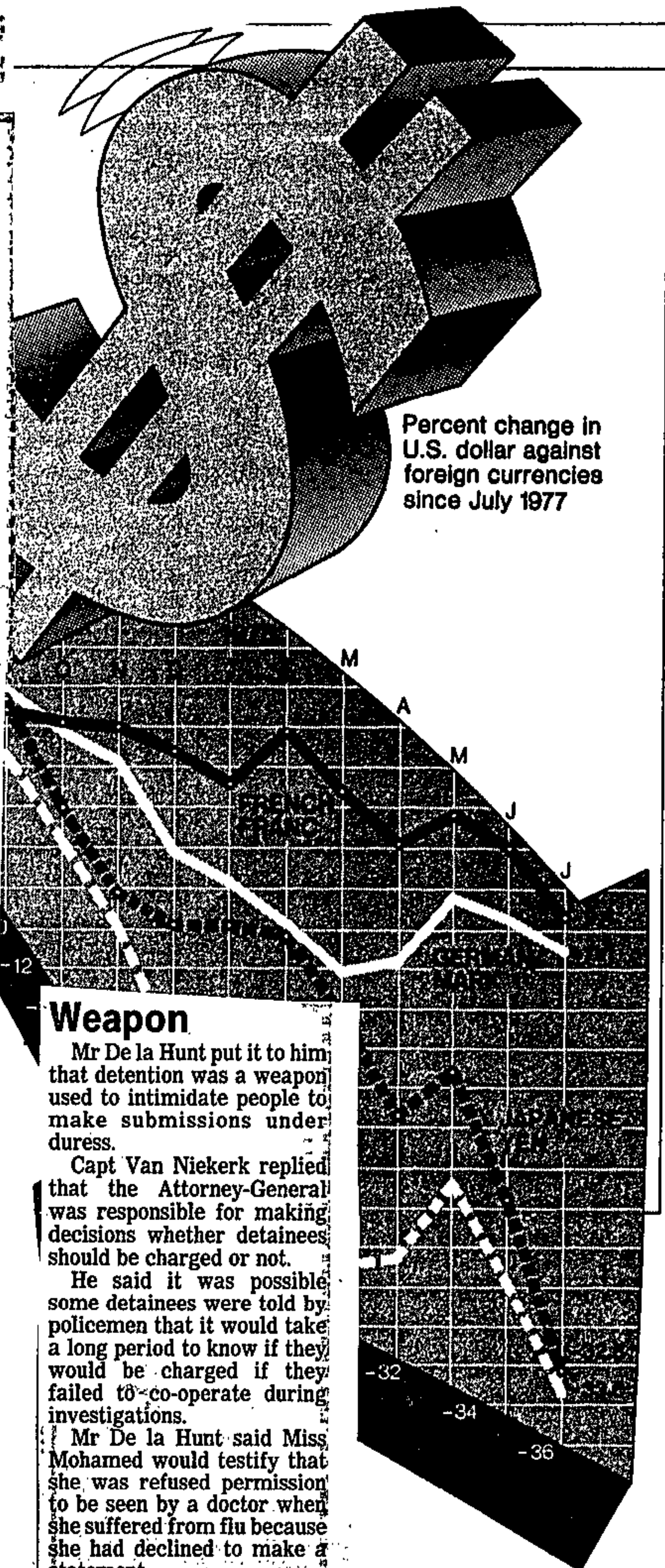
The offences were alleged to have been committed in Johannesburg between July 28 and 31 last year.

Captain Adriaan Pieter van Niekerk told the court under cross-examination by Mr D de la Hunt for the defence that the four students were initially detained under Section 22 of the Internal Security Act and were later held under Section Six of the Terrorism Act during investigations.

He said did not try to mislead Mr O'Donovan's mother when he told her that her son would only be held for a few hours.

## THE DOLLAR IS DROPPING

Lack of confidence in America's policies



## Weapon

Mr De la Hunt put it to him that detention was a weapon used to intimidate people to make submissions under duress.

Capt Van Niekerk replied that the Attorney-General was responsible for making decisions whether detainees should be charged or not.

He said it was possible some detainees were told by policemen that it would take a long period to know if they would be charged if they failed to co-operate during investigations.

Mr De la Hunt said Miss Mohamed would testify that she was refused permission to be seen by a doctor when she suffered from flu because she had declined to make a statement.

The trial will continue on Monday.

Japan was not a week, and Europe was not much better. The bruised and battered buck was staggering through another glassy-eyed performance of its Incredible Shrinking Act; and when the curtain dropped at week's end, the star performer looked more frazzled and anaemic than ever.



# Six are jailed for terror trial silence

By J S MOJAPALO

THE news editor of the Sowetan, Thami Mazwai, and five other witnesses who refused to give evidence in the Terrorism Act trial against two Soweto leaders, were sentenced in the Vanderbijlpark Regional Court yesterday to jail terms ranging from nine to 18 months.

The six witnesses refused on moral and ethical grounds to give evidence before Mr A H Barlow in the trial of Miss Mary Masabata Loate, 23, and Mr Khotso Sidney Seatlholo, 25, who have pleaded not guilty to two counts under the Terrorism Act.

The States alleges Miss Loate and Mr Seatlholo were members of the banned Soweto Students Representative Council and the South African Youth Revolutionary Council (SAYRCO).

Mazwai, 38, who is also general secretary of the Media Workers Association of South Africa (Mwasa), was jailed for 18 months.

Mr B Ancer, who appeared for Mazwai, said the journalist was detained under Section Six of the Terrorism Act on June 17 and spent 240 days in detention.

While in detention he was physically assaulted and kept in solitary confinement, he said.

## Statement

Mr Ancer said Mazwai made a false statement to the police after the assaults. He was afraid he would be kept indefinitely in detention if he did not make a statement, Mr Ancer said.

"This mental deprivation, solitary confinement and

continuous interrogation led to Mazwai losing touch with reality," he said.

Mr Ancer said if Mazwai gave evidence he would lose his credibility as a journalist in the black community.

The State prosecutor, Mr J Swanepoel, said the incidence of State witnesses refusing to give evidence had increased recently and the State had increased the sentence to indicate the seriousness of the crime.

In his judgment, the magistrate found Mazwai had no legal or just cause for refusing to give evidence. But it was only with "great reluctance and sorrow" he had to send him to jail.

Thabo Edwin Ndabeni, 25, national organiser of the Azanian People's Organisation (Azapo), was sentenced to 18 months. He had been in detention since June 21 last year and spent 237 days in detention.

Solomozi Alex Selani, 27, national chairman of AZANYU, was sentenced to 18 months. He spent 237 days

in detention.

A member of Azapo, Stephen Siphosomacele, 28, was sentenced to 18 months imprisonment. He also spent 237 days in detention.

Nonkululeko Innocentia Freedom Mazibuko, 20, who on Monday broke down and wept in the witness box when she refused to give evidence, was jailed for 12 months. She had been in detention for 240 days.

Elsie Mathibedi, 22, who suffers from tuberculosis, was sent to jail for nine months. She was in detention for 237 days.

Martin Carter Seleke, 24, president of the Azanian National Youth Unity (AZANYU) had been jailed for 18 months at an earlier hearing, also for refusing to give evidence.

He was detained under Section Six of the Terrorism Act on July 21 last year and spent 237 days in detention.

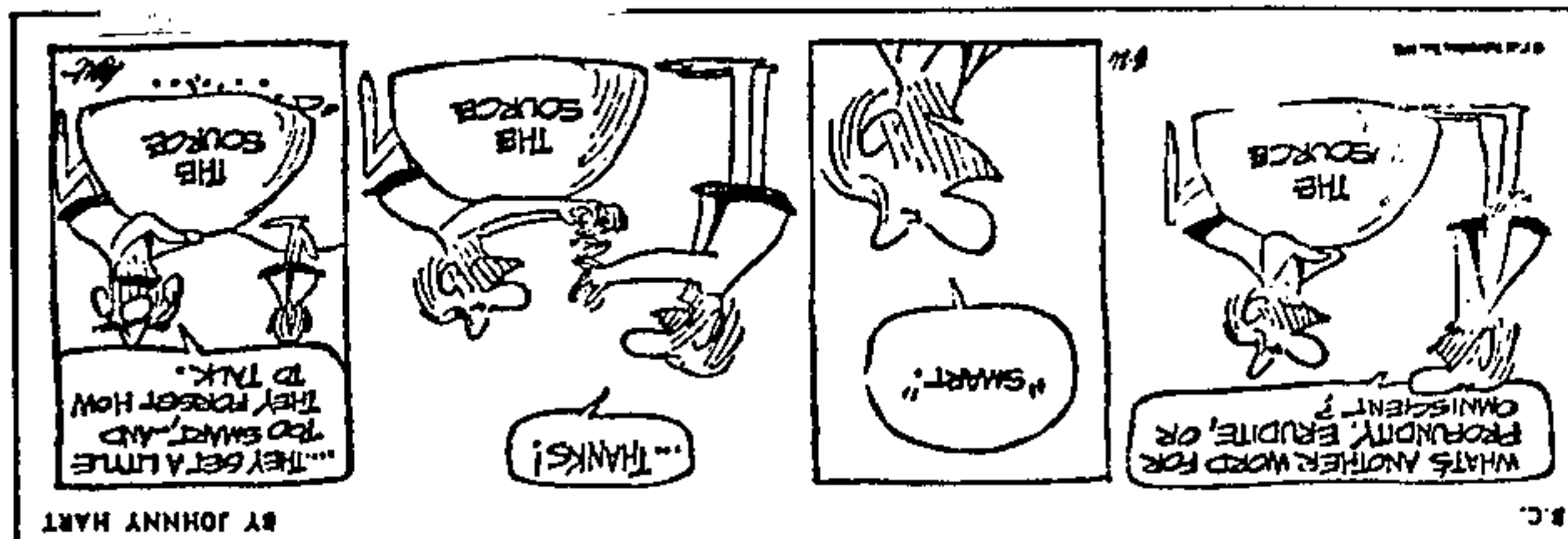
The hearing against Miss Loate and Mr Seatlholo continues on Monday.

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Weekend Edition

19 CENTS plus tax 1c

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A timely arrival. Our ne R215,00. Add-on Sales T Coats

There's no **St**

# Terror trial witnesses jailed for silence

*Cape Times 13/2/82* (231)

**Own Correspondent**

**JOHANNESBURG.** — The news editor of the Sowetan, Thami Mazwai, and five other witnesses who refused on moral grounds to give evidence in the Terrorism Act trial of two Soweto leaders, were sentenced yesterday in the Vanderbijlpark Regional Court to jail terms ranging from nine to 18 months.

The six witnesses refused to give evidence before Mr A H Barlow in the trial of Miss Mary Masabata Loate, 23, and Mr Khoto Sidney Seatholo, 25, who pleaded not guilty to two counts under the Terrorism Act.

The States alleges that Miss Loate and Mr Seatholo were members of the banned Soweto Students Representative Council and the South African Youth Revolutionary Council (Sayro).

Mazwai, 38, who is also the general secretary of the Media Workers Association of South Africa (Mwasa), was jailed for 18 months.

Mr B Ancer, who appeared for Mazwai, said the journalist had been detained under section six of the Terrorism Act on June 17 and had spent 240 days in detention. While in detention he was physically assaulted and kept in solitary confinement.

Mr Ancer said Mazwai made a statement to the police after the assaults. The contents of the statements were false. He was afraid he would be kept indefinitely in detention if he did not make a statement.

The State prosecutor, Mr J Swanepoel, said the crime of State witnesses refusing to give evidence had increased recently. The State increased the sentence to indicate the seriousness of this type of crime.

In his judgment, the magistrate found that Mazwai had no legal or just cause for refusing to give evidence. He said he found it extremely difficult to impose a sentence on Mazwai, but with "great reluctance and sorrow" he had to send Mazwai to jail.

Martin Carter Seleke, 24, the president of the Azanian National Youth Unity (Azanyu), was also jailed for 18 months in a separate hearing. He was detained under Section six of the Terrorism Act on July 21 last year.

Thabo Edwin Ndabeni, 25, the national organizer of the Azanian People's Organization (Azapo), was sentenced to 18 months. He has spent 237 days in detention.

Solomosi Alex Selani, 27 the national chairman of Azanyu, was sentenced to 18 months. He has spent 237 days in detention.

A member of Azapo, Stephen Siphosimacele, 28, was sentenced to 18 months imprisonment. He has spent 237 days in detention.

Nonkululeko Innocentia Freedom Mamboko, 20, who on Monday broke down and wept in the witness box, was jailed for 12 months. She has been in detention for 240 days.

Elsie Mathibedi, 22, who suffers from tuberculosis, was sent to jail for nine months. She has been in detention for 237 days.

The hearing against Miss Loate and Mr Seatholo continues on Monday.

Mr Ancer, instructed by Raymond Tucker, appeared for all the witnesses who refused to give evidence for the State. Mr G Bizos SC (with Mr J F Brasse) appeared for Miss Loate, and Mr J F Coaker (with Mr E Dane) appeared for Mr Seatholo.



## 14 missing as tanker breaks up

FALMOUTH, England. — 13 000 tons or more — to g near the Victory. Fourteen crewmen were presumed dead The Falmouth Co



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# Silent seven are jailed in terror trial

Seven witnesses were jailed yesterday after they refused to testify for the State in the Vanderbijlpark terror trial in which two former Soweto student leaders are facing two counts under the Terrorism Act.

Thami Mazwai (38), news editor of Sowetan; Thabo Ndabeni (25), national organiser for the Azanian People's Organisation (Azapo); Martin Carter Seleka (24), president of the Azanian National Youth Union; Solomzi Alex Selane (27), organising secretary of the National Youth Union; Steven Siphso Somacele (28), member of Azapo; Innocentia Freedom Mazi-buko (20) and Elsie Mathibedi (22) were all sentenced by Mr A H Barlow at the Vander-

bijlpark Regional Court. They were convicted for declining to testify at the trial of Mr Khotso Seatlholo (25), former president of the outlawed Soweto Student Representative Council, and Miss Mary Masabata Loate (23) because of their ethical and moral obligations. Mazwai, Seleka, Ndabeni, Selane and Somacele were all sentenced to 18 months' imprisonment.

Elsie was sentenced to nine months' imprisonment and Freedom, who broke down and wept last Monday and said she would rather go to jail than betray my colleagues, got 12 months' imprisonment.

The public was allowed into the hearing after the case was held in camera for four days. The courtroom was packed with spectators and several policemen.

In pleading for leniency, Mr B Ancer (for defence), pointed out that the witnesses were living in "times of political strife" should be taken into account. The case continues on Monday.

Statement (a) is the most general statement. Statements (b), (c) and (d) must also be true.

Study the following sentences. Column (a) contains more general items. Column (b) contains more specific items. Write column (a) in your notebook with a general statement from column (b).

EXAMPLE

Iron rusts.

Metals corrode.

a	b
1. Iron rusts.	Engines consume fuel.
2. Bronze contains copper and tin.	Metallic elements are added to steel to improve its properties.
3. A square metre is made by multiplying a metre by a metre.	Compressive forces shorten bodies.
4. Chromium makes steel corrosion-resistant.	Metals corrode.
5. A load of five tonnes compresses a concrete column.	Derived units are products of basic units.
6. Zirconia heat shields withstand temperatures over 2000°C.	Alloys are mixtures of metals.
7. Vinylite can be shaped in a lathe.	Ceramics can resist high temperatures.
8. Railway lines extend in hot weather.	Plastics may be machined.
9. Four-stroke internal-combustion engines burn petrol, diesel oil, and gas.	Metals expand when heated.

**Wife told  
banned  
journalist  
to be freed**



MEDIA ASSOCIATION  
PRESIDENT HELD  
FOR EIGHT MONTHS

**By Marian Padayachee**

**BANNED Johannesburg journalist Zwelakhe Sisulu will be released from custody when the Vanderbijlpark terrorism trial ends this week, his wife has been assured by Security Police.**

The assurance was given to Mrs Zodya Sisulu when she saw her husband for 30 minutes during the trial late this week.

"I have been assured that he will be released soon after the trial ends," she said.

Referring to the trial of the two Soweto student leaders Khotso Sydney Seathlolo and Mary Masabata Loate, Mrs Sisulu said her husband has refused to testify against the pair facing two counts under the Terrorism Act.

"We are praying and hoping that Zwelakhe will be released soon," she said adding that their two-year-old son, Moyika-Zweluthu, was missing his father who has been held incommunicado for more than 240 days.

Mrs Sisulu expressed concern at the 18-month prison sentence served on Thami Mazwai, news editor of the Sowetan newspaper and general secretary of the Media Workers (Mwasa), for refusing to give evidence in the trial.

Mr Sisulu is the banned president of the association.

Five other witnesses refused to give evidence in the trial before Mr A. Barlow in the Vanderbijlpark Regional Court. They were given jail terms ranging from nine to 18 months' imprisonment.

A spokesman for the SAP Directorate of Public Relations said the Security Police could not comment on the assurance to Mrs Sisulu.

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SET



Star 15/2/82 (331)

# SA trio jailed for abducting young exile

The Star's Africa  
News Service

GABORONE — Three South Africans were jailed for four years each at the weekend for conspiring to kidnap a Soweto refugee.

George Khoza (30), Daniel Kazebo (32) and David Johannes

Letswalo (26) tried to kidnap Mr Peter Lengene from a Gaborone suburb on February 6 this year.

They planned to take him back to South Africa, the magistrate's court heard. Mr Lengene is in his 20s and fled to Botswana in 1976.

A police source said out of court that he believed the attempted kidnapping was connected to the trial of the former president of the Soweto SRC Mr Khotso Seatlholo (25), and Miss Mary Loate (23) who are appearing in Vanderbijlpark on charges of attempting

to recruit youths for military training.

● Soweto refugees here said today they believed the kidnapping was successful and that Mr Lengene had been abducted back to South Africa. Apparently six other men were involved in the plot to snatch Mr Lengene.

UCT

86 64 62 60 58 56 54 52 50 48 46 44 42 40 38 36 34 32 30 28 26 24 22 20 18 16 14 12 10 8 6 4 2



# MAZWAI 'APPEAL'

**AN APPEAL** is being considered against sentences imposed by a Vanderbijlpark regional magistrate on seven witnesses, including the news editor of **The SOWETAN**, who refused to testify in the Khotso Seatlholo trial last week, their legal representatives said yesterday.

The seven witnesses who refused to testify before Mr A H Barlow in the case in which Mr Khotso Sydney Seatlholo, former president of the SSRC, and Ms Mary Masabata Loate, a former beauty queen, are appearing on two counts under the Terrorism Act are: Thami Mazwai (38), news editor of **The SOWETAN**, who was sentenced to 18 months.

Thabo Edwin Ndabeni (25), national organiser of the Azanian People's Organisation (Azapo), 18 months in prison, Nkhutang Martin "Carter" Seleka, president of Azanian Youth

**By SELLO RABOTHATA**

Unity (Azanyu), 18 months.

Solomzi Alex Selane (27), a member of the Azanian National Youth Unity (Azanyu), 18 months in jail, Steven Somacele (28), also 18 months. Innocentia Nonkululeko Mazibuko (20) was sentenced to 12 months and Elsie Mathibedi (22) sentenced to nine months.

Advocate Bernard Ancer, who represented the witnesses, told the court that the six refused to testify because of moral and ethical considerations. Most of them had spent a long time in solitary confinement, some of them 240 to 237 days in detention. Others were detained on June 17 and others on June 21, last year.

In the case of Mazwai, Advocate Ancer said he had been detained on June 17, last year, under Section Six of the Terrorism Act until November when he was transferred to Section 12 when he made a statement to the police. He had been in solitary confinement and was not given anything to read except a Bible.

Mr Ancer said Mazwai said that he had been physically beaten up and that due to the long hours of interrogation he

had lost touch with reality. When he made the statement many allegations had been suggested by the police. Mazwai had said police told him that if he did not make a statement he would be kept in detention indefinitely.

Mazwai had said the statement he made to the police was false as it was made under pressure and duress. One other reason why he refused to testify was that he would commit perjury. He was afraid of this as he has a suspended sentence on perjury. He could also not testify because of moral and ethical grounds; his credibility as a journalist and news editor of **The SOWETAN** would be destroyed.

Mr Ancer, in the case of the others, said most of his submissions on Mazwai applied to the others. He then pleaded in mitigation of sentences.

A statement made by Loate to her defence and read in court stated that she had, on June 17, visited Mr Zwelakhe Sisulu and told him there were people who wanted to see Mazwai, who is also the general secretary of the Media Workers' Association of South Africa (Mwasa), and after Mr Sisulu was given the message Mazwai was telephoned and given Ms Loate's address as the meeting place.

## PROBLEMS

Although all members of staff will endeavour to assist students, you are encouraged to take your problems to the person/committee most directly concerned:

**Problem:**

Related to specific course/reading/

essay

Related to courses in general and/or

**Consultant:**

Your tutor or lecturer

Relevant Course Co-ordinator

531 Sowetan 15/12/82

## Trespass charges for blind workers

### African Affairs Reporter

CHARGES of trespassing were laid against 59 blind workers on Saturday when they refused to vacate their hostel at the Natal African Blind Society's premises in Umlazi.

They may appear in the Umlazi Magistrate's Court today.

They were allowed to remain in the hostel pending the trial.

The blind workers had been given an ultimatum to leave the premises by 10 a.m. but defied the order. They ignored a truck belonging to the society which arrived at the hostel to transport them to the railway station.

Mr John Randles, the factory manager, summoned the police and a charge of trespassing was laid.

Mr D Ntsele, KwaZulu's assistant secretary for Health and Welfare, and Mr J T Zulu, KwaZulu's urban representative, held discussions with Mr Randles for three hours but the charge of trespassing was not withdrawn.

### Persuaded

The officials succeeded in persuading him to feed the workers. Food was withdrawn last Thursday when the workers objected to increased deductions from their wages to pay for food.

The officials relayed the developments to Dr M Gumede, the secretary for Health and Welfare, and will submit a report this week.

The Mercury has been officially informed that the land and buildings of the society belong to the KwaZulu Government and that the Natal African Blind Society runs the factory for the blind on an agency basis.





337  
337  
15/2/82

# White-Black unity noted in Aggett protests

The Star-Democrat  
NEW YORK — The fact that Blacks and Whites have cooperated in protest over the death in detention of trade unionist Dr. Aggett has been the focus of American press coverage of the anniversary of the young doctor's death.  
The circumstances in which the trade union

official died, and the reputation of his son, longues and family that he committed suicide, have received wide coverage here.  
The doctor's death, marriages and violent meetings around it with Aggett were also widely reported last week.  
Strong play has been given to the fact that white corporations in-

operated with the can by their trade unions for a week purpose to work Dr. Aggett's death.  
The New York Times reported that the co-operation in white organizations and their re- spect for the power of the Black unions, and that this demonstration had repercussions about security police crack-

downs on Black unions inclined to take a political stand.  
The Times noted that there were statements of concern about the all-out and side of Dr. Aggett from the Anglo-American Corporation, the Federal Chamber of Industries and the Associated Chambers of Commerce, but the

statements stopped short of questioning detention without trial.  
The Times also noted that the security agencies is actually immune to such violent crime with the announcement that the security forces of a riot who was in charge of the who that transcend bread making his decision has been promoted to

deputy commissioner of police.  
The influential industrialist Christian Science Monitor said in a work stoppage would represent a significant show of unity among the new genera- tion of trade unions. It may begin an era of involvement in issues that transcend bread and butter labour con- cerns.

Policeman

Argus 16/2/67  
denies

(331)  
tearing up

statement

Argus Correspondent

JOHANNESBURG. — A security policeman denied in the Regional Court yesterday that he had torn up a statement made by an accused charged under the Internal Security Act.

He was giving evidence in a case in which Mr Benjamin David Greyling, 20, of Joubert Park, Miss Elaine Rose Mohamed, 20, of Newclare, Mr Michael Anthony O'Donovan, 21, of Randfontein, and Mr Leslie Tax, 23, of Yeoville, are charged with manufacturing and distributing posters commemorating the 60th anniversary of the banned South African Communist Party.

They have pleaded not guilty.

#### ALLEGATION

Mr D Delahunt, for the accused, said Miss Mohamed would testify that Captain Adriaan Pieter van Niekerk said a statement she had written was 'skone kak' and then tore it up.

Captain van Niekerk denied tearing up a statement or using those words.

He said he sometimes tore up a document if he had made a note of its contents or already knew them.

Re-examined by the prosecutor, Mr A R van Wyk, he said he would not tear up a statement even if it contained a denial by the accused of guilt.

The hearing is continuing.

# US plays up Aggett death

NEW YORK — The fact that blacks and whites have associated in protest over the death in detention of trade unionist Dr. Martin Aggett has been the focus of American press coverage in the aftermath of the young doctor's death.

The circumstance of the death of the trade union official, and the scepticism of his colleagues and family that he committed suicide, have received wide coverage here.

However, the half-hour work stoppages and protests meetings around South Africa have carried that coverage throughout last week.

UNITED PRESS

Strong play has been given to the fact that white corporations co-operated with the call by black trade unions for a work stoppage to mark Dr Aggett's death in detention.

The New York Times reported that the co-operation of white emp-

notes that there were statements of concern about the alleged suicide of Dr Aggett from the Anglo-American Corporation, the Federated Chamber of Industries and the Associated Chambers of Commerce, but the statements stopped short of questioning detention without trial.

The Times also notes: "A sign that the security apparatus is virtually immune to such protest: The Times' report:

announcement that the Security Police officer who was in charge of Steve Biko during his detention has been promoted to Deputy Commissioner of Police."

## UNITY

The influential Boston based Christian Science monitor said that the work stoppage "could represent a significant show of unity among the new generation of trade unions. It may begin an era of involvement in issues that transcend bread and butter labour

concerns."

The monitor quotes a union expert who makes the point that the death of Dr Aggett was regarded as an assault on the emerging trade union movement, which is not defined along racial lines although membership is largely black.

Whether his death was found to be suicide or not would not alter this impression, since the objection was to his detention in the first place.

UNIT



**Court told of application money**

# Loate in passport deal

TWO State witnesses yesterday told the Vanderbijlpark Regional Court magistrate that one of the accused in the Khotso Seatlholo terror trial had asked them to apply for passports.

Mr Edward Malinga and Mr Brian Mthetwa were giving evidence before Mr A H Barlow in the case in which Mr Khotso Sydney Seatlholo, former president of the Soweto Students Representative Council (SSRC) and Ms Mary Masabata Loate, a former beauty queen are appearing on two charges under the Terrorism Act.

Mr Mthetwa told the court that he had been asked to apply for a passport by Ms Loate on February 16 last year. She told him and a friend of his, Mr Floyd Shezi, that she would provide them with money for the application.

**By SELLO RABOTHATA**

Mr Mthetwa said that he had wanted a passport himself and that he did not look at Ms Loate's offer as assistance in this regard. He and Mr Shezi had gone to the passport offices and filled the necessary application forms. They were also given receipts.

He said that after filling in his form he had assisted Mr Shezi on his, but he did not write any name on Mr Shezi's form. He said under cross-examination that he did not know how his signature had come to be on Mr Shezi's form.

He said from the passport offices they had

taken the receipts back to Ms Loate. He had not received his passport to this day, and did not know why Ms Loate had offered to pay for their passports. He was then arrested in September last year by three policemen, who came to his home between 12 and 1 a.m. in the night. He was detained for less than two weeks. It could have been three or four days, he said.

Mr Edward Malinga also told the court that he had applied for a passport in February last year. He had always wanted a passport for visiting. But he had no money.

One day he met Ms Loate, who had asked him whether he had a passport and when he told her he did not, she gave him R2 to go get one.

He had applied for one and was also given a receipt. He did not know why Ms Loate wanted him to have a passport. But on his return from the passport offices, he had had no chance in the week that followed to fetch it as it was the beginning of the year and he was busy at school. Ms Loate had come to fetch it (receipt) from his home and said she would fetch his passport.

The court yesterday adjourned early as Ms Loate was said to be consulting a doctor.

The hearing continues today.

CONTACTABILITY

It sometimes occurs that the Department needs to contact students during vacations, or in order to convey to them the outcome of an appeal to the Flexibility Committee. You are therefore required to inform the Department whenever you change your address (Room 431).

## LECTURES AND EXAMINATIONS

Although attendance is not compulsory, students are strongly advised to attend all lectures. Evaluation of students' work is based on a combination of class tests, assignments, essays, and University examinations.

The mid-year and year-end University examinations are organised by the University Administration, and any problems which you may encounter with respect to these should be taken to the Examinations Officer, Bremner Building, without delay.

## READING

While the Department will try wherever possible to facilitate reading by placing texts in the short loan section of Leslie Library and distributing selected prescribed articles, you are strongly advised to make the fullest possible use of the Library. It would stand you in good stead to attend an orientation course conducted during the first

Write an analysis of the following case, stating what you, as the new sales manager, consider the best course of action.

'Lomex Ltd., manufactures a wide range of household electrical appliances which are sold principally through department stores, hardware stores and specialty stores.

During the past year, sales have dropped by almost 28%.

The year was a bad one for Lomex Ltd., partly because of the prevailing economic climate which made it necessary to retrench staff - the number of sales representatives, for example, was cut from 15 to 8; and curtail plans for expansion and a nationwide publicity campaign. There were also personality clashes between the then Sales Manager and the General Manager, the result that the Sales Manager

leaving his records and current sales figures, and current position of staff. At the same time, the Sales Manager was promoted to the position of Senior Sales Manager. Because of the need to cut down on sales projects, the Sales Manager was left at the

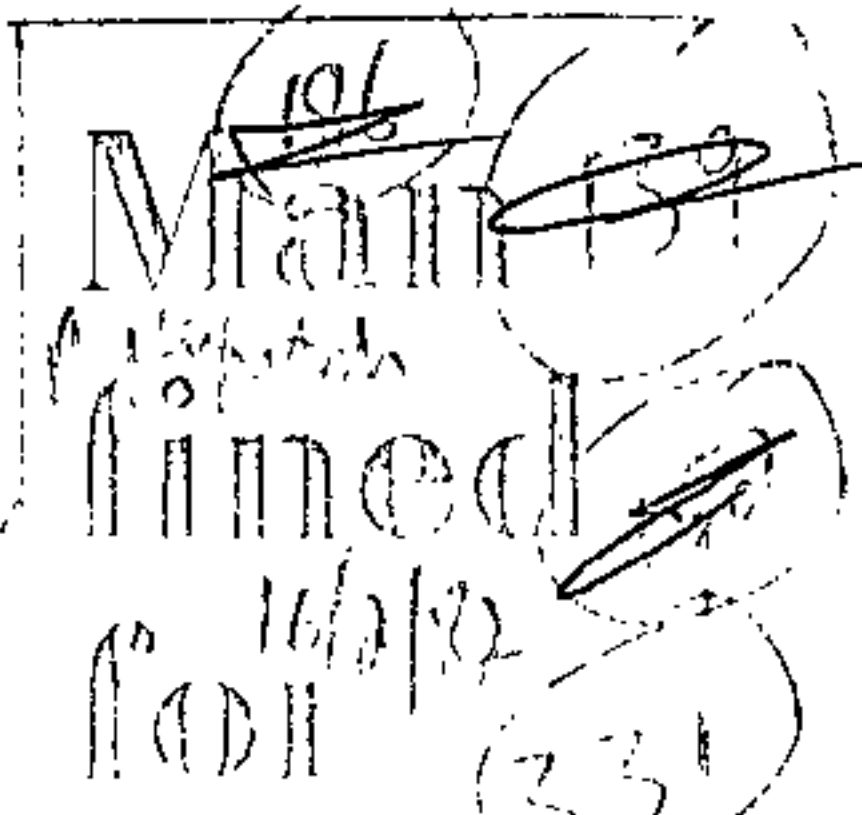
left at the projects; down on sales rep. sales rather than time, the were added

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# Threats

EAST LONDON - A man was convicted in the Regional Court here yesterday on a charge of unlawfully threatening workers at the Western Province Pressing Company.

Mr. Handile Mwa, 31, who appeared with four other men and a woman, pleaded not guilty before Mr. S. van Zyl. He also pleaded not guilty to three alternative counts of assaulting Mrs. Annes Mkhosi, Mrs. Daphne Lurono and Mrs. Victoria Mangeli with intent to do them grievous bodily harm.

The incident occurred on November 11, 1961.

Mr. Mkhosi Matadi, 21, Mr. Ntsholelo Sogun-tuza, 26, Mr. Monkwahusi Bonakele, 26, Mr. Mhlau-ahaba Ntshole, 23, and Miss. Nomonde Oele, 22, who appeared with Mr. Mwa at a previous hearing, were all found not guilty.

Mr. Mwa was fined R200 or 200 days' imprisonment.

Before passing sentence Mr. Van Zyl said Mr. Mwa was either one of the leaders or the leader in the whole affair.

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During the past year, sales have dropped by almost 28%.

The year was a bad one for Lomex Ltd., partly because of

During the past year, sales have dropped by almost 28%.

Mercury 16/2/82

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~~296~~  
331

# Fifty two blind workers appear on trespassing charge

African Affairs Reporter

FIFTY-TWO blind workers from the Natal African Blind Society in Umlazi appeared in Umlazi Magistrate's Court yesterday charged with trespassing.

They all pleaded not guilty and each was given an opportunity to cross-examine the complainant, Mr John Randles, director of the Natal African Blind Society in Umlazi.

Mr Randles told the Magistrate, Mr H Hare, he had informed the workers last week that their services had been terminated because they had refused to work. They had been told to leave the hostel premises by 10 a m last Saturday but had ignored the order.

Transport had been arranged to take them to the railway station and they were to have been provided with train fares but the workers had refused to leave the premises, he said.

During the proceedings Mr M C Albertyn, from a Durban firm of attorneys, arrived to defend the accused. The hearing was adjourned until tomorrow.

Mr E J Sibeko appeared for the State.

UCT

86 84 82 80 58 56 54 52 50 48 46 44 42 40 38 36 34 32 30 28 26 24 22 20 18 16 14 12 10 8 6 4 2



# Police 'tore up my statement' <sup>Star 16/2/82</sup> (331)

A security policeman denied in the Johannesburg Regional Court yesterday that he tore up a statement made by a woman charged under the Internal Security Act.

Miss Elaine Mohamed (20), of Newclare, is charged with three others of manufacturing and distributing South African Communist Party posters.

They have pleaded not guilty.

She is to testify that Captain Adriaan van Niekerk tore up a statement she had written.

Captain van Niekerk denied tearing up the accused's statement. He said he sometimes tore up a document if he had made a note of its contents or already knew them.

Re-examined by the prosecutor, Mr A R van Wyk, he said he would not tear up a statement even if in it the accused was denying guilt.

The trial is continuing.

# Terror trial witness changes his story

331  
Jan 16/2/82

A State witness at the Vanderbijlpark terror trial yesterday admitted having lied to the court about what happened when he and his friend filled in application forms for passports in Johannesburg last year.

Mr. Brian Mthethwa, of Orlando West in

Soweto, was testifying at the trial of Mr Khotso Seatlholo (25), former president of the banned Soweto Students' Representative Council, and Miss Masabata Loate (23).

Mr Seatlholo and Miss Loate have pleaded not guilty to two counts under the

Terrorism Act relating to attempts to recruit youths for military training outside the country.

Under cross examination by Mr M Brassey, for Miss Loate, Mr Mthethwa admitted having lied about the events at the passport offices.

Mr Mthethwa told the court that while he was walking with his friend, Mr Floyd Jabulani Shezi (who testified earlier) they met Miss Loate in a street in Orlando West in August.

She later asked them to apply for passports on her behalf and the following day gave them money. At the passport offices he filled in his application form and later went to help Mr Shezi to fill his, Mr Mthethwa said.

Asked by Mr Brassey why his signature appeared in Mr Shezi's form, Mr Mthethwa said it might have been a mistake. He denied he was lying because he wanted to implicate Miss Loate.

(33) (46) N. Disfate 16/2/82  
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 Saaawu members' trial

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ZWELITSHA - Judge  
 ment in a trial in which  
 41 members of the South  
 African Allied Worker  
 Union (SAAWU) are  
 charged with involvement  
 in public violence under  
 the Riotous Assemblies  
 Act, unlawful gathering  
 and two alternatives.  
 was postponed again  
 yesterday.

Mr J. Kotze, a regional  
 court magistrate, said it  
 was unfortunate that the  
 typed record of evidence  
 had arrived only on Fri-  
 day. It would be to the  
 advantage of everybody

that he went through the  
 evidence.

On January 19, after  
 the state and defence  
 closed their case, Mr  
 Kotze said before giving  
 judgment he would like  
 to go through evidence  
 recorded on tapes and  
 not rely only on notes  
 taken during the trial.  
 He postponed judgment  
 until yesterday.

Judgment will now be  
 given on Friday. The  
 Saaawu members were  
 warned to appear.

When the trial re-  
 sumed yesterday one of

the union members, Mr  
 Nuku Kolisi, was not in  
 court.

Mr J. Clark, attorney  
 for the defence, told the  
 court that he had not  
 been given an explana-  
 tion about the absence  
 of Mr Kolisi. He asked  
 that a warrant of arrest  
 be authorised but it  
 stayed.

Mr J. W. Jurens, for  
 the state, agreed and Mr  
 Kotze said the issuing of  
 a warrant of arrest for  
 Mr Kolisi would be  
 stayed until Friday. —  
 DHR.

During the past ten years, Tilley had worked at  
 smaller companies where all employees felt they were part  
 of one big family. The XYZ Corporation was a larger  
 organisation, employing a batch of 130 persons involved  
 in electronics. Rod felt a sense of apprehension because  
 he had heard rumours to the effect that the organisation  
 was autocratic and paid little attention to the needs of  
 peoples.

This impersonal atmosphere was substantiated when he  
 arrived at XYZ that Thursday morning because there was no  
 one to welcome him. He looked for the office space  
 allocated to the Financial Division, and ascertained the  
 room number 202 which was on the 2nd floor. On his  
 desk a note invited him to call his Director, Roy Little.  
 When he telephoned Mr Little, he was told that the Director  
 was attending a meeting.

As he waited impatiently to speak with his boss, Rod  
 found his office in a state of confusion and disorder.  
 He found the desk cluttered with financial papers, the  
 glass in the bookcase was broken, the reading lamp was  
 without a bulb, and the ashtray full of old pipe tobacco.

Two hours having elapsed, Director Little finally greeted  
 his new accountant with a warm handshake. "We're most  
 pleased to have you join XYZ, Rod. You've noticed several  
 financial manuals in the bookcase which, I think, will help  
 to explain the new financial procedures we discussed during  
 our recent interview. After lunch, my secretary, Fern  
 Brodie, will provide you with considerable information  
 relating to our data processing installation. Miss Brodie  
 will introduce you to Pick Graves, our recently-appointed  
 E.P.D. Engineer. Feel free to drop in or to telephone  
 me as the need arises, but I must run now to the executive  
 luncheon scheduled sharp at noon".

As the financial director was preparing to leave Rod's  
 office, Tilley conveyed his appreciation to Mr Little and  
 said "Could you arrange for me to meet my colleagues in  
 charge of sales, production, administration and personnel,  
 as well as the four members of my support staff?"



recently just what the  
 me involved. We have  
 objections to exten-  
 is to the hotel to make it  
 le. But the extent of  
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 (the hotel) is in-  
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 ning with the area.  
 resident pointed out  
 within the hotel pre-  
 ts, the developers had  
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 to the proximity of  
 development, resi-  
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 rent of the hotel and  
 and the consequent  
 use of the units.

lost bail  
 cheques  
 cancelled

#### Own Correspondent

PORT KAITUMA. — The  
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 the offices of  
 t company in  
 t week

Allied  
 Union  
 trial  
 postponed  
 again

#### Own Correspondent

ZWELITSHA. — Judgment  
 in the trial of 41 mem-  
 bers of the South African  
 Allied Workers Union  
 (SAWU) which was sup-  
 posed to have been given  
 yesterday, has been  
 postponed to Friday.

The unionists, charged  
 with incitement to pub-  
 lic violence under the  
 Assemblies Act, unlawful  
 gathering and two alter-  
 natives, have been al-  
 lowed out on warning.

#### Second time

This is the second time the  
 trial has been post-  
 poned.

On January 19, after the  
 State and defence had  
 closed their cases, Mr J  
 Kotze, the Regional  
 Court magistrate, stated  
 that before giving judg-  
 ment he wanted to go  
 through the recorded  
 evidence rather than  
 rely on notes taken during  
 the trial. He postponed  
 judgment till yesterday.

When the trial was re-  
 sumed yesterday one of  
 the unionists, Mr Nuku  
 Kolisi, was not in court.

#### No explanation

Mr J Clark, instructing at-  
 torney for the defence,  
 told the court he had  
 been given no explana-  
 tion for the absence of  
 Mr Kolisi. He suggested  
 a warrant of arrest be au-  
 thorized, but temporar-  
 ily withheld.

Mr J W Jurgens, for the  
 State, agreed with Mr  
 Clark that the issuing of  
 the warrant should be  
 withheld till Friday.

Mr Kotze then adjourned  
 the trial to Friday.



the Western Cape, said there would be more visits today. He would not say whether any of the detainees were expected to be charged.

Mr and Mrs J E Galant, parents of Mr Roger Galant, who is being held under Section Six of the Terrorism Act, said that the Detainees' Parents' Support Group would issue a statement today after all detainees had been visited by relatives.

Anxious relatives presented a memorandum to Brig Kotze last week asking for immediate access to their children.

Security police were told that parents were disturbed at the death in detention last week of trade unionist Dr Neil Aggett and were anxious to satisfy themselves that their children were in good health. — Sapa.

transparent plan for total Press control yet presented in this country.

"Why is South Africa moving towards tighter Press control," he asked.

"My own interpretation is that it is part of a general retreat into siege politics as the

Prime Minister backs away from reforms which he said earlier were necessary to avoid revolution."

Mr Sparks then asked why the Prime Minister had "backed down" on reform and the "high hopes" he had held in 1978.

"The answer is that it would mean splitting

Afrikaner nationalism; the tap-root of South African politics," he said.

Mr Sparks described the Afrikaner as having a "paranoic anxiety about survival" and being "mortally afraid" of a split in the National Party.

"The Prime Minister therefore decided he cannot go through with it (reform) and is shrinking back."

Mr Sparks said: "To put it in a nutshell, if you can see reform to avoid a revolution, and if you decide now that you cannot go through with reform, then you must batten down the hatches and try to contain the forces of the 'ghastly alternative'."

One of the forces the Government was trying to contain was the Press, Mr Sparks said.

However, this did not necessarily mean the Steyn Commission's proposed Press law would go through Parliament as it stood.

Mr Sparks added: "It would not be surprising to see the present proposed legislation shelved amid sighs of relief and the Press Council emerge in a little while with a 'voluntary' register of its own."

By JOUBERT MALHERBE

THE Publications Appeal Board yesterday banned an Italian film, "The Tough Ones", because of the excessive criminal and police violence portrayed.

However, the board said, the distributors, Romay Film Productions, could submit the film to them again after having excised the scenes thought most offensive.

Prof Kobus van Rooyen, the board chairman, said that in its uncut form the film, which deals with a single policeman's violent crusade against the underworld in Rome, was undesirable.

A committee for publications banned the film last year and yesterday Mr Greg Landman, appearing for Romay films, told the appeal board that the offending scenes — in particular a gang-rape — could be cut.

The committee which banned the film last year, said that although the law triumphed in the end of the film, it was "hollow victory" which was achieved through unacceptable methods.

The committee also said that the crude language and scenes of heroin taking could have adverse effects on "drop-outs and would-be criminals".

Afterwards Mr Landman, sales manager of Romay Films, said that he would cut the film to "soften it up".

## Three appear on poster charges

A POSTER was removed by Security Police from a wall at the home of a student from the University of the Witwatersrand who is appearing with three colleagues in the Johannesburg Regional Court on charges under the Internal Security Act.

Appearing before Mr H J Oosthuizen yesterday were Mr Benjamin David Greyling, 20, of Argyle Court, Spitz Street, Joubert Park; Miss Elaine Rose Mohamed, 20, of Wanderers Road, Kewellair; Mr Michael Anthony O'Donovan, 21, of Homestead Avenue, Randfontein, and Mr Leslie Lax, 23, of Hunter Street, Yeoville.

The State alleges they made and distributed posters to commemorate the 60th anniversary of the banned South African Communist Party (SACP), and to advocate or encourage the purpose or aims of the SACP.

Detective-Sergeant Anita Hester Meyer told the court she and a colleague went to the home of Miss Mohamed and removed two posters.

She said Miss Mohamed was not intimidated or threatened in her presence during her interrogation.

She said she did not see Miss Mohamed crying when she was interrogated at John Vorster Square.

Detective-Sergeant Meyer said the door was opened by Miss Mohamed, who said her husband was away.

Captain Adriaan Pieter van Schoor, a police officer, said he did not see a statement made by Miss Mohamed and that Miss Mohamed told him she would be charged but she would not be charged unless she did not cooperate.

He admitted that Miss Mohamed was taken to the police station but denied knowing that she was suffering from flu.

The students were released and the trial continues today.

## Police 'took banners'

THE Food and Canning Workers Union plans to take action against police who, it says, confiscated union banners after Saturday's funeral of Dr Neil Aggett.

"We definitely plan to make a complaint about the police concerned and are also considering laying charges," the union general secretary, Mr Jan Theron, said yesterday.

He said the incident occurred as mourners were

## Brazil waives visas for congress

Mail Reporter

VISA restrictions barring South Africans from the world congress of the International Advertising Association in Sao Paulo, Brazil, have been lifted, the president of the South African chapter, Mr Tommy Young, disclosed yesterday.

According to a Press statement by the South African chapter of the IAA, the decision follows intense, behind-the-scenes lobbying by the Brazilian chapter of the IAA.

Mr Young said: "Until now Brazil has prevented South Africans from entering their country for the purpose of attending seminars and conferences. We all hope the IAA success signals a change in attitude."

Mr Alan Tiley, public relations Officer for the South African chapter of the IAA, yesterday said he believed the decision was made after the Brazilian Government came under pressure from "very powerful" heads of

## Unions hit Tuesday's vigil

SPOKESMEN for emerging black unions yesterday hit out at the Trade Union Congress (Tucsa) for slamming the protests, death in detention of unionist Dr Aggett.

The general secretary of Tucsa, Mr Arthur Grobbelaar, issued a statement at the weekend attacking the work stoppage following Dr Aggett's death and slamming employers and "certain political interests" who expressed concern at it.

Representatives of the growing independent union movement yesterday described the statement as "shameful" and "amazing".

Mr Grobbelaar avoided mentioning Dr Aggett by name and said Tucsa had "no knowledge whatsoever" of "any matter concerning this late detainee".

## 'Shameful'

He said statements by employers and "certain political interests" in the wake of the death were "hasty and ill-considered".

By STE

"shameful it was issued day of"

He added that which workers should be authorized. This will already among

A spokesman said: "It is sa's views to the Right employers"

He added which has democratic ism, Tucsa, understand of democratic police action relations"

## Weather Mail

The Weather Bureau's forecast for today:

TRANSVAAL: — Partly cloudy and hot with isolated thunderstorms in the south-western, western and central Transvaal.

FREE STATE and Cape north of the Orange River: — Partly cloudy and hot with isolated thunderstorms.

CAPE PROVINCE south of the Orange River: — Partly cloudy and hot with isolated thunderstorms over Eshmanland north-eastern Cape border and Transkei. It will be cloudy and mild with light rain along the southern and south-eastern coast and adjacent interior.

NATAL: — Partly cloudy and hot with isolated thunderstorms becoming cloudy and cooler in south.

SOUTH WEST AFRICA: — Partly cloudy and hot with scattered thunderstorms but isolated in the southern parts. Wind moderate south-westerly to north-westerly but strong south-easterly to southerly.

Temperatures are Celsius  
also maximum, minimum  
and range.

Rain Daily 24-hr  
Weather Station

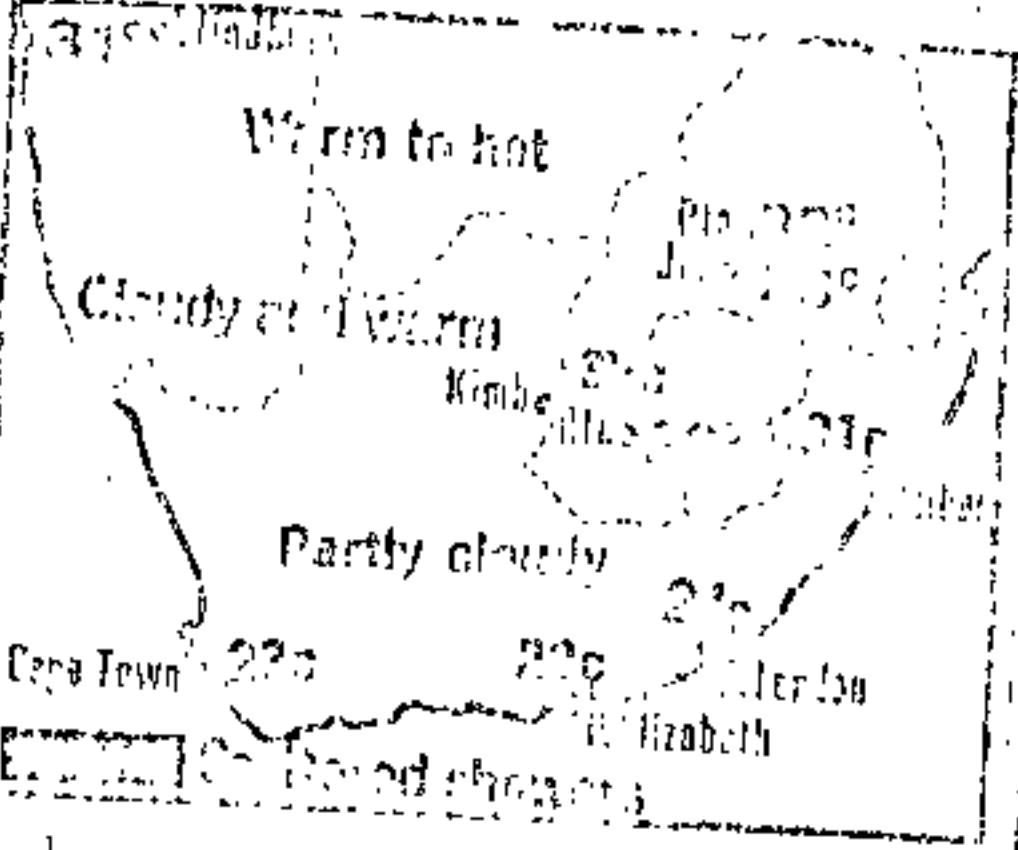
VESTERAY  
February 12, 1982

06H00 10H00 14H00 18H00  
15°C 21°C 24°C

Humidity:  
00% 55% 65%

Max Temp 26°C  
Min Temp 10°C  
Rain 24 hours to 26h00:  
Nil

Sunrise today: 18h52  
Sunset tomorrow: 06h52



## SOUTH AFRICA YESTERDAY

Temperatures at 14h00

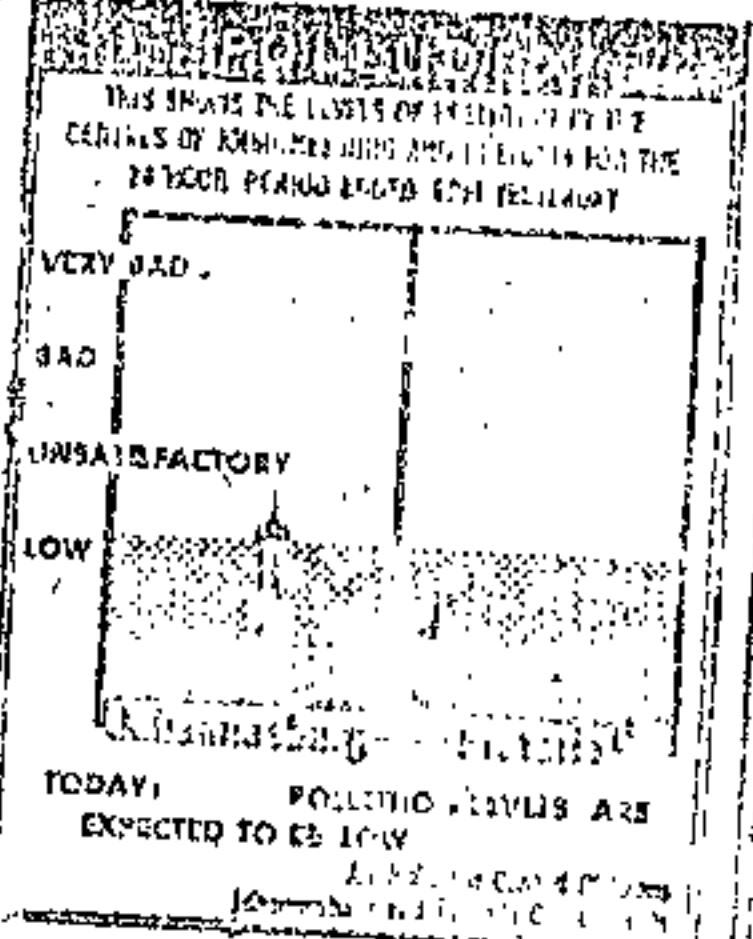
Bloemfontein..... 23	Jan Smuts..... 23	Franschoofburg..... 23
Cape Town..... 23	Kimberley..... 23	Pretoria..... 23
Durban..... 23	Pietermaritzburg..... 23	Queenstown..... 23
East London..... 23	Port Elizabeth..... 23	Stellenbosch..... 23

SOUTH AFRICA: Hottest at 14h00: Uptington 37°C. Coldest at 06h00: Butha Buthe 12°C.

TRANSVAAL: Hottest at 14h00: Skukuza 33°C. Coldest at 06h00: Bethal 12°C.

## THE WORLD YESTERDAY

	Min	Max	Weather
Amsterdam.....	2	8	Clear
Buenos Aires.....	6	10	Cloudy
Geneva.....	-1	2	Cloudy
London.....	-2	10	Cloudy
Los Angeles.....	10	30	Cloudy
Moscow.....	-8	-2	Cloudy
Paris.....	-10	14	Cloudy
Rome.....	2	6	Cloudy
Tokyo.....	7	12	Rain
Washington.....	2	7	Cloudy
Yokohama.....	16	20	Cloudy
.....	1	9	Rain
.....	20	24	Cloudy
.....	-10	-6	Clear
.....	-8	-1	Clear
.....	-4	4	Clear
.....	2	7	Cloudy
.....	21	31	Clear
.....	8	12	Cloudy
.....	13	16	Rain
.....	-2	1	Cloudy
.....	3	10	Clear





Witness (231)  
'recruited  
for war <sup>Star</sup>  
training' 11/21/82

A witness yesterday told the Vanderbijlpark Regional Court that he was recruited at a commemoration service in June 16 last year for military training outside South Africa under the auspices of the SA Youth Revolutionary Council.

The witness (who may not be identified), was testifying at the trial of Mr Khotso Seatlholo (25), former president of the banned Soweto Students' Representative Council, and Miss Mary Masabata Loate (23).

They have both pleaded not guilty to two counts under the Terrorism Act relating to charges of attempting to recruit youths for military training outside the country.

The witness told the court that after the service, which was disrupted by the police who shot teargas canisters inside the church, Miss Loate asked him if he was interested in undergoing military training outside the country.

The witness said he agreed to the offer and Miss Loate wrote down his name and address and promised to pay him a visit at his home.

The case continues.

UCT

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Sowetan 17/2/82  
\$51

SOWETAN

Witness tells of military training plans

# It was the reason

A WITNESS yesterday told a Vanderbijlpark Regional Court that he consented to undergo military training after being angered by police who fired teargas during a commemoration service in Soweto.

The witness, who may not be identified, was giving evidence before Mr A H Bartow in the trial in which Mr Khotso Sydney Seathlo, a former president of the SSWC, and Ms Mambutha Mary Lote, a former beauty queen, are appearing on two charges under the Terrorism Act.

The court was yesterday cleared and proceedings held in camera. Only the Press was allowed in.

The witness told the court that on June 15

[The witness said that he had been in the area of the court house at the time of the shooting.]

last year he had gone to the postbox at his home and inside found a pamphlet. The pamphlet had his letters reading "A reveler" when according to the witness meant people shouldn't go to work and it also had a list of June 16 service venues.

The next day, on June 16, he and a friend decided to attend the services. At the first venue they had found

there would be no services, so they proceeded to Regina Mundi. On their arrival the service had not begun but people were already there. Some were singing and some shouting. "Mandla Awethu".

During the service the police arrived and started firing tear gas and people scattered and ran away. He and about 10 to 12 others ran to a nearby house.

Among them were girls. One of the girls who told him her name was Freedom called him outside and said that the police were on duty and that she too was on duty.

When teargas was shot they both ran back into the house and he stood in the corner of the kitchen when the second girl came to him.

## SAYRGO

She told him her name was Masabata. She had earlier been talking to Sipha Sena-cio and asked the witness whether he didn't

wish to join MT. He asked her which organisation she belonged to and she said yes. He asked what MT stood for and she said that it stood for military training.

The witness said he was willing to go for military training as he was angered by the tear gas and was angry about that. His name was written down and he also gave his friend's name which was also taken down and their addresses. A meeting was arranged for the DOCC in Orlando on June 20.

## Traffic officer's death appeal heard

THE Appeal Court there yesterday heard the appeal of Oupa Pieter Montsho of Ga-Rankuwa, against his convictions and death sentences for the murder of a traffic officer, Inspector Stephanus Johannes Broodryk, and Mr Meshaek Mabasa, at Fairmount, Johannesburg, on December 16, 1980.

The traffic officer, who was taking Mr Mabasa to the district surgeon for examination, pursued a car driven at high speed. He was shot with his own weapon while attempting to arrest the driver. Mr Mabasa was shot as the suspect fled.

In the Witwatersrand Local Supreme Court on May 7, 1981 Mr Justice C D J Theron found there were no extenuating circumstances.

The appeal was heard by Mr Justice Wessels, Mr Justice Miller and Mr Justice Galgut (acting judge of appeal).

Mr J A de Villiers

(SOWETAN) 17/2/82  
The court heard the appeal of Oupa Pieter Montsho of Ga-Rankuwa, against his convictions and death sentences for the murder of a traffic officer, Inspector Stephanus Johannes Broodryk, and Mr Meshaek Mabasa, at Fairmount, Johannesburg, on December 16, 1980.

A SOWETO refugee in Botswana has been kidnapped and brought back to South Africa, says the Botswana Minister of External Affairs, Mr Archie Mogwe.

Peter Lengene, a former executive member of the Soweto SRC, was abducted from Gaborone on February 6.

While earlier reports spoke of a kidnapping attempt, Mr Lengene last night confirmed the plot's success.

He said Mr Lengene was in South Africa and he had contacted the South African foreign Minister, Mr P W Botha, about the matter.

The kidnappers are

believed to have been South African agents.

Three South Africans were jailed for four years each for Botswana's Chief Magistrate on Friday for conspiring to kidnap Mr Lengene.

The men, George Khoza (30), Daniel Kuzub (2) and David Kewalo (26), reportedly assisted six others who are thought to have escaped to South Africa with Mr Lengene.

When asked if Botswana would provide to the United Nations about the kidnapping, Mr Mogwe reiterated he was in touch with Mr

P W Botha and did not want to comment "beyond that."

Mr Mogwe said he never knew the details of how the abduction was executed nor where Mr Lengene was in South Africa.

The Minister of Foreign Affairs, Mr P W Botha, yesterday confirmed that the Botswana Minister of External Affairs, Mr Archie Mogwe, had contacted him in connection with the alleged abduction of Mr Peter Lengene, a former executive member of the Soweto SRC.

The matter was receiving attention, Mr Botha said.

Each Big

## Why rather death than detention? — MP

HOUSE OF ASSEMBLY — The Public Commission of Inquiry into Security Legislation failed to examine the two factors that dominated the lives of detainees, Ms Helen Nazman, the chief opposition spokesman on civil liberties, said yesterday.

The report's most noteworthy aspects were the omissions.

Part of its mandate had been to examine the "fairness" of South Africa's security legislation but the report contained only a passing mention of deaths in detention.

Yet there have been over 40 such deaths — 10 under the old law and the rest under Section 29 of the Terrorism Act.

# Court told anger led youth to volunteer

CAPL TIMES 11/2/82  
#4/82  
231

Own Correspondent  
JOHANNESBURG. — A state witness said he was so angry when the police fired teargas at a Soweto memorial service that he agreed to undergo military training when recruited by an alleged member of the South African Youth Revolutionary Council (Sayrco).  
The witness, who cannot be identified, was giving evidence in the Terrorism Act trial in the Vanderbijlpark Regional Court yesterday.  
Appearing before Mr A H Barlow on two counts under the Terrorism Act are two former Soweto stu-

dent leaders, Miss Mary Masabata Loate, 23, and Mr Khotso Sidney Seatlholo.

They pleaded not guilty to the two counts.

The witness said he went to a memorial service held at Regiha Mundi church in Soweto on June 16 last year. While the service was in progress police fired teargas into the church.

He said he and others ran into a house near the church. He was so angry that when he was approached to go for military training by Miss Loate he readily agreed.

The witness said his name was taken down on a piece of paper and there was to be another meeting at the DOCC hall on June 20. However, he could not attend the meeting.

The witness said Miss Loate told him of Sayrco, which was formed outside the country by the former members of the banned Soweto Student Representative Council. Mr Seatlholo was the leader of Sayrco.

Under cross-examination by Mr G Bizos SC, the witness said he was detained by the security police on June 21 for 28 days.

Earlier, another state witness, Mr Edward Malinga, said he applied for a passport after he was requested to do so by Miss Loate. He never fetched the passport.

Mr Malinga, who stays in the same street as Miss Loate, said he was in detention when he heard for the first time that Miss Loate was also detained.

The hearing continues today.

3.1 Organise the following chapter headings and sub-headings as they would appear in the contents of a formal report, using a decimal numbering system to label each heading:

Student Facilities on Campus

1. Inadequacies in Sports Facilities

2. Subsidised cultural activities

3. Vending machines

4. Discussion

5. Ways and means of improving catering facilities

6. Catering facilities

7. Sports Clubs

8. Introduction

9. Cultural Facilities

10. Inadequacies of catering facilities

11. Synopsis

Investigation

Facilities

Cultural activities

Building

of improving cultural facilities

Recommendations

Cultural facilities

# Witness tells of anger over teargassing

A witness told he was so angry when police used tear gas at a Sayre memorial service that he decided to undergo military training when recruited by the South African Youth Revolutionary Council (Sayreco).

By J. C. MOJAPelo

The witness, who did not want to be named, said he was at the service in Johannesburg on June 20, 1963. He said the police used tear gas to disperse the crowd. He said he was so angry that he decided to undergo military training when recruited by the South African Youth Revolutionary Council (Sayreco).

He said the service was held in the 10000 hall in Johannesburg on June 20, 1963. He said he was unable to attend.

He said Mrs. Leate told him Sayreco was formed outside the country by former members of the banned Students Representative Council. Mr. Southgate was the leader of Sayreco.

Under cross examination by the State, the witness said he was detained by Security Forces on June 21 and held for 48 days.

Another State witness, Mr. Edward Malinga, said he was asked for a passport photograph but never collected it.

Malinga, who lived in the same street as Miss Leate, said he was in detention when he heard Miss Leate had been detained.

Nothing of importance was said in the Supreme Court by the State, which was represented by Miss Leate's lawyer, Mr. Malinga.

Mr. Malinga said a letter from the State was received by the witness on June 21, 1963.

The letter said the witness was to be released on June 21, 1963. He said he was released on June 21, 1963.

He said he was released on June 21, 1963.

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er (Prentice-Hall)

- 1 - None at all.
  - 2 - Quite a lot less than expected.
  - 3 - Moderately less than expected.
  - 4 - Less than expected.
- Work effectively with this group in the future?

- 1 - Never.
- 2 - Rarely.
- 3 - Not very often.
- 4 - A little less than half the time.

8. When members had differences of opinion, to what extent were all sides carefully listened to and the conflict directly faced and resolved?

- 5 - Neither very much nor very little.
- 6 - Moderately.
- 7 - A little more than moderately.
- 8 - Quite a lot.
- 9 - A great deal.

7. How much influence did you have on the group's decision?

- 1 - None at all.
- 2 - Quite a lot less than expected.
- 3 - Moderately less than expected.
- 4 - Less than expected.



WITNESS

refuses

to testify

By J S MOJAPelo

A SOWETO student who refused to give evidence for the State in the Terrorism Act trial of two former student leaders was warned in the Vanderbijlpark Regional Court yesterday that she might face a jail term of up to five years.

Miss Leontie Mamatona Theddingane was warned by the magistrate, Mr J. H. Parlow, after she refused to give evidence at the trial of Miss M. M. Mamatona Louta, 23, and Mr M. M. Mamatona Louta, 23.

Miss Louta and Mr Mamatona, alleged members of the South African Youth Revolutionary Council (SAYCO) and the Soweto Student Representative Council, pleaded not guilty to two counts under the Terrorism Act.

Miss Theddingane will appear again on March 3.

Another witness, Miss Ouma Sarah Mhlabakoe, who has been in detention since June 22, told how she and six other students attended a Sayco meeting at the DACC hall in Soweto last year.

She said the meeting was addressed by two men, known as Tshopo and Joe. They introduced themselves as members of Sayco and told the students to apply for passports to Botswana and undergo military training for three months.

Miss Mhlabakoe said the students were told to recruit more members to Sayco. She was asked to find a venue for the next meeting.

One of the students wanted to find out whether the three-month military training would not interfere with their studies, she said.

Miss Mhlabakoe, who was in matric when she was detained, denied that she met Joe Tshopo while she was in detention in July 1976.

Earlier a State witness, who may not be named, was asked of an incident at the Legum Mendi Church in Soweto when police fired tear gas in the church during a service on June 16 last year.

He said after the incident he thought the police were "conspicuous and provocative" when they fired the tear gas, but he changed this view while in detention.

He said he decided to tell the truth.

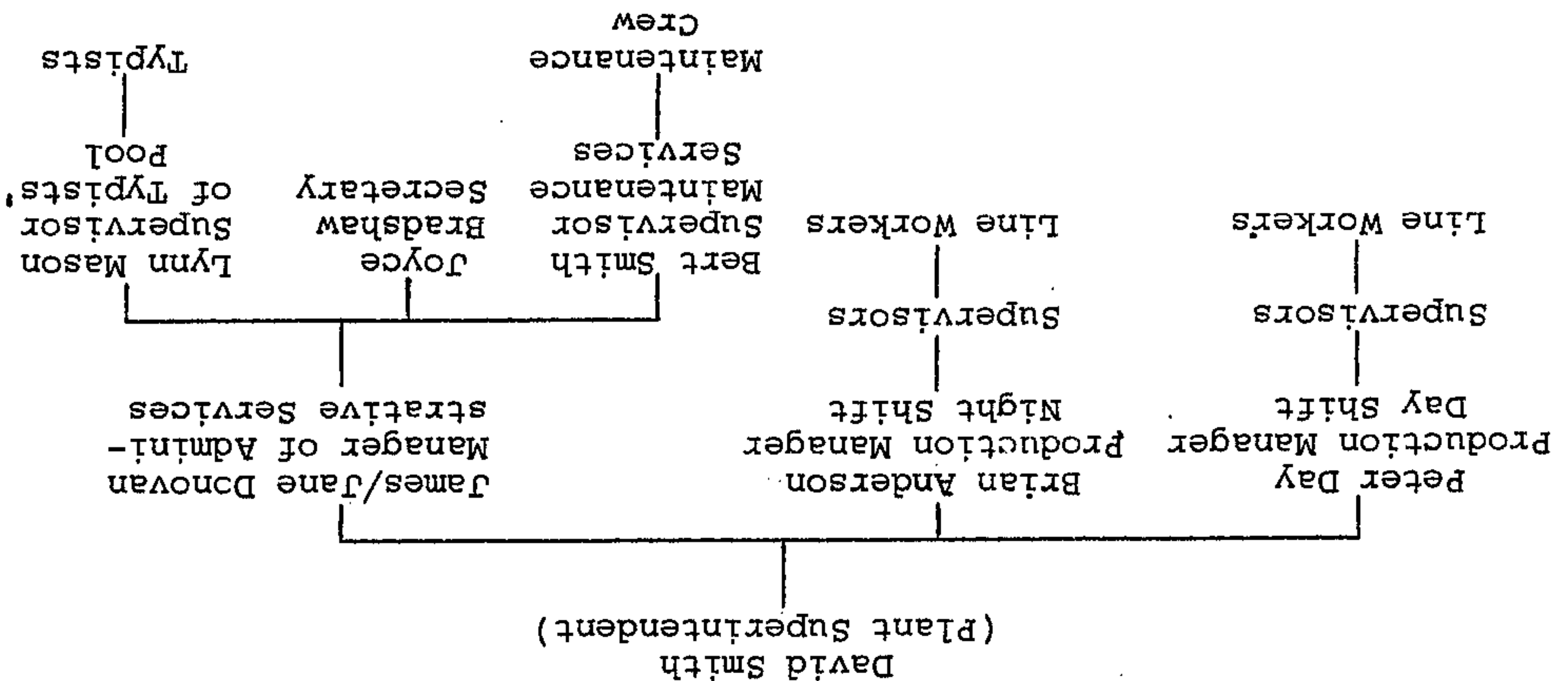
He said he was not a "political" man.

The hearing continues today.

Your name is James/Jane Donovan. You work for Master Engineering, a middle-sized manufacturing and sales organisation with plants in all the larger centres in South Africa. You are Manager of Administrative Services for the Cape Town Plant, and one of three managers reporting to David Smith, the Plant Superintendent.

The following organisation chart explains how you fit into the total structure.

#### Master Engineering - Cape Town Plant



As James/Jane Donovan, you have to deal with a wide variety of correspondence in your 'in' basket each day. The following items are now in your basket. Deal with them according to the instructions given with each one.

(331) (HAB/4) D. Dispatch 19/2/82

## 139 unionists on incitement charge

MDANTSANE — A total of 139 trade unionists appeared briefly in the magistrate's court here charged with incitement to public violence.

No evidence was led. They were not asked to plead and the matter was postponed to February 26.

The unionists were allowed out on bail of R50 fixed at a previous hearing.

They were part of a group of 205 unionists arrested while returning from a meeting in Duncan Village on September 6, 1981.

Forty-two others have appeared in the regional court in Zwelitsha and are due to appear for judgment today. — DDR



The ancient fan whirls monotonously overhead in the tiny courtroom.

Spectators amount to only a handful and most of those attending the trial are police.

The courtroom design resembles clumsily planned gothic architecture. Mistaking it for a country parish would be forgivable.

Someone commented the other day that Vanderbijlpark was one of South Africa's best-planned towns, and from the size of the household yards and the well-laid premises for business concerns and factories, this is not difficult to understand.

Yet whoever planned the court most probably did not know that one day his structure would host one of the country's most important trials, because the seating space is simply not enough.

Mr Khotso Sidney Seatlholo (25) and Ms Mary Masabata Loate (23) are appearing before Mr A H Barlow in the Vanderbijlpark Regional Court, facing two counts in terms of the Terrorism Act.

On entering the court premises one is asked for one's identity documents by some what co-operative policemen in camouflage kits, who also happen to be well armed.

A blonde policewoman looks disinterestedly on, and one is then allowed entrance into the building.

A flight of stairs upwards, and the first floor of the building brings one to the en-

In a tiny courtroom in Vanderbijlpark two people are being tried under the Terrorism Act. Jon Qwelana of The Star reports on the unfolding drama.

# Outward calm by two in trial drama

Seatlholo and Loate . . . some of their alleged conspirators have "sung."

trance of the courtroom where another policeman in camouflage politely demands identification.

That procedure duly carried out, one is let into what normally is the whites only section of the court, which is seating journalists from most major newspapers in South Africa.

The defendants are studies in composure, and have so far not

shown any enmity towards those who have "sung" against them, meaning the State witnesses.

Mr. Seatlholo, wearing a navy blue double-slashed sports jacket with denim jeans and well-polished black shoes, looks younger than his 25 years. At every break he lights his favourite American - blend cigarette.

He is the former president of the outlawed Soweto Students Representative Council which came into prominence shortly after the outbreak of the Soweto uprising in 1976.

After having gone underground for several months he was shot and wounded by security police in a high speed car chase along the Soweto Highway in Mzimhlopha, and short-

ly after fled South Africa to Botswana. He later travelled abroad.

Ms Loate, a former Soweto beauty queen, seems a mere shadow of her former self. She has lost weight, but her smile still radiates the friendship and glamour that has become almost a second skin.

Both have been in solitary confinement for months. Both seem resigned to their fate.



At morning tea-break their lawyers buy them something to eat, and their relief at being reunited with people from the outside is evident.

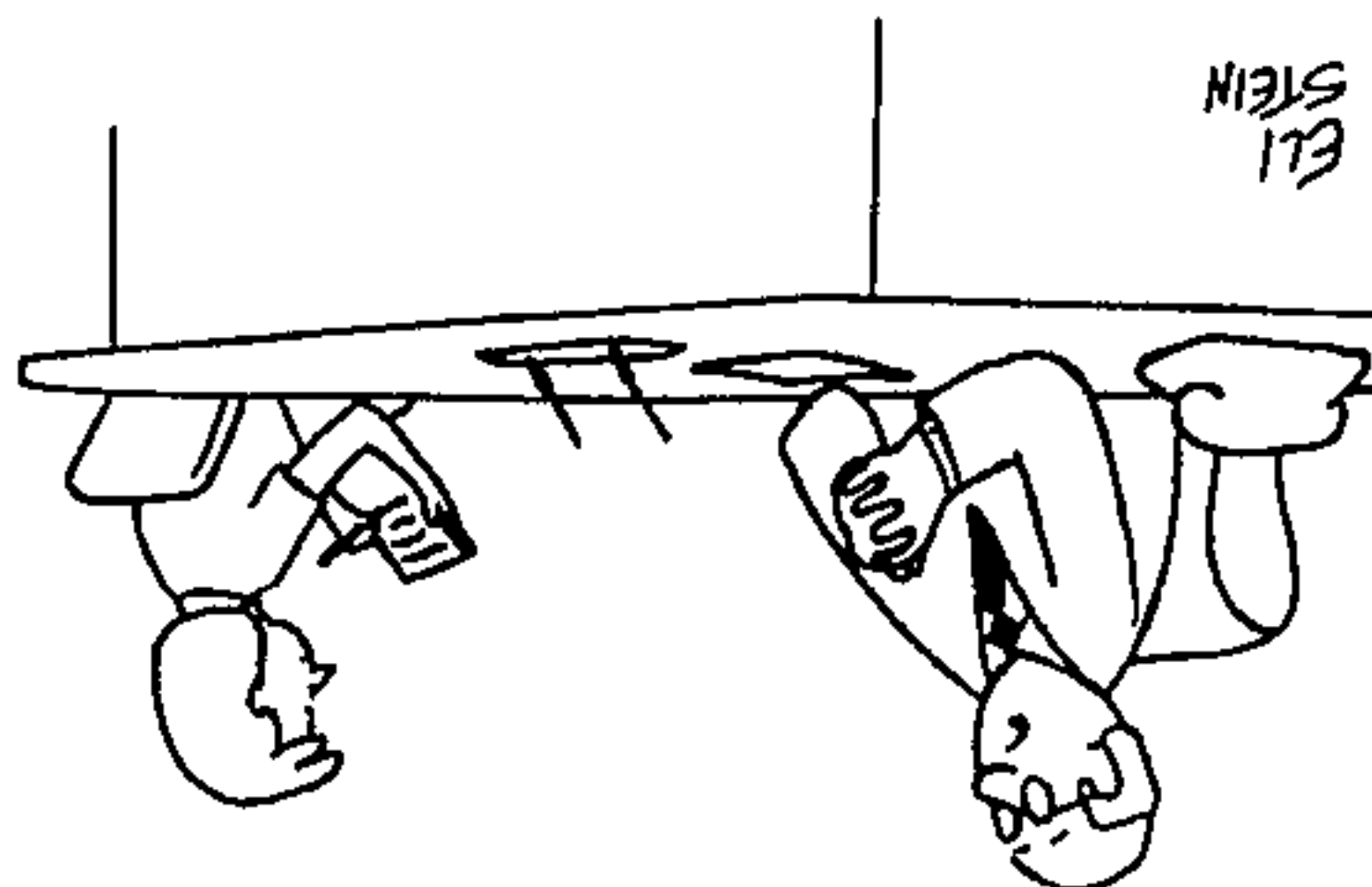
Once court resumes, the same cannot be said of the State witnesses. They undergo a grilling and gruelling experience of relentless cross-examination by defence attorneys, sometimes lasting hours.

Proceedings were adjourned this week when Ms Loate complained of stomach pains, and a doctor was summoned to the court building to examine her.

Last year her parents filed an urgent injunction in the Rand Supreme Court requesting security police to be restrained from assaulting her after she had smuggled out messages scribbled on toilet paper.

As one leaves the plateland town of Vanderbijlpark in the Vaal Triangle, with its meale fields and herds of cattle lazily grazing in the open spaces and scores of tick birds picking the ticks from the grass, one cannot escape the serenity of it all, a serenity that swallows up the fact that two very young South Africans are facing charges of tremendous gravity.





"Thank you for  
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on The Wall Street Journal

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# Terror (331) trial postponed

A letter alleged to  
have been written by  
the SA Youth Revolu-  
tionary Council to the  
International Univer-  
sity Exchange Fund  
(IUEF) in Geneva,  
Switzerland, last year  
was produced by the  
State at the Vanderbil-  
park terror trial yester-  
day.

Mr Khotso Seatlholo  
(25), former leader of  
the Soweto Students  
Representative Council  
and Miss Mary Mase-  
bata Loate (23) have  
pleaded not guilty to  
two counts under the  
Terrorism Act.

The letter was pro-  
duced together with  
other documents, inclu-  
ding pamphlets which  
were allegedly distri-  
buted at Regina Mundi  
during a commemora-  
tion service last year.

A witness, Miss  
Ouma Mohlabakone,  
who had earlier testi-  
fied for the State, told  
the court that she was  
not prepared to give  
further evidence  
against the accused  
because "I am involved  
in the same struggle as  
they are."

The trial was postponed  
to March 3.

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CAPT

# 'The struggle'

SOWETAN

331 Sowetan 19/2/82

A WITNESS yesterday told a Vanderbijlpark Regional Court that she did not wish to testify against two alleged Sayerco members because they were in the same struggle that she was involved in.

Miss Ouma Sarah Mahlabakoe was giving evidence in the trial in which Mr Khotso Sydney Seathlolo, former president of the SSRC, and Miss Mary Masabata Loate, a former beauty queen, are appearing before Mr A H Barlow on two charges under the Terrorism Act. They have both pleaded not guilty to the charges.

Miss Mohlabakoe yesterday asked to be given an opportunity to address the court. In her address she said that she did not like to give evidence against the two accused because they were in the same struggle that she was involved in.

Mr Ike Mekelwe told

the court that on June 17, last year he was at home when Freedom arrived with a friend of hers. "We all went into the dining-room and she introduced me to her friend who she said was Masabata. She asked if he could provide accommodation for four people."

He said: "I told her I did not have enough blankets for four people and Masabata asked if I could then accommodate two. When I agreed to this Masabata said she would bring blankets along with her when they brought the people over. They did not tell me whether they were men or women they were

bringing.

"After they left, telling me they would be back at 8pm, I waited until ten minutes later. I had asked Freedom whether Ouma knew that they were at my place. Freedom told me to fetch her and tell her that she was at my home. On seeing that they were not coming back I decided to sleep but I was woken up by police," he said.

The police took him outside where he heard a voice calling his name and when the police asked him if he knew the person calling him he said he did not.

The case was yesterday postponed to March 3.

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System Manager,

19th April, 1976.

(f)

Dear Mr Jones,

We find it difficult to believe your complaint of October 22nd regarding the failure of our portable radio, Model 66, to receive stations only 40 miles away.

All of our other customers report excellent reception of stations much farther away than that. We want you to know that our engineering staff has put the most modern design and best materials into this portable, and such a failure as you report seems incredible.

We suggest that you take the radio back to your dealer to let him see what is wrong.

Yours faithfully,

(e)

# Witness denies 'betraying' pair

By STAN HLOPHE

A SOWETO student giving evidence for the State told the Vanderbijlpark Regional Court yesterday she felt she was not betraying two young people accused under the Terrorism Act because she shared similar feelings.

She said she was grateful for the opportunity to express her feelings about the aspirations of the black community.

Miss Ouma Sarah Mohlabakoe was testifying at the trial of Miss Masabata Mary Loate, 23, and Mr Khotso Sydney Seathlolo, 25, who have both pleaded not guilty to two counts under the Act.

Miss Mohlabakoe said she was

committed to helping her black brothers and sisters, because of the conditions they were living under.

Miss Loate and Mr Seathlolo are alleged to be members of the South African Youth Revolutionary Council (Sayrco).

Cross-examined, Miss Mohlabakoe denied that she was not interested in politics. Although she was not a member of any political organisation, she was not opposed to the black struggle, she said.

She said she was arrested last June, a month after she and other students attended a meeting where they were advised to undergo military training under the auspices of Sayrco.

The hearing was adjourned to March 3.

UCT

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- THE ARCADE, 11/2/52 (X) (P)

*N. Oosthuizen* (331) *14/2/82*  
**Fund-raising  
Saawu men freed**

EAST LONDOON — Two members of the South African Allied Workers Union were found not guilty in the magistrate's court here on a charge of collecting contributions while they were not authorised to do so.

Mr Robert Gqweta, of Zone 11, and Mr Melvin Mampunye, 30, of Zone Six, both from Mdantsane, pleaded not guilty before Mr N. R. Oosthuizen.

In a joint statement handed in to court by their defence counsel,

Advocate M. Moerane, the two men said they had not been registered as a fundraising organisation and that at no stage did they make applications for such registration.

In his finding Mr Oosthuizen said the facts of the case were not in dispute. However, the State had failed to prove the two men had the necessary intention to commit an offence or that they were aware they had committed an offence. —  
DDR





# Botswana invited to visit 'abducted' man

By PATRICK LAURENCE

BOTSWANA'S Commissioner of Police, Mr Simon Hirschfeld, is considering taking up a South African invitation to check the alleged victim of a kidnapping is not being held in South Africa against his will.

A senior official of the Botswana Department of External Affairs said yesterday the invitation had been issued to Mr Hirschfeld through the Botswana Minister of External Affairs, Mr Archie Mogwe, by South Africa's Foreign Minister Mr P. W. Botha.

The alleged victim, Mr Peter Lengene, was said by the Botswana Government to have been kidnapped from Botswana by agents of the "South African Security Police" on February 6.

A South African by birth, Mr Lengene

has been a refugee since August 1976.

Three men, two South Africans and an Angolan, have since been sentenced to four years imprisonment each by Botswana's Chief Magistrate for assisting in the abduction.

Mr Botha's invitation was in response to a strong statement from the Botswana Foreign Minister, Mr Archie Mogwe, condemning the abduction of Mr Lengene and demanding his return.

Mr Botha said: "I was informed by the Minister of Police, Mr Louis le Grange, that Mr Lengene was in South Africa. But he also indicated that Mr Lengene did not wish to return to Botswana."

A senior official of Botswana's Department of External Affairs said the invitation had originally been made "by the South African Police to our police at a police-to-police level. We do not consider it as a formal response".

Botswana police, however, were considering acceptance of the invitation.

Noting South Africa had "not denied Mr Lengene was kidnapped", he said the logical step was for South Africa to return Mr Lengene to Botswana and leave it to him to decide.

The Public Relations Division of the South African Police said yesterday: "No person of that name is being detained in terms of security legislation. A person of a similar name is, however, assisting the police in investigations of alleged offences".

Police in Botswana are understood to have linked the disappearance of Mr Lengene with the Terrorism Act trial in Vanderbijlpark of Mr Khotso Seatholo, a former president of the Soweto Student Representative Council, and Ms Mary Leate.

to for future cases.

Many thanks,

June Roux  
for MR SMITH

8.2.3 Write a brief memo for one of the following purposes:

- To advise employees not to use the company stationery for private purposes.
- To inform a colleague that specific action must be taken before a deadline.
- To announce a business meeting for employees.
- To remind employees that the lunch hour is from one to two p.m.

8.2.4 Compare the effectiveness of the following two memos:

- This is in reply to your memo of Feb 3 1980 in which you enquired why something hasn't been done about the broken air-conditioning unit in Room 4-B. The repair company that we usually do business with is out on strike. As soon as the strike is over, I am sure that the air-conditioning unit will be fixed. In the meantime, I would suggest that instead of wearing the tie and jacket which is required of all our employees you wear very light summer clothing.



ally pride brings her to the attention of the new company director, who is Simon Martin.

Jean Blyth

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PUS KEEP ADVERTISING HONEST

# 35 Saawu members guilty of incitement

ZWELITSHA — Thirty-five members of the South African Allied Workers Union (Saawu) were found guilty in the regional court here yesterday on a charge of incitement to public violence.

Five members were found not guilty and discharged and a warrant of arrest was authorised for one member who was not in court yesterday.

The 35 members were fined R100 each and sentenced to nine months' imprisonment conditionally suspended for five years.

They are: Mr Benjamin Thyal, 30, Mr Morrison Sindapi, 41, Mr Lulama Siyaya, 23, Mr Janani Matikinea, 34, Mr Vuyani Canagu, 27, Mr Mzwandile Mati, 32, Mr Mandla Thobezweni, 25, Mr Siphiso Sityebi, 28, Mr Dennis Tshaba, 31, Mr William Makhiva, 30.

Mr Desmond Ludziya, 33, Mr Matukanti Madlaga, 21, Mr Ndoyisile Jubath, 28, Mr Galbin Vani, 54, Mr Nyanisile Mthumani, 33, Mr Mzwandile Gogoya, 28, Mr Mboneli Landani, 28, Mr Ayanda Ndzungu, 23, Mr Elvin Mfikili, 26, Mr Mcebisi Mhangela, 25, Mr Louis Dyani, 53, Mr Buyisile Kema, 34, Mr Panana Mbinjo, 24.

Mr Mentjies Malahla, 36, Mr Thembinkosi Zinyusile, 27, Mr Afrika Vellem, 38, Mr Ernest Manyane, 36, Miss Julia Sohupa, 28, Miss Thembeke Mapasa, 31, Miss Zukiswa Maneli, 33, Miss Nomfundo Thobigunya, 20, Miss Nomtu Mtyeku,

34, Miss Nancy Sigingqi, 19, Mrs Fundiswa Bonga, 31, and Mrs Winnifred Maweni.

Mr Thozamile Maneli, 26, Mr Thobile Manqina, 25, Mr Mawisa Godula, 30, Mr Geinikhaya Mbiza, 20, and Mr David Thandane, 27, were all found not guilty.

A warrant of arrest was authorised for Mr Naku Kolisi, 26.

One of the accused Mr Welile Luthuli, was stabbed to death during an adjournment of the trial.

When the trial started in November last year there were 42 Saawu members facing three charges and two alternatives.

On the incitement to public violence charge the state claimed that on September 6 last year at the Mdantsane Highway bus terminus the members sang inflammatory songs while on a bus approaching the terminus; shouted inflammatory slogans while on the bus; gave black power salutes; continued singing while debussing; congregated and continued singing, shouting and giving salutes; defied the legitimate order given by a police officer to disperse; remained as a group while continuing with the shouting, singing and giving of salutes.

The magistrate Mr J. Kotze said that after going through the evidence he gave the benefit of the doubt to Mr Thozamile Maneli, Mr Thobile Manqina, Mr Mawisa Goduka, Mr Geinikhaya Mbiza and Mr

David Thandane.

All five men testified that they were not in the bus. He found them not guilty and discharged them.

He said the remaining members did not dissociate themselves with what took place in the bus.

Other passengers, the 11 caddies, did dissociate themselves and were released.

Mr Kotze said he considered the circumstances at the bus terminus and according to witnesses they were expecting trouble because of previous experiences.

He said the state did not prove that each member participated in the committal of the crime but relied on common purpose. Common purpose can be proved by circumstantial evidence.

Mr Kotze said the state proved common purpose that Saawu members participated in the singing of songs, shouting of salutes and slogans.

He said the court had come to the conclusion that this was done with one specific purpose, to run down the government of the state and to influence others. The state had proved all elements of public violence.

Mr Kotze said the members associated themselves with the people who were singing, giving black power salutes and shouting of slogans. The true position of the case rested on circumstantial evidence.

— DDC.

daughter, instilled with guilt from her childhood. Angela is determined it will not happen to her daughter. Well-written with caustic

gave  
R100 000

JOHANNESBURG — A Zeerust farmer yesterday asked the Rand Supreme Court to order his former fiancée, to return to him jewellery worth more than R100 000 which he had given to her during the engagement.

Mr Pieter Francois Theron brought a civil action before Mr Acting Justice Cohen against Mrs Henrietta Taylor, who according to papers before the court carried on business as Bilingual Printers and Secretarial Services, Johannesburg.

Mrs Taylor, however, told the court that she had since remarried; was now called Murray and was living in Umtata.

Mr Theron told the court that he and Mrs Murray, then a divorcee, got engaged to be married here in May 1980. During the engagement he gave her a ten carat diamond ring worth R4 000, a gold bracelet with 15 diamonds worth R4 000 and a brooch stud

## Pope W

LIBREVILLE — The Pope wound up his first overseas trip since his attempt on his life with warning against rampant materialism in developing Africa.

The Pope noted yesterday in the farewell speech of his second African tour that for multi-nationals "actively exploiting long-dormant natural sources of Gabon, other African countries."

He told African leaders to look "beyond



# **BOTSWANA MAY TAKE UP OFFER TO VISIT ALLEGED KIDNAP VICTIM**

Tribune Reporter

Botswana police may take up South Africa's offer of a visit to alleged kidnap victim, Peter Lengene to "see for themselves" whether the former student is being held in South Africa against his will.

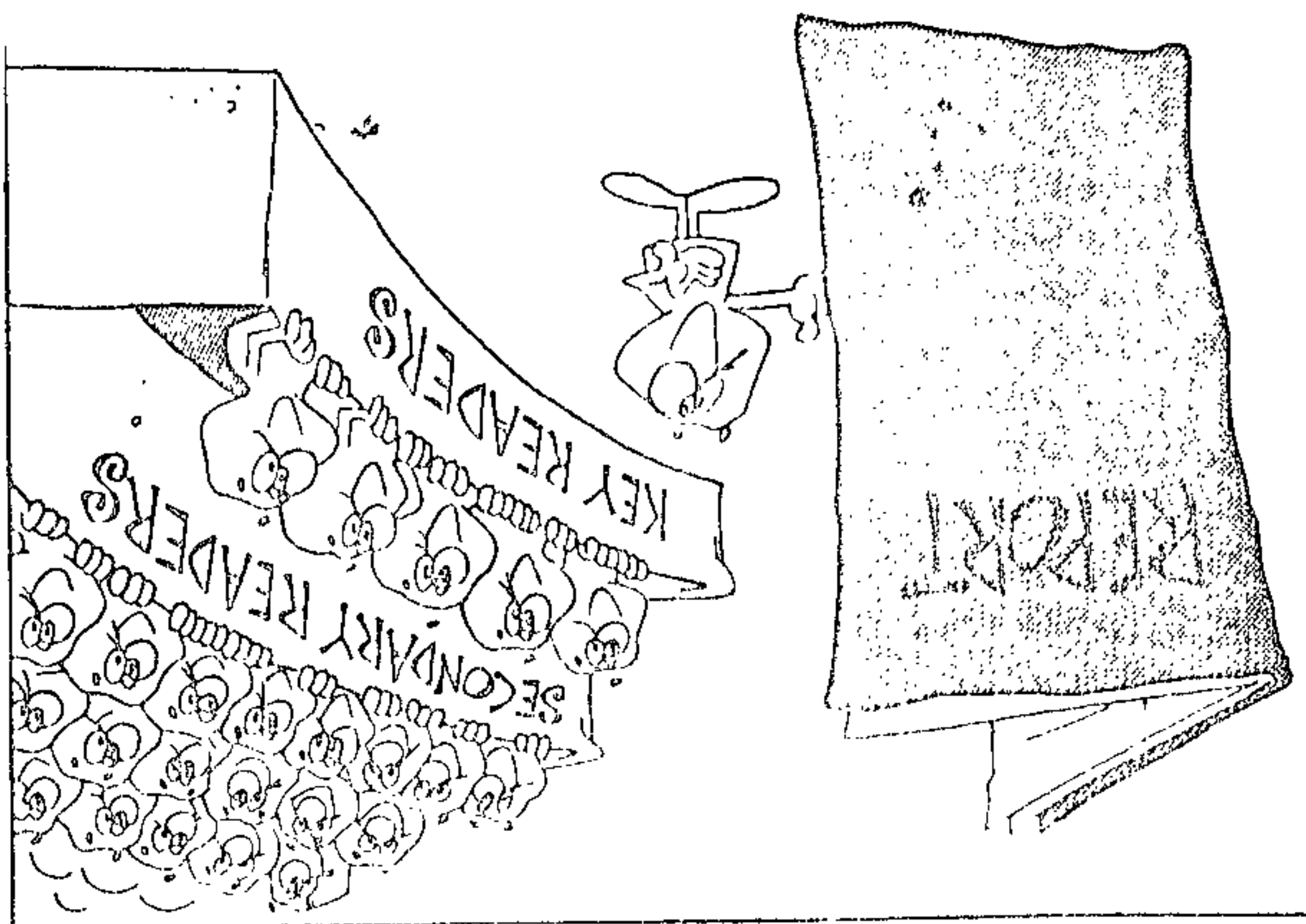
Sources in the Botswana police force said this week that officials were still considering the offer made by Foreign Minister P. W. Botha following allegations by Botswana that Mr Lengene was kidnapped by South African security agents on February 6.

Lengene fled the country in 1977 and apparently had close links with the South African Youth Revolutionary Council (SAYRCO) — formed by exiled leaders of the banned Soweto Students' Representative Council.

2/12/78  
Tribune

2/12/78  
231

CAPTION: Reports are often read by different groups of people, with different needs.



Laird,  
p. 203



21/2/82 S. Times

# Exile surrendered, say police

By NEIL HOOPER

MR PETER Lengene, a former member of the Soweto Students Representative Council, voluntarily surrendered when he crossed into South Africa from Botswana two weeks ago, says a high intelligence source.

The source said that South African-born Mr Lengene was facing criminal charges in Botswana.

Last Monday the Botswana Assistant Commissioner of Police, Mr Norman Moleboge, said he was "positive" that Mr Lengene, who fled to Botswana as a Soweto refugee in 1976, had been abducted.

Three men, two South Africans and an Angolan — George Khoza, 30, Daniel Kazebu, 32, and David Letswalo, 26, — have since been sentenced by Botswana's chief magistrate to four years imprisonment for assisting in the alleged abduction.

Yesterday a security

source in Pretoria said that agents in Botswana had persuaded him to return to the Republic.

He pointed out, however, that no crime had been committed on Botswana soil by speaking to Mr Lengene and persuading him to return voluntarily.

No threats had been made and Mr Lengene was not detained upon his return.

He was now living without any restrictions, co-operating fully with the police, and did not wish to return to Botswana.

This week the South African Minister of Foreign Affairs, Mr P. W. Botha, invited the Botswana Commissioner of Police, Mr Simon Hirschfeld to visit South Africa and to determine for himself whether Mr Lengene had

been kidnapped and whether he wished to return to Botswana.

The security source said that Mr Lengene was no longer considered a political refugee, because after fleeing Soweto to Botswana in 1976, he had travelled to Nigeria where he was recruited for military training in Lebanon.

After completing his training he had returned to Botswana a few months ago after travelling there via Zambia and Zimbabwe.

In Lebanon he became a supporter of Tsietshi Mashinini, one of the Soweto SRC leaders who fled in 1976 and the following year joined an intensive training course at "Red House" the school for revolutionaries set up in Britain by British actress Vanessa Redgrave.

Mashinini, had moved to Botswana in 1977 where he worked in association with an American organisation with Trotskyite links, the National Student Coalition Against Racism, and started a campaign to discredit the ANC.

This led to a clash with another South African exile, Khotso Seathlolo, a former ex-president of the SSRC, who had allegedly formed the South African Youth Revolutionary Council (SAYRCO).

Mr Seathlolo was arrested by the police while on a visit to South Africa late last year and is currently on trial in Vanderbijlpark with Miss Masabata Loate on charges under the Terrorism Act.

## Election stalemate

THE Irish Republic's general election appears to have produced another hung Parliament.

Prime Minister Dr Garret Fitzgerald and Opposition leader Mr Charles Haughey both said yesterday that they would try to form a government.

The ruling coalition and the Opposition each accepted that neither had won an overall majority in Thursday's election.

A spokesman for the Fine

Gael Party of Dr Fitzgerald said: "We will be holding talks with a view to forming a new government."

Computer forecasts said Mr Haughey's Fianna Fail Party would finish with more seats than Fine Gael and its Labour partners combined, but would be two or three short of the 84 needed for an overall majority.

It was Ireland's second indecisive election in eight months. — Sapa Reuter.

0 per couple.  
Venue:

Report from Chairman of ad hoc committee at the end-

MATTERS ARISING

convenor of refreshments committee.  
Correction — Miss V. Smith, not Miss W. Smith.

MINUTES

Mr V. Stone (at management symposium).  
APOLOGIES

Write the minutes of a committee meeting of the Staff Recreation Club at your place of employment from the following notes which you have made. (Invent any other details you find necessary, such as the name of the firm, time and place of meeting.)

8.3 Minutes

# U.S. to probe ANC links

By RICHARD WALKER  
New York

MAJOR Craig Williamson of the South African Security Branch headquarters in Pretoria, and African National Congress President Oliver Tambo may both be asked to testify before a US Senate panel that next month plans hearings on ANC and Swapo links with communism and the Soviet bloc.

Staff of the Senate Subcommittee on Security and Terrorism visited South Africa last month and were briefed by Government intelligence officers.

They were shown the spoils from Operation Protea and they quizzed about 20 former ANC and Swapo members.

Some of these defectors will be invited to Washington to testify before the subcommittee.

One white South African is also expected to be asked, according to panel sources, who did not confirm that Major Williamson was that person, but who said an invitation to Mr Tambo was being considered.

Alternatively, Mr Johnstone Makatini, ANC operations chief for the United Nations and United States,



MAJOR WILLIAMSON  
Witness?

might be approached, they said.

The hearings, set for March 22, 24, 29 and 31, have sent a chill through anti-apartheid circles and the many American groups that support the two movements.

A day is being set aside to also scrutinise these groups for evidence of communist influence and already there are loud complaints of "red baiting" and smear tactics.

The terrorism panel was formed amid controversy a year ago by Senator Jeremiah Denton, an arch-conservative Republican from Alabama who spent years as a prisoner of war in Vietnam.

He immediately set about highlighting claims that the Soviets were sponsoring a global terrorism network.

In April, he sprang a surprise when he recruited as his chief legal counsel Mr Joel Lisker, a veteran FBI agent who had been conducting the US Justice Department's investigation into publisher John McGoff's "front" activities on behalf of the South African Government.

case study. The group decides how individuals will be interviewed. The group decides how individuals will be interviewed. The group decides how individuals will be interviewed.

1. Who are the people involved?
2. What are they like?
3. Why are they the way they are?
4. How do they relate to each other?
5. What are the critical incidents in this case?
6. How do they relate to each other?
7. What are the people involved?
8. How do they relate to each other?
9. What are the critical incidents in this case?
10. How do they relate to each other?

## 9.1 Written Analysis of Cases

### CHAPTER 9 CASE STUDIES



# Terror Act: 4 in court

ZWELITSHA — Four Mdantsane men appeared in the Ciskei High Court here yesterday on charges under the Terrorism Act.

Armed policemen were stationed at the ground floor entrance of the government complex where the high court is housed as well as outside the complex.

Only close relatives of the accused were allowed inside the courtroom. Their names were taken by the police and they were not allowed to enter the courtroom with their bags and purses.

Facing charges under the Terrorism Act were Mr Mabone William Duna, 31, Mr Dumisani Bizette Maninjwa, 31, Mr Bayi Keye, 52, and Mr Luyanda Mayekiso, 23.

They were not asked to plead when they appeared before the Ciskei Chief Justice, Mr Justice De Wet, and two assessors, Advocate B. Pohl and Advocate F. Nel. No details of the charges were given.

Advocate M. T. K. Moerane, of Durban, for the defence, said the court started late be-

cause Mr Keye had to be examined by a doctor to inquire into his mental and physical condition.

He asked that the case be adjourned until Friday to allow Mr Keye to undergo further examinations.

He also asked that doctors of Mr Keye's choice be allowed to examine him.

Advocate W. F. Jurgens, the Attorney-General, asked that the other three accused be remanded in the King William's Town Prison and that Mr Keye be admitted to a King William's Town hospital.

He said Mr Keye had a history of schizophrenic psychotic reaction.

Mr Justice De Wet remanded Mr Duna, Mr Maninjwa and Mr Mayekiso in the King William's Town Prison. He ordered that Mr Keye be admitted to a King William's Town hospital and that should Mr Keye's medical advisers request that he be transferred to Cecilia Makiwane Hospital in Mdantsane, their request should be agreed to.

The case was postponed to Friday. — DDR.

SOLUTION TO: GL5

## (1) Premiums Treated

01, Jan 1: In

be

Dec 31: In

be

Years 02 and

04, Jan 1:

Jan 2:

Jan 2:

Income Statement  
being closing entry

Jan 2:

Income Statement  
Insurance Expense  
being closing entry

Jan 31:

Bank  
Debtor (Insurance Company)  
being receipt of proceeds

## (2) Premiums Treated as an Asset

01, Jan 1: Life Policy  
Bank

Dec 31:

Income Statement  
Life Policy  
(Surrender value of policy is zero -  
therefore no amount can be capitalised)

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Continued/ .....



# Bomb under bridge was to scare blacks, Court told

331  
Mercury 23/2/82

Mercury Reporter

THE Stanger Regional Court Magistrate was told yesterday how a 19-year-old white youth placed a home-made bomb under a railway bridge in Gledhow.

This was said at the trial of Nigel Lavery, 19, and Peter Wintergest, 18, who appeared before Mr R Oosthuizen on allegations of being in possession of unlawful and illegal ammunition, manufacture of unlawful explosives, assault on the police and also for possessing an unlawful explosive device.

The State alleged that the youths placed an explosive device on the railway bridge on or about July 17 last year which could have caused a disturbance or disorder and also could have seriously injured or disabled a person. It was also alleged that when a police officer confronted one of the youths he threw the explosive device at him.

Lavery was found guilty of being in possession of unlawful ammunition, assaulting the policeman, and illegal manufacture of unlawful explosives. He was found not guilty of the illegal possession of the unlawful explosive device.

Wintergest was found guilty for being in illegal possession of 29 R-1 (7,62 mm) rounds of ammunition. He was found not guilty on the other three counts.

Sgt Egambaram Naicker told the Court that he and two other policemen were on foot patrol near the railway bridge on the night of July 17. He said he

noticed two white youths on the bridge and when they were asked what they were doing there they said they were taking a short route to their home.

Sgt Naicker said while they were walking down the bridge he noticed a home-made bomb under the bridge with a wire leading to a switch above. He said he hid under the bridge.

After waiting for about an hour-and-a-half one of the youths appeared, turned and picked up the device.

## Threw it

Sgt Naicker said he walked towards the youth and told him to place the device gently on the ground, but instead the youth threw it at him.

Being afraid of an explosion he threw himself to the ground, injuring his arm, Sgt Naicker said.

The youth was arrested and W/O J Potgieter of the security police was called.

W/O Potgieter said he accompanied Lavery to the home of Wintergest where he discovered 29 rounds of R-1 ammunition.

He said he then went to Lavery's home where he also found ammunition.

W/O Potgieter said Lavery admitted manufacturing the explosive device and also placing it under the bridge.

He said that according to Lavery his intention for placing the device under the bridge was to scare blacks who walked on the bridge.

W/O D du Preez, an explosives expert, said the explosive device was manufactured by a person who knew what he was doing. He said if it had exploded it could have caused injury to a person. However he said the explosion could not have blown up the bridge or killed anyone.

In his evidence Lavery said he was an instrument mechanic and that he had collected the ammunition as a hobby.

Wintergest also said that the bullets in his possession were part of a collection.

Sentence will be passed at a later date

ACCOUNTING A

Continued/.....

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X For oral reply: X

331

Hansard

Terrorism Act

Q. Col. 183-184

24/2/82

\*1. Mrs. H. SUZMAN asked the Minister of Justice:

How many people held under section 6 of the Terrorism Act, No. 83 of 1967, have been (a) charged and (b) found guilty in terms of the security legislation since the introduction of such security legislation?

February 24, 1982 3

# Police: (12) refugee (331) not a (254) kidnap victim

By PATRICK LAURENCE

THE South African refugee who was reported to have been the victim of a second kidnapping attempt in Botswana was, in fact, injured in a shoot-out in Gaborone, Botswana's Deputy Commissioner of Police, Mr N S Moleboge, said yesterday.

Mr Moleboge was commenting on a report in a Johannesburg newspaper that Ms Joyce Dipale, a former member of the now banned Soweto Students Representative Council, had been kidnapped from Botswana and brought to SA.

Mr Moleboge said he knew of Ms Dipale, that she had been involved in a shoot-out in Gaborone, but that as far as he knew she had not been kidnapped and taken into SA.

Refugee sources in Gaborone said Ms Dipale, who is said to be a member of the African National Congress, was shot outside her home late last year.

She was injured but as she fell she fired back, wounding one of her assailants.

Ms Dipale, who recovered from her injury, is understood to be in Zambia.

The Chief of SA's Security Police, Lieutenant-General Johann Coetzee, dismissed reports that she had been kidnapped by agents from SA and brought to SA.

Mr Moleboge confirmed that the Botswana Commissioner of Police, Mr Simon Hirschfield, had been invited to SA to verify for himself that another alleged kidnap victim, Mr Peter Lengene, was not being forced to remain in SA against his will.

The invitation was still under consideration, he said.

According to security sources in Pretoria, Mr Lengene was not kidnapped from Botswana but "persuaded" to return to SA.

The official SAP statement on the Lengene affair is: "No person of that name is being detained in terms of security legislation. A person of a similar name is, however, assisting police in the investigation of alleged offences and offensive weapons have already been discovered."

Income Statement  
Life Policy  
(Surrender value)  
therefore no

01, Jan 1: Life Policy  
Bank  
Premiums Treated as an

Jan 31: Bank  
Debtor (Income)  
being receipt

Jan 2: Income Statement  
Insurance  
being closing

Jan 2: Income Statement  
Income from  
being closing

Jan 2: Debtor (Insurance)  
Income from  
being accrua

04, Jan 1: Insurance Ex  
Bank

Years 02 and 03 - same

Dec 31: Income Statement  
Insurance  
being closing

01, Jan 1: Insurance Ex  
Bank  
being payer

(1) Premiums Treated as Bu

SOLUTION TO: GLS



01, Jan 1: Insurance Expense

Bank

being payment of premium

Dec 31:

Income Statement

Insurance Expense

being closing entry

Years 02 and 03 - same

04, Jan 1: Insurance Ex.

Bank

Jan 2: Debtor (Insu

INCOME TAX

being accurate

Jan 2:

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Jan 2:

Income State

being closed

Jan 31:

Bank

being received

(2) Premiums Treated as an

01, Jan 1: Life Policy

Bank

Dec 31:

Income State

Life Police

(Suffered VA therefore no

## Own Correspondent

**DURBAN** — Three men pleaded not guilty in the Durban Regional Court yesterday to two counts of contravening the Terrorism Act.

Appearing before Mr H S van der Walt were Mr Fana George Sithole, address given as C700, Umlazi, Mr Jabulani Wilfred Ngcobo of L360, Umlazi, and Mr Titi, Alocia Mtenyane of 791, Central Western Jabavu, Soweto. No ages were given.

It is alleged they were all members of the banned African National Congress.

It is also alleged they corresponded with members of the ANC in Botswana and on Robben Island and received or negotiated for funds from ANC supporters in Botswana and Durban.

The State alleges they obtained the plan of the Caltex Oil SA (Pty) Ltd installations at Island View and obtained information regarding security arrangements at the installation.

he Mrs. Hunt began as-

Star  
ANC case

24/2/82  
men deny

charges

Continued/.....

**Three  
appear on  
Terrorism  
Act  
charges**

SOLUTION TO: GL5

(1) Premiums Treated as Bu

01, Jan 1: Insurance E  
Bank  
being paymen

Dec 31: Income Stat  
Insurance  
being closin

Years 02 and 03 - same

04, Jan 1: Insurance Ex  
Bank

Jan 2: Debtor (Insu  
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being closin

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Jan 31: Bank  
Debtor (Ins  
being receipt

(2) Premiums Treated as an A

01, Jan 1: Life Policy  
Bank

Dec 31: Income Statem  
Life Policy  
(Surrender val  
therefore no a

**Court Reporter**  
THREE men, alleged to have been members of the banned African National Congress, appeared before Mr H S van der Walt in the Durban Regional Court yesterday on charges of contravening the Terrorism Act.

Before Mr van der Walt were Mr Fana George Sithole, Mr Jabulani Ngcobo and Mr Titi Mtenyane. No ages were given.

The State claims they were members of the banned ANC.

It is alleged on the first count that between August 1980 and July last year they conspired to form an organisation known as the Africa Youth Congress which the State claims was based on the ANC and intended to further its aims.

It is also alleged they had corresponded with members of the ANC in Botswana and Robben Island and negotiated or received funds from ANC supporters in Durban and Botswana.

**Training**  
An additional allegation is that they assisted people to leave the country for military training. The State alleges they obtained the plan of the Caltex Oil installation at Island View giving them information regarding the security arrangements at the installation.

It is also alleged they obtained firearms and/or explosives and also that between October 1980 and March 1981 they incited persons to leave the Republic for military training which would endanger the maintenance of law and order in South Africa. The hearing continues today.

**Rest films**

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Continued/ .....

SOLUTION TO: GL5

# **Youths make promise to a magistrate about explosives**

## (1) Premiums Treated

01, Jan 1: Insu	Mercury Reporter	legal ammunition — said	300	
Ba	TWO white youths yester-	they had collected the		300
bein	day, promised a Stanger	bullets as a hobby from		
	Regional Court Magistrate	friends at school.		
	that they would never	Lavery, an instrument		
	again possess illegal am-	mechanic, was fined R200		
Dec 31: Inco	munition, unlawful	(or three months) for man-	300	300
In	explosives or manufac-	ufacturing an unlawful		
bein	ture unauthorised devices	explosive device and		
	and explosives.	unauthorised explosives.		
	Nigel Lavery, 19, and	For assaulting a police-		
Years 02 and 03	Peter Wintergest, 18 —	man by throwing the ex-		
	who were found guilty of	plosive device at him, he		
	being in possession of il-	was fined R15 (or 10 days).		
		For being in possession		
		of illegal ammunition he		
		was fined R100 (or one		
		month).		
04, Jan 1: Insurance Expense	Wintergest, 18, a sign-	Wintergest, 18, a sign-	300	300
Bank	writer, was fined R150 (or	writer, was fined R150 (or		
	two months) for being in	two months) for being in		
	possession of 29 rounds of	possession of 29 rounds of		
	ammunition.	ammunition.		
Jan 2: Debtor (Insurance Cor,	The youths had placed a	The youths had placed a	000	24 000
Income from Life Po	home-made explosive de-	home-made explosive de-		
being accrual of proce	vice under a railway	vice under a railway		
	bridge in Gledhow, near	bridge in Gledhow, near		
	Stanger, on July 17, last	Stanger, on July 17, last		
	year. Lavery was arrested	year. Lavery was arrested		
	when the police discov-	when the police discov-		
Jan 2: Income from Life Policy	ered the device and	ered the device and	000	24 000
Income Statement	waited for the youths to	waited for the youths to		
being closing entry	return.	return.		
	Before passing sen-	Before passing sen-		
	tence, the Magistrate, Mr	tence, the Magistrate, Mr		
	R Oosthuizen, warned the	R Oosthuizen, warned the		
	youths not to get involved	youths not to get involved		
	in dangerous activities.	in dangerous activities.		
Jan 2: Income Statement	He said he had a suspi-	He said he had a suspi-	300	300
Insurance Expense	cion that Wintergest was	cion that Wintergest was		
being closing entry	involved with Lavery in	involved with Lavery in		
	the manufacture of the	the manufacture of the		
	unlawful explosive device	unlawful explosive device		
Jan 31: Bank	and explosives, but it had	and explosives, but it had	000	24 000
Debtor (Insurance Co	not been proved by the	not been proved by the		
being receipt of proce	State.	State.		

## (2) Premiums Treated as an Asset

01, Jan 1: Life Policy		300	
Bank			300
Dec 31: Income Statement		300	
Life Policy			300
(Surrender value of policy is zero — therefore no amount can be capitalised)			

Continued/ .....



# Court told council was ANC 'front'

## Court Reporter

THE president of the banned African National Congress, Mr Oliver Tambo, had been asked to give a new organisation called the Africa Youth Council financial help, a Durban regional magistrate heard yesterday.

This was said when three men who are alleged to have been members of the African National Congress appeared before Mr

H S van der Walt on charges of contravening the Terrorism Act.

Before Mr van der Walt were Mr Fana George Sithole, Mr Jabulani Ngcobo and Mr Titi Mtenyane.

At yesterday's hearing the Court was told that the youth council was a front for the ANC.

Mr Bhekifa Ngobese gave evidence that a meeting had been held to elect a Mr Phillip Matthews as

president of the youth council.

At the meeting Mr Matthews said he would have to write a letter to Mr Tambo, telling him that the AYC existed.

Mr Matthews had said he felt Mr Tambo would give the AYC financial assistance. Mr Ngobese said that Mr Mtenyana had told him that if a reply were received, we would be having recognition from the ANC

and they would know the AYC is one with the ANC.

At the meeting it was decided that a letter should be written to Nelson Mandela and Walter Sisulu on Robben Island.

The message would be sent to Robben Island through a lawyer who would go there pretending to see the prisoners 'to settle matters'.

The hearing continues today.

000 24	000 24	Bank	Jan 31:	being receipt of proceeds	Debtor (Insurance Company)
300	300	Income Statement	Jan 2:	Insurance Expense	being closing entry
000 24	000 24	Income Statement	Jan 2:	Income from Life Policy	being closing entry
000 24	000 24	Debtor (Insurance Company)	Jan 2:	Income from Life Policy	being accrual of proceeds receivable
300	300	Bank	04, Jan 1:	Insurance Expense	
Years 02 and 03 - same as 01					
300	300	Income Statement	Dec 31:	Insurance Expense	being closing entry
300	300	Bank	01, Jan 1:	Insurance Expense	being payment of premium
(1) Premiums Treated as Business Expense					

SOLUTION TO: GL5

AKG 45 25/2/82

Prostate

operation

for Mpetha

MR OSCAR MPETHA, the 72-year-old trade unionist and civic leader who has been in custody for more than a year, was due to have a prostate gland operation at Groote Schuur Hospital today.

Mr Mpetha has been treated at the hospital could be operated on.

His attorney, Mr Brian Lutzner, said today it had been necessary to control the diabetes before he fore he could be operated on.

**New treason trial?**

FM 26/2/82

The nature of possible charges being formulated against some of those detained under security laws during September and November last year, is becoming clear. Minister of Police Louis le Grange has said in parliament that "a very important case which is being investigated countrywide" would come out of the detentions. Detainees include trade unionists, community workers and students.

Jan Swanepoel, of the Attorney-General's office, who will be prosecuting in the case, told the FM: "There will probably be only one trial." He indicated that it was a permissible inference that there could be treason charges.

Swanepoel said that there was "a lot of evidence involved" and that he expects "a lengthy trial," although some evidence is still being assembled. He cannot yet say when charges will be laid.

The Attorney-General Jacobus Nöthling, however, told the FM that the final decision on charges lay with him and that no decision had yet been taken. He felt it wrong to speculate at this stage about the nature of the charges.

Recent treason trials in SA have all involved charges alleging violence, generally of a military nature, against the State.



**Police Minister Le Grange ...  
"a very important case"**

These are not expected in the forthcoming case.

It is probable that there will be charges of a general conspiracy. This means that while some of the accused may have had no contact with one another, the State will try to prove that they served the objectives of the same organisation.



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## It's All Happening ...

Just tell  
**ROBIN  
STEVENSON**

The curator, Mr Gerrit Swanepoel, tells me the museum has interesting bits and pieces of town and country Africana. Tea will be served (donations please) afterwards. Then St Catherine's Church and the Railway Museum will be explored. The visit ends at 1pm after a conducted walk through the old part of Uitenhage.

□ □ □

THE Zwartkops Trust anti-pollution squad will hold a "trash bash" in the Swartkops area tomorrow. Children from three schools — Swartkops River, Redhouse and Brickfields — will pick up the litter under adult supervision. They will start on the Amsterdamhoek side of the old Swartkops bridge at 2.30pm and will finish about 5pm.

Youngsters are asked to wear hats, walking shoes and gloves as there is lots of glass to be picked up. Free soft drinks and chips will be served. Those who join the squad, will receive T-shirts. Earlier a huge crane will be used to remove old jetty poles sunk in the river which have become a menace to swimmers and boats.

□ □ □

FIFTY players, aged from about eight to 40, have been

taking part in the Port Elizabeth Chess Tournament in Pelco House, 393 Main Street, since February 18 and the preliminary rounds will end tomorrow. Mr James Sullivan, president of the PE Chess Club, tells me most of the players are from PE with quite a few from Uitenhage and Despatch.

On Friday, March 12, the top 10 players in the premier section and the top six in the intermediate section will move into Check (ers) for the final rounds at Greenacres. The tournament ends on Saturday, March 27.

□ □ □

A BIG fish in town planning, Mr Ken Sturgeon, whose company is currently replanning the black townships of Grahamstown, will talk to the PE branch of the South African Institute of Civil Engineers at 5.30pm on Monday in the UPE Bird Street Auditorium. He will speak on new attitudes to housing in South Africa.

The talk will be illustrated with slides. It will cover the Viljoen Commission on housing, recently accepted by the Government, and the implications this will have on housing.

Something happening in your area? If it interests you, it will interest others. Just phone our man in the middle, Robin Stevenson, at 523480, or write to him at It's All Happening, Box 1121, Port Elizabeth 6000.

## Six Post Office workers jailed

Court Reporter

SIX men found guilty of intimidating workers during the Post Office strike last October were sentenced to 30 months' imprisonment each in the Port Elizabeth Regional Court today.

Eighteen months of the sentences were conditionally suspended for three years.

The court found that Noelman Ganjaza, 47, Sama Lukwe, 42, Samuel Majali, 56, Osmond Hethani, 45, Mtutuzeli Mahladhi, 56, and Goliath Quresha, 65, all of whom had been employed by the Post Office for many years, went on strike themselves during October.

They then planned and organised a scheme of intimidation whereby law-abiding workers were pulled out of bus queues and forced to miss work.

The workers were then taken away and "tried" for going to work and warned on threat of death to stay away.

They were required to report daily to ensure they did not go to work.

The magistrate, Mr J B Robinson, ruled that this was a serious offence and that the action prejudiced the proper working of the Post Office.

On the other hand, none of the accused was young and, except for Mahladhi, they were first offenders. Also, they had all lost their jobs.

Mahladhi admitted a previous conviction for membership of a banned organisation in 1964.

Mr H Fischat, who appeared for the defence, gave notice of intention to appeal.

**The Position:** An interesting career opportunity involving Production Control with training in Plastics and rubber extrusion technology with the view of eventually assuming responsibility for the related testing and development work in never developing departments. Full on the job training will be given.

**The Man:** The successful man will be self motivated, in the age bracket 23-28 years will have drive and enthusiasm and should possess leadership qualities.

**The offer:** An attractive starting Salary, the Thirteenth Cheque, five day week, Pension and Medical Aid scheme, pleasant working conditions.

Please phone **CLIVE LAKE** on **45731** or **229** to arrange an interview.

## BOSTIK PTY LTD.

H/P.66153



DIVISIONAL COUNCIL OF  
AFDELINGSRAAD VAN

## DIAS

### VACANCIES

- (1) TEMPORARY CLERK  
OF WORKS
- (2) PLUMBER

Vacancies exist for the above mentioned positions. A five-day week is worked and additional benefits for position (2) include medical aid, housing subsidy, pension, group life insurance schemes and service bonus. Details of the positions are as follows:

#### SALARY:

**Position (1)** Clerk of Works: R1 000,00 per month for the duration of the contract period for the construction of the Loerie Bridge (approximately 18 months).

**Position (2)** Plumber on the grade R7 700,00 — R8 900,00. Commencing notch will be determined in accordance with experience. Applications giving full details of experience must reach the undersigned not later than March 8, 1982.

Notice No. 16 of 1982 dated February 23, 1982.

N. W. ANDERSON, Secretary

Divisional Council Offices  
Chapel Street  
P.O. Box 318  
Port Elizabeth, 6000

H/P59687

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"He told

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to be passing, read the post-  
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one-man business was  
forced to close because of  
an army call up, will be up  
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They were taken down,  
allegedly on the instruction  
of an army officer who ob-  
jected to the wording and  
punctuation of the signs put  
up, shortly after Mr Mario  
Rademeyer recently began  
a one month camp.  
A top racing motorcy-  
clist, he operates an elec-

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primary  
Correspondent



# Terror Act 'invalid' in Bophu

By SAM MABE

**A MAN jailed for 15 years by the Bophuthatswana Supreme Court for illegally contravening the Terrorism Act will tell 11 judges during his appeal against the sentence in Bloemfontein next week that the Act is not law in Bophuthatswana.**

Mr Wilfred Sebonege Marwane, who was imprisoned for possession of explosives, contends that at the time of his conviction in 1979, the Terror Act could not have still been valid in an independent Bophuthatswana.

The historic appeal, the outcome of, which is likely to have far-reaching effects on the laws and constitution of the homeland, will be heard by the Appellate Division on Monday.

Mr Marwane was charged under the Terror Act, alternatively the Sabotage Act or under the Arms and Ammunitions Act, according to which he possessed a hand grenade to be used for endangering the security of Bophuthatswana.

Mr Justice Hiemstra had refused to grant him leave to appeal against the conviction and sentence.

Leave to appeal was later granted by the Appellate Division of the Supreme Court. Mr Marwane is represented by Advocate I Mahomed, SC and Advocate M S M Brassey, instructed by Priscilla Jana and Associates.

In his affidavit, Mr Marwane states that when Bophuthatswana gained its independence from South Africa, the Terror Act was impliedly repealed by its constitution containing a declaration of human rights.

The Act, he states, is in direct conflict with the right of personal liberty "which is the most fun-

damental right of the individual and one of the most cherished possessions of our society."

The Act, according to the affidavit:

- Leaves the onus on the accused to prove beyond doubt that he is innocent.

- Defines contravention in terms so wide that it renders definition meaningless and leaves the accused unaware of the precise allegation against him.

- Permits detention without trial.

- Sanctions indefinite detention without access to friends, relatives or legal advisers.

- Rules out any recourse to a court of law by a detainee.

- Forbids a court of law from ordering the release of a detainee.

- Leaves conditions of detention to the discretion of the Commissioner of Police.

Mr Marwane also states that Bophuthatswana's Act No 18 of 1977, prescribed expressly or by implication the laws to remain in force after its enactment and the extent to which they are to remain in force.

The Act as a whole is no longer of force in Bophuthatswana and ac-

cordingly, Mr Marwane could not properly have been convicted of a contravention of the Act, and the sentence imposed was so excessive as to induce a sense of shock, he claims.

Also, literally interpreted, Section Two of the Act is so broad as to make it virtually impossible for any person to avoid committing an offence. Among the fundamental rights that Mr Marwane says are in-

fringed by the Terror Act, are:

- The right not to be subjected to torture or human degrading treatment or punishment.
- The right to be presumed innocent until proved guilty.
- The right to be informed promptly and in detail, of charges to be faced.
- The right to have a court of law decide on the lawfulness of a detainee's detention.
- The right to due process of law which includes the right after arrest or detention, to trial within reasonable time or to release pending trial.

the partner: f R240.

p as legal statement would partner so proceeds from NOT credited

The death of a partner automatically dissolves the accounting entities. For this reason a partnership to be drawn up for the period up to the date of death to ascertain the correct balance on his capital account policy would be shown as income in this income statement to the partners' capital accounts.

(1) Premiums Treated as Business Expense

01, Jan 1: Insurance Expense	300	
Bank		300
being payment of premium		

Dec 31:

Income Statement	300	
Insurance Expense		300
being closing entry		

Years 02 and 03 - same as 01

04, Jan 1: Insurance Expense

300	
Bank	300

Jan 2:

Debtor (Insurance Company)	24 000
Income from Life Policy	
being accrual of proceeds receivable	

Jan 2:

Income from Life Policy	24 000
Income Statement	
being closing entry	

Jan 2:

Income Statement	300
Insurance Expense	
being closing entry	

Jan 31:

Bank	24 000
Debtor (Insurance Company)	
being receipt of proceeds	

(2) Premiums Treated as an Asset

01, Jan 1: Life Policy

300	
Bank	300

Dec 31:

**Mpetha, 'satisfactory'**

Staff Reporter

THE condition of Mr Oscar Mpetha, 72, who had an operation at Groot Schuur Hospital yesterday, was described by a hospital spokesman last night as "satisfactory". The trade unionist and civic leader, who has been in custody for more than a year, is currently standing trial with 18 others on charges under the Terrorism Act.

No information regarding the nature of the operation has been disclosed.

Dec 31: 331

Continued/.....



(331) Star  
**Statement  
destroyed,  
26/2/82  
court told**

A statement signed by a girl being held under the Internal Security Act was destroyed by a senior police officer, a Johannesburg Regional Court heard yesterday.

The defence counsel for Miss Elaine Rose Mohammed (20) of Wanderers Road, Newclare, put this to Warrant Officer Ben J Deetlefs and he denied it had happened in his presence.

Miss Mohammed, Mr Benjamin David Greyling (20) of The Fort, Mr Michael Anthony O'Donovan (21) of Homestead Avenue, Randfontein, and Mr Leslie Lax of Hunter Street, Yeoville have pleaded not guilty to charges under the Internal Security Act.

The trial continues today.

C  
N

usually bursts."

On the face of it they may seem like no-  
baboon spiders make marvellous pets. They

Star 26/2/82 331

# Security trial man asks for SP identity parade

A Johannesburg regional magistrate today refused to allow one of the accused in an Internal Security Act trial to have an identity parade of security policemen.

Defence advocate, Mr M Bassilial, said it was "essential" for Mr Benjamin Greyling to identify a security policeman who accompanied him to his flat after he had been arrested.

Mr Greyling had known the man as "Coetzee" but when a Lieutenant Coetzee appeared in court this morning, Mr Greyling said he had never seen him before.

The State opposed his application for an identity parade, saying there was no provision for it in law and the policemen could not be forced to participate in a parade.

The case was postponed to March 1 so that the defence could investigate the possibility of an appeal to the Supreme Court to allow the parade.

The four University of the Witwatersrand students, being tried are: Mr Benjamin David Greyling (20), address given as "The Fort," Miss Elaine Rose Mohammed (20) of Wanderers Road, Newclare, Mr Michael Anthony O'Donovan (21) of Homestead Avenue, Randfontein and Mr Leslie Lax (23) of Hunter Street, Yeoville.

They are charged with having manufactured and distributed posters commemorating the 60th anniversary of the South African Communist Party (SACP) and with having furthered the aims of the SACP.

All have pleaded not guilty.

## Changes in SACP set up

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# Jailed witnesses appeal

Mail Reporter

SEVEN witnesses, jailed during the Vanderbijlpark Terrorism Act trial of two Soweto student leaders after refusing to give evidence for the State, are to appeal against their convictions and sentences.

This was confirmed yesterday by their legal representative, Mr Raymond Tucker.

The witnesses refused to testify against Mr Khotso Sidney Seatlhlole, 25, and Miss Mary Masabata Loate, 23, in the Vanderbijlpark Regional Court before Mr A H Barlow.

They had been in custody under security laws since last June.

Martin Carter Seleke, 24, president of the Azanian National Youth Unity (Azanyu),

Thabo Edwin Ndebeni, 25, national organiser of the Azanian People's Organisation (Azapo), Solomosi Alex Selani, 27, national chairman of Azanyu, Stephen Siphos Somacele, 28, and Thami Mazwai, news editor of The Sowetan and secretary of the Media Workers Association of SA, were all jailed for 18 months.

Nonkululeko Innocentia Mazibuko, 20, was jailed for a year and Elsie Mathibedi, 22, for nine months.

Next Wednesday, Miss Jeanette Mmatota Thedingoane, who refused to give evidence for the State when called and indicated she wanted legal representation, will be recalled to the witness box. She will be represented by Mr Tucker.

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# Six Post Office workers jailed

## Court Reporter

SIX men found guilty of intimidating workers during the Post Office strike last October were sentenced to 30 months' imprisonment each in the Port Elizabeth Regional Court today.

Eighteen months of the sentences were conditionally suspended for three years.

The court found that Noelman Ganjaza, 47, Sama Lukwe, 42, Samuel Majali, 56, Osmond Hethani, 45, Mtutuzeli Mahlathi, 56, and Goliath Quresha, 65, all of whom had been employed by the Post Office for many years, went on strike themselves during October.

They then planned and organised a scheme of intimidation whereby law-abiding workers were pulled out of bus queues and forced to miss work.

The workers were then taken away and "tried" for going to work and warned on threat of death to stay away.

They were required to report daily to ensure they did not go to work.

The magistrate, Mr J B Robinson, ruled that this was a serious offence and that the action prejudiced the proper working of the Post Office.

On the other hand, none of the accused was young and, except for Mahlathi, they were first offenders. Also, they had all lost their jobs.

Mahlathi admitted a previous conviction for membership of a banned organisation in 1964.

Mr H Fischat, who appeared for the defence, gave notice of intention to appeal.

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**Argus Africa News Service**

**JOHANNESBURG.** — A former Soweto refugee in Gaborone, Mr Peter Lengene, told Botswana's Commissioner of Police that he returned to South Africa voluntarily and that the men convicted of kidnapping him 'kidnapped somebody else.'

Commissioner Simon Hirschfeld has disclosed that he flew to Pretoria on Monday and interviewed Mr Lengene who, according to a Gaborone court verdict, was kidnapped from Botswana on February 6.

Botswana's Minister of Public Service, Mr Daniel Kwelagobe, has rejected Mr Lengene's 'story' as 'ridiculous' and said it contradicts the South African security police who have confirmed kidnapping him.

**VOLUNTARY**

Mr Kwelagobe yesterday gave Botswana's National Assembly the details of the interview.

'Mr Lengene's story is that he went to South Africa of his own free will,' the Minister said.

'And he does not want to return to Botswana for fear of being bodily hurt by his colleagues in the refugee community or being arrested by the police for crimes he has committed with his colleagues in this country.'

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Terror (331)

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Act case  
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adjourned

DURBAN. — The trial in which three men are accused of contravening the Terrorism Act was adjourned yesterday.

Mr Fana George Sithole of Umlazi; Mr Jabulani Wilfred Ngcobo of Umlazi, and Mr Titi Alocia Mtenyane of Soweto, have pleaded not guilty in the Durban Regional court to two counts of contravening the Terrorism Act.

It is alleged that between August 1980 and July last year, they conspired to form an organisation known as the Afrika Youth Congress, based on the African National Congress.

It is also alleged that they corresponded with members of the ANC in Botswana, and on Robben Island, and received, or negotiated for funds from ANC supporters in Botswana and Durban.

A further allegation is that they assisted people to leave for military training.

Mr Sithole also faces 15 counts of contravening the Internal Security Act by breaking his banning order.

— Sapa.



- An essay in a volume of essays

6. Georg Borgstrom, "The Harvest of the Seas: How Fruitful and For Whom?" in The Environmental Crisis: Man's Struggle to Live with Himself, ed. Harold W. Helfrich, Jr., New Haven: Yale University Press, 1970, p.82.

- A translation

7. Maurice Merleau-Ponty, Perception, Routledge, 1963.

8. Alvin Nagel, From the Late, 1975, sec. 2.

- A signed article

9. "Nixon's Fight", 1974, p.27.

- An unsigned article

10. Walter Lippmann, Scientific, 1974, p.27.

- A journal article

11. Harley Sachs, Third Quarter, 1965.

- An unsigned article

12. "Animal Ecology", 1965.

- Pamphlet, but

13. L.N. Smith, In Waste-Water, Report No. 1, Indiana, 1965.

- Interview

14. Jane R. Shc, Biology, per Campus, per

- Letter

15. W.S. Merwin, 1977.

- Subsequent ref

16. Litten, p.5 (See no.10.)

## Ministers

## warned on

## 'solitary'

## statements

Statements made by political detainees in solitary confinement must be viewed in the same light as those made under physical duress, the Council of the South African Psychological Association has said.

In a statement the Council said people in solitary confinement might be led to believe false statements were correct and therefore agree to them.

Any individual deprived of the "minimum levels of social contact" was likely to become apathetic and depressed, to lose the ability to think coherently and "to experience temporal disorientation and hallucinations".

Research had indicated that the ability of people held in isolation, to think or remember clearly was impaired, and they became highly vulnerable to suggestion and persuasion.

They also felt under compelling pressure to escape from the intense psychological stress of detention.

"Hence the individual may unwittingly change his or her recollection of events and come to believe that the new false recollection is the correct one," the statement said.

The council called on the Ministers of Police and Justice to view statements made by detainees under such conditions in the same light as statements made under physical duress.

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	A Colonel Olivier threatened him with permanent disfigurement, such as cutting off his nose.	

300	Dec	300
	Throughout the day until midnight he was bound hand and foot and was forced to stand during about 14 hours of questioning at John Vorster Square.	

# Wits student (20) alleges maltreatment by police

Mr Benjamin David Greyling (20) who is being charged under the Internal Security Act said today that he was assaulted, made to stand naked and threatened with permanent disfigurement on the day of his arrest.

In the Johannesburg Regional Court Mr Greyling said that at about 3 am on Friday, July 31 last year he was told to accompany three security policemen to John Vor-

ster Square and then to his flat.

In the car a security policeman, referred to as "Coetzee" throttled him and was about to punch him in the face but he refrained when he saw that people in other cars were watching him.

Mr Greyling said that his arms were tied behind his back and Coetzee's grip bruised his throat. He was told he would be hurt once they got to John Vorster Square.

Throughout the day until midnight he was bound hand and foot and was forced to stand during about 14 hours of questioning at John Vorster Square.

A Colonel Olivier threatened him with permanent disfigurement, such as cutting off his nose.

He was hit in the chest, forced to remove all his clothes and a bunch of keys was pushed against his private parts, he said.

Star 1/3/82

331

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# Rhodes pair appeal against sentences

331

GRAHAMSTOWN — A Rhodes University lecturer, Guy Berger, and journalism student, Devandiren Pillay, had dabbled in Marxist theory but were not the serious revolutionaries a Port Elizabeth magistrate appeared to have considered them, the Supreme Court here was told yesterday.

Mr Berger, 25, and Mr Pillay, 21, are appealing against their effective jail sentences of four years and two years respectively for membership of the banned African National Congress and for activities which furthered its aims.

Judgment was reserved yesterday after Mr Justice Kannemeyer and Mr Justice Howie were told that both men had been in jail since sentence was passed in the Port Elizabeth Regional Court in March last year. Both had been in detention for seven months before the trial.

Mr Dennis Kuny, appearing for Mr Berger and Mr Pillay, said their sentences were disproportionately heavy.

"Unfortunately when it comes to dealing with political offenders there is a tendency to see their offences in the most serious possible light because the country is con-

sidered to be in danger and people mustn't rock the boat."

He said Mr Berger and Mr Pillay were not serious revolutionaries who advocated violent action but "dabblers." Mr Berger, who was an intellectual, had never denied that he applied the Marxist tool of analysis to the South African situation, but this did not mean that he favoured violent overthrowing of the state.

Mr Kuny said their conviction on the count of being members of the ANC was based on a presumption drawn from the activities of which they were convicted on the second count.

The magistrate had misdirected himself by sentencing them separately on each count and, in the case of Mr Berger, by making the sentences run consecutively, Mr Kuny said.

Mr Berger, a lecturer in journalism, had organised study groups on Marxism, sent material on trade unions to a friend in Botswana and discussed the ANC with friends.

"One wonders how mere discussions can be considered so sinister when the ANC is an organisation which receives a high profile in newspapers and else-

where."

Mr Kuny said the people who attended the seminars were students able to think for themselves and Mr Berger's activities should be seen in the light of a university environment, which encouraged discussion, and analysis.

Mr Berger's attitude had been that of an intellectual and the trade union material he had collected had formed part of a thesis which was highly theoretical in nature. It had not been shown at the trial that he was aware that the material he sent to Botswana would be used by the banned South African Congress of Trade Unions, and that Sactu was in turn the "trade union arm" of the ANC.

Mr Pillay's activities, which involved formulating a code, discussing a demonstration against a rugby match and proposing a boycott of the Indian Council elections, also did not amount to a great deal, Mr Kuny said.

The code had not been brought into operation and Mr Pillay had done nothing at all about the proposed boycott and demonstration.

Mr Pillay's distribution of literature was not a widespread distribution of ANC pamphlets

but the handing over of a portion of an article to one person.

Mr W. L. Kingsley, for the state, said the offences for which the two had been convicted had been viewed correctly by the magistrate as extremely serious ones.

Mr Berger had clearly supported the ANC's violent objectives as he read books on Marxism and guerilla warfare and propagated a total change in the status quo.

Mr Berger's attitude was demonstrated in court when he said he believed South Africa's problems were not only political in nature but economic as well, and that the more he read the more convinced he became that a form of socialism would provide a more equitable solution.

Interjecting at this point, Mr Justice Howie said: "Does it amount to anything we could not have heard in Parliament yesterday?"

Mr Kingsley first argued that the magistrate had been entitled to sentence the two men separately on each of the two counts, but later conceded that as the one arose from the other, the sentences should have run concurrently. — DDC.

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# Student quizzed in nude court (331) told 0. Dispatch 2/3/82

JOHANNESBURG — A student told a Regional Magistrate here yesterday that he had been questioned by Security Police at John Vorster Square while naked and had feared something would happen to him.

Mr Benjamin Greyling, 20, formerly of Joubert Park, appeared with three other University of the Witwatersrand students on charges under the Internal Security Act.

The others who appeared with him were Miss Elaine-Rose Mohamed, 20, of Newclare, Mr Michael Anthony O'Donovan, 21, of Randfontein and Mr Leslie Lax, 23, of Yeoville.

The state alleges they made posters or placards to commemorate the 60th anniversary of the banned South African Communist Party (SACP).

The offences are alleged to have been committed between July 28 and 31 last year.

The four students have all pleaded not guilty.

Mr Greyling told the court he was arrested on July 31 last year and questioned by security policemen about where the placards were found.

One day he was ordered to undress and was interrogated naked. Some of the policemen were aggressive and one threatened to break his jaw, he said.

Mr Greyling said he was worried because he had heard about people who had fallen from the 10th floor at John Vorster Square.

"I feared that something wrong would happen to me," he said.

Sometimes he was made to stand during lengthy questioning and given food including meat and eggs although the police knew he was a vegetarian. Later, he decided to eat the eggs, he said.

At times he was physically and spiritually exhausted. Sometimes he was handcuffed and made to wear leg irons.

When he was taken to a doctor, he reported that he had been assaulted by police. He also told a magistrate and an inspector.

One weekend he was refused the privilege of washing himself, he said, adding he never saw members of his family while he was being detained. — DDC.

JUST



Mrs. Johanna Mhlongo, grand-daughter of the first editor of The World newspaper, Mr R V Selope-Thema, died last week after being stabbed by unknown men.

According to her sister, Mrs M Mhlongo, Johanna visited a friend in Malabo Extension.

"On her way home they were attacked by a group of men, one of whom stabbed her in the back," she said.

She died last Tuesday after being discharged from hospital.

The funeral will, be held at number 505 Rockville on Sunday, and the cortege will leave for Avallon Cemetery at 2.00pm.

ONE of the accused in the Khotso Seatholo Terrorism trial yesterday told the Vanderbijl Park Regional Court that most people in Soweto no longer discussed politics with her because she had once given evidence for the State in a Terror trial.

Ms Mary Masabata Lote, a former beauty queen, was giving evidence before Mr A H Barlow, in a case in which she and a former president of the Soweto Students' Representative

Ms Loate told the court that during 1976 and 1977, she was still at school and was an unofficial member of the SSRC. She had an interest in the organisation as a student and because her boyfriend, Kennedy Mogami, was involved with the SSRC.

She was detained during that year and spent 18 to 19 months in detention when she was called in as a State witness in a sedition case, which later became known as the SSRC Eleven case.

Ms Loate said she was interested in politics and that from time to time she had been asked to deliver messages. This was given as evidence in the Kempton Park SSRC Eleven case. She said after that case, the public attitude towards her was negative, she received threatening letters and she was also injured in the leg. Her mother advised her to tell her interrogator about the inci-

dent, but nothing was done.

She said after the SSRC Eleven case she used to meet some of the people she had known before and they used to walk and talk with her, but they never discussed politics with her because of the evidence she had given in the sedition case.

In February 1981, she had gone to Botswana, to apply for admission at the university. While in Botswana, she met Khotso and she spent some time with Khotso who told her he was only in Botswana for a holiday and that he was attending school in Nigeria studying arts

and science.  
Khotso a

Khotso also asked her about the SSRC Eleven case and wanted to know why she had given evidence. She told him she had been confused at the time and that her mother had advised her to give evidence.

After she returned to South Africa and went back to Botswana about five more times, She said she met Khotso again on the fifth occasion at the wedding but that Khotso didn't talk politics with her.

She said on June 16, 1981 she attended a meeting at Regina Mundi in Soweto with a friend. Police disrupted the meeting with teargas and she fled into the street.

She told the court that her friend had pushed a pen and pamphlet into her hand and told her to write down the names of a number of young men.

On Monday more than 1 000 employees at McKeechnie Brothers downed tools demanding a R1,00 per hour raise. According to the workers' representative the demand was increased to R2,00 per hour on Tuesday morning.

At another company, Chubb Fire Security, about 5 000 workers also went on strike demanding higher wages. The company is about a kilometre from McKee's Brothers.

Workers at Power Steel, which is about three blocks from the other two, and workers at Hawker Siddoley Africa also went on strike demanding higher wages.

Meanwhile, workers at Hawker Siddeley Africa have gone back to work while management and the union, Mawu, hold negotiations.

Workers at this company downed tools last Friday morning demanding the reinstatement of two of their five colleagues and a R1,000 per hour raise.

RESIDENTS of Pageview, who were last month served with notices to leave the area by February 28 or face eviction, have again refused to move and were given days' notice expires on Monday next week, we will still be here. We are definitely not going to move voluntarily."

He told **The SOWE-TAN** that about two

Ms. Loate told the court that during 1976<sup>†</sup> and 1977, she was still at school and was an unofficial member of the SSRC. She had an interest in the organisation as a student and because her boyfriend, Kennedy Mogami, was involved with the SSRC.

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Meanwhile, workers at Hawker Siddeley Africa have gone back to work while management and the union, Mawu, hold negotiations.

Workers at this company downed tools last Friday morning demanding the reinstatement of two of their five colleagues and a R1,000 per hour raise.

**TODAY 6.15, AND 9.15 pm**  
**TOMORROW AND SATURDAY**  
**6.15 and 9.15 pm**  
**SUNDAY 7th 2 and 5 pm**  
**ALSO**

**ALSO**

**TUESDAY 9th and WEDNESDAY  
10th at 8.30 pm**

**THURSDAY, FRIDAY and SATURDAY 6.15 and 9.15 pm**

**SUNDAY 14th 2 and 5 pm**

THE GREAT AMERICAN  
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# WEEKEND WINNERS

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# Rhodes men 'weren't real revolutionaries'

CAPE TIMES 2/3/82

(#) 329 331

Own Correspondent

PORT ELIZABETH. — Rhodes University lecturer Guy Berger and journalism student, Devandiren Pillay, had dabbled in Marxist theory but were not the serious revolutionaries a Port Elizabeth magistrate appeared to have considered them, it was stated in the Grahamstown Supreme Court yesterday. Berger, 25, and Pillay, 21, are appealing against their prison sentences of four years and two years

respectively for membership of the banned African National Congress and for activities which furthered its aims.

Judgment was reserved yesterday after Mr Justice Kannemeyer and Mr Justice Howie had been told that both men had been in jail since sentence was passed in the Port Elizabeth Regional Court in March last year. Both were in detention for seven months before trial.

Mr Denis Kuny, appearing for Berger and Pillay, said yesterday that their sentences were disproportionately heavy in relation to the nature of their conduct, "which, when you boil it down, does not amount to very-much".

"Unfortunately, when it comes to dealing with political offenders, there is a tendency to see their offences in the most serious possible light because the country is considered to be in danger and people musn't rock the boat."

He said Berger and Pillay were not real revolutionaries who advocated violent action, but "dabblers". Berger, who was an intellectual, had never denied that he applied the Marxist tool of analysis to the South African situation, but this did not mean that he favoured the violent overthrowing of the State.

Mr Kuny said their conviction on the count of being members of the ANC was based on a presumption drawn from the ac-

tivities of which they were convicted on the second count.

The magistrate had misdirected himself by sentencing them separately on each count, and in the case of Berger by making the sentences run consecutively rather than concurrently.

Berger, a lecturer in the journalism department, had organized study groups on Marxism, sent material on trade unions to a friend in Botswana and discussed the ANC with friends.

"One wonders how mere discussions can be considered so sinister when the ANC is an organization which receives a high profile in newspapers and is hardly a forbidden subject."

Mr Kuny said the people who attended the seminars were students able to think for themselves and that Berger's activities should be seen in the light of a university environment, which encouraged discussion and analysis.

Berger's attitude had been that of an intellectual and the trade union material he had collected had formed part of a thesis which was highly theoretical in nature. It had not been shown at the trial that he was aware that the material he sent to Botswana would be used by the banned South African Congress of Trade Unions, Sactu, and that Sactu was the "trade union arm" of the ANC.

Pillay's activities, which involved formulating a code, discussing a demonstration against a rugby match and proposing a boycott of the Indian Council elections, also did not amount to a great deal, Mr Kuny said.

The code he had worked out with a man called Raj was never brought into operation and Pillay had done nothing at all about the proposed boycott and demonstration.

"These activities were all stillborn," Mr Kuny said.

Mr W L Kingsley, for the State, said the offences for which the two had been convicted had been viewed correctly by the magistrate as extremely serious ones.

Berger had clearly supported the ANC's violent objectives, as he read books on Marxism and guerilla warfare and propagated a total change in the status quo.

Berger's attitude was demonstrated in court when he said he believed South Africa's problems were not only political in nature but economic as well, and that the more he read the more convinced he became that a form of socialism would provide a more equitable solution.

Interjecting at this point, Mr Justice Howie said he wondered "what all this" amounted to. "Does it amount to anything we could not have heard in Parliament yesterday?"



# Bishop's son <sup>(331)</sup> appeals <sup>E. Post</sup> against <sup>2/3/82</sup> verdict

CAPE TOWN — A University of Cape Town student yesterday appealed in the Supreme Court against a conviction for attending an unlawful gathering in May last year.

Gavin Mark Reid Evans, 21, of Observatory, was fined R60 (or 30 days) in the Cape Town Magistrate's Court on November 26.

Evans, son of the Anglican Bishop of Port Elizabeth, Bishop Bruce Evans, and 46 other students were arrested by riot police while protesting outside the Good Hope Centre during a world meat conference on May 27.

Evans, a final-year BA student, told the trial court that the demonstration had been held to draw the conference's attention to the circumstances surrounding a strike by meat workers in 1980.

Mr P B Hodes, for Evans, said yesterday the trial court record indicated that "the magistrate had been strongly biased against the appellant".

Mr Hodes said Evans and the other students had consulted second-year law students at UCT before staging their protest. They believed that they would not be contravening the law unless a police officer gave them three warnings in both official languages.

The Riotous Assemblies Act had since been amended and the police were now only required to give one warning.

The hearing was adjourned to June 7.

Mr Justice Vivier sat with Mr Acting Justice Berman. — Sapa

# Demo: UCT student appeals

CAPE TOWN 2/3/82 245 331

Staff Reporter

A UNIVERSITY of Cape Town student yesterday appealed in the Supreme Court against a conviction for attending an unlawful gathering in May last year.

Gavin Mark Reid Evans, 21, of Observatory, was fined R60 (or 30 days) in the Cape Town Magistrate's Court on November 26.

Evans and 46 other students were arrested by the riot police while protesting outside the Good Hope Centre during a world meat conference on May 27. His trial was separated from that of the other students.

Evans, a final-year BA student, told the trial court that the demonstration had been held to draw the conference's attention to the circumstances surrounding a strike by meat workers in 1980.

Mr P B Hodes, for Evans, said yesterday the trial court record indicated that "the magistrate had been strongly biased against the appellant". He said several of the magistrate's conclusions were not borne out by the facts.

Mr Hodes said Evans and the other students had consulted second-year law students at UCT before staging their protest. They believed that they would not be contravening the law.

The hearing was adjourned to June 7.

Mr Justice Vivier sat with Mr Acting Justice Berman. Mr J van Zyl appeared for the State. Mr Hodes was instructed by Frank, Bernadt and Joffe.

and jockeys of all ages and sizes.

# Accused in ANC hearing ill, Court told

## Court Reporter

THE trial of three men alleged to be members of the banned African National Congress was adjourned yesterday because of the apparent ill-health of one of the men.

Appearing before Mr H van der Walt in a Durban Regional Court were Mr Fana George Sithole, Mr Jabulani Ncobo and Mr Titi Mtenyane.

Mr A Wilson SC, for the defence, told the Court that 'there was some doubt as to whether Mr Mtenyane was able to understand the whole of the procedures.'

He said because of this a general practitioner and a psychiatrist had examined Mr Mtenyane yesterday.

'Dr E Valjee, the psychiatrist, had recommended that Mr Mtenyane undergo further tests,' he added.

Mr Wilson said arrangements had been made for Mr Mtenyane to see the district surgeon and another psychiatrist today.

He suggested to the Court that the two psychiatrists be allowed to discuss whether further tests should be carried out and to compare prognoses.

Yesterday afternoon the three accused who entered the Court giving black power salutes, were told that the trial had been adjourned until tomorrow.

Mr A Ackerman appeared for the State.

## Plea for open bowling greens

### Municipal Reporter

ON Wednesday the Durban Amenities Committee will consider a petition which calls for the Victoria municipal bowling greens to be open to all races.

Spearheading the move is Mr B M Mendelsohn of Umbilo. An affiliated member of the SA Bowling Association, he says while there are bowling facilities for blacks and coloureds in Durban there is nowhere the Indian community can play.

He said: 'I play league bowls and a number of the Indian staff at the firm where I work take a great interest in my progress and often express the wish that they could also play.'

'Windsor Park Golf Course has been opened to all races and I see no reason why the bowling greens can't be opened as well.'

Mr Mendelsohn said the black Lamontville Club and the coloured Perseverance Club were both producing very good players.

'The Indians also pay rates and it would be nice if they could have somewhere to learn the game and possibly build up enough enthusiasm to form a club,' he said.

And much of the buying of equipment is done in the Durban area, according to a retail saddler.

The dealer — who preferred to remain anonymous — said he had regular customers — from the Transkei, in KwaZulu from the Madadene district in Northern Natal, and even closer, from Donnybrook — buying racing saddles, bridles and other gear.

'Obviously there's gambling going on. I mean when a guy walks in and buys equipment worth R1500 and pays in used brown R20 notes ...' the dealer said.

He explained that the horse 'owners' trained their horses in the bush during the week and every weekend they would meet at a dirt track where 'punters' could bet and spend the day racing.

He believed that before each meeting the message went out 'via the bush telegraph' about where the meeting would be held and then anyone who wanted to race his newest 'colt' could go along.

'It could even be an ideal place for those bona fide Durban racehorses who were not allowed to run for six months or so, to train. I mean there'd be no Jockey Club rules,' he said.

## Man stabbed and robbed

### Crime Reporter

A PIETERMARITZBURG man was stabbed in the arm and robbed of his watch and cash while sitting in his car in Cato Manor at the weekend.

Police said Mr Eric Brown, 35, of Roberts Road, was sitting in his car when he was attacked by an unknown man and robbed of his watch and some cash.

Police are investigating the incident but no arrests have been made.



Argus Bureau

PORT ELIZABETH.

## Rhodes lecturer, student appeal

THE ARGUS, TUESDAY MARCH 2 1982

Judgment has been reserved in the appeal by Rhodes University lecturer Guy Berger and student Devandiren Pillay against their jail sentences under security laws.

Berger, 25, and Pillay, 21, are serving effective four and two year sentences respectively, for membership of the banned African National Congress and for active participation in the March 1976-77 riots.

Judgment was reserved yesterday in the Supreme Court. Grahamstown, after Mr Justice Kameyer and Mr Justice Howie were told that both men had been in jail since sentence was passed in the Port Elizabeth Regional Court in March last year.

By then, both had been action, but were 'dabbling' in detention for seven months.

Mr Dennis Kuny, for the two men, said their sentences were disproportionate to their conduct in relation to their conduct to very much.

The two men were not serious revolutionaries who advocated violent study groups on Marxism, but were 'dabbling' in trade unions to a friend in Botswana and discussed the ANC with friends.

It had not been proved that he knew the material he had sent to Botswana would be used by the banned South African Congress of Trade Unions (Sactu) and that Sactu was linked to the ANC. Pillay had formulated a code, discussed a demonstration against a rugby match and proposed a boycott of the Indian Council elections.

## Call to change perlemoen quota

Argus 2/3/82

SOUTH AFRICA'S 52 professional perlemoen and Fisheries, Mr. Pietie of perlemoen each can recommendation that mission he appointed two annual quota instead of certain aspects of the them working on a global quota system as at present.

This was made clear at a meeting in Hawston last night between the divers and Dr W. Hugo, acting adviser on fishing matters to the Minister of Agriculture and Fisheries.

### 49 ATTENDED

Forty-nine members of the Abalone Divers' Association of South Africa (ADASA) attended the meeting which was called to iron out points arising from the recommendations made to the but that the divers be high water mark, he said.

## Doctor blamed for death of woman

### Argus Correspondent

JOHANNESBURG. — A magistrate found yesterday that Dr Hermannus Adriaan Nel was responsible for the death of a woman at the Marymount Hospital on June 22 last year.

Mr A. B. Joubert was giving his findings at the inquest on Mrs. Moira Ann Holt, who died of death in the hospital's operating theatre after giving birth.

Dr Nel denied that he had been negligent and alleged that nursing sisters at the hospital had conspired to make him a scapegoat for Mrs. Holt's death.

Evidence was that after Mrs. Holt gave birth, the placenta was retained. Dr Nel tried to extricate it by pulling the umbilical cord and then tried twice to remove the placenta manually.

The placenta was finally removed by Dr A. Stein, an obstetrician who was called to the operating theatre.

Sister Brendon, the matron of the hospital, said Mrs. Holt was bleeding profusely and her pulse was almost imperceptible at the time Dr Stein was called.

ANESTHETIC Dr Stein told the court that it was safe on only

## Attack on town foiled

Argus Africa News Service

MAPUTO. — An attack by guerrillas of the Mozambique Resistance Movement on the town of Gorongosa, was foiled by government troops, the Mozambique news agency, AIMP, has reported.

The agency said 15 of the MRM men were killed and several injured. The troops captured 11 light weapons and ammunition.

Mr Kalangua said to Ova day a committee was being set up to examine complaints of poor relations between security forces and the people.

The committee would consist of senior military personnel and Ovambo representatives.

It is understood it will be headed by the officer commanding the SWA Territory Force, Major-General Charles Lloyd.

Mr Kalangua urged for a public meeting of more than 500 at the weekend to report any incidents.

He also warned South African public servants the seconded to the region be

## Warning on forged drug prescriptions

Medical Reporter

PEOPLE 'hooked' on prescriptions and asks sleep described drugs sometimes stole prescription pads in doctors' consulting rooms and forged their handwriting to get supplies, a Cape Town pharmacist

buying drugs with false prescriptions and asks sleep described drugs sometimes stole prescription pads in doctors' consulting rooms and forged their handwriting to get supplies, a Cape Town pharmacist

## Afrikaners opt for smaller families

MORE and more white 1967 among newly married Afrikaans-speaking women in Pretoria, the women had completed three years before their smaller families, a study later, among the same 304

Almost 80 percent of dren and administrative workers and clerks had 1.9 children.

Dr Stein told the court that it was safe on only



# Student claims duress

3/2/82

Stan

331

Mr Benjamin David Greyling (20), being tried under the Internal Security Act, claimed in the Johannesburg Regional Court yesterday that any statements he may have made to the police were inadmissible as they were made under duress.

Mr Greyling, who has been in police custody for 211 days, is one of four University of the Witwatersrand students facing charges under the Act of furthering the aims of the South African Communist Party.

In a trial within a trial his defence is trying to prove that any statements he may have made were not given voluntarily and so cannot be used as

evidence.

Mr Greyling, who described himself as a pacifist, said he was assaulted on three occasions by a security policeman, a Mr Coetzee, who has not yet been traced. He claimed there were also "mental attacks."

He said he was questioned all day and every day from Friday July 31 (last year) to the following Thursday then suddenly left in solitary confinement for about six days.

When he was taken back to the tenth floor of John Vorster Square, a policeman told him his mother had been there that morning and she had been in a terrible state — close to breaking point.

Mr Greyling said he was told his mother had written him a letter which he would be allowed to read if he co-operated with the police.

The first time he saw his family was when he appeared in court in November.

He said he reported having been assaulted on the day of his arrest to a doctor, but that this report had immediately been given to his interrogators.

A Captain van Niekerk threatened to remove all his rights as a result of this, he said.

When he complained about his living conditions, a senior police officer removed every article from his cell, saying he did not live in a hotel.

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Income from Life Policy

Jan 2:

being accrual of proceeds receivable

Debtor (Insurance Company)  
Income from Life Policy

Jan 2:

000 24

Bank

04, Jan 1: Insurance Expense

000 300

Years 02 and 03 - same as 01

Insurance Expense  
being closing entry

Dec 31:

000 300

Bank  
being payment of premium

01, Jan 1: Insurance Expense

000 300

Premiums Treated as Business Expense

(1)

SOLUTION TO: GLS

ACCOUNTING A

# Student tells of fear she'd be assaulted

Mail Reporter

ALLEGATIONS about how arrested people were being treated by the Security Police at John Vorster Square were made before a Johannesburg Regional Court magistrate yesterday.

Four Wits students, Mr Benjamin David Greyling, Miss Elaine-Rose Mohamed, Mr Michael Anthony O'Donovan and Mr Leslie Lax, appeared before Mr H J Oosthuizen on charges under the Internal Security Act.

The State alleges they made posters or placards to commemorate the 60th anniversary of the banned South African Communist Party in July last year. They have pleaded not guilty.

Miss Mohamed told the court yesterday that she had heard allegations about how

arrested people were treated by Security Police at John Vorster Square.

She said she was told that police made people stand for a long period and were sometimes made to stand on bricks.

She said she was also told that those arrested were given electric shocks, made to undress, had sacks placed over their heads and they were also assaulted.

They were also made to put their faces in a bucket containing water, she said.

Miss Mohamed said she knew of a girl who had a hosepipe pushed into her mouth. She said she was shocked when police came to arrest her at her home where they removed a poster from the wall in her bedroom.

She was later taken to John Vorster Square where she assumed she was going to be assaulted, she said.



# 331 Stan 3/3/82 Detainee alleges torture threat

By Diann Shoebottom

A 20-year-old girl, on trial for furthering the aims of a banned organisation, said a statement she had made under threat of torture had been destroyed by the Security Police.

Miss Elaine Rose Mohamed, of Wanderers Road, Newclare, appeared in the Johannesburg Regional Mag-

istrate's Court yesterday with three other University of the Witwatersrand students.

They have all pleaded not guilty to manufacturing and distributing posters commemorating the 60th anniversary of the SA Communist Party.

Miss Mohamed said that after two days of incessant questioning by the Security Police

she finally broke down when a Warrant Officer Smit threatened: "You had better talk. It is sometimes more fun getting things out of women."

She said she was terrified as the police continually implied she would be physically assaulted during three weeks of interrogation last August.

Before being arrested she had heard of de-

tainees being given electric shocks, girls being forced to strip before being beaten up, having hosepipes forced down their throats and being suffocated by having their heads pushed into buckets of water.

Miss Mohamed told the magistrate she was so frightened that she agreed to make a statement, in which she gave all the informa-

tion she had given the police throughout her questioning.

A Captain van Niekerk read the statement and tore it up, saying it was "absolute rubbish" and telling her she "should stop playing games".

Although she was never assaulted, said Miss Mohamed, the Security Police refused to believe she was telling the truth.

CAPE TIMES 3/3/82  
**Mpetha 'very  
sick' says son**

~~Staff Reporter~~ 331

COMMUNITY leader and trade unionist Mr Oscar Mpetha is "very sick", his son Eric, who visited him in hospital on Monday, said yesterday.

"My father looked sick and he could hardly speak. He told me he is going to have another operation to have his kidneys cleaned up."

According to a hospital spokesman, Mr Mpetha is in a "satisfactory" condition.

Mr Mpetha, 72, who suffers from diabetes, was admitted to Groote Schuur Hospital early last month. He underwent an operation on February 25.

# ANC appeal in court today

By SAM MABE  
AN APPEAL by the three ANC men who were sentenced to death for their role in the Soekmeaar police station two years ago will be heard in the Appellate Division of the Supreme Court in Bloemfontein next Monday.

The trio, waiting in the death row after their conviction for high treason by Mr Justice de Villiers in the Palace of Justice in Pretoria, are Johnson Lubisi (30), Petrus Tsepo Mashigo (22) and Naphtali Manana (26).

They were among nine ANC members who were charged with high treason, murder, attempted murder, robbery with aggravating circumstances and with alternative charges of participating in terrorist activities.

The other six co-accused were given long-term jail sentences ranging from 10 to 20 years.

They were also charged with complicity in the Silverton incident where three guerillas armed with Russian-made AK-47 rifles held about 65 people as hostages and threatened to kill them if their demands were not met.

Among other things, the guerillas are said to have demanded the release of ANC's jailed leader, Mr Nelson Mandela, and a guerilla who was in death row, James Mange.

When the police stormed the bank to rescue the hostages, the three guerillas were shot dead and one of the hostages, Cindy Anderson, died after being fired at by one of the guerillas.

A witness in the trial of the nine men said he was instructed in Maputo to recruit more people to be trained to fight on behalf of the ANC and to sabotage the Supreme Court building in Natal and bridges on highways

331

8/1/82

Soekmeaar 4/3/82

UOT





CAPL TIMES 4/3/82  
331

# No bail for 5 silent witnesses

Own Correspondent

JOHANNESBURG. — An application for bail by five witnesses who were jailed for refusing to testify at the Terrorism Act trial of two Soweto student leaders, was refused in the Vanderbijlpark Regional Court yesterday.

Thami Mazwai, 38, Martin Carter Seleke, 24, Thabo Edwin Ndebele, 25, Solomozi Alex Selami, 27, and Steven Sipho Somacele, 28, were appearing before Mr A H Barlow.

They have lodged an appeal in the Supreme Court against their conviction and 18 month sentences.

Mr Barlow said it was clear that the five persisted in refusing to give evidence.

Mr R F Tucker, who represented the five, said they were prisoners of conscience who were fully aware that they would go to jail if their appeal failed. "They have no intention of running away if their appeal fails."

He said the five had spent more than 200 days

under security detention.

Mr J Swanepoel, for the State, opposed the application and said the five did not go into the witness box to have their evidence tested.

## Exile

Mazwai, former news editor of the Sowetan, said he was not planning to leave the country for exile.

"There is a high unemployment rate elsewhere and I'm not prepared to go and join the unemployment queue," he said.

Mazwai said he earned more than R1 000 a month. He was married with two children and had a bond of R17 000 on a house.

Under cross-examination, Mazwai said he was jailed for 18 months while a student in 1963, for trying to leave the country without a passport.

Captain D Haystack, the investigating officer, opposed the bail applications by Mazwai and Somacele. He said six witnesses due to testify in the terror trial had already disappeared.

RAND DAILY MAIL, Thursday, March 4, 1982

# No bail for silent trial witnesses

By JOHN MOJAPelo

FIVE witnesses, who were jailed for refusing to testify at the Terrorism Act trial of two Soweto student leaders, had their application for bail refused in the Vanderbijlpark Regional Court yesterday.

Thami Mazwai, 38, Martin Carter Seleke, 24, Thabo Edwin Ndebele, 25, Solomosi Alex Selami, 27, and Steven Siphosomacelle, 28, appeared before Mr A H Barlow.

They have lodged an appeal in the Supreme Court against their conviction and 18-month sentences for refusing to testify at the trial.

Mr Barlow said it was clear the five persisted in refusing to give evidence. Their refusal was based on political conviction.

However, they still had a chance to change their minds before the end of the trial, the magistrate said.

Mr R F Tucker, who represented the five, said they were prisoners of conscience who fully realised they would go to jail if their appeal failed.

"They chose to face prison rather than to give evidence. Prison presents no terror to them. They have no intention of running away if their appeal fails," Mr Tucker said.

He said the five had spent

more than 200 days each in security detention.

Mr J Swanepoel, for the State, opposed the bail application. He said the five had refused to enter the witness box to have their evidence tested under cross-examination.

Mazwai, the former news editor of the Sowetan, said he was not planning to estreat his bail and leave the country for exile.

"There is a high unemployment rate elsewhere and I'm not prepared to go and join the unemployment queue," he said.

Mazwai said he earned more than R1 000 per month. He was married with two children and had a bond of R17 000 on a house. He said he would find it difficult to find another job as a reporter if he went into exile.

Cross-examined, he admitted that as a student in 1963, he was jailed for 18 months for trying to leave the country without a passport.

The other four also testified they would not estreat bail if it were granted.

Captain D Haystack, investigating officer in the case, opposed the bail application of Mazwai and Somacelle. He said six witnesses due to testify in the Terrorism Act trial had already disappeared.

Dec 3

01, Jan

Premium

(2)

Jan 31

Jan 2

Jan 2

Jan 2

04, Jan

Years 0

Dec 31

being payment of premium

Bank

01, Jan 1: Insurance Expense

(1) Premiums Treated as Business Expense

SOLUTION TO: GL5

ACCOUNTING A



# Terror accused (331) 'under pressure' <sup>Star</sup> to testify 5/3/82

An accused at the Vanderbijlpark terror trial told the court yesterday that when she met Mr Khotso Seathlolo in Botswana last year he asked her why she had testified against her colleagues at the "Soweto 2" trial at Kempton Park in 1978.

Miss Mary Masabata Loate (23) said Mr Seathlolo did not accept her explanation that she testified for the State at the Kempton Park trial because she was "under pressure" by her mother to do so.

Miss Loate and Mr Seathlolo have pleaded not guilty to two counts under the Terrorism Act. The charges are related to attempts to recruit youths for military training.

Under cross examination by the prosecutor, Mr J Swanepoel, Miss Loate said that after she had testified against her colleagues, the Soweto community had a "negative attitude" towards her and branded her a sell-out.

She said that in February last year she went to meet Mr Seath-

lolo in Botswana as he was her boyfriend. Mr Seathlolo later introduced her to his friends.

Miss Loate said she went to Botswana several times to apply for admission at the University of Botswana as the United Nations had promised to grant her a bursary.

All her hopes were shattered when she was detained in June last year.

Miss Loate said she terminated her membership with the Azanian National Youth Union last year while she was arranging for admission at the university.

She denied having attempted to recruit five youths on behalf of the SA Youth Revolutionary Council for military training outside the country during a commemoration service at Regina Mundi last year.

"I only took down their names for Freedom Mazibuko after she had been overcome by teargas fumes," Miss Loate said.

The case is continuing.

Funerary

UCT

## **Mazwai not an ordinary criminal**

# **No bail is granted**

THE News Editor of The SOWETAN and four others had their applications for bail turned down against the sentences imposed on them for refusing to give evidence in the Vanderbijlpark Regional Court.

The five, Mr Thami Mazwai, Mr Thabo Edwin Ndabeni, national organiser of Azapo, Solomzi Alex Selane, Steven Sipho Somacele and Cutter Seleka, President of Azanyu, had applied for bail pending the outcome of their appeal against the 18 months sentences imposed by Mr A H Barlow.

They had refused to give evidence in the case in which Mr Sydney Khotso Seatlholo, former president of the Soweto Students Representative Council and Mrs Masabata Mary

Loate, former beauty queen are appearing on two charges under the Terrorism Act.

Mrs Jeanette Thedingwane, who also refused to give evidence yesterday had charges against her dropped.

The five had, on applying for bail, told the court of their family responsibilities and also assured the court that they would present themselves in court after being granted bail. They said they would not skip the country and that they would rather face jail sentences than skip.

By SELLO RABOTHATA

The State had abandoned objections on the application for bail on three of the men, Ndabeni, Sekela and Selane. The State instead, objected against Mr Mazwai and Somacele.

The magistrate Mr Barlow said there were similarities and differences in their application for bail with that of ordinary convicts, but these were not ordinary criminals. They had refused to give evidence due to their political conviction.

He likened their case to one in which a man

convicted of house-breaking was applying for bail, giving the assurance that he would not commit a similar crime, but instead did so.

He said in cases where the security of the State was in danger, the State had to look after its interest and that the men knew very well that if their appeal failed, they would face sentences of at least a minimum of five years. And what he said in the case of an ordinary criminal, would also possibly apply in this one.

## Union man may testify

**Own Correspondent**  
EAST LONDON — The national president of the South African Allied Workers' Union, Mr Thozamile Gqweta, who was released from detention earlier this week, is likely to be called to

give evidence for the State in a terrorism trial in Ciskei.

Mr Gqweta, who had been held since December 8 last year under Section 6 of the Terrorism Act, was released and returned to Mdantsane on Wednesday.

~~47A~~ Stan 5/3/82 331  
~~84A~~  
~~45~~

UCT



# How cops caught Mazwai

A FORMER member of the Media Workers Association of South Africa was told that two innocent young men from Botswana wanted to meet members of his organisation, a Vanderbijlpark Regional Court heard yesterday.

BY SENGO RAEBOTRANA

This was said by Mrs Masabata Mary Loate (23), a former beauty queen under cross examination by the State prosecutor, Mr J Swanepoel, in the case in which she and the former president of the Soweto Students' Representative Council, Mr Sydney Khotso Seatsho are appearing before Mr A H Barlow on two charges under the Terrorism Act. They have both pleaded not guilty.

Mrs Loate told the

court that she had been approached by a friend of hers while she was at her home and told that a number of young men from Botswana would like to meet with Mwasa members. Her friend also gave her a note to that effect. After she had finished with her house work, she had gone to see Mr Zwelakhe Sisulu as requested. On her arrival, she had told Mr Sisulu that two young men from

was introduced as Charlie.

Later that evening Mazwai had arrived and was involved in a discussion with Mr Seatsho. She could not hear what they were talking about as she was busy talking to Charlie, but she heard mention of the word Mwasa which she described as an organisation of black writers.

She said they had been sitting for about 15 minutes when there was a knock on the front door and when she had gone to open, there was

another knock on the back door and shouts of "police, police". The three men were then arrested. She was later arrested, at about 11/12 pm in the night.

She told the court that she had been approached by one Edward Malinga during last year, and given two receipts to bring passports back for him in town, as he (Malinga) was going to school.

She also said after her case in which she gave evidence, in Kempton Park, she had been regarded as

a sell-out. But that she wouldn't have given evidence for the State if she didn't wish to. She had gone through a hard time while in detention for a period of 18 to 19 months.

Notes were read in court by her advocate Mr George Bizos SC, which she wrote while she was in detention, asking for help. Her mother had subsequently started a case against the Minister of Police, so that the police would stop assaulting her daughter. (The hearing continues today.)

UCT

# Wanted man slipped into SA twice, court told

311

331

5/3/82

D. Dispatch

VANDERBIJLPARK — The former president of the Soweto Students' Representative Council (SSRC), Mr Sidney Khotso Seatlholo, while on the police wanted list, slipped into the country on two occasions, it was heard in the regional court here yesterday.

The evidence was given by Miss Mary Masabata Loate before Mr A. H. Barlow.

Miss Loate, 23, and Mr Seatlholo, 25, pleaded not guilty to two counts under the Terrorism Act.

Mr Seatlholo is

alleged to be the president of the South African Youth Revolutionary Council (SAYRCO) while Miss Loate is secretary of the organisation.

Miss Loate who spent the whole day under cross-examination by the state prosecutor Mr J. Swanepoel said Mr Seatlholo came into the country on two occasions after he fled the country in 1977.

She did not know that he came into the country illegally last year when he was arrested. Mr Seatlholo succeeded

Tsietsi Mashinini as the president of the SSRC. Miss Loate said after her arrest on June 17 last year she was shown a passport at the Protea police station with Mr Seatlholo's picture and the name Peter Mokotedi on it. She would not say whether the passport was false.

When asked whether she now believed that Mr Seatlholo was the president of the SAYRCO, Miss Loate replied: "I do because I was shown SAYRCO documents in court".

She said on four occa-

sions when she went to Botswana she twice met Mr Seatlholo there. Mr Seatlholo told her he was studying in Nigeria. At that time she was trying to gain admission to the University of Botswana.

Miss Loate who said Mr Seatlholo was her former special boyfriend said after testifying at the sedition trial of the Soweto student leaders in Kempton Park she was regarded by the black community as a sell-out.

She said she was not

forced to testify. She denied she tried to gain the confidence of Mr Seatlholo after her testimony.

She denied she visited Botswana with a member of the Azanian National Youth Organisation. She was a supporter of the SSRC before the student organisation was banned. She ceased her membership of the Azanian National Youth Organisation when she was preparing to enter the university.

The hearing continues today. — DDC.



331

# Accused tells of notes sent from prison

By J S MOJAPALO

A FORMER Soweto student admitted in the Vanderbijlpark Regional Court yesterday that she had written notes and letters smuggled to her mother and two lawyers while she was in detention.

Giving evidence before Mr A H Barlow, Miss Mary Masabata Loate, 23, said she had done this because the Security Police were forcing her to confess that she was a member of the South African Youth Revolutionary Council (Sayrco).

Miss Loate and Mr Sidney Khotso Seatlholo, 25, have pleaded not guilty to two counts under the Terrorism Act. Both were members of the Soweto Student Representative Council (SSRC), which was banned on October 19, 1977.

The State alleges Miss Loate was secretary and Mr Seatlholo president of Sayrco. Sayrco was formed in exile by former members of the SSRC.

Miss Loate denied she was a member of Sayrco. She had first heard about the organisation when she read a report in a Johannesburg newspaper on June 17 last year, and later when she was questioned by the police.

Miss Loate said she wrote the notes and letters and smuggled them to her mother, to Johannesburg attorney Mrs Priscilla Jana and to senior advocate Mr G Bizos

while she was being held at Krugersdorp.

Her mother sought an urgent interdict in July restraining the police from assaulting her, she said.

Miss Loate said she was assaulted by a Lieutenant Trollip and was forced to admit she was a member of Sayrco. She asked her mother to remove her reference book, passport, diary and books and not give them to the police.

Asked by the prosecutor, Mr J Swanepoel, why she did not want the police to see her books, she said she would not deny she was politically minded, and added: "I am in possession of banned books at home."

Miss Loate asked her mother in one of the notes that a cake and tea party be held at her home to appease her ancestors. She wanted to appease her ancestors because of her constant police detention. She had spent more than 18 months under Security Police detention.

Miss Loate told the court the Security Police had taken her round the country to visit her friends because "Trollip was hammering on the fact that I was recruiting round the country".

The case for Mr Seatlholo, former president of the SSRC, was closed without him giving evidence in his own defence.

The hearing continues on Tuesday.



(331) (44) (8-11)  
**ACCUSED FOR  
RDM 6/3/82  
observation**

DURBAN — A Durban Regional Court magistrate ordered an alleged ANC member facing charges under the Terrorism Act to be sent to Maritzburg Prison hospital for mental observation yesterday.

A psychiatrist, Dr E Valjee, was called by the defence to give evidence on the mental state of Mr Titi Aloia Mtenyane. It was earlier claimed he had difficulty following the proceedings.

Mr Mtenyane, Mr Fane George Sithole and Mr Jabulani Wilfred Ngebe have pleaded not guilty before Mr H S van der Walt on two counts of contravening the Terrorism Act.

Mr Sithole has also pleaded not guilty on 15 counts of contravening the Internal Security Act by breaking the terms of his banning order.

Dr Valjee told the magistrate he had found Mr Mtenyane had some disorder in the thinking process which he described as "thought blocking". Mr Mtenyane was also showing signs of depression and of having auditory hallucinations.

Dr Valjee did not think Mr Mtenyane could understand what was going on around him at all times.

He was also suffering from a loss of appetite and had lost a lot of weight.

The hearing was adjourned until March 22 and will continue when the reports on Mr Mtenyane are complete. — Sapa.

(1) Premiums Treated as Business Expense

01, Jan 1: Insurance Expense 300  
Bank being payment of premium 300

Dec 31: Income Statement 300  
Insurance Expense being closing entry 300

Years 02 and 03 - same as 01

04, Jan 1: Insurance Expense 300  
Bank 300

Jan 2: Debtor (Insurance Company) 24 000  
Income from Life Policy being accrual of proceeds receivable 24 000

Jan 2: Income from Life Policy 24 000  
Income Statement being 24 000

Jan 2: Income 300  
Ins being 300

Jan 31: Bank 24 000  
Debt Mr Mtenyane was also showing signs of depression and of having auditory hallucinations. Dr Valjee told the magistrate he had found Mr Mtenyane had some disorder in the thinking process which he described as "thought blocking". Mr Mtenyane was also showing signs of depression and of having auditory hallucinations.

01, Jan 1: Life Policy 300  
Bank 300

Dec 31: Income 300  
Life (Surrender) being 300

DURBAN. — A Durban Regional Court magistrate ordered an alleged ANC member facing charges under the Terrorism Act to be sent to Maritzburg Prison hospital for mental observation yesterday.

A psychiatrist, Dr E Valjee, was called by the defence to give evidence on the mental state of Mr Titi Alocia Mtenyane. It was earlier claimed he had difficulty following the proceedings.

Mr Mtenyane, Mr Fana George Sithole and Mr Jabulani Wilfred Ncogobo have pleaded not guilty before Mr H S van der Walt on two counts of contravening the Terrorism Act.

Mr Sithole has also pleaded not guilty on 15 counts of contravening the Internal Security Act by breaking the terms of his banning order.

Dr Valjee told the magistrate he had found Mr Mtenyane had some disorder in the thinking process which he described as "thought blocking". Mr Mtenyane was also showing signs of depression and of having auditory hallucinations.

Dr Valjee did not think Mr Mtenyane could understand what was going on around him at all times.

He was also suffering from a loss of appetite and had lost a lot of weight.

The hearing was adjourned until March 22 and will continue when the reports on Mr Mtenyane are complete. — Sapa.

being 24 000

Income Statement

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Income from Life Policy

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being accrual of proceeds receivable

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# Lee's jail escape: three in court

COM 6/3/82 231

## Mall Reporter

THE brother of one of three convicted communists who escaped from Pretoria Central Prison in 1979 and two other men appeared in the Johannesburg Regional Court yesterday.

Mr Michael Jenkin, 31, brother of escaper Timothy Peter Jenkin; Mr Prema Naidoo, 33; and Mr Shirish Nanabhai, 44, are charged under the Prisons Act.

It is alleged they harboured one of the escaped prisoners, Stephen Lee, in Johannesburg in 1979.

They were not asked to plead.

Mr Naidoo and Mr Nanabhai were remanded. Mr Michael Jenkin was granted R500 bail.

Lee escaped with Alexander Mombaris and Timothy Peter Jenkin. They later fled the country.



CAPE Times 6/3/82 NA 331

# Soweto student tells of smuggled letters

Own Correspondent

JOHANNESBURG. — A former Soweto student leader has told a Vanderbijlpark magistrate that she wrote and smuggled notes and letters to her mother and two lawyers because the security police were forcing her to confess that she was a member of the South African Youth Revolutionary Council (Sayrco).

Miss Mary Masabata Loate, 23, gave this evidence while she was cross-examined by the prosecutor, Mr J Swanepoel. She has now spent two days in the witness box.

Miss Loate and Mr Sidney Khotso Seatlholo, 25, have pleaded not guilty to two counts under the Terrorism Act. The magistrate is Mr A H Barlow, sitting in the Vanderbijlpark Regional Court.

Both accused were members of the Soweto Student Representative Council (SSRC) which was banned on October 19, 1977.

The state alleges that Miss Loate was the secretary and Mr Seatlholo the president of Sayrco. Sayrco was formed out-

side South Africa by former members of the SSRC.

Miss Loate denied that she was a member of Sayrco. She said she first heard about the organization when she read a report in a Johannesburg newspaper on June 17 last year. She further heard about Sayrco when she was questioned by the police at Protea police station.

Miss Loate said she wrote and smuggled the notes and letters while she was held at Krugersdorp by the security police. She wrote to her mother, who is a Johannesburg attorney, Miss Priscilla Jana, and a senior advocate, Mr G Bizos.

Miss Loate's mother brought an urgent Supreme Court interdict against the police in July restraining the police from assaulting her daughter.

Miss Loate said she was assaulted by a Lieutenant Trollip and was forced to admit that she was a member of Sayrco. She asked her mother to remove her reference book, passport, diary and books and not give them to the police.

When asked by Mr Swanepoel why she did not want the police to see her books, Miss Loate

said: "I do not deny that I am a person who is not politically minded. I am in possession of banned books at home."

Miss Loate asked her mother in one of the notes that a cake and tea party must be held at her home to appease her ancestors. She wanted to appease her ancestors because of her constant police detention. She spent more than 18 months under security police detention.

When asked whether her political views had changed since she had given evidence for the state in the Kempton Park trial where leaders of the SSRC were charged with sedition, Miss Loate said she did not hold the same political views as those

she held before she testified at the trial.

"But that does not mean that I am not aware that a black man in this country is oppressed. I suffered by being detained for 18 to 19 months. I decided to help my society by getting involved in cultural organizations rather than politics," Miss Loate said.

She said the security police took her round the country to visit her friends because "Trollip was hammering on the fact that I was recruiting round the country."

Mr Seatlholo, the former president of the SSRC, closed his case without giving evidence in his defence.

The hearing continues on Tuesday.

# Terror trial nears end: judgment soon

8/3/82

331

Star

Both the State and the defence counsel, at the Vanderbijlpark terror trial have closed their cases. They will begin their concluding arguments tomorrow and the magistrate, Mr A H Barlow, has promised to pass judgment on Wednesday.

Miss Masabata Loate (23), of Orlando West, and Mr Khotso Seathlolo (25), of Moletsane township, have pleaded not guilty to two counts under the Terrorism Act. Their charges are related to attempts to recruit youths to undergo military training outside the county.

The State called nearly 20 witnesses including seven who were convicted for refusing to testify.

that Seathlolo headed the SA Youth Revolutionary Council (Sayrco) in exile and that Miss Loate tried to recruit youths in Soweto for military training on behalf of Sayrco.

The State alleged that Sayrco was formed by exiled students and that former members of the Soweto SRC played a major role in the formation of that organisation.

Among the State witnesses were the leader of a church youth club who said he met Mr Seathlolo in Botswana, a Security Police officer who arrested Mr Seathlolo in Soweto last year, youths who testified that Miss Loate asked them to

apply for passports and those who alleged that Miss Loate and Freedom Mazibuko attempted to recruit them for military training last year.

The defence has called only Miss Loate as a witness in an attempt to prove that she was not a member of Sayrco and did not travel to Botswana to further the aims of that organisation.

Miss Loate told the court last week that she had merely recorded the names of certain youths after she had been asked to do so by Mazibuko, who is serving a prison sentence.

Mr George Bizos, SC, appears for Miss Loate and Mr J F Croaker for Mr Seathlolo. They are assisted by Mr M Brassey and Mr E Dane. Mr A Swanepoel is prosecuting, aided by an unnamed assistant.



# ANC accused sent for observation

A DURBAN magistrate has ordered that an alleged ANC member facing terrorism charges be sent to the Pietermaritzburg jail hospital for mental observation.

A psychiatrist, Dr E Valjee, was called by the defence to give evidence on the mental state of Mr Titi Alocia Mtenyane after claims that he had difficulty following the proceedings.

Mr Mtenyane, Mr Fana George Sithole and Mr Jabulani Wilfred Ngobo have pleaded not guilty before Mr HS van der Walt on two counts of contravening the Terrorism Act.

Mr Sithole has also pleaded not

guilty to 15 counts of contravening the Internal Security Act by breaking the terms of his banning order.

Dr Valjee said he had found Mr Mtenyane had some disorder in his thinking process, which he described as "thought blocking".

Mr Mtenyane was showing signs of depression and of having auditory hallucinations.

Dr Valjee did not think that Mr Mtenyane could understand what was going on around him at all times.

He was also suffering from a loss of appetite and had lost a lot of weight.

The hearing was adjourned until March 22. — Own Correspondent



# Death sentence appeal begins

Mail Reporter

THE appeal against the death sentence by three members of the African National Congress starts today at the Appeals Court in Bloemfontein.

Ncimbithi Johnson Lubisi, 29, Tshepo Petrus Mashigo, 20, and Naphtali Manana, 24 — all of Soweto — were sentenced to death by Mr Justice De Villiers.

They had been convicted of high treason for their part in the Booysens and Soekme-kaar police station attacks in January and April 1980 and the Silverton bank siege in April 1980.

Leave to appeal against conviction and sentence was granted after the trial.

They were also convicted of attempted murder and robbery with aggravating circumstances.

Six other ANC members, who were also convicted of high treason, were refused leave to appeal.

They were: Ikanyeng Moses Molebatsi, 27, and Hlolile Benjamin Tau, 24, who were sentenced to 20 years; Phumulani Grant Shezi, 24, and Jeremiah Radebe, 26, who were sentenced to 15 years; and Boyce Johannes Bogale, 26, and Thomas Mngadi, 29, who were sentenced to 10 years.

After the trial overseas anti-apartheid movements and the former United Nations' Secretary-General, Dr Kurt Waldheim, appealed to the Government to spare the lives of the three men.

## Soeknekaar trio was brainwashed, appeal told

# ANC MEN NOT EVEN?

**THREE African National Congress members who were sentenced to death following the attack on Soeknekaar police station were systematically "brainwashed", had no "inherent evil" in them and were immature, the Appeal Court in Bloemfontein was told yesterday.**

Ncimbithi Johnson Lubisi, Petrus Tsepo Mashigo and Naphthali Manana were convicted of high treason and sentenced to death by Mr Justice J P O de Villiers in the Transvaal Supreme Court on November 17, 1980. Sentence on a charge of robbery and two counts of attempted murder was held over.

### SA PRESS ASSOCIATION

Lawyers for the three men submitted yesterday that the death sentence should not have been imposed, saying they were "immature", there was an absence of "inherent evil" in them and there was also their vulnerability by instigation and propaganda.

And their acts were only an embryonic stage in "the ultimate mischief that constitutes the crime of high treason."

The death sentence for high treason was appropriate only in extreme cases which, it was contended, this case was not.

On the evidence, it was clear that the three men were not

liberately killing two witnesses who were at the police station, although in the circumstances they could easily have done so.

The State submitted that the trial judge had not misdirected himself in the exercise of his discretion to impose the death sentence, and the sentence was "not disturbingly inappropriate."

Meanwhile, Mashigo and Manana, together with three other members of the ANC who have also been examined by a medical officer, had not been any following their conviction for treason in the Sasol-Booyens trial, have ended their four weeks' boycott of prison food.

This was confirmed yesterday by Major Gamble, public relations officer for the Prisons Department, who said the five men, who had for some time refused to take prison food, began eating again on Saturday evening.

The other three who had refused to eat prison food since February 6 are Anthony Bobby Tsotsobe, Johannes Shabangu and David Moise. Major Gamble would not say what the prisoners' physical condition

### NOTE CAREFULLY

1. Enter at the top of each page and the block on this cover the number you are answering.
2. Blue or black ink must be answers. The use of a ball pen is not acceptable. Red or green ink may underlining, emphasis or for diagrams. Pencil may also be used.
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book (s) are used.

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**

# Judgment is reserved as ANC 3 appeal

331  
84A

**BLOEMFONTEIN.** — Judgment was reserved by the Appeal Court in Bloemfontein yesterday in the appeal against the death sentences of three men convicted of high treason.

The convictions of Ncimbithi Johnson Lubisi, 28; Petrus Tsepo Mashigo, 20; and Naphtali Manana, 24, arose from deeds that culminated in an attack on the Soekmekaar Police Station on January 4, 1980.

They were convicted by Mr Justice De Villiers in the Transvaal Supreme Court on November 17, 1980. Sentence was held over, to be imposed if necessary, on one charge of robbery and two of attempted murder.

The appeal was heard by the Chief Justice, Mr Justice Rumpff, with Mr Justice Jansen, Mr Justice Rabie, Mr Justice Viljoen and Mr Justice van Heerden (acting Judge of Appeal).

It was submitted on behalf of the three that:

- The death sentence should not have been imposed because of their immaturity and the absence of "inherent evil" in them;
- They were vulnerable to instigation and propaganda when they were recruited by the African National Congress and thereafter;
- They underwent a systematic process of conditioning for a substantial period while under the effective control of the ANC;
- Their acts were only an embryonic stage in the ultimate mischief that constituted the crime of high treason.

● The death sentence for high treason was appropriate only in extreme cases which the case of Lubisi, Mashigo and Manana was not;

● On the evidence, it was clear that they refrained from deliberately killing the witnesses Mashapa and Mothiba, who were at the police station;

● The trial court erred in holding that a hand grenade was deliberately tossed at Mashapa and that two shots were fired into the charge office;

● No apparent reason appeared for the disparity in the sentence imposed on their co-accused; the overt acts they committed were no closer to the ultimate goal than those committed by Moses Molebatsi and Benjamin Tau, who were also convicted of high treason, but were jailed for 20 years.

For the State it was submitted that:

● All three admitted that they had robbed a Mr Montle of his vehicle and then attacked the Soekmekaar police station;

● It was common cause that they were in possession of a large quantity of arms and ammunition that were concealed after the attack. It was also common cause that they were all members of the ANC;

● In a case such as this one, where community interests were assailed, the court was entitled to set the accuseds' personal circumstances subordinate to the interests of the community and to attach greater weight to the deterrent factor. — Sapa.

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# Taste of jail for students

331  
star  
10/3/82

By Diann Shoebottom,  
Court Reporter

In a surprise development, the four University of the Witwatersrand students charged with making SA Communist Party (SACP) posters were today each sentenced to 10 days' imprisonment.

A sentence of a further 350 days' imprisonment, suspended for five years, was also passed on each student.

The trial, which has been going on in the Johannesburg Regional Magistrate's Courts for nearly three months, ended within an hour today after the four changed their plea to guilty.

Benjamin David Greyling (20), formerly of Argyle Court, Smit Street, Joubert Park,

Elaine Rose Mohamed (20) of Wanderers Road, Newclare; Michael Anthony O'Donovan (21) of Homestead Avenue, Randfontein, and Leslie Lax (23) of Hunter Street, Yeoville, all admitted manufacturing and distributing posters commemorating the 60th anniversary of the SACP.

Tears of relief flowed when the magistrate made his judgment as the minimum sentence for offences under the Internal Security Act is one year's imprisonment.

He lessened the sentence after taking into account that no real harm had resulted from their actions, the usefulness of the accused, and their need to return to university.

152 128 331 E. Post 10/3/82

## Men acquitted on intimidation of worker charge

### Post Reporter

FOUR men charged with intimidation for allegedly preventing a colleague from going to work in Soweto in October were acquitted in the Port Elizabeth Regional Magistrate's Court today.

Mr Sidwell Bill, 23, Mr Mheleli Mejene, 33, Mr Christopher Zumani, 42, and Mr Edward Dostile, 34, all manual workers at the Port Elizabeth post office, pleaded not guilty.

They were accused of threatening to assault fellow post office worker, Mr Vuyisele Eric Lubengu, and taking him from the bus stop in Salamtu Street, Soweto, to a nearby hall against his will — preventing him from going to work.

Mr Lubengu said he was queuing to board a bus

when he felt someone touch his shoulder.

He was told to follow and he joined a group of people.

Mr Dumani and Mr Dostile were among them. He was ordered to join another group of people who appeared "afraid and quiet".

He was then told to go to the hall.

Mr Bill and Mr Mejene were leading them when a police patrol arrived and

the group scattered.

The police took Mr Lubengu to the police station where he later identified Mr Bill and Mr Mejene.

Later that week, he picked out Mr Zumani and Mr Dostile at the Algoa Park police station.

The magistrate, Mr S van der Watt, said there was not enough evidence to find that either Mr Bill or Mr Mejene had been the men involved in forcing Mr

Lubengu to leave the bus.

There was also no evidence showing that the men had been armed or what the atmosphere was at the time.

Mr Van Der Watt found them not guilty.

He said the charges against Mr Zumani and Mr Dostile rested on another basis — that of whether they had hindered Mr Lubengu from going to work by calling him against his will from the bus stop.

He said: "It was possible to have called Mr Lubengu with no malicious intent".

There was not enough evidence to show that Mr Zumani and Mr Dostile had this malicious intent, or that they had forced him to join them.

Miss A de Jager appeared for the State. Mr H Fischat appeared for the Defence.

# Evidence

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under

Star  
duress

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10/3/82

The defence counsel at the Vanderbijlpark terror trial yesterday asked the magistrate, Mr A H Barlow, to reject the evidence by State witnesses because of "the circumstances under which their statements to the police were obtained" in detention.

Mr George Bizos SC said several witnesses had under cross-examination said they had been threatened with prolonged detention if they did not give satisfactory answers to the police.

Mr Bizos was presenting his argument at the trial of two former Soweto student leaders, Miss Masabatha Loate (23) and Mr Khotso Seathlolo (25). They have pleaded not guilty to two counts under the Terrorism Act relating to attempts to recruit youths for military training.

Mr Bizos (for Miss Loate) cited one witness who had told the court that while she was in detention she was interrogated for eight hours without interval by eight Security Police officers.

He said the truthfulness of any evidence obtained under these "doubtful" circumstances was questionable because it could have been made under "duress and pressure."

Mr Eric Dane (for Mr Seathlolo) said the State had failed to prove beyond reasonable doubt that the SA Youth Revolutionary Council was aimed at overthrowing the Government through armed struggle.



(331) Sowetan 10/3/82

# Judgment on Khotso today

By SELLO RABOTHATA

**JUDGMENT** will be passed today in the Vanderbijlpark Regional Court on two alleged leaders of the South African Youth Revolutionary Council who are appearing on charges under the Terrorism Act.

Ms Masabata Mary Loate (23) of Orlando West and Mr Khotso Sydney Seatlholo (25) of Moletsane are appearing before Mr A H Barlow on two charges under the Terrorism Act. They have pleaded not guilty to both charges. Their charges are related to attempts to recruit youths to undergo military training outside the country.

Advocate George Bizos SC., for Ms Loate, submitted that some witnesses readily made statements to Security Police to avoid being assaulted.

He also submitted that there were inconsistencies in the evidence given by some of the witnesses.

Mr Bizos said there was no material difference in Ms Loate's discussion with Mr Zwelakhe Sisulu and the sleeping arrangement made by Ms Loate and that this was not done to further the aims of Sayrco. He said it was clear that Ms Loate was in communication and in contact with Seatlholo, but what is not clear is whether her communication was a guilty one or not and that the State had failed to prove if any conspiracy existed or not. The State has also failed to prove that Ms Loate had recruited anybody for military training.

Allegations before the magistrate were that Mr Seatlholo was president of Sayrco in exile and that Ms Loate tried to recruit youths in Soweto on behalf of the organisation to undergo military training.

The State also alleged that Sayrco was formed by former members of the SSRC in exile and that they played a major role in this organisation. The court was also told that the organisation aimed to overthrow the SA Government by violent means.

The State Prosecutor, Mr J Swanepoel, in argument yesterday, said Ms Loate's visit to Botswana had had nothing to do with the University and that she had joined Sayrco to show her friends that she was still loyal because they no longer trusted her after she had given evidence in the Soweto Eleven trial in Kempton Park.

He said Ms Loate had arranged for youths to obtain passports which were to be used by Mr Seatlholo and others. She had also refused to hand her passport over to the Security Police because it was probably a false one.

Cape Times 19/3/82

# Verdict today in SAYRCO trial

JOHANNESBURG. — The verdict in the Terrorism Act trial against the former president of the Soweto Student Representative Council and his ex-girlfriend will be given in the Vanderbijl Park Regional Court today.

Mary Masabata Loate, 23, and Sidney Khotso Seatlholo, 25, pleaded not guilty on two counts under the Terrorism Act before Mr A H Barlow.

The State alleged they were members of the South African Youth Revolutionary Council (SAYRCO) formed by ex-SSRC members in exile.

According to the State, Mr Seatlholo was president of SAYRCO and Miss Loate its secretary.

## Military training

The State alleges that SAYRCO recruited some students in Soweto to undergo military training in Botswana. SAYRCO wanted to get in touch with internal black organizations in the country and conspire for violent overthrow of the government.

Mr Seatlholo and Miss Loate are further alleged to be members of the SSRC which was banned by the government in 1977.

The prosecutor, Mr J Swanepoel, said in his argument that the State relied on documents to prove the allegations that Mr Seatlholo and Miss Loate were members of the SSRC.

There was no ground for the defence's claim that police evidence was fabricated against Miss Loate.

She was an unreliable witness whose evidence could be criticized on many aspects. She joined SAYRCO after she was discredited by her community after giving evidence in the Kempton trial against Soweto student leaders on sedition charges.

In his argument Mr G Bizos, SC, said there was no document implicating Miss Loate as a member of SAYRCO. It was clear that she communicated with Mr Seatlholo in Botswana but there was no evidence that this association proved her guilt.

The State had failed to prove guilty association or that Miss Loate recruited anybody to undergo military training.

## 'Paper-thin'

Mr E Dane said the evidence presented to prove that Mr Seatlholo was involved in a conspiracy was paper-thin. The State relied on documents.

He considered that documents handed to the court were evidence that SAYRCO's activities constituted terroristic activities. However, the State failed to lead corroborating evidence to the documents and the State witnesses called were unreliable.

He conceded that from the documents, Mr Seatlholo was president of SAYRCO.

Mr Bizos with Mr M Brassey appeared for Miss Loate and Mr J F Coaker, SC, with Mr Dane, appeared for Mr Seatlholo. Mr Swanepoel and Mr J Theron represented the State.

# Attorney accused of helping prisoner

2DM 10/3/82 (33)

Mall Reporter

AN ATTORNEY appeared briefly in the Johannesburg Magistrate's Court yesterday in connection with an allegation of contravening the Prisons Act.

Mr Graham Eric Dison, no age given, of Priscilla Jana and Associates, Abbey House, Commissioner Street, appeared before Mr A C Alcock.

The State alleges he attempted to take out of the Johannesburg Fort Prison, messages written on four tissues by Miss Elaine Rose Mohamed on December 22 last year.

He was not asked to plead and was warned to appear again on May 10.

Meanwhile, Miss Mohamed of Wanderers Road, Newclare, a student at the University of the Witwatersrand, appeared for trial with three other students from

Wits.

Those appearing with her are Mr Benjamin David Greyling, 20, formerly of Argyle Court, Smit Street, Joubert Park; Mr Michael Anthony O'Donovan, 21, of Homestead Avenue, Randfontein and Mr Leslie Lax, 23, of Hunter Street, Yeoville.

They appeared before Mr J H Oosthuizen in the Johannesburg Regional Court on charges under the Internal Security Act.

They have pleaded not guilty.

The State alleges they made posters or placards to celebrate the 60th anniversary of the banned South African Communist Party.

The offences are alleged to have been committed in Johannesburg between July 28 and 31 last year.

They were remanded and the trial continues today.



ARGUS 11/3/82 114 331

# Terrorism Act: Two sentenced

Argus Correspondent

JOHANNESBURG. — years and five years to run concurrently and Mr Barlow rejected Khotso Seathlolo, president of the SA Youth Revolutionary Council and Mary Masabatha. Loate to two terms of five years also to run concurrently. The magistrate, Mr A H Barlow, found that the two student leaders were members of Sayrco, which he found to be aimed at overthrowing the Government through violence. Loate were sentenced in the Vanderbijl Magistrate's Court today to a total of 25 years imprisonment after they were convicted on two counts under the Terrorism Act.

Seathlolo, 25, was sentenced to terms of ten years. Mr Barlow said he took into account the fact that the two accused were young people.

He described Loate as a young woman who was misled by Sayrco members after she had testified at the Soweto SRC trial in 1978.

Mr Barlow also described Seathlolo as a young man who left the country in 1977 after the riots.

He said as a leader of Sayrco, Seathlolo played with fire by writing articles for his organisation.

Mr Barlow found that Sayrco was formed in Kenya in 1979 after the Soweto SRC was disbanded as a regional body.

In view of the revolutionary ideas held by both the accused, the sentence is phrased according to the crimes they committed, said Mr Barlow.

Immediately after sentence was passed, Mr M Brassey lodged an appeal against the sentence and applied for bail.

# Two student leaders are sentenced to 25 years

331  
11/3/82 Star

By Themba Khumalo and Sol Makgabutlane

Khotso Seathlolo, president of the South African Youth Revolutionary Council, and Mary Masabatha Loate were today sentenced to a total of 25 years' imprisonment after being convicted in the Vanderbijl Magistrates Court on two counts under the Terrorism Act.

Loate (23) was sentenced to two terms of five years each, to run concurrently.

Seathlolo (25) was sentenced to one term of five years and one of 10, also to run concurrently.

The magistrate, Mr A H Barlow, found that the two former student leaders were members of Sayrco, which he found to be aimed at violently overthrowing the Government. He also found them guilty of attempting to recruit youths for military training outside the country.

Mr Barlow found that, between February

and June last year, Loate tried to recruit Mr Brian Mthethwa, Mr Jabulani Floyd Shezi and Mr Edward Malinga for military training on behalf of Sayrco. She asked them to apply for passports so that they could leave the country legally.

Loate also helped Freedom Mazibuko (who is serving a jail sentence) in trying to recruit five youths at a house near Regina Mundi Church during a commemoration service, Mr Barlow found.

The magistrate said that Loate and Mazibuko attended the service mainly to further the aims of Sayrco.

Passing judgment on Seathlolo, Mr Barlow read documents which were found in possession of Seathlolo and said they were "inciting, dangerous and revolutionary."

In passing sentence Mr Barlow said he took into account the fact that the two accused were young people.

He described Loate

as a young woman who had been misled by Sayrco members after she had testified at the Soweto SRC trial in 1978.

Mr Barlow said Seathlolo, a young man who left the country in 1977 after the Soweto riots, had "played with fire" by writing articles for his organisation.

Mr Barlow found Sayrco had been formed in Kenya in 1979 after the Soweto SRC was disbanded as a regional body.

In view of the revolutionary ideas held by both the accused the sentence was determined by the crimes they committed, said Mr Barlow.

Immediately after sentence was passed Mr M Brassey lodged an appeal and applied for bail.

Mr Barlow rejected the application because, he said, Loate would leave the country to avoid serving her sentence.

The two had pleaded not guilty.

CAPE TOWN — Arrangements are to be made for one of the accused in the trial of Mr Oscar Mpetha and 18 others to attend the funeral of his mother who died at the weekend.

At yesterday's hearing in the Supreme Court, Cape Town, the defence counsel for Mr Vincent Vuyisile Diba (22), told the court that Mrs Lena Diba had died.

Mr Justice Wil-

*stew* *11/3/82* (331)

## Accused to attend funeral

liamson asked the State to make the necessary arrangement to allow Mr Diba, who is in custody, to attend his mother's funeral.

The prosecutor, Mr Slabbert said that, although he did not know the procedure, he would

make the arrangement.

Mrs Diba has been attending the trial of her son for more than a year. She has not missed a sitting except on rare occasions when she has been ill.

Mrs Diba collapsed on the way to the court last Friday and died in Tygerberg Hospital at the weekend. She is survived by five sons and five daughters.



# Wits students get 10 days' jail under Security Act

Own Correspondent  
**JOHANNESBURG.**  
— Four university  
students will spend  
10 days in jail after  
being convicted yes-  
terday on charges  
under the Internal  
Security Act.

The Wits students ap-  
peared before regional  
magistrate Mr J H Oost-  
huizen who sentenced  
them to 360 days — then  
suspended 350 days of the  
sentence for five years.  
They will serve 10 days in  
jail.

When considering the  
sentence, Mr Oosthuizen  
said, he took into account  
the fact that the students  
had been in custody for  
seven months.

The students are Benja-  
min David Greyling, 20,  
formerly of Argyle Court,  
Smit Street, Joubert Park;  
Elaine Rose Mohamed,  
20, of Wanderers Road,  
Newclair; Michael Antho-  
ny O'Donovan, 21, of

Homestead Avenue,  
Randfontein, and Leslie  
Lax, 23, of Hunter Street,  
Yeoville.

## Changed plea

They were convicted  
yesterday after changing  
their plea of not guilty to  
guilty and admitting they  
committed the offences  
between July 28 and 31  
last year.

They had earlier plead-  
ed not guilty to charges of  
making posters or plac-  
ards and displaying them  
to celebrate the 60th an-  
niversary of the banned  
South African Communist  
Party, also that they pur-  
sued the purpose and  
aims of an unlawful orga-  
nization.

Mr M Basslian, for the  
defence, said his clients  
had been given permis-  
sion to write examina-  
tions in February while  
in custody.

He said Greyling com-  
pleted his BA degree, Mo-  
hamed and Lax finished  
the second year of a BA  
degree and O'Donovan  
passed all subjects except  
one in his first year.

## To continue

Mr Basslian asked the  
court for a suspended  
sentence, saying all his  
clients wished to contin-  
ue their studies at Wits.

He said registration for  
this year closed at the  
university last month. The  
authorities at Wits were  
prepared to register them  
on condition they would  
be available for studies  
not later than April 1.

He said evidence led by  
the State earlier did not  
show that the students  
were members of the  
SACP or that any one of  
them was a ringleader.

The students would lose  
a lifetime chance of con-  
tinuing with studies if  
they should be sent to  
prison for a lengthy  
period.

Police told the court,  
when the trial started last  
month, that Greyling has  
been in custody since  
July 31 last year and the  
other three since August  
11 last year.

## Jubilant

Jubilant relatives and  
friends of the four stu-  
dents hugged and kissed  
each other outside the  
court after sentence was  
passed.

Greyling's mother, who  
was overcome with joy  
after she was earlier seen  
crying in court before  
sentence was passed, said  
she had always trusted in  
God since her son was ar-  
rested.

She said she felt re-  
lieved and happy that her  
son would be able to con-  
tinue studying.

Mohamed's father, Dr I  
J Mohamed, senior lectur-  
er in mathematics at Wits,  
said he was happy his  
daughter and her friends  
decided to change their  
plea of not guilty to avoid  
a lengthy trial.

# LOATE, KHOTSO GUILTY

331  
Sowetan  
11/3/82



**KHOTSO'S MUM:**  
Mrs Seatlholo.



**MASABATHA'S MUM:**  
Mrs Ngakane.

**KHOTSO SYDNEY Seatlholo, former president of the banned Soweto Students' Representative Council (SSRC), and co-accused, Mary Masabata Loate, a former beauty queen, were yesterday found guilty on two charges under the Terrorism Act.**

Judgment was passed by Mr A H Barlow in the Vanderbijlpark Regional Court and found the two guilty for being members of the South African Youth Revolutionary Council (Sayrco) and for recruiting youths to undergo military training in Botswana.

The court found that Sayrco had been formed by former members of the banned SSRC after 1977. The court also found that Seatlholo was among the founders of the organisation and that he was the first president.

**By SELLO RABOTHATA**

In his judgment yesterday, Mr Barlow said the Security Police were not as diabolical as they are usually portrayed and they had been human (menslik) in that they had arranged a braaivleis for some detainees where one of them saw her parents and child.

The magistrate found that they had, both or with other members of Sayrco, conspired to:

- Further the aims of Sayrco;
- To overthrow the South African Government violently;
- Recruit members in order to further the aims of Sayrco;
- To recruit youths who would undergo military training;
- To render military training to others so as to overthrow the Government;
- Investigate people in South Africa to revolt against the Government;
- Contact with other organisations in the Republic and to further the aims of Sayrco through these organisations; and

- Obtain South African passports for use by Sayrco members.

Mr Barlow also found both Loate and Seatlholo guilty of recruiting youths for military training. He said the evidence given in court was sufficient to prove that the two had conspired to further the aims of Sayrco.

Seatlholo was the first president of this revolutionary organisation and the aims of a revolutionary organisation were to use violence to achieve its goals.

He went on, in his six-hour judgment, to read a few paragraphs from documents with Sayrco letterheads. Most of the documents made mention of violence having to be used in the black man's struggle. One of them read that the time for confrontation had arrived. It was also said Sayrco recognised leaders such as the late Biko and Tiro. The ANC and PAC were said to be sincere black organisations.

He said Seatlholo had previously come to South Africa on two occasions using a false passport under the name of Peter Mokotedi. Had he not come to the Republic for the third time on June 17 last year, and visited Loate, who is his girlfriend, he could never have been arrested.



# Security Act students get 10 days' jail

331  
RDH  
11/3/82

## Mall Reporter

FOUR university students will each serve an effective 10 days in prison, after being convicted by a Johannesburg Regional magistrate of charges under the Internal Security Act yesterday.

The students appeared before Mr J H Oosthuizen who sentenced them to 360 days — then suspended 350 days of the sentence for five years.

The court took into consideration the fact that the students had been in custody for seven months.

Benjamin David Greyling, 20, formerly of Argyle Court, Smit Street, Joubert Park, Elaine Rose Mohamed, 20, of Wanderers Road, Newclare, Michael Anthony O'Donovan, 21, of Homestead Avenue, Randfontein and Leslie Lax, 23, of Hunter Street, Yeoville, admitted guilt.

They had earlier pleaded not guilty to charges of making posters or placards and displaying them to celebrate the 60th anniversary of the banned South African Communist Party (SACP), and that they had pursued the aims of an unlawful organisation.

Mr M Basslian, for the defence, said in mitigation that his clients were given permission to write examinations in February while in custody.

He said Greyling had completed his BA degree, Mohamed and Lax were now third-

year students, and O'Donovan was now a second-year student.

Mr Basslian asked the court for a suspended sentence, saying all his clients wished to continue their studies at Wits.

He said the authorities at Wits would allow the students to register late for 1982 on condition they were available for studies not later than April 1.

He said evidence led by the State earlier did not show that the students were members of the SACP or that any one of them was a ringleader.

He said they would lose a lifetime chance of continuing with their studies should they be sent to prison for a lengthy period.

Police told the court when the trial started last month that Greyling has been in custody since July 31 last year and the other three since August 11 last year.

Jubilant relatives and friends of the four students were seen hugging and kissing each other outside the court after sentence was passed.

Greyling's mother was overcome with joy. She said she had placed her trust in God.

She said she felt relieved and happy that her son would be able to continue with his studies.

Mohamed's father, Dr I J Mohamed, senior lecturer in mathematics at Wits, said he was happy his daughter and her friends had decided to change their plea of not guilty to avoid a lengthy trial.

He said it was a pleasure that those who stood trial would soon be freed from custody.





MASABATA'S MOTHER, Mrs Helen Ngakane outside court yesterday.

# Sadness, songs

## as trial ends

BY NKOPANE MAKOBANE

ONE of the saddest people after sentence was passed at the Vanderbijlpark Terrorism Act trial yesterday was Mrs Lydia Seatholo, mother of Khotso, who was sentenced to an effective 10 years' imprisonment.

When sentence was passed, Khotso, who was clad in grey trousers, navy blue jacket and a black crewneck, showed no emotion. Shortly afterwards he turned his face to the gallery with a smile.

"My son has taken his sentence bravely and for that I think I will get strength. He believes in his conscience and I do not think he will be satisfied until the liberation of his people is achieved," she said.

Mrs Seatholo could not hold back tears as she emerged from the court building and wept openly as she was being led to the car of her son's instructing attorney, Mr Ratha Mokgoatheng.

In a brief interview, a heartbroken Mrs Seatholo told The SOWETAN that she felt very hurt after learning that her son had been re-arrested pending investigations into further charges.

The co-accused, Masabata Loate, who was given a five-year jail term, had also remained calm before and after the sentence was passed. She was wearing a brown dress with a matching jersey and a black woollen hat.

Earlier in court before Mr A H Barlow passed sentence, she looked calm and listened attentively as the magistrate pointed out the seriousness of the crime and emphasised that sentence must fit it.

"You know I have lived in anguish all these years and particularly after his arrest and now this happens again when I thought at least everything was over."

As the handful of people arose at the end of the trial, a woman in the gallery shouted "Hamba kahle qhawe-elihle" (Farewell brave hero).

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FRIDAY 19th and SATURDAY 20th at 6.15 and 9.15 pm

**THE GREAT AMERICAN**

Mrs Helen Ngakane, mother of Masabata, was not in court when sentence was passed. She said after she arrived later, she was relieved that a harsher

*Conc. 12/13/82*

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During the trial and afterwards, tight security was visible all around the court buildings. Whites entering the building were scrutinised but there were no incidents.

## Another slaying

ONE murder and two cases of rape — one involving a 62-year-old victim — were among the incidents reported in Soweto yesterday.

A knife was used in the murder, and police have made one arrest in connection with the incident.

In one incident of attempted murder, a man was stabbed several times in a Moroka shebeen after an argument.

The owner of the shebeen produced a firearm and fired shots at the knife-wielding man, hitting him in the right and left arms. The man is still in Baragwanath Hospital.

Other incidents reported included:

- Two robberies, including one incident in which muggers got away with R600.
- One case of child

All these strike actions came about amid deadlock discussions between unions and employers in the metal industries' annual Industrial Council negotiations which were postponed to April 14.

About 500 workers employed by the Rand Scrap Iron and Metal Company yesterday joined the list of about nine companies which have been hit by strikes in the complex since the beginning of February.

At Fuchsware, near Alberton, some 800 workers yesterday also stopped work, demanding higher salaries.

Rand Scrap's managing director, Mr Harry Katz, said that 150 of the 500 workers were dismissed after they had refused to go back to work.

Police were called to the scene to keep the situation at the firm under surveillance where people were repeatedly throwing stones and preventing vehicles from entering or leaving the plant.

About 800 workers at Fuchsware are on strike and the management said that negotiations were taking place. The management refused to comment further on this issue, but it is understood that workers are demanding higher wages.

More than 100 black workers employed at Hawker Siddley Machines are on strike, but the management would not comment.



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COMFORTED: Khotso's mother Mrs Lydia Seatholo next to Khotso's aunt, Miss Adelaide Diale.

UNIVERSI  
EXAMINA

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# KHOTSO GETS 10 YRS

**Five years for Loate, Khotso re-arrested**

THERE was drama at the Vanderbijlpark Regional Court yesterday when Khotso Sydney Seatholo was sentenced to 10 years and immediately re-arrested after the sentence was passed. His co-accused Masabata Mary Loate was sentenced to five years for taking part in terrorist activities.

The two were found guilty on two charges under the Terrorism Act by Mr A H Barlow. Loate was sentenced to five years in prison on each count — both sentences to run concurrently. Seatholo was sentenced to 10 years on the first count and five years on the second. The

Enter at the top of each page of the block on this cover question you are answering. Blue or black ink must be used. The use of a ballpoint pen is not acceptable. Red or green ink may be used for underlining, emphasis or for which pencil may also be used.

Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.

Do not write in the left hand margin.

missioner or to an invigilator before leaving the examination.

Honesty will render the candidate liable to disqualification and to possible exclusion from the University

Loate and Seatlholo will serve five years and 10 years in prison respectively.

In passing sentence Mr. Barlow said the two were members of the South African Youth Revolutionary Council (Sayrco), an organisation which was formed after the Soweto Students' Representative Council (SSRC) was disbanded in April 1979 in Nairobi. Seatlholo was also the first president of this organisation.

He said organisations like Sayrco made martyrs out of people who should not have been martyrs. If he were to sentence Seatlholo severely he would be increasing his martyrdom and in assessing the sentences in this case he had to make sure that it fitted the crime. He had however to take into ac-

## By SELLO RABOTHATA

count that the two were young people and students.

He said after the SSRC was disbanded as a regional body and Sayrco was formed it had hoped to raise funds from overseas sympathisers. An example of this was a letter addressed to the director of the IUEF in Geneva, Switzerland, in which the organisation was asked for financial assistance.

Sayrco had found that the ANC and PAC were sporadic and wasteful in their attempts at overthrowing the Republic's Government. He said it was a well known fact that there had been terrorist activities in some centres in the country and Sayrco was aiming

to increase these. Seatlholo as the leader of Sayrco should have known that he was playing with fire as most of the aims of this organisation were his.

Mr. Barlow said Loate no more had her friends and associates discussing politics with her because she had given evidence in the Soweto Eleven case in Kempton Park.

He said it was extremely difficult to punish people for matters like this one, but the court could not be construed to sympathise, but had to be impartial on both the accused and the Government. He had to make sure that the political views held by the accused were bona fide with no ulterior motives.

Immediately after sentence was passed, Mr. M. Brassey, appearing for Loate, lodged an appeal against the sentence, and applied for bail pending the outcome of the appeal. The application was rejected on the grounds that Loate would skip bail and leave the country to avoid serving her sentence.

12/3/82

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# Sayrco trial: Soweto man, ex-girlfriend jailed

CME Times  
12/3/82  
331

VANDERBIJLPARK. — Sidney Khotso Seatlholo, the president of the South African Youth Revolutionary Council, and his former girlfriend, Mary Masabata Loate, were sentenced to a total of 15 years and 10 years respectively on two counts under the Terrorism Act in the Vanderbijlpark Regional Court yesterday.

Seatlholo, 25, the former president of the banned Soweto Students Representative Council, was jailed for 10 years on the first count and five years on the second count. The sentences will run concurrently.

Loate, 23, a former Soweto beauty queen and part-time model, was sentenced to five years on each of the two counts. Her sentences will run concurrently.

Both former student leaders were unmoved and impassive when sentence was passed. After sentence, a woman in the public gallery started a freedom song. Outside the court room, some spectators sang freedom songs and raised clenched fists.

Loate lodged an appeal against her conviction. She said she had a "genuine and legitimate" hope that her appeal would succeed. Her application for bail pending the outcome of her appeal was turned down.

The magistrate, Mr. A. H. Barlow said there was a possibility that Loate might estreat her bail. She still had friends in Botswana.

Before passing sentence, Mr. Barlow said the crimes were politically motivated.

He said it was clear

from Sayrco's documents that the organization was bent on a violent revolution in the country.

Sayrco, which was formed in Kenya on April 1979 by former members of the SSRC, in its documents criticized violent acts by the African National Congress and Pan-Africanist Congress in the country as sporadic, useless and wasteful.

Sayrco wanted to improve on these acts and adopted resolutions committing Sayrco to embark on a revolution in the country.

Mr. Barlow said when Seatlholo secretly visited the country while he was on the run from the police he "wanted to start a conflagration" in the country. He used a false Botswana passport to enter the country.

He said organizations like Sayrco treated as martyrs its members jailed in political trials. The sentence imposed on Seatlholo must be such that it did not defeat its purpose.

The magistrate said Loate fell into the political web of Seatlholo when she found herself in "unpleasant experience" after giving evidence for the State in the Kempton Park trial of Soweto students charged with sedition. She tried to vindicate herself by joining Sayrco.

Mr. Barlow said he had a great deal of human sympathy for Loate. If he had the power he would have imposed a lighter sentence on the first count than the statutory five-year jail term.

<sup>C. Post</sup>  
**Mazwai  
to apply  
again <sup>(331)</sup>  
for bail**

JOHANNESBURG — A fresh bail application will be made on Monday for the news editor of The Sowetan, Thami Mazwai, and four men jailed with him, according to his lawyer.

A previous application failed.

Mazwai was jailed for 18 months with Edwin Ndabeni, Nthutang Seleka, Alex Selane and Steven Somacele, after they refused to testify in the Terrorism Act trial of Sidney Khotso Seatlholo and Mary Masabata Loate.

Mr Raymond Tucker, for the defence, confirmed today that a second application for bail pending an appeal against conviction would be made in the Johannesburg Regional Court on Monday.

Seatlholo, former president of the banned Soweto Students Representative Council, and Loate were both convicted and sentenced to effective 10 and five-year prison terms respectively. — Sapa

at Rhodes University ... DDC

(331) D. Dispatch  
13/3/82

# Sentences of Rhodes pair cut by half

GRAHAMSTOWN — Rhodes University lecturer Guy Berger and journalism student Devandiren Pillay had their effective prison sentences cut by half in the Supreme Court here yesterday when judgment was handed down in their appeal.

Mr Berger, 25, will now serve two years instead of four on two counts under the Internal Security Act — membership of the banned African National Congress and activities which furthered its interests.

Mr Pillay, 21, will serve one year instead of two for the same offences. As he and Mr Berger were sentenced in Port Elizabeth last March, this means Mr Pillay will be out of jail later this month.

At their regional court trial both were sentenced to three years' jail, with one year suspended, on the membership count.

For activities which furthered the direct or indirect interests of the ANC, Mr Berger was sentenced to four years' imprisonment, of which two years were suspended, and Mr Pillay to two years with one suspended.

In the case of Mr Berger, the magistrate ordered the sentences to run consecutively while in Mr Pillay's case they ran concurrently.

In the judgment, Mr Justice Kannemeyer overruled the regional court magistrate by finding that in Mr Berger's case the effective sentences on both counts should run concurrently.

He said the second count was the substantive one which had led to the presumption of ANC membership for which the two men had been convicted on the first count.

This conviction flowed from acts which were among those admitted under count two and the state advocate, Mr W. L. Kingsley, had correctly conceded that the sentences should run concurrently, he added.

The argument by counsel for Mr Berger and Mr Pillay, Mr Denis Kuny, that, as the "activities" count was the more serious, Mr Pillay should not have received a heavier sentence on the membership charge, was "compelling", the judge said.

If Mr Pillay's effective one-year sentence for ANC-associated activities was appropriate, it followed that his effective two-year sentence for presumed ANC membership should be reduced.

At the same time, Mr Berger should have the same sentence as Mr Pillay on this count, although the magistrate had been correct in imposing a heavier sentence on Mr Berger on the activities charge, the judge said.

Mr Berger was the more mature of the two and the most academically advanced, while the activities he admitted to appeared to warrant a "somewhat heavier sentence."

However, Judge Kannemeyer said he did not consider that the magistrate was correct in imposing a sentence on Mr Berger which was twice as heavy as Mr Pillay's since Mr Pillay had distributed more literature to others than Mr Berger and had also made available a tape-recording of ANC president Oliver Tambo's New Year message to eight people.

Mr Justice Howie heard the appeal with Mr Justice Kannemeyer. — DDC.

to stimulate the economy by a programme of reducing imports to increase foreign exchange reserves and less

mutated



# ANC appeal: Judge halves sentences

Cape Times 13/3/82  
331

Own Correspondent  
GRAHAMSTOWN.  
Rhodes University lecturer Guy Berger and journalism student Devandiren Pillay had their jail sentences cut by half in the Grahamstown Supreme Court yesterday when judgment was handed down in their appeal.

Berger, 25, will now serve two years instead of four on two counts under the Internal Security Act — membership of the banned African National Congress and activities which furthered its interests.

Pillay, 21, will serve one year instead of two for the same offences. As he and Berger were sentenced in Port Elizabeth last March, this means Pillay will be out of jail later this month.

For activities which furthered the direct or indirect interests of the ANC, Berger was sentenced to four years' imprisonment, of which two years were suspended, and Pillay to two years with one suspended.

In the case of Berger, the magistrate ordered the sentences to run consecutively while in Pillay's case, they ran concurrently.

Mr Justice Kannemeyer overruled the Regional

Court magistrate by finding that in Berger's case the effective sentences on both counts should run concurrently.

He said the second count, dealing with ANC-associated activities, was the substantive one which had led to the presumption of ANC membership for which the two men had been convicted on the first count.

This conviction flowed from acts which were among those admitted under count two and the State advocate, Mr W L Kingsley, had correctly conceded that the sentences should run concurrently, he added.

The argument by counsel for Berger and Pillay, Mr Denis Kuny, that as the "activities" count was the more serious, Pillay should not have received a heavier sentence on the membership charge, was "compelling", the judge said.

At the same time, Berger should have the same sentence as Pillay on this count, although the magistrate had been correct in imposing a heavier sentence on Berger on the activities charge, the judge said.

However, Judge Kannemeyer said he did not consider that the magistrate was correct in imposing a sentence on Berger which was twice as heavy as Pillay's since Pillay had distributed more literature to others than Berger and had also made available a tape-recording of ANC president Oliver Tambo's new year message to some eight people.

Bearing in mind that both men had been "deprived of their liberty" for approximately seven months before their trial, he considered an effective two-year sentence for Berger and one year for Pillay appropriate.

Both men had their sentences for ANC membership changed to 18 months imprisonment, with six months suspended. On the activities count Berger was sentenced to three years with one year suspended. These would run concurrently, the judge ruled.

Pillay's sentence on the activities count of two years with one suspended was confirmed.

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# New bid to get (331) bail

RDH  
13/3/82  
By MIKE LOUW

ANOTHER bail application on behalf of Sowetan News editor Thami Mazwai — sentenced with four others to 18 months imprisonment each — will be made in the Johannesburg Regional Court on Monday.

Mazwai was jailed with Edwin Ndabeni, Nthutang Seleka, Alex Selane and Steven Somacele after they had refused to give State evidence before Mr A H Barlow in the Vanderbijlpark Regional Court during a Terrorism Act trial against Sidney Khotso Seatlholo and Mary Masabata Loate — both jailed for a total of 25 years.

Mr Raymond Tucker, for the defence, said yesterday the second bail application pending an appeal would be made before Mr Barlow in the Johannesburg Regional Court on Monday.

It would be made on behalf of Mazwai and the other four.

The first application was refused because "political conviction" had led them to refuse to testify persistently.

ROM 13/3/82

# ANC sentences cut by half

(33)

Mail Correspondent

GRAHAMSTOWN. — Rhodes University lecturer Guy Berger and journalism student Devandiren Pillay had their effective prison sentences halved in the Grahamstown Supreme Court yesterday when judgment was handed down in their appeal.

Berger, 25, will now serve two years instead of four on two counts under the Internal Security Act — membership of the banned ANC and activities which furthered its interests.

Pillay, 21, will serve one year instead of two for the same offences. As he and Berger were sentenced in Port Elizabeth last March, this means Pillay will be out of jail later this month.

At their Regional Court trial both Berger and Pillay were sentenced to three years jail, with one year suspended, on the membership count.

For activities which furthered the interests of the ANC, Berger was sentenced to four years' imprisonment, of which two years were sus-

pended, and Pillay to two years with one suspended.

In the case of Berger, the magistrate ordered the sentences to run consecutively, while in Pillay's case, they ran concurrently.

Mr Justice Kannemeyer found that Berger's sentences should run concurrently.

He said the second count, dealing with ANC-associated activities, was the substantive one which had led to the presumption of ANC membership for which the two men had been convicted on the first count.

The defence argument that as the "activities" count was the more serious, Pillay should not have received a heavier sentence on the membership charge, was "compelling", the judge said.

If Pillay's effective one-year sentence for ANC-associated activities was appropriate, it followed that his effective two-year sentence for presumed ANC membership should be reduced.

And Berger should have the same sentence as Pillay on the membership count.



## HISTORIC APPEAL TESTS VALIDITY OF SA LAWS IN THE 'HOMELANDS'

**WHILE** Wilfred Sebonge Marwane, 23, is in Bophuthatswana State Prison serving the fourth year of a 15-year jail sentence, 11 judges of appeal are considering his case — a landmark in the judicial history of South Africa.

The fate of Mr Marwane highlights the potential for conflict between the laws of the so-called independent homelands and those of South Africa.

It is only the third time in the history of South Africa that a full Appeal bench, convened only to test constitutional issues, has sat.

Marwane has appealed against a 15-year sentence imposed by Mr Justice Hienstra, of the Bophuthatswana Supreme Court.

He was convicted of contravening the Terrorism Act, alternatively the Sabotage Act or the Arms and Ammunition Act.

He was allegedly carrying hand grenades to be used to undermine the security of Bophuthatswana.

The case for the appellant rested on two fundamental questions:

- Were the terms of the Republic of Bophuthatswana Constitution Act (RBCA) and in particular the Bill of Rights set out in it, taken to overrule prior legislation?
- If so, was the Terrorism Act repealed?

Marwane's counsel, Mr I Mohamed SC, has argued that the Terrorism Act was implicitly repealed by the RBCA, which contains a Bill of Rights directly enforceable by law.

The Bill of Rights, he has stated, is modelled on the European Convention on Human Rights and takes precedence over all other legislation.

It repealed whatever was inconsistent with it, even if that legislation was in effect before

# 11 judges sit as Terror Act falls under spotlight

BY CATHY KENNEDY

any new legislation consistent with the Bill of Rights.

A commission is currently examining all Bophuthatswana legislation to ensure it is consistent with the constitution.

## Does the Bill of Rights overrule the old law?

Mr Mohamed submitted that the Terrorism Act infringed many fundamental human rights, including:

- The right to be presumed innocent until proven guilty.
- The right to be informed promptly of charges against one.
- The right to have a court of law decide on the legality of

detention.

- The right to due process of law.
- The right not to be subjected to torture or inhumane, degrading treatment while in detention.

Mr Mohamed claimed that this concluded that the Terrorism Act was therefore implicitly repealed by the RBCA and that Marwane's conviction should accordingly be quashed.

Mr J P Roux, SC, did not dispute that the Terrorism Act was inconsistent with the RBCA but he argued that the RBCA only regulated future legislation and not legislation in force prior to the constitution coming into effect.

If the Appeal Court accepts Mr Mohamed's arguments it will have to turn its attention to the whole significance and

implications of the Terrorism Act.

The other occasions on which an 11-judge Court of Appeal has sat were:

- In the mid-Fifties when the Nationalists sought to remove coloureds from the Common Voters' Roll. The coloureds lost the appeal.
- In 1969, in the case State vs Tshepo to hear an appeal challenging the validity of the Terrorism Act in South West Africa. The appellant claimed

that the 'homeland' and constitutional issues raised by the appeal have aroused international interest and concern. Marwane's lawyers have been inundated with calls from the United States and England wanting to know the outcome of the appeal.

Mr I Mohamed SC and Mr M S A Brassey, for Marwane, were instructed by Priscilla Jana and Associates. No appeal was made against the conviction under the Arms and Ammunition Act.

Mr J P Roux SC appeared for the Government of Bophuthatswana.

South Africa had no power to make laws in South West Africa. The appeal failed. The Marwane appeal holds

## Are human rights safe in the new states?

# Landmark in appeal on scope of SA law

E. Post 15/3/82  
109 331

Post Correspondent

JOHANNESBURG —

While Wilfred Sebonege Marwane, 23, is in Bophuthatswana State Prison serving the fourth year of a 15-year jail sentence, 11 judges of appeal are considering his case — a landmark in the judicial history of South Africa.

The fate of Marwane highlights the potential for conflict between the laws of the so-called independent homelands and those of South Africa.

It is only the third time in the history of South Africa that a full Appeals Court Bench, convened only to test constitutional issues, has sat.

Marwane has appealed against a 15-year sentence imposed by Mr Justice Hiemstra of the Bophuthatswana Supreme Court.

He was convicted of contravening the Terrorism Act, alternatively the Sabotage Act or the Arms and Ammunition Act.

He was allegedly carrying hand grenades to be used to undermine the security of Bophuthatswana.

The case for the appellant rested on two fundamental questions:

- Did the Republic of Bophuthatswana Constitution Act (RBCA) and in particular the Bill of Rights set out in it, overrule prior legislation?

- If so, was the Terrorism Act repealed?

Marwane's counsel, Mr I Mohamed, SC, has argued that the Terrorism Act was impliedly repealed by the RBCA, which contains a Bill of Rights directly enforceable by law.

The Bill of Rights, he has stated, is modelled on the European Convention on Human Rights and takes precedence over all other legislation.

It repealed whatever was inconsistent with it, even if that legislation was in effect before any new legislation consistent with the Bill of Rights.

A commission is cur-

rently examining all Bophuthatswana legislation to ensure it is consistent with the constitution.

Does the Bill of Rights overrule the old law?

Mr Mohamed submitted that the Terrorism Act infringed many fundamental human rights, including:

- The right to be presumed innocent until proven guilty.

- The right to be informed promptly of charges against one.

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- The right to due process of law.

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If the Appeal Court accepts Mr Mohamed's arguments it will have to turn its attention to the whole significance and implications of the Terrorism Act.

The other occasions on which an 11-judge Court of Appeal has sat were:

- In the mid-1950s when the Nationalists sought to remove coloureds from the common voters' roll. The coloureds lost the appeal.

- In 1969 in the case *State v Tuahedeni* to hear an appeal challenging the validity of the Terrorism Act in South West Africa and claiming that South Africa had no power to make laws for the territory. The appeal failed.

The Marwane appeal has focused world attention on South African security legislation.



# 'Silent five' refused bail

(331)  
Star  
15/3/82

By Temba Khumalo

Application for bail by five witnesses who have appealed against sentences of 18 months' jail for refusing to give evidence at a terror trial at Vanderbijlpark last month, were turned down today.

They were Thami Mazwai (former news editor of The Sowetan), Thabo Ndabeni (Azanian People's Organisation), Carter Seleke (Azanian National Youth Union), Solomonzi Selaene (Azanian National Youth Union), and Sipho Somacele.

They had refused to testify against Khotso Seathlo and Masabata Loate.

Refusing their applications for bail, the magistrate, Mr A H Barlow, said he was convinced they might try to leave the country if released.

Mr Barlow said they could have given vital evidence at the Vanderbijlpark trial.

A court could accept their argument that they did not want to give evidence because of their political views.

"They openly told the court at Vanderbijlpark that their political convictions and sympathy with Seathlo and Loate forced them not to testify," he said.



Own Correspondent

JOHANNESBURG.

— The investigating

officer in the case in

which two men are

appearing on five

charges under the

Terrorism Act told

the Rand Supreme

Court yesterday that

one of them, Mr

Robert Martin

Adam, had, after his

arrest, pointed out

spots at the Brixton

tower where he had

suggested that him-

pet mines should be

placed.

Mr Adam, 26, of Felicity

Court, Yeo Street, Yeo-

ville, and Mr Mandla

Themba, 25, of Jabulani,

pleaded not guilty to the

charges before Mr Justice

Boshoff.

It is alleged that the two

men are members of the

African National Con-

gress and that, during

July last year, they went

on a tour of the SABC-TV

tower in Brixton, pre-

pared a report on the in-

stallations and took

photographs.

They allegedly attempt-

ed to send the report and

photos to the ANC to be

used in destroying the

tower and otherwise en-

dangering law and order

in the Republic of South

Africa.

The men are also

charged with inciting a

Mr Ghandi Badela to un-

dergo military training

which could be of use to

any person intending to

endanger law and order

in South Africa.

They had also con-

spired to further the aims

of the ANC in South

Africa, to obtain support

for the ANC in South

Africa and to attempt to

overthrow authority in

South Africa by means of

violence, it is alleged.

Warrant Officer P G

Seyffert of the Security

Police, the investigating

officer, told the court that

Mr Adam was arrested on

September 22 last year.

On October 16 he took

Mr Adam to the Brixton

tower where Mr Adam

pointed out television

transmitters on the first

floor of a building at-

tached to the tower

where, Mr Adam had sug-

gested in a report intend-

ed for the ANC, that a

limpet mine should be

placed.

Mr Adam also pointed

out a room where two

temporary transmitters

were housed. Mr Adam

had suggested that limpet

mines should be placed

there as well, the court

was told.

Warrant Officer Seyffert

said that on October 19 he

went to the tower with Mr

Themba, who pointed out

the entrance to the tower

and part of the television

transmitters, which, he

said, he had photo-

graphed on Mr Adam's in-

structions.

Mr Themba made a

statement on November

12, Warrant Officer Seyf-

ert said. He had wanted

to use Mr Themba as a

witness against Mr Adam

to make the case against

him stronger. The Attor-

ney General had decided

otherwise, however.

He denied he had told

Mr Themba he would be

the main State witness

and that he had told him

he should not be worried

because they were not

looking for him but for

“that devil Robert”.

Mr George Bizos, SC, for

Mr Adam and Mr Themba

told the court that Mr

Adam admitted having

written reports of

Botswana and the Brixton

tower.

The hearing continues

today.

The

CAPL-110115

331

# Court told of limpet mine plan

He had never made any

promises to Mr Themba

Warrant Officer Seyffert

said.



# 7 not guilty under Riot Act

Post  
16/3/82

## Post Reporter

SEVEN Port Elizabeth men, charged with contravening the Riotous Assemblies Act, were acquitted in the Port Elizabeth Regional Court today.

They were Mr Albert Mkayo, Mr Richard Rafane, Mr Elias Xhaxto, Mr Johnny Mgodana, Mr Nelson Kana, Mr Brian Singaphi and Mr Major Pikoli, who allegedly threatened employees of the SA Bottling Company into staying away from work between October 6 and 9.

The seven, all members of the General Workers Union of South Africa, pleaded not guilty to the charge.

The magistrate, Mr A W Meiring, in acquitting the men, said that evidence led by State witnesses was irrelevant and had "no value" in the case. One witness he described as an "outright liar".

One of the witnesses, Mrs M Thifane, yesterday told the court how some of the accused had taunted her: "Margaret, are you not ashamed to enjoy a thick slice of bread buttered with the blood of your brothers?"

Mrs Thifane replied to the accused that she came all the way from Grahamstown to Port Elizabeth to look for work to support her children.

One of the accused, Mr Brian Singaphi, is alleged to have approached her and said: "You informer! I want you to die in my hands!" She was also called a "sell-out", but did not know the meaning of the word.

In closing the case, the magistrate described this attitude of the accused as "immature" and that they did not have the "ability to behave like adults".

Some of the accused, he said, "could have been convicted under sub-section (d) of Section 10 of the Riotous Assemblies Act", which states that people are guilty of an offence if they intimidate people "in a disorderly or offensive manner by jeers, jibes or any other like conduct".

The seven were charged under sub-section (a) of the Act which deals with threatening or suggesting violence to persons or property in forcing them to stay away from work.

Mr J Nel appeared for the State and Mr P Langa for the accused.



ZWELITSHA — The Ciskei Terrorism Act trial resumed in the Supreme Court here yesterday and most part of the day was taken up with argument by the two defence counsels and the Attorney-General on the adequacy of further particulars furnished to the defence.

Four Mdantsane men, Mr William Mabone Duna, 31, Mr Dúmisani Bizette Maninjwa, 31, Mr Bayi Keye, 52, and Mr Luyanda Mayekiso, 23, are facing charges under the Terrorism Act — the first since Ciskei attained independence last December.

They are appearing before the Ciskei Chief Justice, Mr Justice De Wet. They have not been asked to plead and details of the charges have not yet been given.

The case was adjourned twice last month to allow Mr Keye to be examined by a doctor.

The Attorney-General, Mr W. F. Jurgens, then told the court that Mr Keye had a history of schizophrenic psychosis. Mr Keye was later flown to Groote Schuur Hospital for further tests.

According to a medical report submitted from Groote Schuur, a psychiatrist found no evidence of current psychosis but Mr Keye appeared to be moderately depressed and

anxious.

A psychologist reported that he was orientated and coherent and could give a reliable account of himself in Afrikaans.

The report said he denied any serious accidents or head injuries which might cause him to become unconscious. When asked if he had been kicked or hit on the head he replied: "Ja, hulle het alles gedoen by my."

It seemed that he became confused under interrogation and did not know what happened until he found himself in Komani Hospital.

The medical report recommended that he should not be kept in solitary confinement.

An independent medical report by a physician, Dr I. D. Huskisson, for Mr Keye, was also submitted.

Mr Jurgens accepted the medical findings but contested allegations of assault contained in it.

# Psychiatric evidence in terror trial

This appeared to have cleared and he showed no new hallucinatory tendencies. There was no permanent neurological deficit from the alleged assaults but he had scars over his shins from shackling.

After the submission of medical reports, Mr Jurgens made several amendments to the indictment.

Advocate M. T. K. Moerane of Durban and Advocate D. De la Hunt of Cape Town, for the defence, told the court they were not given adequate further particulars regarding a charge of possession of banned literature and that three of the accused were embarrassed by the replies given to the further particulars. They wanted to know which of the accused possessed which publications.

Advocate Jurgens, for the state, said Mr Maninjwa had physical possession and the others were guilty of possession as a result of common purpose.

The court adjourned to allow Mr Jurgens to look into the question of more particulars.

After the break Mr Jurgens submitted new further particulars.

The court was adjourned until this afternoon. — DDR.

The report said Mr Keye alleged that he was detained in June last year and that for the next two months he was assaulted by the police during interrogation, stating that there was an attempt made to make him tell about a certain meeting. He claimed he was hit with fists and kicked on the head. He then became confused and did not remember very much about this but regained his senses at Komani Hospital where he was kept for about two months.

He said that after being beaten his nose was sore and he could not see out of his left eye but he had not been assaulted since leaving Komani Hospital.

In his conclusions and recommendations, Dr Huskisson said: "This patient alleged several assaults and there is no doubt that he had a schizophrenic-like illness with auditory hallucinations when admitted to Komani Hospital."



(231) (911A)  
**Court told  
of Brixton  
blast plan**

An ANC official had stated in a report that rockets could be used to destroy equipment at the Brixton Tower, the Rand Supreme Court heard yesterday.

Major Arthur Cronwright, a security policeman, was giving evidence in the case in which Mr Robert Martin Adam (26) of Yeoville and Mr Mandle Themba (25) of Soweto have pleaded not guilty to five counts under the Terrorism Act and Internal Security Act.

Major Cronwright said Mr Adam and Mr Themba visited the Brixton Tower, Johannesburg, last July and Mr Themba took photographs.

**SKETCHES**

Mr Adam then wrote a report, including photographs and sketches, stating that mines on the four TV transmitters would ensure that South Africa would not have TV for a long time.

Rockets could be used against the military radio system.

Major Cronwright said he picked up the report on the Brixton Tower in a "dead letter box" in Joubert Park.

The trial continues.

# TV tower a terror target, court told

By CAROL STEYN

**TWO MEN** wanting to blow up the SABC's Brixton tower in Johannesburg went on a conducted tour of the building, the Rand Supreme Court was told yesterday.

These allegations were made before Mr Justice Boshoff when Mr Robert Martin Adam, 26, of Yeoville, and Mr Mandla Themba, 25, of Jabulani, appeared on five charges under the Terrorism

Act. They pleaded not guilty. It was alleged that both had been members of the African National Congress.

According to a summary presented to court, Mr Adam started working for the ANC in 1980. His work allegedly included distribution of ANC publications, discussion with members and compilation of reports.

On July 14, 1981, Mr Adam allegedly met another ANC member in a Yeoville park, where they discussed visiting the SABC's Brixton tower. They also discussed re-

cruitment of members, and the recruitment of Mr Ghandi Badela for military training, the court was told. Mr Adam allegedly handed the other man a document titled "Report on Botswana: Items to consider".

On July 28 a similar meeting took place, the court was told, and a proposed attack on the Brixton tower and the use of "dead letter boxes" (dustbins) were discussed.

Mr Adam and Mr Themba were taken on a tour of the Brixton tower by an SABC official, the court was told.

Mr Adam obtained information and Mr Themba took photos, it was alleged, and after the visit Mr Adam wrote a report titled "Report on Reconnaissance of SABC Transmission in Auckland Park".

This report and four photographs were placed in a "dead letter box" in Klein Street, Joubert Park, on July 29, the summary read.

Both men were arrested on September 22 last year. On the same day Mr Themba took a policeman to his home, the court heard, where he

handed him four photos of the Brixton tower. In October Mr Adam allegedly pointed out to police points at the tower and the Yeoville park.

The two men allegedly drew up a report on the tower, setting out possible targets for attack, their location, directions on how to destroy them, describing security measures and including a map.

They then attempted to send the report to the ANC by having it placed in a dustbin, the court was told.

Both men had acted as

ANC office bearers or members, it was alleged.

Major A. B. Cronwright of John Vorster Square told the court that on July 14 last year he followed Mr Adam to a Yeoville Park, where he met a black man.

Major Cronwright said he made a recording of the conversation between them using electronic apparatus. He handed in a transcript of the recording.

When the black man left the park he dropped a document, which Major Cronwright picked up. He said it was titled "Report on Bots-

wana: Items to consider". Major Cronwright said on July 29 last year he saw the black man placing an envelope in a Hillbrow dustbin.

He found the envelope contained a report and photos of installations at the tower.

Major Cronwright said that on September 22 Mr Adam and Mr Themba were brought separately to his office.

Mr Adam admitted being the author of documents shown to him, and admitted taking photos shown him. Major Cronwright said Mr Adam was so open and honest

that he asked him to make a statement before a magistrate. Mr Adam agreed.

Mr Themba admitted taking photos, said Mr Cronwright. He said Mr Themba had declared he had nothing to hide and wished to make a statement to a magistrate.

Mr Cronwright said he did not influence them.

He read the "tower report" to the court. It declared that the television transmitters were easy targets, but that the radio transmitters would be more difficult to hit.

"Two or three parcels of TNT placed on top of the

units could wreck the system completely", the report read.

It went on to describe a military transmission centre controlling helicopters and road blocks.

"It may be a suicide mission to blow this up and I don't recommend it", the report read, advising the use of rockets instead.

The only security at the tower was a night watchman, said the report, and technicians would not be armed. They could be tied up.

Mr G. Bizos, SC, for the two men, told the court Mr Adam would not deny being an ANC

office bearer, or that he visited the SABC tower on behalf of the ANC and prepared a report. The report was not for sabotaging the tower but for an attack on the machinery and the building attached to the tower, he said.

Mr Bizos said Mr Themba would admit that he was a journalist and a photographer. He took photographs of the tower with the permission of the person in charge of the installations for the purpose of writing an article in a magazine, he said.

The hearing continues today.



# Court orders leg-irons off silent five

331  
DOM 16/3/82

By MIKE LOUW

THAMI Mazwai, news editor of the Sowetan, and four other men were refused bail yesterday when they appeared in the Johannesburg Regional Court in handcuffs and wearing leg chains.

Mazwai, Edwin Ndabeni, Nthutang Seleka, Alex Selane and Steven Somacele were each sentenced to 18 months' jail after they refused to give evidence for the State in the Terrorism Act trial of former president of the banned Soweto Students Representative Council, Sidney Khotso Seatlholo, and Mary Masabata Loate.

Mr Raymond Tucker, for the five, told the court it was unusual for people appearing in a bail application to be in handcuffs and wearing leg irons.

The magistrate, Mr A H Barlow, said he was not aware the applicants were handcuffed and wearing leg chains, which were removed by a policeman after Mr Barlow said he had no objection to their removal.

Mr Tucker said it was unlikely his clients would abscond and they would comply

with any conditions the court set.

Opposing the application, Mr J Theron said the applicants had refused to testify.

Among the reasons Mr Barlow gave for rejecting the bail application were:

- He had jailed the five after they had refused to testify. He should in fact have sentenced them to three years each.

- Their grounds for refusing to give evidence were insufficient and unjustified.

- They had a political belief which made them sympathise with Seatlholo and Loate and they also felt they would lose the esteem of the community if they testified. But their refusal had resulted in his having an incomplete picture or idea of what was involved in allegations against Seatlholo and Loate whom the State could have charged with high treason.

- Seatlholo and Loate belonged to a revolutionary organisation which planned to overthrow the Government.

- Mazwai had contacted Seatlholo and Loate on June 17 last year in connection with matters relating to an unlawful organisation and some people were recruited for military training.

Referring to the refusal to give evidence, Mr Barlow said "no matter what political views one has they cannot be done through unlawful means by contravening the law."

Mazwai, Mr Barlow said, had told the court during the first application for bail in Vanderbijlpark that he was a journalist earning R1 000 a month and would not leave the country.

But, Mr Barlow said, the five would leave the country if they were granted bail.

## Crime takes a holiday

By ANTON HARBER

YEOVILLE's anti-crime campaigners can catch their breath — there were no muggings or robberies in the suburb at the weekend.

A Hillbrow police spokesman said yesterday that no serious crimes had been reported.

Yeoville residents claim a recent wave of thefts and muggings has left them living in fear.

A petition, signed by 3 000 residents and presented in Parliament last week by Mr Harry Schwartz, PFP MP for Yeoville, demanded increased protection and the building of a police station in the suburb.

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## Tour for <sup>331</sup> ROM 16/3/82 'bombers'

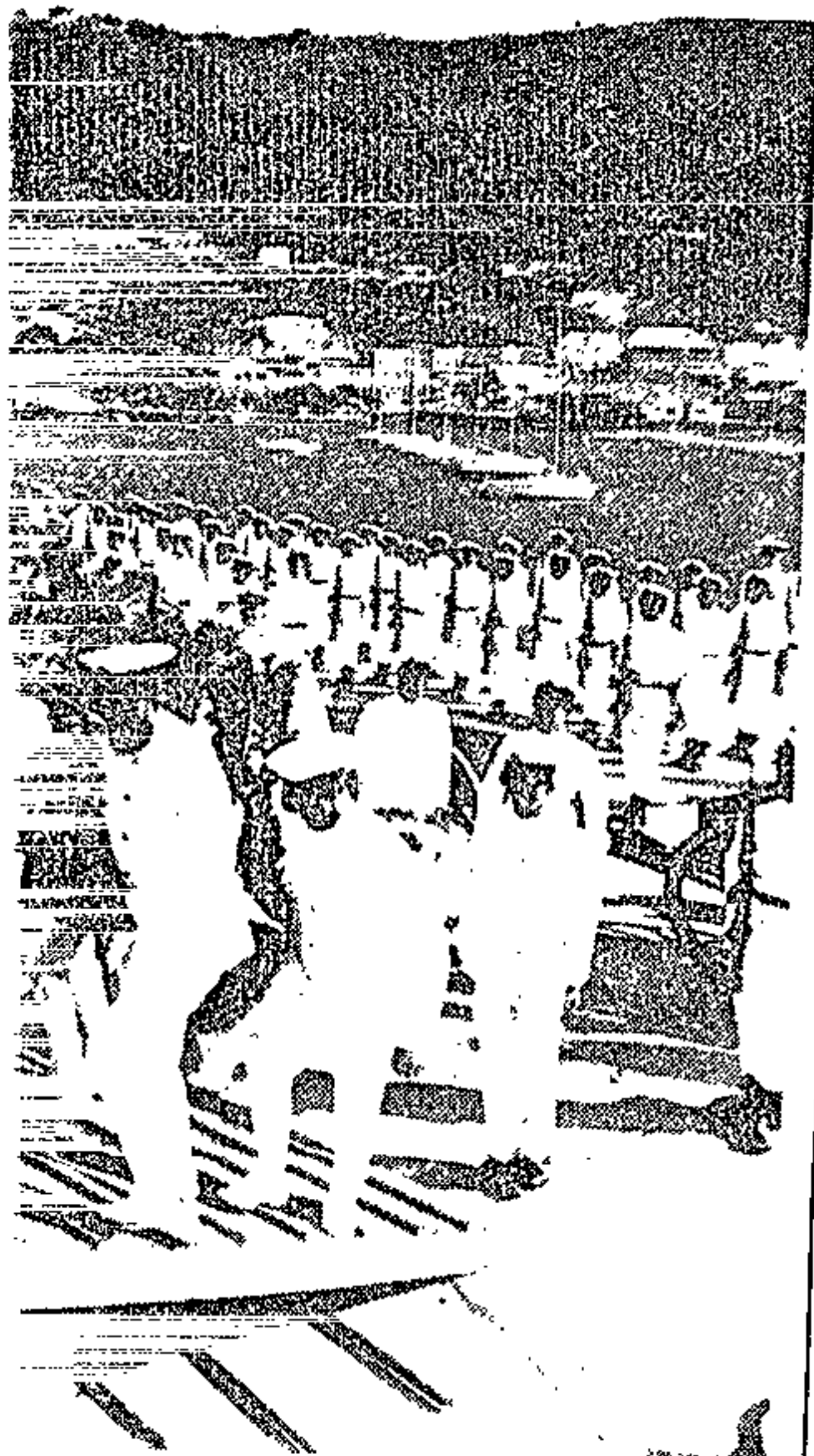
TWO men who allegedly planned to blow up the SABC's Brixton tower went on a guided tour of the building, the Rand Supreme Court was told yesterday.

The defence said one of the men would admit being an ANC member and preparing a report on the tower.

But it was to be used for an attack on an adjoining building and installation, not on the tower itself, he said.

● See Page 3





-carriage, floral tributes to the men's sister-ship, SAS President Pretorius at Simon's Town. Today the per went down nearly a month ago.

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CAPL Times 10/3/82



From page

in which the Navy has come to terms with this tragedy, and their dignified, yet obvious grief for the loss of their comrades."

General Viljoen said the Navy was constantly exercising and improving its performance, to enable it to fulfil its important task of guarding the Republic's coastlines, patrolling territorial waters and protecting the country's harbours.

"The dangers of sea, weather, visibility and mechanical vulnerability are constantly present in some form as a hazard, and because of them, sailors have perished at sea for centuries."

General Viljoen said the attention focused on the country's northern borders, where other arms of the Defence Force were involved, tended to divert attention from the long and onerous tasks carried out in all weathers by the Navy, much of whose work went unseen.

"In the interest of high professional standards, we must accept the element of risk that exists," he added.

• The interdenominational service was conducted by naval chaplains of the Ned Geref Kerk and the Anglican and Methodist churches.

• The men who were remembered yesterday were: Able Seaman G T Benjamin; Chief Petty Officer J P Booyen; Petty Officer S P Bothma; PO G A F

# Court told of plan to blow up TV tower

Own Correspondent

JOHANNESBURG. — Two men went on a conducted tour of the SABC-TV tower in Brixton, Johannesburg, to obtain information to be used in blowing up the tower and disrupting law and order in South Africa, the Rand Supreme Court was told yesterday.

These allegations were made in the indictment before Mr Justice Boshoff when Mr Robert Martin Adam, 26, of Felicity Court, Yeo Street, Yoeville, and Mr Mandla Themba, 25, of Jabulani, appeared on five charges under the Terrorism Act. They pleaded not guilty.

## Banned

It was alleged that both men had been members of the African National Congress, which is listed as a banned organization in South Africa.

According to a summary of the facts of the case, attached to the indictment Mr Adam started working for the ANC during November 1980.

His work included the receipt and distribution of publications of the ANC. On certain occasions he held discussions with ANC members and he conveyed reports to the ANC leaving them in "dead letter boxes".

## Report

On July 14, 1981, Mr Adam met another member of the ANC in a Yoeville park where they discussed a proposed visit to the SABC-TV tower in Brixton, the recruitment of members by the ANC and the recruitment of Mr Ghandi Babela for military training, the court was told. Mr Adam handed the other man a document titled "Report on Botswana: Items to consider".

On July 28 a similar meeting took place where a proposed attack on the Brixton tower and the use of "dead letter boxes" were discussed, the court was told.

Mr Adam and Mr Themba were taken on a

tour of the Brixton tower by an official of SABC-TV, the court was told. Mr Adam obtained information and Mr Themba took photographs.

After the visit Mr Adam wrote a report titled "Report on Reconnaissance (sic) of SABC Transmission in Auckland Park". This report and four photographs were placed in a dead letter box in Klein Street, Joubert Park on July 29 the summary read.

Both men were arrested on September 22 last year.

According to the indictment Mr Adam and Mr Themba, with the intention of endangering the maintenance of law and order in the Republic of South Africa, conspired to obtain information regarding the transmission system and other aspects of the Brixton tower, to forward the information to the ANC and to destroy the tower or have it destroyed.

## Targets

They drew up a report on the tower setting out possibly targets for an attack, their location, directions on how to destroy them, describing security measures at the tower and including a map of the area, it was alleged.

They then attempted to send the report to the ANC by having it placed in a dust bin, the court was told.

Both men had acted as office bearers or members of the ANC, it was alleged.

By their actions they had endangered the health and safety of the public, the free movement of traffic and the property of both private persons and the State, the court was told.

They had conspired to further the aims of the ANC in South Africa, to obtain support for the ANC in South Africa and to attempt to overthrow authority in South Africa by means of violence, it was alleged.

The hearing continues today.

# Hawker guilty of buying R1 rifle

Staff Reporter

The State further al-

sisters, smoke chips, and integrated — is discussed tonight.

6.36: **Sportfokus.** Powerboating — the championships which were held last at Hartebeespoort Dam. Diving — the African championships held early month in Pretoria.

7.05: **Laat Waai.** The penultimate programme which well-known personalities and team-mates use the spoken word and try to test each other's wits.

7.33: **Oorlewing: Die Ou Grotes.** We follow the of the elephant and see how the you reared. A look is taken at the family well as the eventual fate of these animals.

8.00: **News**

8.28: **Weather**

8.36: **A Firm Foundation.** This documentary at the work done by the South Africa Foundation in promoting the Republic's abroad. Foundation offices can be found in London, Washington, Bonn and Paris.

9.05: **Dallas: My Father, My Son.** J R is furious he learns Cliff has spent the night at Ellen's. He plots to break Cliff and win Ellen back.

9.55: **Pronutro Sporting Greats.**

11.43: **News**

11.53: **Epilogue.** Pastor Trevor Walker.

TV 2 & 3

6.30: **Mulwana La Mmutla: No. 11 — Mame (Dried Fruit).** Malekelle Mosha gets his into the right frame of mind so that he pour out all his troubles to the children. Moletsi enters unexpectedly. Moletsi sings about dried fruit.

6.45: **Motlalefi Molefe: No. 6 — Magodu.** Molefe tries to adjust his radio so that he can to aircraft pilots. However, he accidentally tunes into the wavelengths of robbers planning their next crime. Starring Samuel Molefe, Lorgniettes Maila and Ezekiel Khomo. Produced by Tim Spring.

7.00: **Ditaba/Dikgang (News).**

7.10: **Dintja (Dogs).** The history of dogs and their role in society. Produced by G Stuart.

7.50: **Di A Tsanyaola (Music).** A programme of light music.

8.00: **Ezangolwesibili/Ezangolwesibini (Magadu Programme).**

8.30: **Basiphakela Ezayizolo (The History Music): No. 11 — Ray Middleton.** The South African singer Ray Middleton who settled in the United States entertains viewers with *Molly Malone*, *Home On The Range*, *Ghost Riders In The Sky*, *Blue Tail Fly*, *On The Road To Mandalay* and *Songs Of The Vagabonds*. Produced by Barry Coetzee and presented by Fez Wotshela and Terrence Ngxogwa.

9.00: **Izindaba/Iindaba (News).**

9.25: **Ezenkolo: Ngubanina Okunike Eli Gqoke (Epilogue).** Produced by G M Qulu and presented by N H Kibi.

## Last night's TV

TV 1

THAT marauding leopard featured in *Inside Report* last night seemed too good to be true.

No matter how adventurous presenter Stan Brock and producer Henk Maartens are, I find it hard to believe that some of the events in their final episode, *The Spotted Raiders*, were authentic.

Their credibility and my imagination stretched especially when the unsuspecting herd-boy fell

TV 2 and 3

SURELY there is an abundance of relevant subjects that our Women's Forum programme can present to viewers other than demonstrations on how to prepare delicious food.

Last night's programme kicked off with an educational film on the cause of bilharzia and how everybody concerned could play a vital role to curbing this disease. The other part of the programme



# Newsman's bail request refused

CAPL Times 16/3/82 (14/3/82) (55/)

Own Correspondent

JOHANNESBURG. — The news editor of Sowetan, Thami Mazwai, and four people were refused bail yesterday by a Johannesburg magistrate when they appeared before him in handcuffs and wearing leg chains.

Appearing before Mr A H Barlow in an application for bail were Mazwai, Edwin Ndabeni, Nthutang Seleka, Alex Selane and Steven Somacele.

They had been sentenced to 18 months' imprisonment each after they had refused to give State evidence before Mr Barlow in the Vanderbijlpark Regional Court during a Terrorism Act trial against the former president of the banned Soweto Students' Representative Council, Sidney Khotso Seatlholo, and Mary Masabata Loate, who were sentenced to a total of 25 years.

The five have appealed against this conviction.

Mr Raymond Tucker, who represented them, told the court it was unusual that people appearing in an application for bail should be in the dock in handcuffs and wearing leg irons. The magistrate said he was not aware the applicants were handcuffed and wearing leg chains.

The handcuffs and leg chains were removed by a

policeman after the magistrate said he had no objection to their removal.

Mr Tucker said in his argument that it was unlikely his clients would abscond and they would comply with conditions the court made if bail were granted.

Opposing the application, Mr J Theron for the State, said the applicants had refused to testify. Also, convicted persons were not entitled to be given bail pending an appeal.

The magistrate said in his judgment before rejecting the application for bail that he had jailed Mazwai and the four others for 18 months each after they had refused to testify. He said he should in fact have sentenced them to three years each.

## 'Would lose esteem'

He said his opinion was that their grounds for refusing to give evidence were insufficient and unjustified. Mazwai and the others had a political belief which made them to sympathize with Seatlholo and Loate.

Also they felt they would lose the esteem of their community and would be regarded as outcasts if they gave State evidence.

Their refusal resulted in him having an incom-

plete picture or idea of what was involved in allegations against Seatlholo and Loate, whom the State could have charged with high treason. He said he mentioned this to show the gravity of the matter.

Seatlholo and Loate belonged to a revolutionary organization which planned to overthrow the lawful government.

## 'Recruited'

Mazwai had contacted Seatlholo and Loate on June 17, last year in connection with matters relating to an unlawful organization, and some people were recruited for military training.

Referring again to the refusal to give evidence, the magistrate said: "No matter what political views one has, they cannot be done through unlawful means by contravening the law."

What was illegal and unjustified could not be justified. The trial against Seatlholo and Loate was a most serious matter.

The magistrate said Mazwai had told the court during the first application for bail at Vanderbijlpark that he was a journalist earning R1 000 a month and he would not leave the country.

He said the five applicants would leave the country if they were granted bail.



were passed. houses. — DDR.

*D. D. D. D.*

## Ciskei Terrorism Act trial postponed *331*

ZWELISHA — The Ciskei Terrorism Act trial of four Mdantsane men was adjourned shortly after it had started in the Ciskei Supreme Court yesterday to enable the court's air conditioner to be repaired.

Appearing before the Chief Justice of Ciskei, Mr Justice De Wet and two Assessors, Advocate B. Phol and Advocate F.

Nel, are Mr William Mabone Duna, 31, Mr Dumisani Bizette Maninjwa, 31, Mr Bayi Keye, 52, and Mr Luyanda Mayekiso, 23. They have not been asked to plead and no charges have yet been entered.

The case continues today and the men have been remanded in custody. — DDR.

DOM 17/3/82 (33)

# No threats of a 'special room', SP tells court

Court Reporter

SECURITY policemen denied in the Rand Supreme Court yesterday that Mr Robert Martin Adam, who is facing five charges under the Terrorism Act, had been threatened with "a special room for people like him".

Mr Adam, 26, of Felicity Court, Yeo Street, Yeoville, and Mr Mandla Themba, 25, of Jabulani, pleaded not guilty to the charges before Mr Justice Boshoff.

It is alleged that the two men are members of the ANC and that, during July last year, they went on a tour of the SABC-TV tower in Brixton, prepared a report of the installations and took photographs. They attempted to send the report and photos to the ANC to be used in destroying the tower and in otherwise endangering law and order in the Republic of South Africa, it is alleged.

The men are also being charged with inciting a Mr Ghandi Badela to undergo military training which could be of use to any person intending to endanger law and order in South Africa.

They had conspired to further the aims of the ANC in South Africa, to obtain support for the ANC in South Africa and to attempt to overthrow authority in South Africa by means of violence, it was alleged.

Major A B Cronwright, a

security policeman, told the court that Mr Adam was arrested on September 22 and taken to a magistrate to make a statement the following day.

Maj Cronwright said he spoke to Mr Adam for about an hour. He put the charges to him and showed him the documents and the photos. It had not been necessary to ask Mr Adam any questions.

He believed Mr Adam, Maj Cronwright said. Mr Adam was "an honest and open person".

He had not thought of the arrest of Mr Adam as a triumph, he told the court.

He denied that he had lost his temper when Mr Adam said he could not help him further. He also denied that Captain Smit had threatened Mr Adam by telling him that he would be hurt if he did not tell the truth and that there was a special room for people like him.

Maj Cronwright denied that Mr Adam had asked for a lawyer and that he had told him he could not get one as long as he was in the care of the Security Police.

Capt J Smit, also a security policeman, told the court that after he arrested Mr Adam, Mr Adam had not wanted to make a statement.

He denied that he had threatened Mr Adam with a "special room" where persons like him could be treated.

The hearing continues today.

# ANC papers dug up, court told

ARGUS  
18/3/82

HM  
331

Argus Bureau

EAST LONDON. — A South African security policeman yesterday told the Ciskei Supreme Court that he and his colleagues had twice dug up banned literature in the grounds of two Mdantsane homes.

Warrant Officer E. Eldson was testifying in the trial of four Mdantsane men charged with participating in terrorist activities, being members of the banned African National Congress and possessing banned literature.

The accused, Mr Mabone Duna, 31, Mr Dumisani Maninjwa, 31, Mr Bayi Keye, 52, and Mr Luyanda Mavekiso, 23, have pleaded not guilty.

## PAMPHLET

Warrant Officer Eldson said that in August last year he and his colleagues had searched three Mdantsane houses. In the yard of one a pamphlet entitled Mandela Says Unite was found.

In the yard of another house the policemen had dug up a plastic bag of

publications. One of the books dealt with the making of explosives, he said.

A week later the policemen had dug up another plastic bag containing documents in the yard of another Mdantsane house, Warrant Officer Eldson said.

## RADICAL CHANGE

Mr I. D. de Vries, lecturer in political science at the Rand Afrikaanse Universiteit, giving a history of revolutionary groups in South Africa that wanted to effect radical change, said the most prominent of these were the ANC, the South African Communist Party, the South African Congress of Trade Unions and the Pan Africanist Congress.

Asked by Mr J. Jurgens, for the State, what the ANC's attitude to Ciskei was, Mr de Vries said it was opposed to the granting of independence to homelands and did not recognise them.

The case continues.

Mr Justice de Wet and two assessors are on the bench. Mr Jurgens is representing the State and Mr M. Moerane and Mr D. de la Hunt the accused.



077

# Policeman *Star 18/3/82* denies 'deal'

331

~~STAR~~

A political detainee had been promised he would be released if he made a statement and gave evidence against his friend, the Rand Supreme Court heard yesterday.

This claim was made by Mr G Bizos, SC, in cross-examination of Warrant Officer Pieter Seyffert at the trial of Mr Robert Adam (26) of Yeoville and Mr Mandla Themba (25) of Soweto.

Both have pleaded not guilty before the Judge President, Mr Justice Boshoff, to five charges under the Terrorism Act and the Internal Security Act.

Warrant Officer Sey-

ffert said he had intended using Mr Themba as a State witness to make his case against Mr Adam stronger but the Attorney-General of Transvaal did not accept this recommendation.

The policeman denied telling Mr Themba he would be the main witness and that his evidence would be heard in camera or that Mr Themba should not be worried as police were looking for "that devil Robert" (Mr Adam).

Mr Bizos then put it to him that he had promised to release Mr Themba if he made a statement and gave evidence against Mr Adam. The policeman denied giving this undertaking.

# Court hears blast plan

331  
18/3/82  
Court Reporter

THE investigation officer in the case in which two men are appearing on five charges under the Terrorism Act told the Rand Supreme Court yesterday that one of them, Mr Robert Martin Adam, had pointed out to police spots on the Brixton Tower where he had suggested that limpet mines be placed.

Mr Adam, 26, of Felicity Court, Yeo Street, Yeoville, Johannesburg, and Mr Mandla Themba, 25, of Jabulani, Soweto, pleaded not guilty to the charges before Mr Justice Boshoff.

It is alleged the two men are members of the African National Congress and that, during July last year, they went on a tour of the SABC-TV tower in Brixton, prepared a report on the installations and took photographs.

It is alleged they attempted to send the report and photos to the ANC to be used in destroying the tower and thereby endangering law and order in South Africa.

The men are also being charged with inciting a Mr Ghandi Badela to undergo military training.

They had also allegedly conspired to further the aims of the ANC in South Africa, to obtain support for the ANC in South Africa and to attempt to overthrow authority in the country by means of violence.

Warrant Officer P G Seyffert of the Security Police told the court that Mr Adam was arrested on September 22 last year.

On October 16 he took Mr Adam to the Brixton Tower where Mr Adam pointed out television transmitters on the first floor of a building attached to the tower.

Mr Adam had suggested in a report intended for the ANC that a limpet mine should be placed at that point. Mr Adam also pointed out a room where two temporary transmitters were housed. Mr Adam had also suggested that limpet mines should be placed there as well. WO Seyffert told the court.

WO Seyffert said that on October 19 he went to the tower with Mr Themba, who pointed out the entrance to the tower and part of the television transmitters, which, he said, he had photographed on Mr Adam's instructions.

Mr Themba made a statement on November 12. He had wanted to use Mr Themba as a witness against Mr Adam to make the case against him stronger. The Attorney-General decided otherwise, however.

WO Seyffert told the court that he had never made any promises to Mr Themba.

He denied that he had told Mr Themba he would be the main State witness and that he should not be worried because they were not looking for him but for "that devil Robert". He also denied he had told Mr Themba that most of his evidence would be heard in camera.

The hearing continues today.

# Khotso won't be charged again

1915/82  
331 Sowetan 18/3/82

SECURITY POLICE have denied they are investigating further charges against Sydney Khotso Seatlholo, the former Soweto student leader, who last week was convicted on charges under the Terrorism Act and sentenced to 15 years' imprisonment.

The police denial has discounted fears that further investigations would result in more charges, conviction and sentence to add to the effective 10 years Seatlholo is now serving.

Seatlholo and his co-accused, Masabata Mary Loate, were found guilty on two counts under the Terrorism Act by Mr A H Barlow in the Vanderbijlpark Regional Magistrate's Court last Thursday.

Seatlholo was sentenced to 15 years — five of which are to run concurrently — and Loate to 10 years, with

half her sentence running concurrently.

Seatlholo's family and legal representatives believed further charges were being investigated against the former student leader when he was re-detained by Security Police shortly after sentence was passed by Mr Barlow.

It was feared that the charges could arise

**By WILLIE BOKALA**

from information given to the police by Soweto student refugees who are reported to have returned to South Africa of their own free will.

Replying to a SO-WETAN inquiry, the Directorate of Public Relations for the police said from Pretoria that there were no investigations concerning Seatlholo which could lead to further charges being brought against him.



# Writing sample illegal, court told

*D. Dispatch* #A #A #A 128  
19/3/82 331

ZWELITSHA — One of the accused in a Ciskei terrorism trial, Mr Luyanda Mayekiso, had been removed from prison and taken to King William's Town to give a handwriting sample without his counsel having been consulted, the Ciskei Supreme Court here was told yesterday.

Advocate D. Delahunt was objecting to the calling of a police handwriting expert in the trial of Mr W. Mabone William Duna, 31, Mr Dumisani Bizette Maninjwa, 31, Mr Jeffrey Bayi Keye, 52, and Mr Luyanda Patric Mayekiso, 23, all of Mdantsane.

They have pleaded not guilty before the Ciskei Chief Justice, Mr Justice De Wet and two assessors, Mr B. Pohl and Mr F. Nel, to participating in terrorist activities, being members of the banned African National Congress (ANC), and possessing banned literature.

Mr Delahunt said the defence counsel had approached the Attorney General, Mr W. F. Jurgens, about the handwriting sample and he conceded that the police action had been wrong and agreed that the document had been obtained illegally.

Mr Jurgens said the police had made an error of judgment and had thought they were entitled to ask the accused for his handwriting specimen. They had

not attempted to force evidence out of Mr Mayekiso.

Mr Jurgens said the expert would lead evidence on the handwriting of Mr Maninjwa and not Mr Mayekiso.

Mr Delahunt objected and said the defence was not certain that the sample of Mr Maninjwa's handwriting had not been obtained in a similar manner. He asked that the matter be delayed so that he could consult with authorities on the matter. The police expert was told to stand down until the matter had been dealt with at a later stage.

Mr Delahunt and Mr M. T. K. Moerane, for the defence, sought an assurance that no member of the security police would do anything to the accused.

Mr Justice De Wet ruled that any police dealing with the accused must be through the counsel.

Yesterday morning, Mr E. D. de Vries, a lecturer in political science at the Rand Afrikaans University, gave an analysis of the banned documents allegedly dug out of the backyard of two houses in Mdantsane last year.

Mr De Vries said most of the publications had been written by the ANC and the South African Communist Party. They were pro-communist documents and advocated the use of violence as a means to topple the

present political system in South Africa. Some sought to spread the ideas of Marxism-Leninism as widely as possible. He said copies issued by Umkhonto Wesizwe, the military wing of the ANC, were an elementary guide to the manufacture of explosives. They were meant for underground distribution and this was indicated by the fact that the covers were fake.

Some of the pro-communist documents had a scientific element and he would recommend them for serious studies at postgraduate level, Mr De Vries said.

Other pro-communist publications were of a more propagandist character in the sense that Chinese Marxism and Trotsky's ideas were attacked from a Soviet Union perspective. They were presented from a pro-Moscow perspective.

On the constitution of the South African Allied Workers Union, Mr De Vries said that, with some small exceptions, it corresponded exactly with the constitution of the South African Congress of Trade Unions, which, though not banned, had allied itself with revolutionary elements.

Mr De Vries will be cross-examined by the defence counsel on Monday when the case resumes. — DDR

# Mystery over release of Security Act convict

*J. Dispatch*

19/3/82

JOHANNESBURG — A mysterious note in the file of prisoner Mr Michael O' Donovan says he will be deported after he is released today from The Fort where he is serving a 10-day sentence under the Internal Security Act.

But the authorities know nothing about the directive.

However, a Prisons Department spokesman at The Fort said yesterday Mr O' Donovan would be released today.

Mr O' Donovan, 21, a political science student at the University of the Witwatersrand, completes his 10-day prison sentence today after being convicted on charges under the Internal Security Act.

He holds an Irish passport and has permanent residence status.

A note in his prison file says he is to be deported, but no one knows who authorised the note.

A spokesman for the Department of Internal Affairs said yesterday

the matter would be "followed up".

He declined to comment further because, he said, the press was not entitled to information concerning a private individual.

Brigadier C. G. Matthee of The Fort said he was aware of the note, but that no deportation order had been issued as yet.

"As far as the prison is concerned, he is not being deported," he said.

Brigadier Hennie Muller, chief of the Johannesburg Security Police, said yesterday he was not aware that Mr O' Donovan was to be deported, and could not

confirm or deny it.

Mr O' Donovan's mother, Mrs Mary O' Donovan, is baffled. She said she had been told by prison authorities yesterday that her son would not be released because he was going to be deported.

Then they told her about the note.

Mrs O' Donovan was told by the Department of Internal Affairs yesterday that the matter would be investigated. She had the impression that the department had certain documents about her son.

She said she would take legal action if her son was not released. — DDC.



# Star 19/3/82

## Married memory

in Prison, from Pula-  
had been from talking except his representatives guards.  
police could been war-  
enior officer talked to  
gs would be tough for  
Bertrand.

**Polawayo**  
**dentist's**  
**3 January**  
**strikes**

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leland.

Police and security  
officers told the court  
they had infiltrated the  
group and been given  
details of a wide-spread  
plan of sabotage, inclu-  
ding the destruction of  
bridges and attacks on  
military camps.  
The others charged

are Dr Bertrand's son  
Stephen (23), Mr. Vic-  
tor Rodmore (21) and  
Mr. Allen Chauva (21).  
Stephen Bertrand and  
Mr. Chauva are former  
members of the FAPF,  
while Mr. Rodmore is a  
Polawayo municipal of-  
ficial.

Outlining Mr. Stephen  
Bertrand's defence, his  
lawyers claimed that  
because of extreme  
depression during his  
solitary confinement he  
had twice tried to kill  
himself.

### FEDERALIST

Dr. Bertrand, leader  
of the United People's  
Association of Malabo-  
leland, was questioned  
yesterday about his  
political career.

His party contested  
the 1980 general elec-  
tion on a federalist  
platform, advocating se-  
parate governments for  
Malabo-leland and Ma-  
shonaland. His candi-  
dates had all lost their  
deposits.

He had a very unsuc-  
cessful career in politi-  
cs, having lost his de-  
posit in the 1980 elec-  
tion and in the 1977  
election which brought  
Bishop Abel Muzorewa  
to power.

He also contested  
two municipal elec-  
tions, but was defeated.  
There were chuckles  
when he said: "Fortu-  
nately, for those I did  
not have a deposit."

He said: "Politics is  
completely strange to  
me."

The trial continues.

## of R11 000 coup pay

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promised a further  
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percent would be paid  
on the successful com-  
pletion of the mission  
and the balance if com-  
plete secrecy were  
maintained.

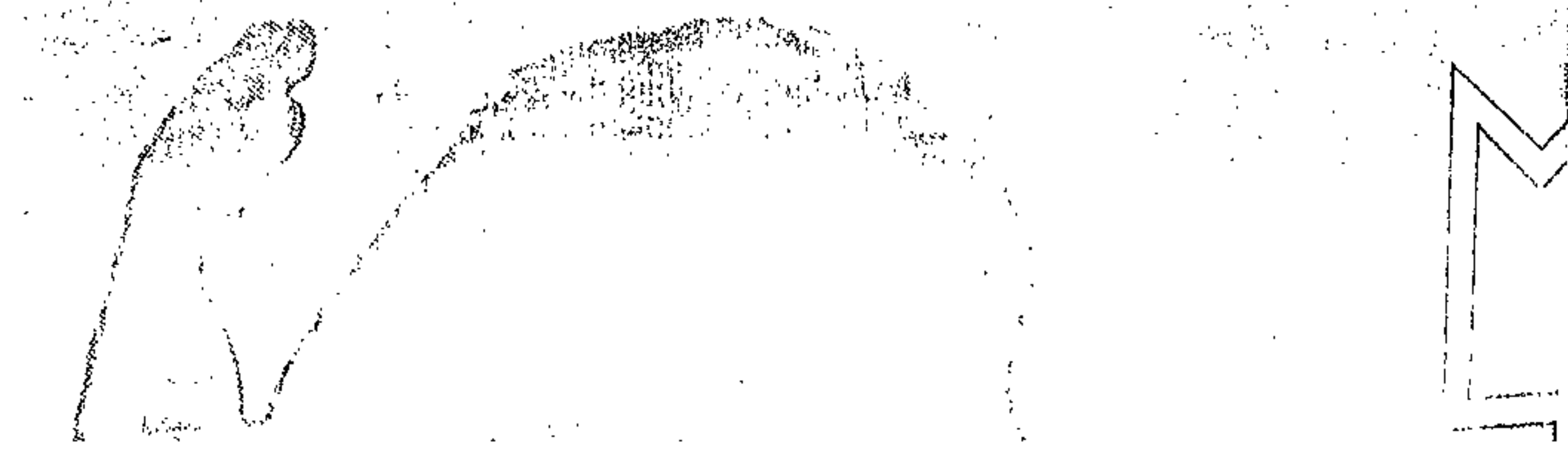
Mr de Jager told the  
court he was recruited

South African Govern-  
ment if they got into  
difficulties.

The aim of the  
mercenaries was to de-  
pose the Seychelles  
Government, he said.  
Specific objectives were  
to take over the air-

# Stan's THE

## SANYO PSYCHOLO COMES TO STAN'S



Star 19/3/82

(331)

An official...  
gan hearing voices  
in his mind...  
16th week of deten-  
tion, the Rand Sur-  
reme Court heard  
yesterday.

Mr Robert Adam  
(26) of Yeoville and  
Mr Mandla Themba  
(25) of Soweto have  
pleaded not guilty  
to charges under  
the Terrorism and  
Internal Security  
Acts.

Mr Adam had ad-  
mitted he had writ-  
ten a report for the  
ANC for an attack  
on TV equipment at  
Brixton Tower, Je-  
hamesburg.

Dr Jacobson said  
that on November 2  
Mr Adam com-  
plained that he had  
severe headaches,  
felt confused and  
was hearing his  
father's voice and  
other voices.

**EXPERT**

Dr Jacobson re-  
commended police  
to allow him more  
exercise and time in  
the open air.

Dr Carel van  
Rensburg, a bomb  
expert, said that if  
the explosives re-  
commended in Mr  
Adam's report had  
been planted the  
TV equipment and  
building could have  
been wrecked.

Mr Justice Ro-  
shoff adjourned the  
trial to Monday.

MOIDE  
WHAT A



# Police: TNT enough to crack tower

## Court Reporter

AN EXPLOSIVES expert told the Rand Supreme Court yesterday that the explosives Mr Robert Adam proposed for a plan to destroy television installations would have cracked the concrete of the Brixton tower — but would not have destroyed it.

Captain C P S J van Rensburg of the Security Police at John Vorster Square, was giving evidence before Mr Justice Boshoff.

Mr Adam, 26, of Yeo Street, Yeoville, and Mr Mandla Themba, 25, of Jabulani, Soweto, have pleaded not guilty to five charges under the Terrorism Act.

It is alleged they are members of the ANC.

The State alleges they toured the SABC TV tower in Brixton, prepared a report on the installations and took photographs.

They allegedly attempted to send the report and pictures to the ANC to be used in plans for destroying the tower.

It is also alleged that they:

- Incited Mr Ghandi Badela to undergo military training outside South Africa;
- Conspired to further the aims of the ANC and obtain support for the organisation in South Africa; and
- Conspired to attempt to overthrow authority in South Africa violently.

Capt Van Rensburg told the court that last October he inspected rooms housing the Brixton tower TV installations.

He read the report on the tower which Mr Adam had admitted he compiled, he said.

Mr Adam had suggested limpet mines should be placed against the transmitters.

Limpet mines were magnetic devices designed for use in naval warfare, Capt Van Rensburg said. One limpet mine could destroy a transmitter completely. In fact, it could have destroyed the whole room, he said.

Mr Adam had recommended about 13kg of TNT — this would have destroyed the entire housing of the installations.

The tower would have been damaged, but it was so massive it would not have been destroyed. Cracks would have formed in the concrete.

Dr L Jacobson, a Johannesburg district surgeon, told the court he examined Mr Adam and Mr Themba in September, after their arrest.

Mr Adam complained of a flu-like fever. He had a history of epilepsy. He said he had not been assaulted by police.

On subsequent visits Mr Adam complained of a sore throat and headaches.

On November 2, Mr Adam complained he had heard voices from the corner of his cell. He suggested Mr Adam needed more exercise.

On November 6, after Mr Adam had been given reading material, fresh air and exercise, he said the voices had disappeared.

Dr Jacobson said when he saw Mr Themba on September 23 he did not complain of being assaulted by police.

The trial continues today.

POH 19/3/82

331

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# Moves to foil sale of goods to the SADF

By JOHN MATISONN

WASHINGTON. — Democratic Congressmen and Senators are trying to turn around the Reagan Administration's relaxation on sales of goods to the South African Defence Force and police.

Senator Edward Kennedy and Congressman William Gray plan to introduce "sense of the Congress" resolutions, in the Senate and House of Representatives, opposing the new American regulations which allow the United States to sell goods which were prohibited under the Carter Administration.

The House African Affairs subcommittee leadership is considering introducing an amendment to foreign aid legislation which would bar the sale of non-military goods to the SADF and SAP.

A number of other American legislators plan to focus attention on the subject at public hearings, starting with today's Senate foreign relations committee hearing. Democratic Senator Paul Tsongas is planning to ask Administration witnesses about the regulations and the overall American policy of relaxing relations with South Africa, a spokesman for the Senator said yesterday.

The House Africa subcommittee has planned hearings which will focus on the overall all arms embargo towards South Africa, which has not been changed by the Reagan Administration.

A congressional aide said yesterday that the hearing would examine the case of Space Research Corporation, which fulfilled a R20-million contract to supply South Africa with a 55-mm artillery system between 1976 and 1978, while President Jimmy Carter was in office. Last year two company officials were convicted in an American court in that case.

The rising criticism of the new regulations comes as the Reagan Administration approaches a final decision on an application to sell the SA Air Force six air ambulances at a cost of R12-million.

The sale of the six twin engine Turboprops, for which two companies are competing, is seen as a test case of the benefits to the SADF of the new American approach.

The Administration is expected to approve the sale, sources said, in line with its policy of supplying goods to the SADF which do not have a direct military application.

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# 4 Wits students freed

Own Correspondent

## JOHANNESBURG.

Four University of the Witwatersrand University students were freed yesterday after serving an effective 10-day sentence under the Internal Security Act.

They are Miss Elaine Mohamed, 20, of Wanderer's Street, Newclare, Mr Benjamin Greyling, 20, formerly of Amyle Court, Smit Street, Mr Michael O'Donovan, 21, of Homestead Avenue, Randfontein, and Mr Leslie Lax, 23, of Hunter Street, Yeoville.

Mr O'Donovan's mother, Mrs Mary O'Donovan, was told by prison authorities earlier this week that her son, an Irish citizen, would be deported as soon as he had served his sentence.

However, he was released with the others yesterday, and according to his attorneys has not been issued with a deportation order.

Friends of the four held a party in their honour last night.

They were all detained for almost seven months before being sentenced by a Johannesburg Regional magistrate 10 days ago to 360 days imprisonment, 350 days suspended for five years.



# Mystery SA role in the Botswana kidnapping intrigue

S. Express 21/3/82

331

AN APPEAL has been noted in Botswana against the sentence of three men found guilty of kidnapping South African refugee Peter Lengene who denies he was kidnapped.

The appeal was filed in Gaborone on the instructions

## BID TO FREE THREE MEN CONVICTED OF ABDUCTION

By GORDON EDDEY

of a firm of lawyers in South Africa who will not disclose the identity of their client. The three men themselves did not initiate the appeal

but were told about it.

Mr Lengene was allegedly abducted from Gaborone on February 6.

But Botswana authorities

may still apply for Mr Lengene's extradition so he can face criminal charges for his alleged involvement in an attempted bank robbery.

The appeal is against the sentence of three men who were sentenced to four years' jail after pleading guilty to aiding and abetting the abduction of Mr Lengene.

They are: David Letswalo, 30; George Khoza, 36, and Daniel Kazebe, 32.

Letswalo was identified as a South African Police officer on the charge sheet, and Khoza as an SAP informer. Kazebe is an Angolan refugee living in Botswana.

The appeal against their sentence was noted after Gaborone attorney Mr Richard Lyons was instructed by the South African legal firm of Hofmeyr, Van Der Merwe and Botha.

The three men only found out about the appeal when they were told it was to be noted, according to informed sources.

This led to speculation that the appeal had been initiated by a South African Government department.

However, Mr Arthur de Kock, a partner at Hofmeyr, Van der Merwe and Botha, poured water on this speculation.

"The client for whom we are acting is not the Government. I cannot disclose any more details," he said.

At the same time as the appeal was discovered by the Sunday Express, another interesting allegation emerged.

The three jailed kidnapers were allegedly told they would be sentenced and then deported if they pleaded guilty.

But when sentence was passed they were jailed.

Now, say people in the le-

gal fraternity, the three men may have their sentences set aside on appeal. Alternatively, they could be deported, or would have to complete their jail terms.

On the subject of the attempted bank robbery which allegedly involved Mr Lengene, Mr Simon Hirschfeld, Botswana's Commissioner of Police, said Botswana police may apply for the extradition of the former refugee if enough evidence against him is gathered.

The case on the attempted robbery was not closed after two men -- Patrick Ledwada, 21, and Sehale Koko, 30 -- were sentenced to nine years' jail and nine strokes by Lobatse senior magistrate Mr Neville Chadwick.

Neither Mr Lengene nor a man named as Paul Mokgethe appeared at the trial.

Meanwhile, the whereabouts of Mr Lengene in South Africa is still shrouded in mystery.

His mother, Mrs Evangelina Lengene, claims he is still in police hands.

But an interview was published last week in which Mr Lengene claimed he was a free agent.

Police have stood by their original statement: "No person with the name furnished is being detained in terms of security legislation in South Africa."

"A person with a similar name is, however, assisting police in the investigation of alleged offences and persons have already been arrested and offensive weapons discovered."

Mr Herbert Lengene, 25, brother of the former refugee, said two weeks ago Mr Peter Lengene was not helping police with any investigations.

# PAC trying to unite with ANC: witness

*V. Dispatch*  
23/3/82

331

ZWELITSHA — The banned Pan Africanist Congress under the new leadership of a Mr Phokela was trying to join up with the outlawed African National Congress according to newspaper reports, a political scientist from the Rand Afrikaans University, Mr I. D. de Vries, said at the Terrorism Act trial in the Supreme Court here yesterday.

Mr De Vries was being cross-examined by Mr D. Delahunt during the trial of four Mdantsane men.

Mr William Mabone Duna, 31, Mr Dumisani Bizette Maninjwa, 31, Mr

Jeffrey Bayi Keye, 52 and Mr Luyanda Patrick Mayekiso, 23, all pleaded not guilty before the Ciskei Chief Justice, Mr Justice De Wet and two assessors, Mr E. Pohl and Mr F. Nel, to participating in terrorist activities, being members of the ANC and possessing banned literature.

Mr De Vries was cross-examined at length by Mr Delahunt on why he said the PAC was part of the revolutionary alliance with the ANC, the South African Congress of Trade Unions (Sactu) and the South African Communist Party (SACP).

He said the PAC was part of the revolutionary alliance in the general sense of the word alliance because like other movements, it wanted to bring about a revolutionary change of the political system in South Africa.

He agreed that the PAC did not work hand-in-hand with the other organisations that formed the revolutionary grouping.

It was not part of the alliance in the strict sense of the word alliance.

He conceded that

there was rivalry between the PAC and the ANC.

Mr Delahunt put it to Mr De Vries that Sactu was not a revolutionary organisation but a trade union and that it was perfectly legal.

Mr De Vries agreed it was a legal organisation but said it had aligned itself with revolutionary movements like the ANC and the SACP and it also advocated the use of violence on a few occasions.

Asked for facts indicating the alliance between Sactu and the other revolutionary groups, Mr De Vries said

he based his conclusion on the publication of the three movements which were the main pieces of the organisations.

He denied that the utterances in the mouth pieces of the organisations.

He had seen no treaties signed by these groups but the revolutionary alliance held executive meeting together to discuss day-to-day working and sat together on the revolutionary council.

The trial continues tomorrow. — DDR



# Charges against (331) *Mercury 23/3/82* singers dropped

Political Reporter

CHARGES against about 42 students from the Federal Theological Seminary at Edendale, under the Riotous Assemblies Act — laid after they had sung hymns in the grounds of the Anglican Cathedral in Pietermaritzburg in protest against last year's Republic celebrations — have been withdrawn.

Dr S Dwane, college principal at the seminary, said yesterday the students had been told by their lawyer on Friday

that the charges had been dropped.

The students were to have appeared in the Magistrate's Court tomorrow.

The charge arose from an incident during a procession through the streets of Pietermaritzburg in May when the students gathered in the cathedral grounds and sang hymns as the procession wound past. They were warned to disband.

The students appeared at a preliminary hearing last November and the case was adjourned until tomorrow.



**FIELD**

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Liggett & Myers Tobacco Company, U.S.A.

his disciples out to all. Believers of all races are to be together in the family of God.

'The Christian religion either abolishes or transcends human barriers which tend to set race against race or group against group,' the pamphlet adds, in quoting Galatians 3:26-28, and Ephesians 2:13-16.

Rejecting common arguments in defence of race prejudice, the pamphlet states that God confounded the builders of the Tower of Babel, 'but not one word is said about race and the concept of race is not in the (Scriptural) passage.'

The teaching of the Bible is summed up in Jesus's teaching to love God and 'love thy neighbour as thyself.'

Giving 'practical suggestions' for personal, business, church and other action to abolish racism, the Baptist Church calls for Christians to set an example in relating to all people and to seek friendships across racial lines.

'Support legislation and legislators in the passing of laws promoting racial justice, and oppose those who exploit prejudice for political gain.'

'Shun violence and promote respect for the law, doing everything possible as a Christian citizen to make sure that legal structures do not become tools in the hands of those who would promote discrimination.'

## Frelimo may change name

Argus Africa News Service

MAPUTO. — Frelimo should change its name, a two-day party conference has recommended.

The conference suggested the change because of the name being 'constantly distorted' abroad. It did not suggest a new name, but recommended that the revised title include the word Frelimo.

## Court rejects claims by two

Argus 23/3/82

331

IN a trial within the Mpetha trial in the Cape Town Supreme Court today, Mr Justice Williamson ruled that statements by two of the accused were admissible.

Mr Oscar Mpetha, 72 and 18 other men are facing charges of murder and terrorism arising from events near Crossroads in August 1980.

The hearing began more than a year ago.

Two of the accused, Mr Aaron Tshangana and Mr Johannes Hlapo, said they had made confessions after they had been promised that they would be released if they made satisfactory statements. Mr Hlapo said he had been assaulted by the police.

Mr Tshangana said he was anxious not to lose his good job so he decided to 'play along with the police.'

Mr Justice Williamson said he was satisfied that evidence by the accused about threats and promises were false and it had been proved beyond reasonable doubt that the confessions they made were given 'freely and voluntarily in their sound and sober senses and without being unduly influenced.'

Mr Hlapo made a confession to a Wynberg magistrate on the day that he was arrested.

According to Mr Hlapo, he was assaulted and forced to confess during interrogation at Bishop Lavis.

Mr Hlapo also said that on the way to the magistrate he was threatened by two policemen that if he did not tell the magistrate what the police had told him to say 'he would be shot and his parents would never find his body'.

Mr Justice Williamson said Mr Hlapo was an 'appalling witness'. He was evasive and frequently would not answer questions.

Mr Hlapo often clasped his hands to his head and complained that detention had affected his mind.

Mr Justice Williamson said 'This was obviously put on in an attempt to avoid answering difficult but straightforward questions.'

He said Mr Hlapo had decided to surrender himself to the police and it was 'highly probable that, in these circumstances he was in a confessing state of mind and did not have to be softened up, as it were, by assaults or threats or promises'.

(Proceeding)

Mr J. Slabbert with Mr C. J. van Wyk appeared for the State. Mr J. Whitehead (instructed by Frank. B. Breda) and J. J. J. appeared for Mr Mpetha. Mr T. L. Skweyiya and Mr N. Willis (instructed by A. M. Omer) and Wassen appeared for the other accused.

## The killer killed

Argus Africa News Service

SALISBURY. — It was a case of the hunter hunted when a cobra killed in Bulawayo was found to contain a fully grown mongoose in its stomach.

The weight of the mongoose in its stomach meant the two m long cobra was not able to move in time — and was beaten to death by domestic workers.

## 'Steptoe' Corbett dies, 57

Argus Bureau

LONDON. — Harry H Corbett, star of one of the most popular British television series of the '60s and early '70s, has died in hospital after a heart attack.

The actor, who was once married to South African actress Sheila Steafel, will always be remembered here as young

Steptoe, the blustering, father-dominated son of Wilfred Brambell in the 13-year long series 'Steptoe and Son.'

For most of those 13 years Corbett resented being identified with the hapless bachelor rag-and-bone man. 'Harold Steptoe is emotionally retarded,' he once said.

Corbett was born the son of a British army ser-

geant-major in Burma 57 years ago and grew up in Manchester.

He was established as a classical actor with Paul Scofield's Shakespearean company when in 1962 he was offered his first comedy role by the BBC — Harold Steptoe.

Although he returned to the Shakespearean stage, the public would not forget Steptoe.



# 8 appear on arms charge

(331)  
23/3/82

PRETORIA — Eight people will appear in the magistrates' court tomorrow in connection with charges of contravening the Arms and Ammunition Act.

Brigadier H. H. du Plessis, the Northern Transvaal CID chief, said yesterday the eight people were among 15

Pretorians who had been questioned in connection with the contravention of the Act.

He said the eight were not in police custody, but had been summonsed to appear in court after weapons were found in their possession "or elsewhere."

— DDC.

~~331~~ 331 Hansard Q. 601. 478  
Internal Security Act  
479 24/3/82  
379. Mrs. H. SUZMAN asked the Minister of Law and Order:

- (1) How many persons were charged with offences under the Internal Security Act in the second half of 1981:
- (2) how many of them (a) were (i) released without trial, (ii) acquitted and (iii) convicted of lesser offences and (b) are still on trial or awaiting trial;
- (3) for what period was each person de-



# Duress plea of witness rejected

Staff Reporter

TWO accused in the Mpetha trial were not forced by police to give evidence before a magistrate, a Supreme Court judge ruled yesterday.

He was giving judgment in a trial within a trial, to determine the admissibility of evidence heard by a Wynberg magistrate after the two men, Mr Aaron Tshangana and Mr Johannes Hlapo, had alleged they had given evidence under duress.

Mr Oscar Mpetha and 18 others face charges of murder and terrorism following incidents near Crossroads in August 1980. The case has been running for 117 days.

At a previous hearing, Mr Tshangana alleged he had given evidence after a threat from a police officer that he would "rot in jail" till he made a statement satisfactory to the police.

Mr Justice Williamson said he had been persuaded that there was "no reasonable possibility of the accused's version being true or even substantially true".

## 'Poor witness'

The reasons he gave for his conclusion were that Mr Tshangana had made no complaint when he was not released by the police, as he had been promised, and that he was a "very poor witness when it came to trying to explain his behaviour about the promise".

Mr Hlapo alleged that when he was interrogated at Bishop Lavis on the morning of his arrest, he was assaulted and forced to confess.

He also said he had been told that if he did not tell the magistrate what he had been told to say by the police, he "would be shot and his parents would not find his body".

## 'Evasive'

Mr Justice Williamson said Mr Hlapo "was evasive and frequently wouldn't answer the questions put to him".

He said Mr Hlapo would "clasp his hands to his head and complain that detention had affected his mind". This was "obviously put on" in an attempt to avoid answering difficult but straightforward questions.

Mr Justice Williamson, commenting on Mr Hlapo's evidence, said: "He was an appalling witness who was a complete stranger to the truth."

The hearing continues today.

Mr J Slabbert, with Mr C J van Wyk, is appearing for the State. Mr I G Farlam, SC, assisted by Mr J Whitehead and instructed by Frank, Bernadt and Joffe, appears for Mr Mpetha. Mr T L Skweyiya appears for 12 of the accused, Mr J Whitehead for four and Mr N Willis for two. All instructed by A M Omar and company.

D. Disputch 24/3/87 (331)

# Terror trial: hearing in camera requested

Year	<p>ZWELITSHA — The Ciskei Attorney-General Mr W. F. Jurgens, applied for yesterday's hearing of the Terrorism Act trial to be held in camera and for the Press to be prevented from disclosing the names of the state witnesses he wanted to call.</p> <p>Appearing before the Ciskei Chief Justice, Mr Justice de Wet and two assessors, Mr B. Pohl and Mr F. Nell, are four Mdantsane men charged with participating in terrorist activities, being members of the banned African National Congress and possessing banned publications.</p> <p>Mr William Mabone Duna, 31, Mr Dumisane Bizette Maninjwa, 31, Mr Jeffrey Bayi Keye, 52, and Mr Luyanda Patric Mayekiso, 23, have pleaded not guilty to the charges.</p> <p>Mr M. T. K. Moerane and Mr D. Delahunt, for the defence, told the court they had been taken by surprise by the evidence that the state was going to lead and asked for an adjournment to take instructions from the accused. When the court reconvened it heard that the defence wanted more time.</p> <p>Mr Moerane and Mr Delahunt indicated to the court that they were opposed to the application for the hearing to be held in camera. The case was postponed until this morning.</p> <p>No ruling was given on the request. — DDR.</p>				Total
1970					
1971					
1972					
1973					
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1975					
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## Charges <sup>Schreier</sup> withdrawn <sup>24/3/82</sup>

THE STATE yesterday withdrew charges against 50 women and a man who appeared in the Benoni Regional Court on charges under the Riotous Assemblies Act.

They appeared before Mr L G Kotze, charged with holding an illegal gathering in Wattville, near Benoni, on October 7 last year. This was their third appearance and they had previously pleaded not guilty.

They were arrested as they were marching out of the Wattville Community Council Chambers after handing over a petition in protest against rents.

Withdrawing the charges, Mr Kotze said the State was doing so "for humanitarian reasons".

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# Dispatch 25/3/82 Sock stuffed with letters court told

ZWELITSHA — A prison officer told the Ciskei Supreme Court yesterday he had found a sock stuffed with letters written on toilet paper and newspapers at the Fort Glamorgan Prison in East London.

Warrant Officer E. G. Gillmer was testifying in the Terrorism Act trial of four Mdantsane men, Mr William Mabone Duna, 31, Mr Dumisani Bizette Maninjwa, 31, Mr Jeffrey Bayi Keye, 52, and Mr Luyanda Patric Mayekiso, 23.

They have pleaded not guilty before the Ciskei Chief Justice, Mr Justice De Wet, to participating in terrorist activities, being members of the banned African National Congress and possessing banned literature.

W/O Gillmer said he was in charge of the single cell section at the prison on January 30. He took the four accused from their cells to go and wash. Before taking them out he checked in the cell where toiletries were kept to see if there were any letters and did not find any.

After the accused had finished washing and had been locked up in a cell, he went to investigate if they had left any letters after washing.

He found a sock and inside it were letters, one written on toilet paper and others on newspapers. One started: "Comrade I greet you."

He removed the sock and the letters. Later he searched the cells of the accused while they were out exercising and found a matching sock in Mr Mayekiso's cell.

He later handed the letters to the investigating officer, a Lieutenant Van Wyk, of the Special Branch.

Under cross-examination by Mr D. Delahunt and Mr M. T. Moerane, for the defence, he said he did not take the matching sock from the cell but left it there. He did not know what happened to it later.

Asked by Mr Delahunt why he had not taken the matching sock to establish a link, he said he was not the investigating officer.

Mr Delahunt said he found it inconceivable that he did not take the sock to establish the link. W/O Gillmer said he had told Lt Van Wyk about it and been told he should leave it in the cell.

W/O Gillmer said he

recognised the particular pair of socks as Mr Mayekiso's because he had seen them among the washing and had also seen him wearing them.

W/O Gillmer said he did not report the finding of the letters to the officer commanding the prison because he was off for the weekend. He had instructions from him that should he find such letters in the officer's absence, he should contact the Special Branch.

Mr Moerane suggested that he did not report to the acting officer because he did not find the letters. W/O Gillmer said he did find them.

W/O Gillmer denied he was not on duty that day.

Asked how many pairs of socks belonging to Mr Mayekiso and the other accused he knew of, he said he did not count prisoners' socks. He said he remembered the pair in question only.

The letters allegedly found in the sock were read into the court record.

A ruling whether certain witnesses should testify in camera has not been given yet.

The case continues today. — DDR.

# Brixton

# Tower case

By Rashid Chopdat

A photo-journalist has told the Rand Supreme Court he was asked by the Security Police to be a State witness after he had been leg-ironed.

Mr Mandla Themba (26) of Soweto was giving evidence yesterday in his defence before Mr Justice Boshoff. He was appearing with Mr Robert Martin Adam (26) of Yeoville on charges under the Terrorism Act and the Internal Security Act.

One of the allegations was that they had visited the Brixton Tower and prepared a report and submitted photographs to the banned African Nation-

al Congress to help it destroy the TV tower.

Mr Themba said he was arrested on September 22 last year under the General Laws Amendment Act and taken to John Vorster Square. The next day leg irons were put on.

## DENIAL

Major Arthur Cronwright had told him: "The game is up. We know everything about the tower."

Mr Themba said that after he denied he was a member of the ANC, Major Cronwright told him that he would be used as a state witness if he did not lie.

Warrant Officer Ray-

## 'I was offered witness status'

mond Mapope had told him he did not know what happened on the 10th floor of John Vorster Square and that it was in his interest to co-operate.

"I am scared because it will be published in the newspapers that it was I who had killed Robert."

Warrant Officer Mapope had said it could

be arranged to hear his evidence in camera.

Mr Themba said he had agreed to be a State witness because he had been told that he would be released and not be charged.

He said that before he was taken to a magistrate he was told by Warrant Officer W Smith to mention a few things in his statement.

These were that he was a member of the ANC; he was recruited by Mr Adam; they went to the tower; Mr Stanley Maseko was an ANC member; Mr Adam sent photographs to the ANC high command; and that the purpose of the visit to

the tower was to prepare a report to destroy it during November.

Mr Themba said he was shocked when the magistrate told him his statement could be used as evidence against him. He had made a statement but did not mention he was a member of the ANC.

Mr Themba admitted taking photographs at the tower. He said the purpose was to write articles.

The trial continues.

Mr A J de Klerk appears for the State. Mr G Bizos SC and Mr D Soegot instructed by Mrs P Jans are appearing for the defence.



26/3/82 J. Dispatch (331)

# Court grants interim order for witnesses

ZWELITSHA — An interim order forbidding the press from publishing the names of 16 state witnesses named in the charge sheet was granted by the Ciskei Chief Justice, Mr Justice De Wet, in the Ciskei Supreme court here yesterday.

This followed an application by the Attorney General, Mr W. F. Jurgens, during his application for an order that certain witnesses he wished to call should testify in camera.

Four Mdantsane men, Mr William Mabone Duna, 31, Mr Dumisani Bizette Maninjwa, 31, Mr Jeffrey Bayi, 52 and Mr Luyanda Patric Mayekiso, 23, have pleaded not guilty to participating in terrorist activities, being members of the African National Congress (ANC) and possessing banned literature.

The state had applied that part of the hearing should be held in camera and that the press should be prohibited from disclosing some of the names of the state witnesses.

Mr Justice De Wet gave an interim order that the names, identities and addresses of the state witnesses from 21 to 37 should not be published in newspapers or any other form until such time that he had given his ruling on the state's application that part of the hearing be in camera.

He will give his ruling today.

In his application Mr Jurgens said he wanted to protect the witnesses against possible harm. The banned ANC had threatened to eliminate traitors, stooges and informers. He agreed with the defence counsels that such an order could not be totally effective but said the court should make it difficult for the ANC and the public at large to take potshots at the witnesses.

He did not seek a blanket order but would give a brief outline to the court about each witness to be called for the court to decide whether the witness' evidence should be given in camera or not.

Mr Jurgens said the accused were facing serious allegations and although he did not want them to be prejudged, they were being charged among other things for trying to influence people to be sympathetic to the ANC and also to recruit them for military training.

The people they were alleged to have recruited for military training would not deal leniently against those who testified.

Mr D. Delahunt for Mr Duna and Mr Maninjwa, argued that no matter how much the attorney general tried to protect the identities of the witnesses, the order, if it were granted, could not be totally effective.

It would be a futile exercise and would not afford those witnesses protection.

None of the state witnesses had been brought forward to say whether they were afraid to testify in public and asked for protection.

Mr Moerane for Mr Keye and Mr Mayekiso said that it had not been shown that the state witnesses might be harmed.

The evidence of Lieut-Col L. L. Nonhonho, of the Ciskei Central Intelligence Service who had been called by the state in support of its application, had been neutral and had shown that the opposite direction was being taken in the Ciskei to what the state feared.

He said there was no connection between the ANC and the violent incidents that happened to the police from 1980.

The incidents were random events that happened at Mdantsane. There was no evidence from Col Nonhonho that harm might come to people testifying.

Mr Moerane said that according to the documents produced in court, the targets were spies, security police, police agents and informers.

Witnesses the state wanted to call did not fall within the ANC target categories.

In his reply Mr Jurgens said he had consulted the state witnesses and he would not have made his application without consulting them. ANC threats were directed to the Ciskei as well. — DDR.





MR. PILLAY

## Jailed student freed

331  
P. Disputch  
27/2/82

EAST LONDON — A former Rhodes University social science student, Mr Devan Pillay, who served a year in prison for involvement with the banned African National Congress, was yesterday released and spent the day with an aunt in Johannesburg.

His mother, Mrs Daya Pillay, said from the family's jeweller shop here that she had spoken to him over the telephone and he sounded fine.

Mrs Pillay said her son seemed to have one thing on his mind — his studies.

He had written examinations and passed at the end of 1980 and 1981.

In 1980 while he was still in detention in Port Elizabeth he wrote Rhodes University examinations and followed these up with others for the University of South Africa last year.

She said he had registered to study four courses under the University of South Africa this year.

Mr Pillay was convicted in the regional court, Port Elizabeth, in March last year with a Rhodes University journalism lecturer, Mr Guy Berger.

Mr Pillay was sentenced to an effective two years' imprisonment, reduced to one year on appeal.

He is due back home tomorrow, his mother said. — DDR

# Security police free seven detainees

(327) CARL TIMES 27/3/82

Own Correspondent

JOHANNESBURG — Seven detainees were released from security police custody yesterday, including Dr Liz Floyd, girlfriend of trade unionist Dr Neil Aggett who died in detention.

Another detainee is expected to be released today and three have been charged under the Terrorism Act.

The detention of several detainees has been switched to Section 12(b) of the Internal Security Act, but security police refused to say how many were involved and who they were.

The clause allows for the detention of possible State witnesses, but the Attorney-General of the Transvaal can order the transfer of detainees at his discretion.

Seven people — who have spent up to six months in solitary confinement in terms of Section Six of the Terrorism Act — were released yesterday morning.

Another detainee, Miss Rene Roux, is expected to be released today and discharged from the Johannesburg Hospital, where she has been receiving treatment since mid-February.

Miss Roux is a project worker at the SA Institute of Race Relations.

Those released are Dr



Dr Liz Floyd after being released yesterday.

Floyd (held since November 26, 1981), Mr Morris Smithers (November 25, 1981), of the Environmental Development Agency, Mr Nicholas (Fink) Hayson (November 26, 1981), of the Centre for Applied Legal Studies at the University of the Witwatersrand, Mr Colin Purkey (November 26, 1981), a student and researcher, and students Mr Keith Coleman (October 24, 1981), Mr Clive van Heerden (October 24, 1981), and Miss Debbie Elkon (November 26, 1981).

Most of the former detainees spent last night

with their families, except Dr Floyd, whose Cape Town-based parents are on holiday in Plettenberg Bay.

Dr Floyd is staying with friends in Johannesburg, who said she was adjusting to her release and had made no plans.

Relatives said the former detainees were well, some were tired and others exhilarated.

The Detainees' Parents Support Committee (DPSC) said in a statement last night it could not rejoice until all detainees were released.

## Woman, 2 men in court

Own Correspondent

JOHANNESBURG. — After several months in detention, three detainees were brought to court yesterday and charged under the Terrorism Act.

Miss Barbara Hogan, Mr Alan Fine and Mr Cedric Mayson appeared briefly in the Johannesburg Regional Court yesterday. All were then returned to the cells.

They were charged under Section 2 (1) (a) of the Terrorism Act. No details of the charges against them were available. The prosecutor, Mr W J Hanekom, said the Attorney-General had said bail could not be granted to the three, in terms of Section 12 (a) of the Internal Security Act.

### Postponed

Mr Hanekom asked for the case to be postponed to April 30 this year. Miss K Satchwell, who appeared for the three, agreed.

Shortly after the three had been led into the dock, 10 uniformed policemen marched in and stood in a row between them and the gallery.

Miss Hogan and Mr Fine were detained on September 24 last year and Mr Mayson on October 27.

All three are being held under Section 6 of the Terrorism Act.



*D. Dispatch 27/3/82 (331)*  
**Terrorism trial postponed**

ZWELITSHA — The Ciskei Terrorism Act trial of four Mdantsane men was postponed to May 10 in the Ciskei Supreme Court yesterday.

Mr William Mabone Duna, 31, Mr Dumisani Bizette Maninjwa, 31, Mr

Jeffrey Bayi Keye, 52, and Mr Luyanda Patric Mayekiso, 23, have pleaded not guilty before the Ciskei Chief Justice, Mr Justice De Wet, to participating in terrorist activities, being members of the banned

African National Congress and participating in terrorist activities.

A ruling will be given when the case resumes whether certain witnesses should testify in camera or not. — DDR.



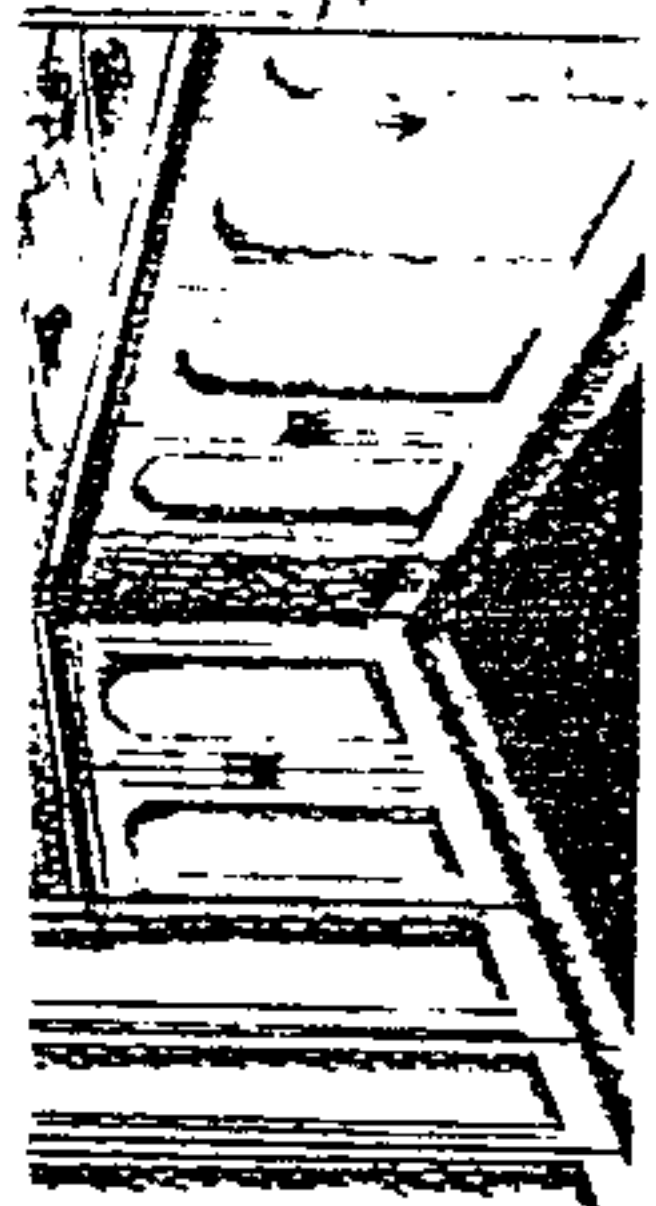
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SUNDAY EXPRESS March 28 1982

## LIFE BEHIND BARS

THE Sunday Express today reveals the plight of a 27-year-old man who has been held in police custody for more than two years, charged only with refusing to give evidence in a terrorism case involving two youths who were later acquitted.

Mrs Helen Suzman, Progressive Federal Party spokesman on Justice, said she was "deeply disturbed" and would refer the matter to the Minister of Justice, Mr Kobie Coetsee.

Mr Modika Tatsa, 27, was first detained in December 1979 when he was a Standard 6 pupil.

Police approached Mr Tatsa for information about his best friend, a Soweto pupil who was missing.

Shortly afterwards, Mr Tatsa was detained under Section 6 of the Terrorism Act. He was held in custody for more than six months before being charged in June 1980.

He was due to come to trial in July, but charges against him were dropped "because there was no evidence against him," said his father, Mr Petrus Tatsa.

"We received a telegram saying he was coming home. But we waited and he didn't come. Then I went to John Voster Square, and they told me he had been re-detained."

Mr Tatsa was re-detained under Section 6 of the Terrorism Act. He was later called to give evidence in Ermelo against two detainees, R Nkuntalo and R Didiu, also charged under the Terrorism Act.

But when he refused to turn State witness, Mr Tatsa was charged with refusing to give evidence and was brought to trial. He was convicted and given a three-year sentence.

The two accused were later acquitted. Mr Tatsa's lawyers lodged an appeal against his sentence, which was reduced to 12 months. He was due to be released on Monday but was re-detained as he left the prison.

His father described Mr Tatsa as an "obedient boy" who had "many jokes with his brother and sisters". He said he and his wife had only seen Modika seven times

# Third time around for a man who wouldn't give evidence

HELENE ZAMPETAKIS traces the facts behind a detainee who has now been held more than two years

during his 28 months in detention.

"We are old and it's not easy for us to drive long distances. But my wife saw him before he was due to be released, and he told her to buy

him some new clothes for when he came out.

"We were very happy that he was coming home. I drove out to the prison to fetch him with my daughter. As we entered the prison, my daughter saw him and jumped out of the car to meet him.

"Then we saw that he was with three plainclothes policemen. He looked terrible. He didn't speak. He stared like someone in shock. Then

he was in the car and they drove away."

Mr Tatsa is now being detained under Section 10 1A of the Internal Security Act, which allows for indefinite detention.

His father said he was "extremely worried" about his son. "I don't know if he has done something in prison or if they are investigating something else. We want to know if he is still all right."



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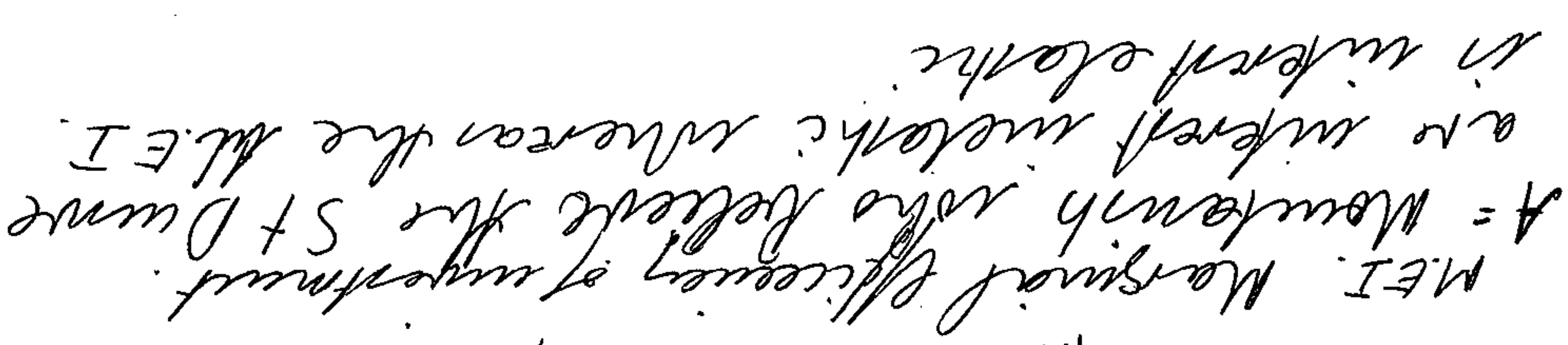
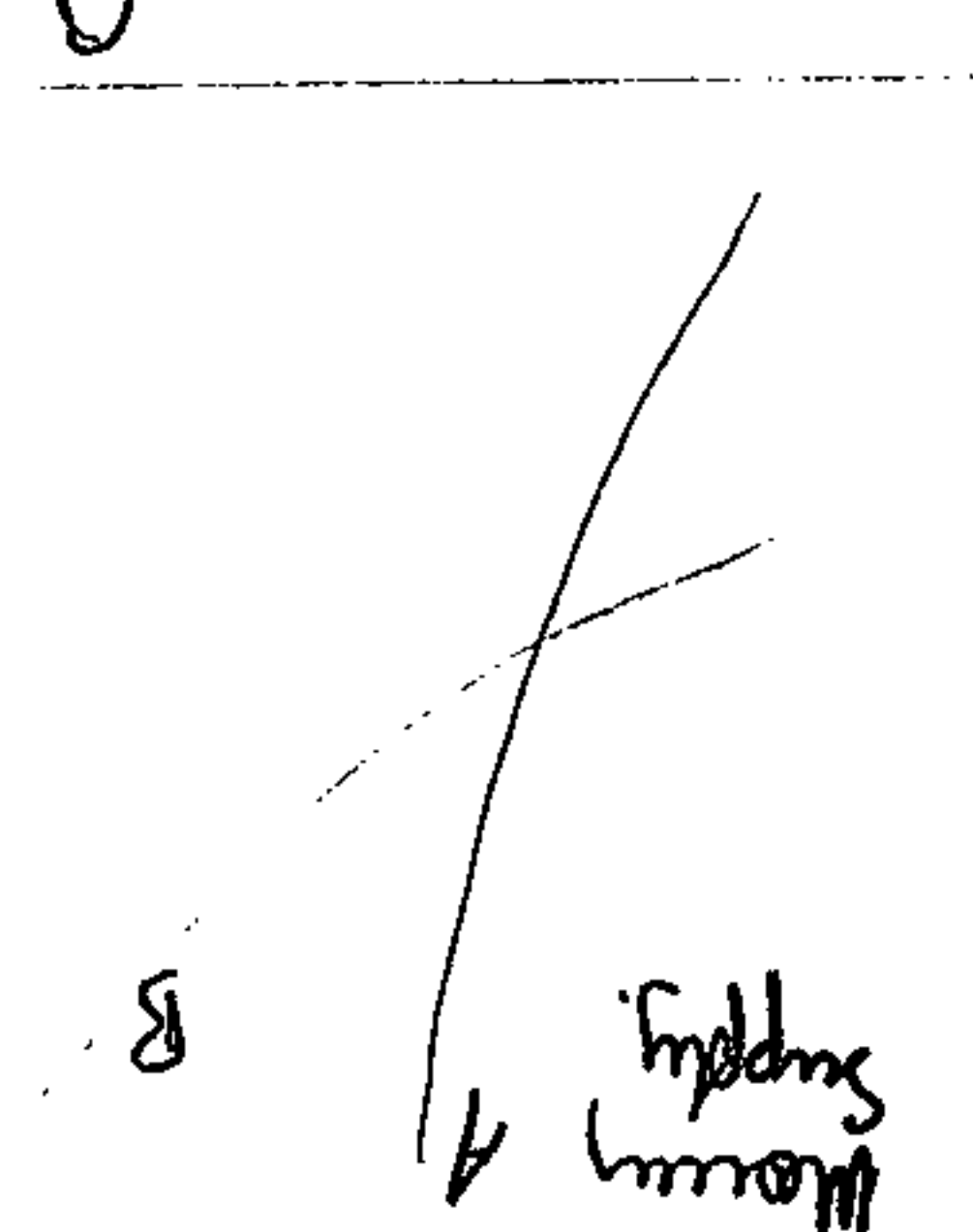
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# TO TALITARIANISM — POLITICAL TRIALS

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1 APRIL 1982 — 30 JUNE 1982

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# Promises 'made defendant talk'

## Court Reporter

A DEFENDANT-facing five charges under the Terrorism Act was persuaded to make a statement by police promises he would be made a State witness, the Rand Supreme Court was told yesterday.

Mr. George Bizos, SC, said Mr. Mandla Themba, 25, had been "unduly influenced" to make the statement.

Mr. Themba is on trial with Mr. Robert Martin Adam, 26, of Felicity Court, Yeo Street, Yeoville. Both have pleaded not guilty to the charges.

They are alleged to be ANC members and to have visited the SABC-TV Brixton tower last July, taken photographs and prepared a report.

They tried to send the report and photos to the ANC for use in destroying the tower and endangering law and order in South Africa.

They are also charged with inciting Mr. Ghandi Badela to undergo military training

which could be of use to anyone intending to endanger law and order.

In addition, they are accused of conspiring to further the aims of the ANC in South Africa, to obtain support for the ANC and to attempt to overthrow authority by violent means.

Mr. Bizos said yesterday Mr. Themba had made a statement to a magistrate while in Security Police custody. He made the statement only after promises that he would be made a State witness.

If the statement was inadmissible, the State could not ask for a conviction, he said.

Mr. Themba had admitted not telling the magistrate the truth. There was no doubt he had been unduly influenced, Mr. Bizos said.

According to Security Police evidence, nobody had asked Mr. Themba about the photographs and nobody had investigated the case, he said.

# Convicted

ARGUS  
man

shouts

331  
'amandla'  
from dock

Argus Correspondent

JOHANNESBURG —

After a Johannesburg Regional Court magistrate had sentenced three men to one year's jail each for harbouring a maximum security prisoner who had escaped from Pretoria Central, one of the accused, Parmanathan Naidoo, turned to the packed gallery, raised a clenched fist and shouted 'amandla.'

As the people in the gallery responded with a united shout of 'amandla,' a court orderly pushed Naidoo down the steps leading to the cells.

The second accused, Shirish Nanabhai, was grabbed from behind by the orderly and told to go down the steps.

Naidoo, 37, and Nanabhai, 44, both of Lenasia and Michael Jenkin, 31, of Berea, had pleaded guilty under the Prison's Act to harbouring Stephen Bernard Lee after his escape.

## SENTENCE

The magistrate, Mr I J J Luther, sentenced the men to three years' imprisonment, two years being conditionally suspended for five years.

Lee had been convicted under the Terrorism Act and sentenced to eight years jail in June 1978. He escaped in December 1979 and fled the country.

Statements on behalf of the three men were handed to the court. Mr D Kuny, who represented Naidoo and Nanabhai, said that in December 1979, Nanabhai was contacted by Jenkin. Jenkin told him of his escape.

## KNEW LEE

Lee was known to Nanabhai before Lee's conviction. Jenkin asked Nanabhai for a place to keep Lee. In turn Nanabhai asked Naidoo for a place.

Naidoo arranged a venue and Lee was fetched from a Germiston hotel where he had been hiding. Jenkin paid for the hotel room and gave Lee clothes.



# 3 jailed for role in Lee breakout

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By Michael Tisong,  
Court Reporter

After a Johannesburg Regional Court magistrate had sentenced three men to a year in jail for harbouring a maximum security prisoner who had escaped from Pretoria Central Prison, one of them, Parmanathan Naidoo, turned to the packed gallery, raised a clenched fist and shouted: "Amandla!"

As the people in the gallery responded with a shout of "Amandla," Naidoo was pushed down the steps to the cells by a court orderly. The second accused, Shirish Nanabhai, was grabbed by the burly orderly and told to go downstairs.

Naidoo (37) and Nanabhai (44), both of Lenasia, and Michael Jenkin (31) of Berea, pleaded guilty under the Prisons Act to harbouring Stephen Bernard Lee after his escape from prison.

The magistrate, Mr J J Lutter, sentenced each of the men to three years' imprisonment, of which two years were conditionally suspended for five years.

Lee had been convicted under the Terrorism Act and sentenced to eight years' jail in June 1978. He escaped from Pretoria

Central Prison in December 1979 and fled the country.

Mr D Kuny, representing Naidoo and Nanabhai, said that in December 1979, Nanabhai was contacted by Jenkin who told him of Lee's escape.

Lee was known to Nanabhai prior to Lee's conviction. Jenkin asked Nanabhai for a place to keep Lee and, in turn, Nanabhai asked Naidoo.

Naidoo arranged a venue and Lee was fetched from a Germiston hotel where he had been hiding. Jenkin paid for the hotel room and gave Lee clothes.

Mr J H Engelbrecht who appeared for Jenkin, said that Lee was a close friend of Jenkin's brother. Lee, Jenkin's brother and Alex Mounbaris had been jailed together.

The magistrate noted that Jenkin and Naidoo had no previous convictions. Nanabhai was sentenced in 1963 to 10 years' jail for sabotage. Mr Luther added that since then Nanabhai "became a useful citizen."

In mitigation of sentence, defence attorneys said the men had already been in jail for a considerable period. The magistrate said he had to impose a jail sentence to deter others.

EVERY CANDIDATE MUST enter in column (1) the number of each question answered (in the order in which it has been answered); leave columns (2) and (3) blank.

	Internal	External
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Examiners' Initials		

## WARNING

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Failure to make a statement would result in detention, ill treatment and imprisonment, Mr Bizos submitted. The advocate said that if a statement was the only evidence against the accused then it immediately becomes suspect.

11 The hearing continues today. — Sapa



15<sup>c</sup>

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R1,83

R8,39

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R15

her, but failed.  
Mr D J Goldenhuys,  
defending, challenged

report said Kaley had  
been over-protected by  
his family because of  
his "limited intelli-

He refused to give  
bail pending appeal un-  
til a notice of appeal  
was filed.

# TV tower trial: security tight

By Rashid Chopdat

The trial of two men accused of submitting a report and photographs to the African National Congress to assist it to blow up the Brixton Tower resumed in the Rand Supreme Court yesterday amid tight security measures.

For the first time a metal detector screened the public at the entrance to the court.

Mr Robert Martin Adam (26) of Yeoville, and Mr Mandla Themba (26) of Soweto, have pleaded not guilty to charges under the Terrorism Act and the Internal Security Act.

Mr Justice Boshoff, Judge-President of the Transvaal, began hearing argument by Mr George Bizos SC, leading the defence team, on the admissibility of a statement by Mr Themba.

The statement is a key element of the State's case.

Mr Bizos submitted it was clear from evidence that Mr Themba had been unduly influenced by security policemen to make a statement before a magistrate.

Mr Bizos submitted that Mr Themba had been told by the authorities that he would be used as a State witness.

Mr Themba had also been told he would be released and that his evidence would be heard in camera.

Failure to make a statement would have resulted in detention, ill treatment and imprisonment.

He submitted if a statement was the only evidence against the accused then it immediately became suspect.

The court was being asked to find whether Mr Themba had been fairly treated on the 10th floor of John Vorster Square before being taken to a magistrate to repeat this statement.

Mr Bizos submitted there was a conflict of fact between Mr Themba's evidence and that of a policeman.

In evidence a senior policeman, Major A B Cronwright, had failed to explore all the allegations of Mr Themba's alleged complicity in the attack on the tower.

One of the charges

against Mr Adam and Mr Themba was that they were members of the ANC and that Mr Adam had submitted a report to the ANC recommending targets at the Brixton Tower.

Mr Themba had taken photographs of key installations at the tower.

The hearing continues.

## Keeping the record straight

In the article "Mandela Unlikely for Wits Position" which appeared on Saturday March 27, the following facts were not clearly stated.

Due to irregularities in the nomination of the new Chancellor for the University of the Witwatersrand, the dates for the submission of nominees' names, and voting papers have been reset.

Members of convocation have been requested to return their voting papers by June 23. Nominations for chancellor should be handed in seven weeks prior to June 23.

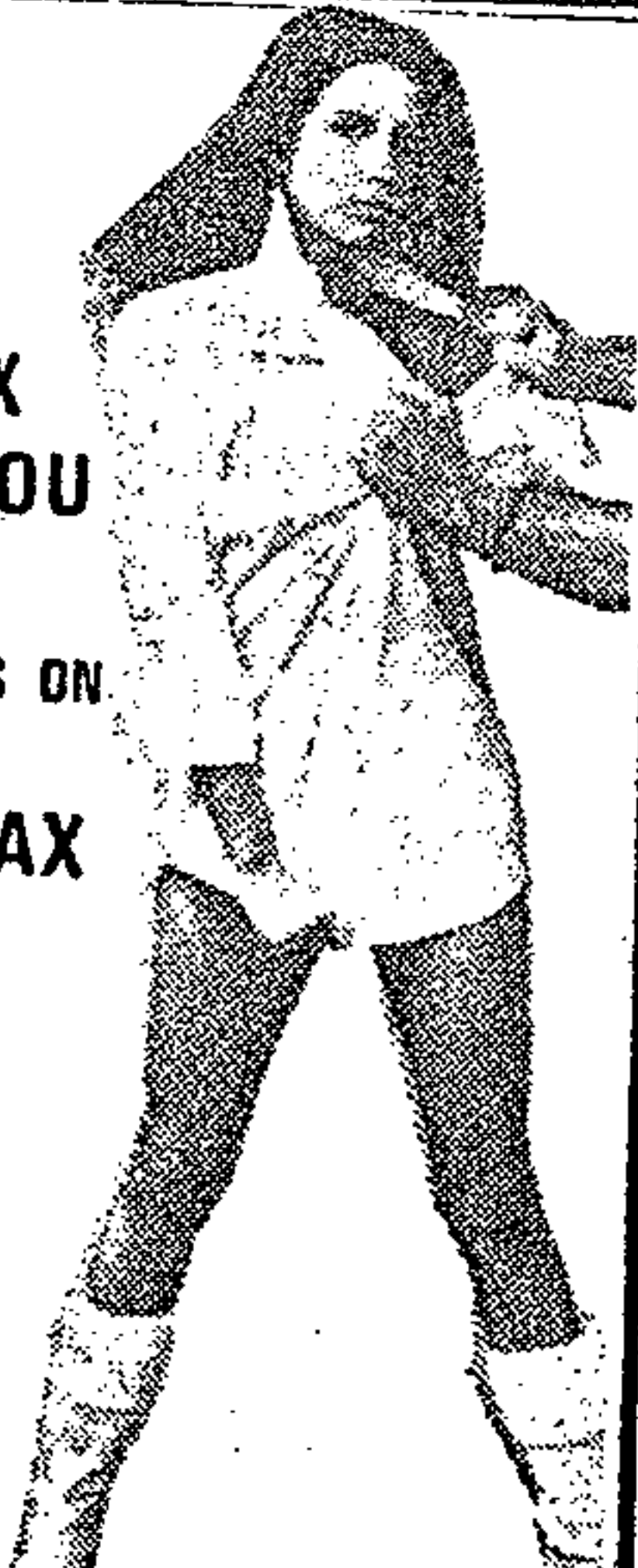
Mr Nelson Mandela, Robben Island political prisoner, may be able to accept the position of chancellor if he is renominated, the Wits lawyers have now confirmed.

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**Terror accused's statement is admissible, trial judge rules**

The hearing was postponed to May 10.





**EVERY CANDIDATE MUST** enter in column (1) the number of each question answered (in the order in which it has been answered); leave columns (2) and (3) blank.

# Three get jail for aiding escapee Lee

**By ANNE SACKS**

**THREE** men were each jailed for a year for harbouring political prisoner Stephen Lee after his escape from Pretoria Central Prison.

Michael Jenkin, 31, Sarish Nanabhai, 44, and Prema Naidoo, 33, had pleaded guilty in the Johannesburg Magistrate's Court to a charge under the Prisons Act.

Each was sentenced to three years' jail, two suspended for five years.

Michael Jenkin is the brother of another political prisoner, Timothy Jenkin, who escaped together with Lee and Alexander Mounbaris in 1979. All three later fled the country.

Nanabhai has served 10 years on Robben Island for sabotage and Naidoo is the brother of Mr Indres Naidoo, a former Robben Island prisoner now living in London and author of a recent book on prison life.

There was a scuffle in court between

a policeman and Naidoo, who shouted "Amandla" after he was sentenced.

An emotional Mrs Ama Naidoo shouted before a stunned courtroom: "How can you push my son down the stairs? He is not a criminal. He is not a robber. He didn't murder anyone".

The court heard that after he escaped Lee approached an unnamed person who put him in touch with Michael Jenkin, who in turn put him in touch with Nanabhai, who asked Naidoo to arrange a place for Lee to stay. Naidoo never communicated with Lee.

Mr Denis Kuny, for Nanabhai and Naidoo, appealed for a less severe sentence because Lee had escaped without the knowledge and help of the accused.

"This is a unique type of situation for the accused, and one which is never likely to occur again. They do not need to be in prison for a long time to deter them from repeating the offence," he

said.

Mr J H Engelbrecht said Jenkin had helped because he was an old family friend of Lee's.

Mr J D Pretorius, for the State, said the accused should not be given suspended sentences because of the seriousness of the crime.

The magistrate, Mr I J J Luther, said the accused had not helped Lee escape, but Lee had been jailed for a serious crime and it was in society's interest that he served his sentence.

He took into account the fact that Jenkin and Nanabhai were moved to assist Lee because of their friendship with him, and that Naidoo was moved to help Lee because of his friendship with Nanabhai.

Although the accused did not have to be deterred from committing the offence again, other people had to be deterred from harbouring or concealing an escaped prisoner, he said.

Subject ECONOMICS  
(to be copied from the heading on the Examination Paper)

**Paper No.....**  
(to be copied from the heading on the Examination Paper)

<p><b>Dr Lee</b></p> <p>331</p> <p>187</p>	External
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<p>H Engelbrecht said Jenkin because he was an old family's.</p> <p>D Pretorius, for the State, caused should not be given sentences because of the same crime.</p> <p>strate, Mr I J J Luther, said had not helped Lee escape, been jailed for a serious crime that was in society's interest reduced his sentence.</p> <p>into account the fact that Nanabhai were moved to because of their friendship and that Naidoo was moved to because of his friendship with</p> <p>he accused did not have to from committing the offence other people had to be de-harbouring or concealing prisoner, he said.</p>	2
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**NOTE CAREFULLY**

1. 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.
2. 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.
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# UNIVERSITY OF CAPE TOWN EXAMINATION ANSWER BOOK

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- Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
- Do not write in the left hand margin.

A statement made to a magistrate by one of the men accused of aiding an African National Congress plan to blow up the Brixton tower was admitted as evidence by Mr Justice Boshoff in the Rand Supreme Court yesterday.

The judge said he would give his reasons for admitting a statement of Mr Mandla Themba (26) of Soweto at the conclusion of the trial.

Mr Themba and Mr Robert Martin Adam (26), of Yeoville, have pleaded not guilty to charges under the Terrorism Act and the Internal Security Act.

Mr Themba, a photo-journalist, contested the admissibility of his statement on the grounds that he was unduly influenced by security policemen. He stated that he had agreed to make a statement after being told by the policemen that he would be used as a State witness against Mr Adam and that he would be released from detention.

Mr Themba admitted taking photographs of television equipment at the tower during a guided tour. Mr Adam was present on that tour. The photographs were intended for an illustrated article.

The court was told that the report was written by Mr Adam who had admitted at the trial that he was a member of the ANC. The hearing was postponed to May 10.

Mr A J de Klerk appeared for the State, Mr G Bizos, SC, and Mr D Soogott, instructed by Mrs F Jantse, appeared for the defence.

## Tower plot judge allows statement

331

The Star Friday April 2 1982

9

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# Hannchen on terror charge

6/4/82

By Michael Tisong

Dr Piet Koornhof's niece, Mrs Hannchen Elizabeth Fitzgerald, looked happy to see friends and relatives when she appeared briefly in a Johannesburg Regional Court yesterday in connection with charges under the Terrorism and Internal Security Acts.

She had been held incommunicado for more than six months.

Mrs Fitzgerald was not asked to plead and in terms of a certificate handed in to the court her attorney, Ms K M Satchwell, was not allowed to apply for bail.

The magistrate, Mr F Z Krynauw, postponed the case to April 19.

According to the charge sheet Mrs Fitzgerald (27), of Sixth Avenue, Mayfair, is alleged to have gone to Botswana where she met her husband, Patrick, and "learnt an African National Congress code which she agreed to pass on to Cedric de Beer to enable him to give messages to the ANC."

She is also alleged to have given Mr de Beer a book, "The Naked Gods" to decipher the code. This was calculated to endanger law and order in the country, the charge sheet stated.

It is also alleged that she possessed the Communist Manifesto, written by Karl Marx and Friedrich Engels, and several other banned sociology books including "Karl Marx: selected writings" by David McLellan and "Lenin and Philosophy and other essays" by Louis Althusser.



ARGUS 14/4/82

331

Political Staff

OPPOSITION politicians and diplomats expressed 'pleasant surprise' today at the cordiality of the Prime Minister's reply to President Albert Rene's clemency plea.

The Seychelles President has appealed, on humanitarian grounds, to the South African authorities not to carry out the death sentence on three ANC members, Ncinibithi Johnson Lubisi, Petrus Tsepo Mashigo and Naph-tali Manana, for their

# Rene plea: PM's 'pleasant surprise'

attack on the Soekmekaar police station.

He has been assured by Mr P W Botha that his appeal would be considered.

Opposition and diplomatic spokesmen said today that the exchange was obviously on a high diplomatic level — and the fact that four South Africans and three other people are facing the possible death sentence for

their alleged part in the attempted coup on the island would have been taken into account.

They said it would be unwise to comment publicly on the issue as it could only serve to upset matters.

President Rene made his appeal in a telegram this week to which Mr Botha, also by telegram, explained the South African procedure for consi-

dering clemency. He assured the Seychelles President that all relevant details would be taken into account, including his own representations.

Mr Botha explained that every death sentence was reviewed by the State President, acting on the advice of ministers of state constituting the Executive Council.

The council considered not only the relevant facts as they appeared from the court record and the judgment of the court, but also other considerations such as the views of the prosecuting officers, the state law advisers and any other considerations brought to their attention by way of counsels' memoranda, petitions and the like.

# Clemency plea: PM answers Rene

Political Staff

THE Prime Minister, Mr P W Botha, has assured Mr Albert Rene, the President of the Seychelles, that his appeal for clemency on behalf of three members of the banned ANC who are facing the death sentence, will be considered.

President Rene made his appeal to Mr Botha in a telegram this week as four South Africans and three others face possible death sentences for their part in the

abortive coup attempt on the Seychelles last November.

In a remarkably cordial exchange of telegrams, Mr Botha explained South Africa's procedure for considering clemency and said that all relevant details would be taken into account, "including your own representations".

President Rene's request and the tenor of Mr Botha's reply, particularly under current circumstances, are regarded as being highly

significant.

President Rene has appealed, on humanitarian grounds, to the South African authorities not to carry out the death sentences on Nchimbihi Johnson Lubisi, Petrus Tsepo Mashigo and Naphtali Manana for their part in the attack on the Soekmekaar police station.

In his reply Mr Botha said that every death sentence was reviewed by the State President acting on the advice of Ministers of State

constituting the Executive Council.

The council considered not only the relevant facts "as they appear from the court record and the judgment of the court itself, but also other considerations such as the views of the prosecuting officers, the State law advisers and any other considerations which are brought to their attention by way of counsels' memoranda, petitions, and the like".

"This body has the authority in terms of South African law to grant clemency after a thorough investigation of all the relevant facts and has, in fact, done so on occasion," said Mr Botha.

"In the present instances the accused were sentenced to death by a provincial division of the South African Supreme Court."

"The court's decision was confirmed by the Appellate Division."

"Although I have neither

the duty nor the power to grant clemency of my own accord, I can give you the assurance that the State President and the ministers constituting the Executive Council will, as is customary in all instances, take cognisance of all the relevant facts, including your own representations."

Both telegrams were signed with the diplomatic phrase expressing "highest consideration".

# Clemency plea: PM answers Rene

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Both telegrams were signed with the diplomatic phrase expressing "highest consideration".

CMS-Tmk

14/4/82

331



# Hannchen trial:

Staw 19/4/82  
new date set

## Court Reporter

Dr. Piet Koorhof's niece, Mrs. Hannchen Elizabeth Fitzgerald, was today remanded by a Johannesburg regional magistrate for trial under the Terrorism and Internal Security Acts to Friday.

Mrs. Fitzgerald (27) of Sixth Avenue, Mayfair, appeared before Mr. P. A. J. Kotze and was not asked to plead.

According to the charge sheet Mrs. Fitzgerald is alleged to have gone to Botswana where she met her husband, Patrick, and learnt an African National Congress code

which she agreed to pass on to Mr. Frederick de Beer to enable him to give messages to the ANC.

She is also alleged to have given Mr. de Beer a book, "The Naked Gods," to decipher the code.

## BANNED WORKS

She also allegedly possessed several banned works including writings of Karl Marx and Frederick Engels.

A lone demonstrator at the entrance of the courts building held a placard proclaiming: "Let Apartheid Die not Detainees."

CAPL TIME 33/ 20/4/82

# Witness pleads not guilty to perjury

Staff Reporter

THE case against a Bishop Lavis man, charged with perjury involving evidence in the Supreme Court terrorism trial of Mr Oscar Mpetha and 18 others, was yesterday adjourned in the Regional Court to May 21.

Shadrack Ponomo Ncapyi, 21, of Nyanga East, pleaded not guilty to two separate charges of giving conflicting statements.

The State alleged that sworn statements made by Mr Ncapyi to Captain Leonard Knipe at Bishop Lavis police station on September 2 and September 30, 1980, differed from statements he made under oath to Mr Justice Williamson in the Supreme Court on October 27 and November 3 last year.

In a sworn statement made to Captain Knipe at the Bishop Lavis police station on September 2, 1980, Mr Ncapyi said that "one Vusumzi and his group had gone to Crossroads to kill white persons in revenge for the killing of a black man at Nyanga station by two members of the South African Police".

The statement said that "one white man had then and there been stoned to death, and that another white man's car had been set alight, causing him to be severely burnt", and that "Vusumzi had been present at both happenings".

## Not told reason

However, in the Supreme Court on October 27 last year, Mr Ncapyi had said under oath that "Vusumzi had not told him (Mr Ncapyi) where he (Vusumzi) was when the man had been killed at Crossroads, and that Vusumzi had not told him the reason for the killing of the man at Crossroads".

On the second charge, the State alleged that on September 30, 1980, Mr Ncapyi told Captain Knipe that he "had on 16 and 17 June, 1980, attended meetings held in the Assembly of God Church and the Holy Cross Church respectively; that the meetings had been addressed by one Stuurman, and one Mpetha; that the meetings were held to discuss the red meat and bus boycotts; that the said Mpetha had encouraged those present to support the strikers in the meat industry in their negotiations, and not to buy meat; and that he knew the said Mpetha very well".

However, in the Supreme Court on November 3 last year, Mr Ncapyi told Mr Justice Williamson under oath that "he had no knowledge of a boycott of meat or of buses, and that he had never been to a meeting with Mpetha".

Mr Casparus van Wyk, one of the prosecutors in the Supreme Court terrorism trial, gave evidence in the Regional Court yesterday.

He said he had interviewed Mr Ncapyi before he was called to give evidence in the Supreme Court, and had been satisfied that Mr Ncapyi "had kept with what he said" in the sworn statement he had made to Captain Knipe. Mr Van Wyk testified that at no stage did Mr Ncapyi say he objected to the statements he had made to the police.

Captain Knipe testified yesterday that he had found Mr Ncapyi to be "in a stable state of mind" when he made the sworn statements in the police station. He had made the statement voluntarily.

Cross-examined, Captain Knipe denied that he had interrogated Mr Ncapyi, and said he had "merely cross-examined" him.

Mr G J van Heerden was the magistrate. Mr F Silbert prosecuted. Mr A Abercrombie appeared for Mr Ncapyi.

money supply  
credit creation  
by banks



331

The Cape Times, Tuesday, April 20, 1982 3

## Court remands Koornhof's niece

Own Correspondent  
JOHANNESBURG. —  
Hannchen Elizabeth  
Koornhof, niece of Dr  
Piet Koornhof, Minister of  
Co-operation and Devel-  
opment, appeared briefly  
in the Johannesburg Re-  
gional Court for the  
second time yesterday.

Ms Koornhof, 27, was re-  
manded till April 23,  
when her case will be  
heard. She faces a charge  
under the Terrorism Act,  
or alternatively, the Inter-  
nal Security Act, and  
three charges relating to  
banned literature.

It is alleged that in  
April 1981 she travelled

to Botswana where she  
learnt an African  
National Congress code.

She allegedly agreed to  
give the code to Mr Cedric  
de Beer and to take in-  
structions from Mr Marius  
Schoon and Mr Patrick  
Fitzgerald, alleged mem-  
bers of the ANC.

She also faces two  
charges in terms of the  
Customs and Excise Act  
and one in terms of the  
Publications Act.

Ms Koornhof, a teacher,  
was detained on October  
12 last year and was being  
held in terms of Section  
Six of the Terrorism Act  
before she was charged.



Released  
detainees  
to testify

PRETORIA — Four political detainees had been released by police but would be called to give evidence in the trial of Miss Barbara Hogan, who is facing charges under the Terrorism Act, a police spokesman said in Pretoria today.

The detainees, who were held in terms of Section Six of the Terrorism Act, were identified as Mr Firoze Cachacia, Miss Yunus Mohamed, Miss Merle Favis and Mr Ishmael Momoniat. It is not known where they were detained.

A fifth witness in the Hogan trial, Mr Jabulani Ngwenya, had been ordered to be detained in terms of Section 12(B) of the Internal Security Act as a witness, the spokesman said.—Sapa.

# Soweto arrests linked to burial

JOHANNESBURG. — been released. The chief Mr Elias Tsime of propaganda purposes'.  
Eleven people — includ- of the South African Orlando West.  
ing Mrs Albertina Sisulu. Security Police. Major- Referring to yesterday's He said the 11 faced  
wife of Robben Island life Security Police. Major- arrests — in terms of the possible charges under  
prisoner Walter Sisulu — General Johan Coetzee. Criminal Procedure Act the Internal Security Act.  
were arrested by Security said last night the arrests which allows for 24 hours All the dockets would be  
Police in a pre-dawn were linked to a burial. detention — General forwarded to the senior  
swoop in Soweto yester- It is believed he was Coetzee said: 'Allegations public prosecutor for a  
day. referring to the burial on being investigated are decision. Those not re-  
By late last night, seven Saturday of a former that some burials are leased yesterday would be  
of those arrested had Robben Island prisoner, being abused for ANC freed today.—Sapa.

## public?

clinics the ban is total. sible to provide separate g would be permitted in nents, otherwise the ban artments a special area le for smokers. s and lifts the ban is total. at doctors and other staff be encouraged not to sence of patients. on the Health Vote in Pothnagel said he made his ng ban in public places on s of non-smokers. e said, to be protected from ie vice.

## fraud

ce, said in mitigation a ial welfare report recom- nded that his client, who l psychological problems, uld be admitted to a reh- itation centre. owers recalled to the rt and was remanded in today until June 7 for trial on with an allega-

## Lawyers to study tapes

23/4/82

DURBAN. — The trial of three alleged African National Congress mem- bers was adjourned yester- day to allow defence law- yers to study four security police tape recordings.

Mr Fana George Sithole, Mr Jabulani Wilfred Ngcobo, both from Umlazi, and Mr Titi Alucia Mtenyane, from Soweto, have pleaded not guilty to two charges under the Terrorism Act. The charges include an al- legation that they obtained information on security ar- rangements at an oil ter- minal in Durban.

The State wants to use tapes of conversations allegedly between the accused and other detainees.

Mr H S van der Walt, the magistrate, has still to rule whether the tape record- ings are admissible as evi- dence. — Sapa.

# Take a night out at wine festival

Mail Reporter

MAKE an evening of it. Come to the Rand Daily Mail Wine Festival — South Africa's premier wine tasting event.

It starts next Friday (April 30) and is an event no wine lover can afford to miss.

You will be excited by the vast range of South Africa's finest wines, charmed by the old Cape Dutch setting and warmed by the pleasant company.

And to make your wine tasting even more enjoyable there will be a wide range of meals — from delicious sit- down meals at R5,30 a per- son, to fast foods and cheese snacks.

Leading wine merchants will be exhibiting, ready to show you their finest wines and tell you more about them.

Admission to the festival is only R5. For this you get an elegant free wine glass and



over the age of 18 and caters for the casual wine drinker as well as the connoisseur.

It really is an event no wine lover can afford to miss — for an unforgettable evening join us at the Rand Daily Mail Wine Festival.

**DATES:**  
April 30 — May 8. Open daily between 4.30pm and 8.30pm except Sundays.

**VENUE:**  
The Old Dutch Barnes, Mil-

RAND DAILY MAIL Friday April 30



ARGUS 23/4/82 331

# Koornhof's niece found guilty

Argus Correspondent  
JOHANNESBURG. — Hannchen Elizabeth Fitzgerald, 27, niece of the Minister of Co-operation and Development, Dr Piet Koornhof, was found guilty in the Regional Court here today of charges under the Internal Security Act and the Publications Act.

Fitzgerald faced a charge under the Terrorism Act in that during April, 1981, while she was in Botswana she learnt an African National

Congress code which she agreed to teach to Cedric de Beer, who was in South Africa.

She allegedly taught Mr de Beer the code with the intention of making him capable of sending coded messages or reports to the ANC or alleged members of the ANC, Mr Marius Schoon and her husband, Mr Patrick Fitzgerald.

## CODE

Fitzgerald was also alleged to have provided a report from Mr de Beer to the ANC. She

was further alleged to have given him a book entitled *The Naked Gods* to decipher the code.

She pleaded not guilty to the Terrorism Act charge but guilty to an alternative charge under the Internal Security Act that she participated in the activities of a banned organisation.

Under the Publications Act, the State alleged that she possessed a banned document, the

Communist Manifesto, in German by Karl Marx and Friedrich Engels.

## LIBRARY

She pleaded guilty to the charge, but told the court that she bought the book at a Hilbrow bookshop and could not read it but kept it in her library.

She was further charged with possessing seven banned sociology books, including *The Concept of*

(Contd on Page 2, col 1)

(Continued from Page 1)

Nature in Marx by Alfred Schmidt and Karl Marx. Selected Writings by David McLellan.

She pleaded guilty to possessing two of the books, *Lenin: A Study of the Unity of his Thoughts* by Georg Lukacs and *The Lenin Reader* by Stefan Possony. She used the books for academic purposes, she said.

'My husband had a large library of about 1 000 books which he used for his studies and he asked me to keep them until they could be taken

## Niece

to Botswana,' Fitzgerald said in a statement to the court.

She was also charged under the Customs Act in that the State alleged that she failed to declare the books to the South African authorities on her return to the country.

She pleaded not guilty to the charge and said she did not bring the books into the country from Botswana.

The prosecutor argued that Fitzgerald of Sixth

Avenue Mayfair, had no obligation to learn the ANC code and pass it on to Mr de Beer.

'She committed the deed because she sympathised with the ANC.

'There is no indication of remorse in her statements to the court and the court cannot infer that Mr de Beer did not send a report to the ANC,' said the prosecutor, Mr J Swanepoel.

The magistrate, Mr L V de Kock was due to pass sentence later today.

(331) ~~329~~  
Niece of  
Minister <sup>Stan</sup>  
goes to <sup>23/4/82</sup>  
jail for  
a month

By Michael Tisong,  
Court Reporter

Hannchen Elizabeth Fitzgerald smiled with relief when a Johannesburg Regional magistrate today sentenced her to an effective one-month jail term for an offence under the Internal Security Act.

Fitzgerald, niece of the Minister of Co-operation and Development, Dr Koornhof, received a 21-months jail sentence, 20 months of which were conditionally suspended for five years.

The magistrate, Mr J de Kock, said he took into consideration the fact that Fitzgerald had been in detention for six months and 10 days.

During this period she had been held incommunicado under section Six of the Terrorism Act.

Mr de Kock fined Fitzgerald R200 (or 50 days) under the Publications Act for possessing the "Communist Manifesto" by Karl Marx and Frederick Engels.

#### BANNED

Fitzgerald was also fined R300 (or 75 days) for possessing two banned sociology books, "Lenin: A Study on the Unity of his Thoughts" and "The Lenin Reader."

Fitzgerald (27), address given as Sixth Avenue, Mayfair, had faced charges under the Terrorism Act, the Internal Security Act, the Publications Act and the Customs Act.

Under the Terrorism Act it was alleged that during April last year in Botswana she had learnt an African National Congress code which she had agreed to pass on to Mr Cedric de Beer in South Africa.

#### CODE

She allegedly taught Mr de Beer the code so that he could send messages or reports to the ANC or alleged members of the ANC, Mr Marius Schoon and her husband, Mr Patrick Fitzgerald.

Under the Publications Act the State alleged she possessed a banned document "The Communist Manifesto" in German. She pleaded guilty but told the court she had bought the book at a Hillbrow bookshop and could not read it.

She was also charged with possessing seven banned sociology books. She pleaded guilty to possessing two books on Lenin.

She was also charged under the Customs Act for allegedly failing to declare the books to the authorities on her return to South Africa. She pleaded not guilty.

## High treason: (331) two in court *Star*

Pretoria Bureau

*23/4/82*

Two black men appeared in the Pretoria Magistrate's Courts today facing charges of high treason.

Mr Thelle Simon Mogoerane and Mr Jerry Semano Mosololi stand accused of carrying out the terrorist attack on Orlando and Moroko police stations in Soweto last year.

Four people were killed in the attacks. The pair have also been charged with committing acts of sabotage on the New Canada railway line in the township.

There are also five alternative charges under Section 2, (1) (A) of the Terrorism Act, four of murder, 10 of attempted murder and one of robbery with aggravating circum-



# Alleged ANC men face treason charges

Argus Correspondent  
PRETORIA.—Two alleged members of the banned African National Congress appeared in a magistrate's court here today on charges of high treason.

The charges related to attacks on the Moroka and Orlando police stations in Soweto and the Wonderboom police station in Pretoria and the Capital Park power station.

Mr Thelle Simon Mogoe-rana, 23, and Mr Jerry

Semano Moso Loli, 25, refused to plead until having consulted their lawyers. The men were chained together by their feet.

They also face 20 alternative charges of murder, attempted murder and terrorism.

The State alleged in a 35-page charge sheet that both men joined the ANC in 1976 and underwent military training in

Angola, Tanzania and East Germany.

At various times between 1979 and 1981 the men infiltrated South Africa from the ANC base in Maputo, the charge sheet read.

They also set up hiding places for arms, ammunition and other members of the ANC near Meadowlands, Johannesburg, and Hammanskraal.

Both allegedly took part in the attacks on the

Capital Park power station and Wonderboomport police station in December last year.

The State alleged that AK-47 sub-machineguns, hand grenades and RPG-7 rockets were used by both men in the attacks.

The case was postponed until May 7 for the men to consult lawyers.

An instruction from the Attorney-General was handed into the court refusing the men bail.

(Continued from Page 1)

Nature in Marx by Alfred Schmidt and Karl Marx: Selected Writings by David McLellan.

She pleaded guilty to possessing two of the books, Lenin: A Study of the Unity of his Thoughts by Georg Lukacs and The Lenin Reader by Stefan Possony. She used the books for academic purposes, she said.

'My husband had a large library of about 3 000 books which he used for his studies and he asked me to keep them until they could be taken

**Niece**

to Botswana.' Fitzgerald said in a statement to the court.

She was also charged under the Customs Act in that the State alleged that she failed to declare the books to the South African authorities on her return to the country.

She pleaded not guilty to the charge and said she did not bring the books into the country from Botswana.

The prosecutor argued that Fitzgerald of Sixth

Avenue, Mayfair, had no obligation to learn the ANC code and pass it on to Mr de Beer.

'She committed the deed because she sympathised with the ANC.

'There is no indication of remorse in her statements to the court and the court cannot infer that Mr de Beer did not send a report to the ANC,' said the prosecutor, Mr J Swanepoel.

The magistrate, Mr L V de Kock was due to pass sentence later today.

## Trainful of prizes

THERE are lots of prizes to win in our new model train layout competition. Full details will be published in the House and Garden supplement next Wednesday.

ski has written a special musical Extravaganza which encompasses all musical forms from 19th Century brass to rock and roll.

Freelance head of musical production for SABC Werner Krup has done the musical arrangement for the T-

## Full pr

FOUR well-known Cape Town rock groups appearing tonight in first rock concert to be included in the Cape Town Festival.

The slick jazz-funk group Pacific Express, the professional and energetic Rockets, the latter Band fresh from their appearance in the musical Fangs and group Bloodshed are singing in the Good Hope Centre at 8.15 tonight.

Another slick performance takes the stage in the Cape Town Festival tonight: Dea Blacher's Spanish dancers.

Salutas d'Espana Deanna Blacher and H

Best taste in a m...

SL Superior Light - the mild cigarette with real tobacco flavour.

# State lawyer's stove explodes

Own Correspondent  
JOHANNESBURG. — A stove exploded yesterday afternoon in the home of a Johannesburg advocate involved in the Aggett inquiry, sparking off a major investigation by police.

Although the cause seemed to be a simple blockage in the coal stove, forensic experts were still examining wreckage late last night and will continue today.

The stove exploded soon after being lit by the wife of Mr Altus Joubert at 12.30pm at their home in Chiselhurst Road, Rossmore.

Mrs Sherry Joubert said she had left the house to go to a doctor at the time.

Mr Joubert, who recently appeared with two other advocates representing the Minister of Law and Order at the in-

quest on Dr Neil Aggett, said the stove had not been used for several years.

## Experts

Top policemen, including Brigadier J H du Plessis, Divisional Commissioner for the Witwatersrand, and his deputy, Brigadier Theuns "Rooi Rus" Swanepoel, went to the house after the explosion.

The stove and the damage it caused was closely inspected by security police and forensic and explosives experts to see whether a bomb might have been placed inside the stove.

Brigadier Du Plessis said later that all possibilities had to be investigated.

The explosion extensively damaged the walls, a window and cupboards in the kitchen.



# Koornhof's niece jailed for 1 month

By ANNE SACKS

pendent for five years, for learning an ANC code and passing it on to Mr Cedric de Beer, a detainee and rural development worker.

He also fined her R200 for being in possession of "The Communist Manifesto", and R300 for being in possession of "Lenin: A Study on the Unity of his Thoughts" by Georg Lukacs and "The Lenin Reader" by Steffan T Possony. The State confiscated the two Lenin books.

About 50 friends and well-wishers packed the gallery for the 90-minute hearing.

Her father, Professor Hendrik Koornhof, head of the Department of Microbiology at the University of the Witwatersrand and top scien-

tist at the SA Institute of Medical Research, who is the brother of Dr Piet Koornhof, said after the trial he was not pleased his daughter had been sentenced, but was happy the outcome was not as severe as it could have been.

The court heard that Koornhof travelled to Botswana in April 1981, where she was approached by an alleged ANC member, Mr Marthus Schoon, to learn a secret code so that Mr De Beer, with whom she had been living in Mayfair, Johannesburg, since October 1979, could send a report about his work at the Environmental Development

Agency to Mr Schoon.

She agreed to do so, although she refused a similar request in February 1980 because, for the sake of her child, she was not prepared to take a risk.

Koornhof and her estranged husband, Mr Patrick Fitzgerald, also an alleged ANC member living in Botswana, have a mentally retarded son, Justin, 7.

Koornhof, an honours graduate in comparative literature from Wits University, often travelled to Botswana so that her husband, whom she is divorcing, could see their son.

In April 1981 her husband taught her the code.

In a statement, Koornhof said when she arrived back in South Africa, she explained the plan to Mr De Beer who later asked her to teach him the code, which she did.

Subsequently Mr De Beer said he was not prepared to go ahead with Mr Fitzgerald's plan.

She did not know if a report was ever sent to Botswana.

The court also heard that Koornhof bought "Manifest der Kommunistischen Partei" at a German bookshop in Hillbrow because it was cheap and because she was amused it was available. Her German, however,

was not good enough to enable her to read the book.

She admitted possessing six of seven books, deemed undesirable items in terms of the Customs and Excise Act.

Of the seven books, two — the ones on Lenin — were hers, and four were her husband's.

She said she had no knowledge of the seventh book, "The Rise of the South African Reich" by Brian Bunting.

In an affidavit before the court, Mr David George Cawdry, principal of Willowmoore High, where Koornhof was a teacher before she was detained on October 12 last year, said she was a conscientious teacher.

In reply to questions, Prof

Koornhof said his daughter was a wonderful mother and doctors had told him it would be undesirable for her to stay in jail in view of her son's mental condition which was, however, improving.

In reply to the charges, Mr Kuny said Koornhof had been detained for six months and 10 days and had already been punished.

Although she should have realised the consequences of her actions on her child, she had already inflicted punishment on him by being separated.

Although the ANC was an unlawful organisation, the sending of a report to the organisation on Mr De Beer's lawful activities was a rela-

tively minor offence.

He said there were precedents in law where a suspended sentence served as an effective deterrent.

In passing sentence, the magistrate described Koornhof as a "co-passenger" of ANC activities because she must have known the ANC was an unlawful organisation and that her actions would aid that organisation.

He agreed there could be no substitute for a mother, and said the consideration of the child "weighed heavy on the court".

Also considered were the fact she was a first offender who had already spent six months in police detention.



# Koornhof's niece jailed

By ANNE SACKS



Prof Hendrik Koornhof and his wife Joan outside the court after their daughter was jailed yesterday.

HANNCHEEN Koornhof, 27, niece of Dr. Piet Koornhof, Minister of Co-operation and Development, was fined R500 and jailed for a month yesterday after being found guilty in terms of the Internal Security Act and of possessing banned literature.

Koornhof, an English teacher, pleaded not guilty to a charge under the Terrorism Act, but guilty to the alternative charge under the Internal Security Act in the Johannesburg Regional Court.

She also pleaded guilty to possessing a German version of "The Communist Manifesto" by Karl Marx and Friedrich Engels and two Lenin books.

The magistrate, Mr. J de Kock, sentenced her to 21 months' jail, 20 months sus-

pended for five years, for learning an ANC code and passing it on to Mr. Cedric de Beer, a detainee and rural development worker.

He also fined her R200 for being in possession of "The Communist Manifesto", and R300 for being in possession of "Lenin: A Study on the Unity of his Thoughts" by Georg Lukacs and "The Lenin Reader" by Steffan T. Possony. The State confiscated the two Lenin books.

About 50 friends and well-wishers packed the gallery for the 90-minute hearing.

Her father, Professor Hendrik Koornhof, head of the Department of Microbiology at the University of the Witwatersrand and top scien-

tist at the SA Institute of Medical Research, who is the brother of Dr. Piet Koornhof, said after the trial he was not pleased his daughter had been sentenced, but was happy the outcome was not as severe as it could have been.

The court heard that Koornhof travelled to Botswana in April 1981, where she was approached by an alleged ANC member, Mr. Marius Schoon, to learn a secret code so that Mr. De Beer, with whom she had been living in Mayfair, Johannesburg, since October 1979, could send a report about his work at the Environmental Development

Agency to Mr. Schoon.

She agreed to do so, although she refused a similar request in February 1980 because, for the sake of her child, she was not prepared to take a risk.

Koornhof and her estranged husband, Mr. Patrick Fitzgerald, also an alleged ANC member living in Botswana, have a mentally retarded son, Justin, 7.

Koornhof, an honours graduate in comparative literature from Wits University, often travelled to Botswana so that her husband, whom she is divorcing, could see their son.

In April 1981 her husband taught her the code.

In a statement, Koornhof said when she arrived back in South Africa, she explained the plan to Mr. De Beer who later asked her to teach him the code, which she did.

Subsequently Mr. De Beer said he was not prepared to go ahead with Mr. Fitzgerald's plan.

She did not know if a report was ever sent to Botswana.

The court also heard that Koornhof bought "Manifest der Kommunistischen Partei" at a German bookshop in Hillbrow because it was cheap and because she was amused it was available. Her German, however,

we ab sis un the th he hu ed "T ca co Ca inc ho for tot wa



# Koornhof's niece jailed and fined

Own Correspondent  
JOHANNESBURG. — Hannchen Koornhof Fitzgerald, 27, niece of the Minister of Co-operation and Development, Dr Piet Koornhof, was fined R500 and jailed for a month yesterday after being found guilty of contravening the Internal Security Act and of possessing banned literature.

Koornhof, an English teacher, pleaded not guilty to a charge under the Terrorism Act, but guilty to the alternative charge under the Internal Security Act in the Johannesburg Regional Court.

She also pleaded guilty to possessing a German version of "The Communist Manifesto" by Karl Marx and Frederick Engels and two Lenin books.

## ANC code

The magistrate, Mr J de Kock, sentenced her to 21 months, 20 months suspended for five years, for learning an ANC code and passing it on to Mr Cedric de Beer, a detainee and rural development worker.

He also fined her R200 for being in possession of "The Communist Manifesto" and R300 for being in possession of "Lenin: A Study on the Unity of his Thoughts" by Georg Lukacs, and "The Lenin Reader" by Steffan T Possony.

The court heard that Fitzgerald travelled to Botswana in April 1981, where she was asked by an alleged ANC member, Mr Marius Schoon, to learn a secret code so that Mr De Beer, with whom she had been living in Mayfair, Johannesburg,

since October 1979, could send a report about his work at the Environmental Development Agency to Mr Schoon.

## Agreed

She agreed to do so, although she refused a similar request in February 1980 because, for the sake of her child, she was not prepared to take a risk.

Fitzgerald and her estranged husband, Mr Patrick Fitzgerald, also an alleged ANC member living in Botswana, have a mentally retarded son, Justin, 7.

An honours graduate in comparative literature from the University of the Witwatersrand, Fitzgerald often travelled to Botswana so that her husband, whom she is divorcing, could see their son.

## Report

In April 1981 her husband taught her the code. She was also given a book, "The Naked Gods", which Mr De Beer could use to communicate any report he agreed to write.

In a statement, Fitzgerald said when she arrived back in South Africa she explained the plan to Cedric who was not happy with it and said he would think about it.

A few days later he asked her to teach him the code, which she did.

"Subsequently, as a result of a rather clumsy and indiscreet telephone call from my husband, Patrick, concerning the manner of the communication of any message which Cedric might have, Cedric became very angry and said that under no

circumstances would he be prepared to go ahead with the plan suggested by Patrick."

## Punished

She did not know if a report was ever sent to Botswana.

Mr Dennis Kuny, for Fitzgerald, said she had been detained for six months and 10 days and had already been punished.

Although the ANC was an unlawful organization, the sending of a report to the organization on Mr De Beer's lawful activities was a relatively minor offence.

The prosecutor, Mr Jan Swanepoel, produced copies of the ANC mouthpiece, Sechaba, in court to show that the ANC aimed at overthrowing the South African Government by violent means.

## Dangerous

He described Fitzgerald as an ANC sympathiser who was dangerous because "it is one thing to fight a terrorist, but quite different fighting someone who is difficult to identify because there are no uniforms or guns".

He said if Fitzgerald's child was a consideration, the courts would never send anyone to jail because children were always a consideration.

In passing sentence, the magistrate described Fitzgerald as a "co-passenger" of ANC activities because she must have known the ANC was an unlawful organization and that her actions would aid that organization.

CAPE TIMES 24/4/82 331

5TH INTERNATIONAL CAPE TOWN FILM FESTIVAL

27 FEBRUARY COMPTICKET

MORE MYSTERIES OF LOVE

Artist Peter Krummeck with the poster play, Uncle

## Unusual move

Staff Reporter

BAXTER THEATRE has taken the unusual step of not distributing posters advertising a Chekhov play in the usual way because they are likely to become a collector's item.

When it was delivered, the Baxter's general manager, Mr John Slemon, decided that the posters would not be distributed in the usual manner.

The Baxter commissioned Peter Krummeck to design the posters for the first play in the company's 1982 season, Chekhov's Uncle Vanya.

"It is simply the best poster we had," he said.

## Volkswagen v

PORT ELIZABETH. — The 5000 black workers who downed tools at Volkswagen on Thursday returned to work yesterday, but negotiations will continue on Monday.

A spokesman for the workers said they were still adamant that management should reinstate 316 workers retrenched this week or allow them to work every second

week. But the industrial demeyer, that m "flatly these de Work at 9am, appeal to reu ageme it won

# Two charged with police station raids

**Pretoria Bureau**  
TWO alleged African National Congress members yesterday appeared in the Pretoria Magistrates' Court on 21 charges relating to attacks on police stations at Orlando, Moroka and Wonderboompoort.

Mr Thele Simon Mogoerane, 23 and Mr Jerry Senaro Mosoloi, 25, were led into the court barefoot and wearing leg irons. Both declined to plead to the main charge of treason or the alternative charges. The case was postponed until May 7.

When the men tried to say, in English, that they wanted to see their lawyers before pleading, the magistrate, Mr Ben van Schalkwyk angrily told them: "Speak in your own language to the interpreter".

As alternatives to the main charge of treason, they face:

- Five charges of participating in terrorist activities;
- Four charges of murder;
- 10 attempted murder charges; and,
- One charge of robbery with aggravating circumstances.

According to the charge sheet, the two men left South Africa in 1976 and joined the ANC — allegedly receiving

military training in Angola and Tanzania.

The State alleges that Mr Mogoerane, and others unknown to the State, infiltrated South Africa between April and November, 1979, and attacked the Moroka and Orlando police stations.

Three charges of murder, as well as several charges of attempted murder arise from these attacks.

The charge sheet alleges that Mr Mosoloi, with others unknown to the State, sabotaged the railway line near the New Canada station on May 24, 1981.

It is alleged that Mr Mogoerane and Mr Mosoloi returned to South Africa from Maputo in October or November 1981 and, with three other people unknown to the State, launched a limpet mine attack on the Capital Park power sub-station.

The two men, and other unknown persons, allegedly attacked the Wonderboompoort police station, on December 26 1981, with a variety of weapons, including RPG rocket launchers, sub-machine guns, pistols and hand grenades.

Constable D M Nkosi died in the attack and several other policemen as well as passersby were wounded.





The Cape Times, Saturday

**Police station raids:**  
**Shackled men in court**

[illegible]

# Terrorist without a gun

## 331 One more month in cells

### SAID THE PROSECUTION

#### SAYS THE MAGISTRATE

**SHE** is tiny and frail-looking — lost in the yawning solitude of the huge prisoners' dock at the centre of Court 18 of the Johannesburg Magistrate's Court.

Hannchen Elizabeth Koornhof-Fitzgerald, 27, niece of Cabinet Minister Dr Piet Koornhof and mother of a retarded child, seems to disappear inside her heavy suede jacket. Nervously, she clasps and unclasps her hands.

## Unforgiving

State prosecutor Jan Swanepoel is unforgiving. She is, he declares, a sympathiser of the banned African National Congress (ANC), "the self-declared enemy of South Africa".

"It is one thing to fight a terrorist, but quite another thing to combat a fifth columnist."

"A person like the accused is dangerous: she does not wear a gun or a uniform, but is just as dangerous. She is a traitor to her people and to her country."

Mr Swanepoel was arguing for a

By BRUCE LOUDON  
and NEIL HOOPER

sentence to be imposed on Mrs Koornhof-Fitzgerald that would have a deterrent effect on others sympathising with the ANC, which he described as being both real and a threat to law and order in South Africa.

Earlier, Mrs Koornhof-Fitzgerald had been jailed and fined after pleading guilty before Mr J de Kock to an alternative charge of unlawfully participating in the activities of the ANC in April last year by memorising a code which she passed on to Mr Cedric de Beer, the man with whom she was then living in Mayfair, Johannesburg.

Mr de Beer, who worked for the Environmental Development Agency, was detained in September last year. She was detained the next month.

Twenty months of the 21-month sentence imposed by Mr de Kock were suspended for five years. This means that the 27-year-old former Benoni English teacher will effec-

tively serve one month.

When she was sentenced Mrs Koornhof-Fitzgerald had been in detention for six months and 10 days.

She told the court she was married but had been separated from her husband, Mr Patrick Fitzgerald, since April 1979, when he went to Botswana.

There he became friendly with a couple, Marius and Jeanette Schoon, "and they did not disguise the fact that they were members of the ANC".

## Code

She said that she had previously refused to assist Schoon because she was not prepared to take any risks that could affect her seven-year-old, retarded child, Justin, who suffers from cerebral oedema, a degenerative brain disease.

But in April last year she agreed to assist, and her husband — whom she is divorcing — had taught her a code which she had to convey to Mr de Beer. She said the plan had been suggested by her husband. In the main charge brought

against her she was accused of teaching Mr de Beer the code with the intention of endangering the maintenance of law and order in the Republic. Two other charges related to banned publications.

The court was packed to capacity as Mrs Koornhof-Fitzgerald made her plea. There were scores of her student friends in the public gallery.

Sitting near her in the well of the court were her father and mother, and it was to white-haired, distinguished-looking Professor Hendrik Koornhof, brother of Dr Piet Koornhof, that fell the lot of pleading most eloquently for a lenient sentence for his daughter.

Called by his daughter's counsel, Professor Koornhof related the medical condition of Justin.

For mother and child to be together would be of great assistance to the child, said Prof Koornhof. His daughter's counsel went on to plead for a suspended sentence.

Then in weighed Mr Swanepoel with his view of the seriousness of the crime to which Mrs Koornhof-Fitzgerald had pleaded guilty.

The law, he declared, called for

the imposition of a sentence of anything between one and 10 years.

After adjourning for some time, Mr de Kock returned for what he termed the "unpleasant task" of sentencing: on the first count, 21 months' imprisonment, 20 of which were suspended for five years provided Mrs Koornhof-Fitzgerald is not convicted of a similar offence during that time. On the other two counts, fines totalling R500.

## Tears

A relieved Mrs Koornhof-Fitzgerald, close to tears, embraced her parents.

Mrs Koornhof-Fitzgerald looked back briefly at her friends before being led down to the cells. "Good-bye and thank you," she smiled. "See you soon," they responded.

Thus, in law, ended Mrs Koornhof-Fitzgerald's particular brush with the law. Another of the detainees held towards the end of last year had been brought to book.

Six months and 10 days later, she had been sentenced to an effective one month in jail.



Year	Membership		
	African	Asian and Coloured	White
1970			146
1971			151
1972			149
1973		108	108
1974		92	92
1975		82	82
1976		71	71
1977		68	68
1978		71	71
1979		65	65
1980		60	60

Address: 10 Cuthberts Buildings  
Oxford Street  
East London  
5201

Officials: Secretary: Mrs. J.

Area of Operation: East Lond

Founded:

Registration: Yes

Telephone: (0431) 28643

331 Star  
Hannchen: a  
25/4/82  
correction

In a report in The Star on Friday, headlined, "Niece of Minister passed on ANC code" (City Late edition), it was stated that Hannchen Elizabeth Fitzgerald "also allegedly provided a report from Mr de Beer to the ANC. . . ."

This was incorrect. The sentence should have read: she "agreed to provide the ANC with a report from Cedric de Beer." No report was provided to the ANC. The Star regrets the error.

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Yes-  
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W  
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PM  
20  
22  
18



Membership		
Asian and Coloured	White	Total
..	..	..
..	..	..
..	..	..
..	..	..
921	921	1 001
1 161	1 161	1 107
1 107	997	1 207
1 207	1 207	1 207
1 207	1 207	1 207
1 207	1 207	1 207

The five men had been sentenced to 18 months' jail each for refusing to testify in the trial of Khotso Seatlholo by Mr A H Barlow, presiding in Vanderbijlpark Magistrate's Court.

Mr Barlow's two previous refusals to grant the men bail pending their appeal were upheld in the Supreme Court by Mr Justice H H Moll.

The first application had been rejected by the magistrate as premature, because the Seatlholo case was then still underway.

The second was rejected because Mr Barlow held that the men had not advanced valid grounds for their refusal to testify, and because the State feared they would flee if their appeal failed.

The five men had refused to testify on ethical and moral grounds; Mr Mazwai stressing that to testify would damage his credibility as a journalist in the black community.

All had been detained without trial for long periods before they were called as witnesses, in some cases for more than eight months.

Address: P.O. Box 2884 Cape Town 8000

Officials: Secretary: A.E. Fr.

Area of Operation: Cape

Founded:

Registration: Yes

Industrial Council:

Industrial Council: Trade (Cape)

Ing.

By SELOTHATA

BAIL applications for Mr Thami Mazwai, news editor of The SO-WETAN, and four black consciousness figures were rejected for the third time last Friday in the Rand Supreme Court.

The application was for bail pending the outcome of an appeal by Mr Mazwai, Mr Thabo Edwin Ndubeni, national organiser of the Azanian People's Organisation, Mr Martin Carter Seleke, President of Azanian Youth Unity (nyu), and two Azanyu members, Mr Steve Si-pho Somacele and Mr Alex Solomzi Selane.

# Thami denied bail again

The Union affiliated to TUCSA in 1974 and had disaffiliated



# **nbabweans** **ld SA** **ny fugitive**

ormerly Salis-  
 Zimbabwean  
 forces have  
 South African  
 Government  
 aid in Harare  
 was identi-  
 vid van den  
 wife is also  
 e in custody.  
 details were  
 available.  
 ican authori-  
 tiating with  
 we Govern-  
 ment for his extradition.  
 Mr van den Heever, 27,  
 failed to appear in the  
 Supreme Court in Wind-  
 hoek last week to face an  
 allegation of murder, and  
 the extradition proceed-  
 ings do not affect Mrs  
 van den Heever.  
**IN PRETORIA**  
 Mr van den Heever's  
 co-accused, Mr Theunis  
 Erasmus Kruger, 29, is  
 meanwhile said to be in  
 Pretoria, and is due to

appear in the Supreme  
 Court in Windhoek again  
 on Wednesday.  
 SWA/Namibia's Attor-  
 ney-General, Mr Don  
 Brunette, said today a  
 warrant had been issued  
 for Mr van den Heever's  
 arrest.  
 "I have not yet had any  
 indication from the Zim-  
 babwe Government, but I  
 expect to hear from the  
 South African Police  
 soon," Mr Brunette said.  
 Last week he told the  
 court there was a strong  
 possibility Zimbabwe  
 would hand Mr van den  
 Heever back to South  
 Africa.

## **ON BAIL**

"As far as Mr Kruger is  
 concerned, we know he is  
 in Pretoria on bail, con-  
 sulting his attorneys, and  
 we expect him back here  
 on Wednesday."  
 Mr van den Heever's  
 advocate, Mr Jimmy Bur-  
 ger of Pretoria, withdrew  
 from the case when his  
 client failed to appear in  
 court last week.  
 The allegations against  
 the two men arise from  
 the shooting of an  
 Ovambo man in SWA/Nam-  
 ibia last year.  
 Zimbabwe's Minister of  
 State in charge of Secu-  
 rity, Mr Emmerson Mnang-  
 agwa, told the Herald at  
 the weekend: "We shall  
 decide what to do with  
 them (sic) after our in-  
 vestigation".

## **SECOND MAN**

The Minister's use of  
 the word "them" is  
 believed to refer to the  
 fact that Mr Kruger was  
 also believed to have  
 entered Zimbabwe.  
 But Mr Kruger said in  
 Pretoria that the last  
 time he was in that coun-  
 try was in 1975 when he  
 took part in the 33 km  
 Matopos Marathon near  
 Bulawayo. — Argus  
 Africa News Service and  
 Sapa.

# **'No mercy'** **on third** **party discs**

CAPE TOWN's traffic  
 manager Mr Harry  
 Attwood, today warned  
 that no mercy would be  
 shown to vehicle owners  
 who failed to display  
 third party insurance  
 discs from May 1.

Mr Attwood said as  
 from midnight on April  
 30 the discs should be  
 displayed and there  
 would be no period of  
 grace for motorists who  
 had not yet obtained their  
 third party insurance.

"We are going to be  
 tough. Third party insur-  
 ance is important and  
 completely different to  
 licences — the object is  
 to cover people injured or  
 killed in road accidents,  
 so we have to ensure that  
 all motorists have it".

Mr Attwood said people  
 who were summonsed for  
 not having their disc on  
 display but could prove  
 they were insured would  
 only have to pay a R5  
 admission of guilt fine.

# **Koornhof** **report** **correction**

IN a report in The Argus  
 on Friday, headlined,  
 Koornhof's niece jailed a  
 month, it was stated that  
 Hannchen Elizabeth Fitz-  
 gerald "was also alleged  
 to have provided a report  
 from Mr de Beer to the  
 ANC."

This is incorrect. The  
 sentence should have  
 read she "agreed to pro-  
 vide the ANC with a  
 report from Cedric de  
 Beer." She did not pro-  
 vide the ANC with a  
 report.

# **Labour** **unity** **hit by** **summit** **walkout**

Argus Correspondent

JOHANNESBURG. — In  
 a sharp setback for the  
 cause of labour unity,  
 delegates from a key  
 emergent trade union  
 stalked out of the Inde-  
 pendent Union Confer-  
 ence at the weekend.

The union which quit  
 the summit meeting is  
 the unregistered Motor  
 Assemblers and Compo-  
 nent Workers Union  
 (Macwusa) which shot to  
 prominence during last  
 year's unrest in the  
 Port Elizabeth motor in-  
 dustry.

Sources say the Mac-  
 wusa delegates, including  
 its organising secretary  
 Mr Government Zini  
 pulled out because they  
 could not agree to forge  
 closer links with unions  
 which were registered.

## **"CONSTRUCTIVE"**

In spite of Macwusa's  
 withdrawal, and the fact  
 that the Council of  
 Unions of SA (Cusa) was  
 absent, a joint statement  
 by organisations repre-  
 senting at least 150 000  
 workers said the meeting  
 was "constructive and  
 successful in strengthen-  
 ing the basis for unity  
 between the independent  
 unions."

The statement was  
 issued by Saawu, Fosatu,  
 Mwasa (Western Cape),  
 the Black Municipality  
 Workers' Union, the Food  
 and Canning Workers'  
 Union, the African Food  
 and Canning Workers'  
 Union, the General  
 Workers' Union, the  
 General and Allied  
 Workers' Union, the  
 Orange Vaal General  
 Workers' Union, the SA  
 Tin Workers' Union and  
 the National Federation  
 of Workers.

# **ie very** **y about** **Capab job**

FOURIE, also leave my afternoons  
 going artistic free to devote to my  
 "the happiest sons."  
 world" and Mr Fourie said he had  
 bubbling with proved himself to be a  
 he intends productive and successful  
 to plays as ("just look at the box  
 sident play- office returns") play-  
 ve something wright, and his plays  
 ted all my Mooi Maria, Faan se  
 d today from Trein, Faan se Stasie and  
 will soon be others were all written  
 d I am full "in stolen time."  
 plans which He intended changing  
 tely change his approach, however.

st dramatic "I think my era of  
 will be his 'volkstoneel' is past," he  
 Cape Town to said. "I've wrien enough  
 ing six km about the platteland and  
 Franschhoek, the socio-political history  
 ke place "as of the Afrikaner. Now I  
 new artistic want to move on to the  
 appointed." modern Afrikaner, the  
 will go his city Afrikaner, and per-  
 om Pieter — haps even handle interna-  
 rent since he tional themes."

Dick, 18 He said he was aware  
 — is rearing. that he would need "tre-  
 a productive mendous self-discipline"  
 edule, one I to make a success of the  
 to discover post, "but I am too exci-  
 ing down my ted, too motivated to  
 involves writ worry about that.

to the small He will take very few  
 e night, usu- books with him to Fran-  
 bout 10 pm to schhoek — "I always feel  
 that my library is in the  
 people around me" —  
 and is looking forward to  
 entering a new communi-  
 ty, one close to the earth,  
 one with "roots."

NATED "I have a chance to  
 do this," he become completely  
 administrative immersed in the creativ-  
 ated my day- ity of playwriting, and to  
 and I found I shed the burden of admini-  
 e steam up strative work while re-  
 night, I will taining the security of a  
 s schedule in job. What creative man  
 which will could ask for more?" he  
 asked.

# **Black pupils**

# **'less enthusiastic'**

SINCE the 1976 unrest,  
 pupils and teachers at  
 black schools have been  
 less enthusiastic and have  
 not tried to achieve the  
 best results, it was

About 50 teachers,  
 mainly women, attended  
 the meeting which was  
 held at the Vuyani  
 Higher Primary School.  
 Some teachers said  
 pupils today were con-

do extra work at home.  
 At school they destroyed  
 teaching aids left for  
 their use in classrooms,  
 making the work of dedi-  
 cated teachers difficult.

Dr Alex Boraine, MP

# Koornhof report correction

IN a report in The Argus on Friday, headlined, Koornhof's niece jailed a month, it was stated that Hannchen Elizabeth Fitzgerald "was also alleged to have provided a report from Mr de Beer to the ANC."

This is incorrect. The sentence should have read she "agreed to provide the ANC with a report from Cedric de Beer." She did not provide the ANC with a report.

Registration: Yes

Founded:

Area of Operation: Transvaal

Officials: Secretary: W.J. de Bruyn

Telephone:

0001

Pretoria

Address: P.O. Box 1341

VAN DIE BUITESTEDELIKE GEBIED

PERSONEELVERENIGING VAN DIE TRANSVAALSE RAAD VIR ONTWIKKELING



# TUTU ON TRIAL?

**BISHOP DESMOND Tutu faces a court hearing on June 8 relating to his passport, Internal Affairs Minister Chris Heunis has said.**

Mr Heunis said the passport could not be returned to Bishop Tutu because of the hearing, and he could not comment on the matter because it was sub-judice.

It is believed the hearing may concern statements Bishop Tutu allegedly made about foreign investments in South Africa during his last trip abroad and which resulted in his passport being confiscated on his return.

Mr Heunis' statement comes as a controversy grows in Washington over the government's refusal to allow him the passport.

Two of America's most respected universities have invited Bishop Tutu to visit the United States shortly: Yale University wants him as the Keynote speaker at a human rights symposium while Columbia University wants to award him an honorary degree early in May.

Already liberal congressmen have written letters to Dr Chester Crocker, Assistant Secretary of State for Africa, asking him to make every effort to ensure that Bishop Tutu's right to travel is restored.

Mr Howard Wolpe, chairman of the House Africa sub-committee, told Dr Crocker he felt "very strongly" that the United States should do everything it could to get the South African government to lift the travel restrictions on Bishop Tutu.

"We in this country have always regarded the right to travel as a fundamental freedom . . . as part of your continuing effort to encourage South Africans to institute constructive change within their own society, I hope you will formally ask them within the next few days to issue Bishop Tutu a new passport to enable him to participate in the programmes at Yale and Columbia."

Mr Stephen Solarz, former chairman of the Africa sub-committee and now chairman of the House sub-com-



**TUTU: Concern in the US?**

mittee on the Far East, told Dr Crocker the American government should urge the South African government to lift the restrictions on Bishop Tutu.

"If black South Africans travelling to the United States forfeit the right to speak freely to our people, it is difficult to understand how the United States will be able to foster and participate in a candid dialogue on apartheid which could help to bring about a just resolution of South Africa's problems," Mr Solarz said.

Mr Don Bonker, chairman of the House sub-committee on Human Rights and International Organisations, asked Dr Crocker to express the American government's concerns "to the highest levels of the South African government."

But the South African ambassador to the United States believes the issue is not one in which the United States government "can or should" intervene.

Ambassador Donald B Sole told Mr Bonker in a letter that in terms of South African passport practice possession of a passport was a privilege, not a right. This privilege could, accordingly, be withdrawn if it was abused.

\$ 1  
\$ 39  
\$ 74  
x 74  
x 196  
x 177  
x 309  
x 439  
0 882  
0 882  
0 197

1
39
74
74
196
177
309
439
882
882
197

Year	African	Asian and	Total
Membership			

# Terror appeal upheld

AN APPEAL against a Johannesburg man's conviction in terms of the Terrorism Act and his seven-year jail sentence was upheld by the Pretoria Supreme Court yesterday.

Mr Archibald Monty Mzimyathi, 31, of Soweto, was convicted in October 1980 of undergoing military training in Russia.

Mr Justice B L S Franklin, with Mr Justice K van Dijkhorst concurring, found there had been a "miscarriage of justice" when the trial magistrate, Mr G Steyn, had refused to allow evidence to be heard on commission in Lesotho.

The State alleged Mr Mzimyathi underwent military training in Russia between March and July of 1977.

Mr I Mohamed, SC, for Mr Mzimyathi, said the magistrate had erred in refusing the commission.

The defence had witnesses in Lesotho who would say that Mr Mzimyathi was in the country at the time he was alleged to have been in Russia.

Mr Mzimyathi had a car accident in June 1977, and had received refugee status in Lesotho in April. He had signed for his monthly allowance until July 1977, Mr Mohamed said.

Mr Mohamed also argued a statement by Mr Mzimyathi was not a confession.

Mr Mzimyathi had alleged he was assaulted and forced into making the statement saying he was a member of the ANC and was trained in Russia.

"An extraordinary feature of the State's case was that it failed to call the police witnesses Mr Mzimyathi alleged had been involved in his ill-treatment," said Mr Mohamed.

Mr Mzimyathi has been in detention since his arrest in April 1979. He is at present on Robben Island. Sapa.

Date of deregistration unknown.

Presumed defunct.

Year	Membership			
	African	Asian and Coloured	White	Total
1980				
1979				
1978				
1977				
1976				
1975				
1974				
1973				
1972				
1971			..	..
1970			..	..
				10
				8

+ du Toit



# Natal bomb blasts: EL man in court

331

D. Dispatch

29/4/81

to union strikers

DURBAN — An East London man alleged to have been involved in eight bomb blasts here last year was sent for trial in the Pietermaritzburg Supreme Court when he appeared with two other men in the magistrate's court here yesterday.

Mr Seth Mpumulelo Gaba, no age given, of East London, Mr Patrick Ntobeko Maqubela, 32, of Durban and Mr Mboniswa de Villiers Richard Maqhutyana, 29, of Umlazi, who appeared before Mr J. J. Muller, face charges of high treason, possession of explosives and firearms, contravening the Terrorism Act and sabotage.

They will appear in

the Supreme Court on June 1 on a total of 57 counts. They were remanded in custody.

According to the indictment, the eight separate bomb blasts caused considerable damage to buildings in Durban and injured a total of nine people.

The indictment claims that the three accused were members of the African National Congress and that there was a conspiracy to overthrow the government by violent means.

The indictment alleges that the accused attempted to recruit people to join the conspiracy.

It is also alleged they

recruited or attempted to recruit people to train them in the art of warfare and/or subversion and/or sabotage.

It is alleged they established arms caches and equipped people with weapons and/or explosives.

It is also alleged that one of the accused arranged for the hire of vehicles in Durban to be used by the ANC to convey explosives from Swaziland.

It is claimed by the state that considerable quantities of explosives and hand-grenades, limpet mines and electric detonators were found in the possession of the accused, as well as firearms. — DDC.

South  
Prior

Membership: 1981 - 2 300

Registration: Has applied for registration

Founded: 1981

Area of Operation: National

Officials: E. Mashini

Telephone:

Address: P.O. Box 7135  
Johannesburg  
2000

HOTEL, LIQUOR AND CATERING TRADE WORKERS UNION



# Lawyer to testify on ANC links

A BANNED Johannesburg lawyer, Mrs Priscilla Jana, has been subpoenaed to appear in court today, to testify on numerous organisations and persons alleged to have furthered the aims of the banned African National Congress.

In what could be one of the most interesting and unusual cases to have involved the legal profession, Mrs Jana, a prominent instruct-

By SAM MABE

ing lawyer in political cases, may be expected to break the traditional privilege by which lawyers may not divulge

any information concerning their clients. Mrs Jana is supposed to furnish the magistrate with infor-

mation required by the Security Police, who are currently carrying out investigations on Messrs Cedric Mayson, Allen Fine and B Hogan who have been charged with furthering the aims of the ANC.

She is also to explain her involvement with various other unions and organisations such as the Anti-South African Indian Council, the Solidarity Front, the Release Mandela Campaign and a meeting allegedly held at St Peter's Lodge during 1979 and 1980.

A prominent Johannesburg advocate yesterday said that in principle a lawyer is not bound to divulge any information concerning a client. On the other hand, a lawyer may not conceal any information about a client if it concerns the commission of a crime by the client.

Another advocate said the only information a lawyer is not bound to divulge is that which was given on a professional basis, but any other information she acquired in a personal capacity is unprotected. It is also believed that the hearing will be held in camera.

## Priest's ban may be lifted

THE five year banning order on Fr Smangaliso Mkhathshwa, secretary general of the Southern African Catholic Bishop's Conference (SABC), expires tomorrow.

Fr Mkhathshwa — the first black priest to be banned — has been restricted to the magisterial district of Pretoria at the small township of Soshanguve between the hours of 6 am and 6 pm since 1977.

Born in Barberton, the priest was ordained in Lydenburg in 1965. From the following year he was the parish priest in Witbank until 1970.

By NKOPANE MAKOBANE

he travelled widely locally and abroad attending international congresses and addressing seminars.

He was detained under Section 10 of the Internal Security Act for four months between August and December 1976.

He was released with-



MEETING MINISTERS: Joe Tshabalala.

## Bomb explosion

A BOMB explosion near the Oshakati Post Office in northern SWA/Namibia cracked windows and

## Council to meet Govt

THE Atteridgeville/Community Development Council has called for an urgent meeting with senior Government officials to discuss the controversial Dairy Farms issue and the recently announced rent increase in the township.

At their monthly meeting held yesterday, the council threatened that should their request be ignored they would fly to Cape Town "and walk in there and demand to see both ministers of Community Development, to seek charity on these burning issues."

Council Chairman Mr Joseph Tshabalala, who accused the Government of focusing their attention only on Soweto, condemned the authorities for "totally ignoring the plight of blacks."

Ms Z Z Mashua, senior council member, said the council was faced with a very serious

problem which demanded clear explanation to the residents. The Dairy Farms, near Atteridgeville, were proclaimed an Indian Residential Area amidst strenuous petitioning by the council to have the place incorporated into the black township. The issue took a dramatic turn on March 25, when the council suspended their activities in protest against the Government decision.

## Three makgotla men acquitted of assault

By ELLIOT TSHINGWALA

THREE makgotla men charged with the assault of a Tshiawelo man, his brother, their 70-year-old

friend at the time. His father went to open the door and led three makgotla men in. The men were armed with sjamboks and a kietrie.

run to his uncle's home. Testifying under oath, Mr Mnguni admitted beating Jimmy with a sjambok. He said Jimmy had insulted him, and



# RSTING



PIE PLATE  
229 mm  
DIAMETER

199

(ATC - Times) 29/4/82 (331)

## Durban bombings: Three to stand trial

DURBAN — Three alleged members of the African National Congress were yesterday committed for trial in the Supreme Court, Maritzburg.

Their trial will be a sequel to eight bombings which took place in Durban last year.

They are Mr Patrick Ntobeko Maqubela, 32, who is a Durban attorney, Mr M Boniswa de Villiers Richard Maqhutyana, 29, of Umlazi, and Mr Seth Mtumulelo Gaba, of East London.

The three men appeared in the Durban Magistrate's Court yesterday and were remanded by Mr J Muller for trial on June 1.

No charges were put to them.

The indictment contains a total of 57 counts with charges of high treason and contraventions of the Terrorism Act, the Arms and Ammunition Act, the Explosives Act and the General Law Amendment Act.

The eight explosions in Durban relate to the Field Street post box bomb, the Cenotaph explosion, the bombing of two motorcar showrooms, two government offices, the SADF recruiting centre in the Trust Bank building, Smith Street, and the railway line at Umlazi.

It is alleged the men were members

and/or active supporters of the ANC and that they took part in a conspiracy between members of the ANC and/or Umkhonto We Sizwe — the ANC's military wing — to use violence, or the threat of violence, to overthrow or coerce the South African Government.

They allegedly helped recruit people to join or support the conspiracy, for military training and/or sabotage, conspired to establish arms caches and to deploy trained people inside the country to commit acts of war and/or subversion and/or sabotage.

It is alleged the accused possessed Russian hand grenades, limpet mines, a machine rifle, Makarov pistols and ammunition, an AK-47 rifle, plastic explosives, TNT and detonators.

Mr Maqubela was stationed in Durban, from where he allegedly conducted operations for, and served as a link between, the ANC and other conspirators based in Swaziland. It is alleged that he arranged to hire vehicles to carry explosives, couriers and information to and from Swaziland.

Mr Maqhutyana is alleged to have been involved in organizing arms caches at or near Umlazi.

Bail was refused. — Sap

## Glue-sniffing death toll may rise, say experts

Own Correspondent

LONDON. — Glue sniffing and solvent abuse have killed half a dozen teenagers on Tyne Side — and the death toll will rise unless the craze is halted, experts have warned.

The grim forecast follows a claim at a conference this week that many youngsters can be seen wandering the streets of Newcastle-Upon-Tyne on "glue trips" because of the futility of life on the dole.

University lecturer Denis O'Connor, who runs a Saturday clinic in the city for glue sniffers, said, "We are inundated with heavy users and there are many more youngsters dabbling with glue and solvents because it is the craze."

"Sniffing has become much more obvious over the last year. There are many youngsters wandering round intoxicated by solvents. In fact at this moment I can see three youths sniffing in the park opposite my office."

"Unemployment or the spectre of it has much more to do with the problem. It's a frightening thing for young people. A job can give them some self respect

and purpose in life, but being on the dole gives them a sense of helplessness and hopelessness. Sniffing provides a bit of excitement."

The spectacle of teenagers staggering round streets spurred Newcastle mother of two Millie Blenkinsop to launch a solvent abuse campaign last November — and now her petition to press the government for action on the problem has thousands of signatures.

She said: "I saw some youngsters sniffing glue in the city centre. They were acting like animals and I was sickened to see kids in that state. It was horrifying."

"People told me not to get involved, but I couldn't ignore the problem, so I started the campaign. We are hoping to persuade the government to press solvent manufacturers to make their products safe. That is the best answer to the problem — but if it is possible then there must be some sort of deterrent or more lives will be lost."

Teenage sniffers usually steal their materials, but many shops have taken glues and solvents off display shelves and banned sales to under-18s.

## Eisteddfod results

THE following are the results of the Speech and Drama, Piano and Strings sections of the Cape Town Eisteddfod which were held on April 23 and 24.

Creative Drama: Group Improvised

Stds 3 and 5 or 10-12 years (honours): Pamela Stein Studio, Irma Kesler Studio, Irma Kesler

Boys and Girls 13-14 years (honours): S Weinkove, S Denbigh, Andrea Chiat, Camilla du Preez.

Prepared Solo Mime

Boys and Girls 15 years (diploma): Lisa Doyle. (Honours): Jane van der Riet.

Unprepared Solo Mime

String Quarters. Own choice 15 years and under (honours): Antoinette Malherbe, Marguerite de Groot, Elizabeth Rennie, Lynn Menzies.

Violin Sight Reading

13 and 14 years (honours): Pieter Schoeman

17 and 18 years (honours): Dyls Woolley.

20 and 22 years (diploma)



# Three alleged ANC men face charges of 8 Durban bombings

DURBAN. — Three alleged members of the African National Congress were committed for trial yesterday in the Maritzburg Supreme Court on charges which include eight bombings in Durban last year.

A Durban attorney, Mr Patrick Ntobeko Maqubela, 32, Mr Boniswa Richard Maqhutyana, 29, of Umlazi, and Mr Seth Mtumulelo Gaba, of East London, appeared in the Durban Magistrate's Court yesterday and were remanded by Mr J Muller for trial on June 1.

No charges were put to them.

The charge sheet contains a total of 57 counts, including charges of high treason and contraventions of the Terrorism Act, the Arms and Ammunitions Act, the Explosives Act, the General Laws

Amendment Act, malicious damage to property and attempted murder.

The eight explosions in Durban relate to bombings of buildings and other installations.

It is alleged the men helped to recruit people to join or support the ANC's conspiracy for military training and/or sabotage, conspired to establish arms caches and to deploy trained people inside the country to commit acts of war and/or subversion and/or sabotage.

It is also alleged they were in possession of Russian hand grenades, limpet mines, a machine rifle, Makarov pistols and ammunition, an AK-47 rifle, plastic explosives, TNT and detonators.

Bail was refused. — Sapa.

Utilisation to  
1980 - The Unit

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Registration:

Founded:

Area of Oper:

Officials:

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156 Jeppe Street  
Johannesburg

Telephone: (011) 294 177

Year	Membership			
	African	Asian and Coloured	White	Total
1970	..	..	..	471
1971	..	..	..	544
1972	..	..	..	457
1973	336	58	..	394
1974	234	42	..	276
1975	264	69	..	333
1976	185	7	..	192
1977	170	20	..	190
1978	170	20	..	190
1979	170	17	..	187
1980	135	15	..	150



Post Correspondent

MARITZBURG — The Maritzburg Supreme Court in College Road, where the present Seychelles hijack trial is being held, will be the scene of another major trial in June this year when three alleged members of the ANC will appear on charges which involve eight bombings in Durban last year.

The three alleged ANC members, a Durban attorney, Mr Patrick Maqubela, 32, Mr Boniswa De Villiers Richard Maqhutyana, 29, of Umlazi, Durban, and Mr Seth Gaba, of East London, appeared in the Durban Magistrate's Court yesterday and were remanded for trial in the Maritzburg Court on June 1.

The indictment contains a total of 57 counts of charges of high treason and

# Maritzburg to be venue of big ANC trial

331 E. Post 29/4/82

the contraventions of the Terrorism Act, the Arms and Ammunition Act, the Explosives Act, the General Law Amendment Act, and sabotage, malicious damage to property and attempted murder.

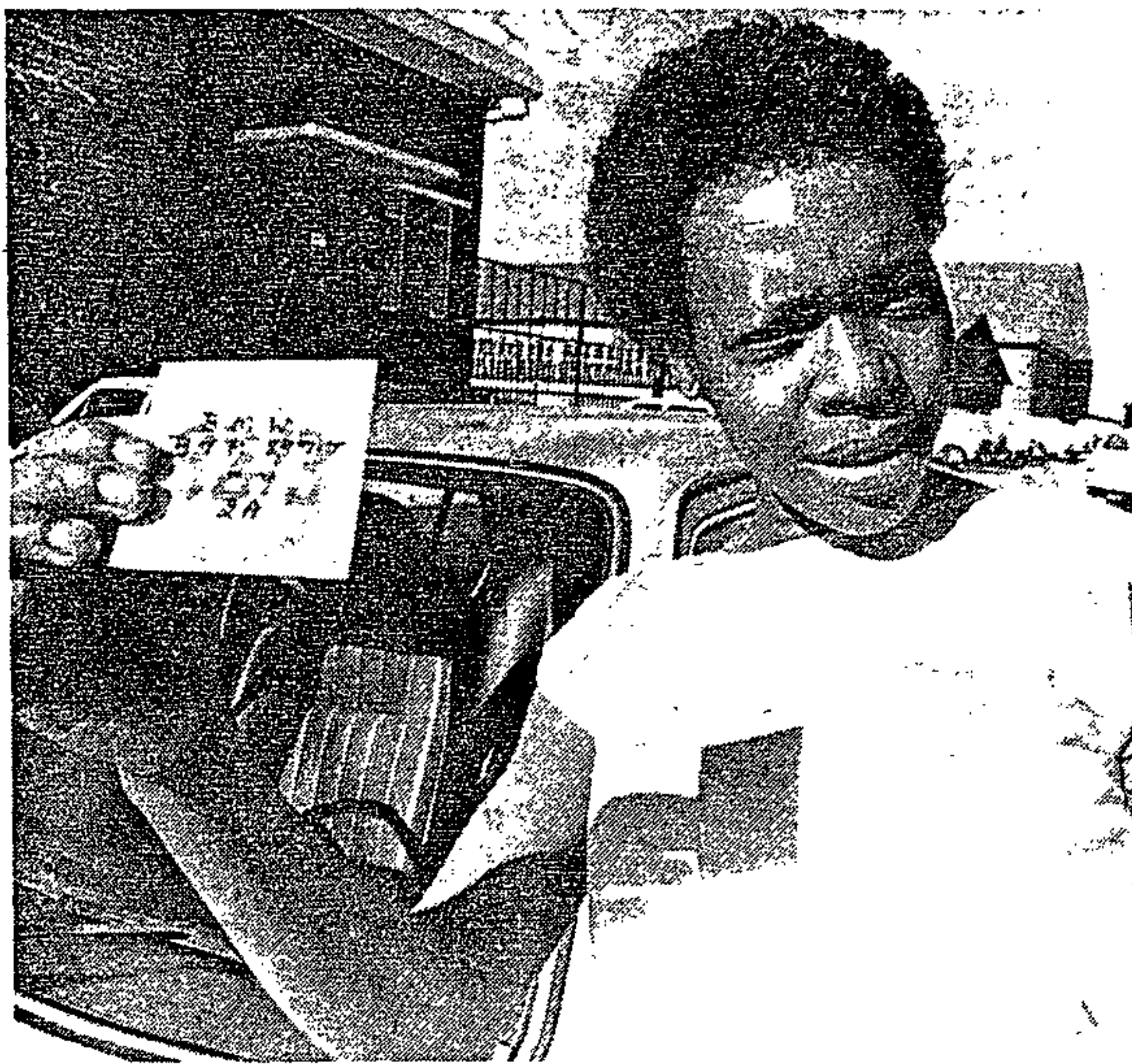
The eight explosions in Durban relate to the Field Street post box bomb, the Cenotaph explosion, the bombing of two motorcar showrooms, two Government offices, the SADF recruiting centre in the Trust Bank building, Smith

Street, and the railway line at Umlazi.

It is alleged the men were members and/or active supporters of the ANC and that they took part in a conspiracy between members of the ANC and/or Umkhonto We Sizwe — the ANC's military wing — to use violence or the threat of violence to overthrow or coerce the South African Government.

Strict security will be enforced at the trial of the three men. — Sapa





## Attorney on trial

THREE alleged ANC members go on trial on June 1 on a total of 57 counts, including being responsible for eight bombings in Durban last year.

The trial of Durban attorney Mr Patrick Ntobeko Maqubelo (32) of Clermont. Mr Boniswa Richard Maqhutyana (29) of Umlazi, and Mr Seth Mtumulelo Gaba of East London will take place in Pietermaritzburg.

The charges include high treason, attempted murder, malicious damage to property, and contraventions of the Terrorism Act, the Arms and Ammunitions Act, the Explosives Act and the General Laws Amendment Act.

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# CLUBMAN

## MINT PUNCH

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## Hearing postponed <sup>Sowetan</sup> 331

THE hearing at which Mrs Priscilla Jana was to testify in the Johannesburg Magistrate's Court on organisations and persons alleged to be furthering the aims of the banned ANC was yesterday postponed.

A spokesman for the lawyer, who may not be quoted, said yesterday that no date had been set on which Mrs Jana would make an appearance.

30/4/82  
Mrs Jana was subpoenaed to tell all she knows about the Anti-SAIC, the Solidarity Front, Free Mandela Campaign, the Black Municipality Workers' Union and a meeting allegedly held at St Peter's Lodge during 1979 and 1980.



Soul Ten 30/4/82

appeal against conviction and sentence in the Pretoria Supreme Court on Wednesday.

1974 affiliation  
other unions

with due 88/116

Founded: 1939

Officials: Secretary: A. Frazer

Telephone: (021) 433658

18/0861

91



leased darling Martin (Moke)", had warned her he wanted to interview her alongside the course for TV. "I sat down yesterday and wrote what I would say, otherwise one's mind goes absolutely blank."

But for the rest, the fashions were abysmal. Men in chain store jerseys and tatty slacks or grey, brown or green suits, a few ties and handkerchiefs matching the dress of wives or girlfriends.

The Holiday Inns could have put on no entertainment apart from the race, to rival the young man in the shiny yellow top with white pants, white chiffon scarf, knotted in a voluminous bow around his neck, shiny boots, headband, punk glasses, and carrying a

# Three years' jail for nothing

By CATHY KENTRIDGE

A SOWETO man who has spent three years behind bars despite having a cast-iron alibi that he could not have received terrorist training in Russia, has left Robben Island a free man after being declared innocent by two Supreme Court judges.

Mr Archibald Monty Mzimyathi was arrested in April 1979, convicted in October 1980, and sentenced to seven years' jail.

Finally, he was acquitted last week.

Mr Justice B L S Franklin and Mr Justice K van Dijkhorst, in upholding the appeal against conviction and sentence, found there had been a miscarriage of justice.

They said the trial magistrate had misdirected himself in refusing to issue commission which would have established Mr Mzimyathi's alibi.

The State alleged that between March and July 1977 Mr Mzimyathi underwent training in Russia which could be of use to any person intending to endanger law and order.

Total evidence against the accused was his own statement and drawings. He alleged he had to make the statement after being ill-treated by the police.

He also alleged he had made the drawings after being verbally but not physically threatened.

All this evidence was self-incriminating.

At the trial, counsel for the defence applied to the court for evidence to be taken on commission in Lesotho to

prove that the accused was there when he was alleged to have been in Russia.

The magistrate refused to issue commission on the grounds that as the commission evidence was crucial to the defence he must himself see the demeanour of witnesses.

The evidence on commission procedure is used when a witness outside the jurisdiction of South Africa's courts refuses to come to this country to testify.

The South African court can then appoint a commissioner in the witness's country to record evidence and send it on.

The evidence which defence counsel in Mr Mzimyathi's case tendered was that Mr Mzimyathi was in Lesotho at the time he was alleged to have been in Russia undergoing training.

This was shown by a police docket, dated June 10, 1977 containing a statement by the accused about a motor accident in which he was involved on that day and in hospital records of the accused's treatment in hospital after the accident.

The Prison's liaison department yesterday confirmed Mr Mzimyathi had been released from Robben Island on Thursday.

Mr I Mahomed SC and Mr M Bassian instructed by Priscilla Jana and Associates appeared for the Appellant. Mr F de Beer appeared for the State.

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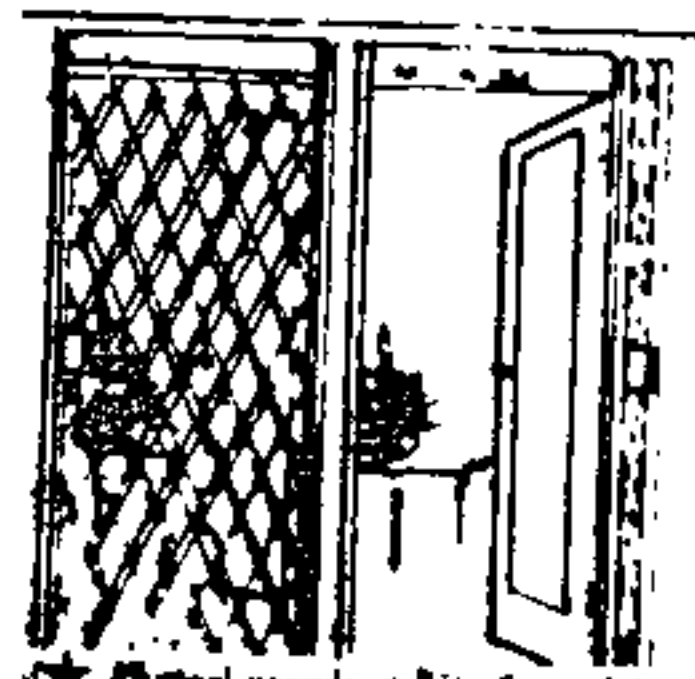
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PRETORIA

*Law*  
**Reporter**  
*3/5/82*  
**wins**  
**'secrets'**  
**appeal** *(331)*

The Star's Africa  
News Service

WINDHOEK — The Windhoek Appeal Court today set aside the conviction of a Johannesburg journalist sentenced last year to three years' jail for contravening the Official Secrets Act.

The State conceded there had been irregularities in the trial of Mr Winston James Beaumont (22), of The Star.

Namibia's Attorney-General, Mr Don Brunette, said he was unable to support the conviction on several grounds.

Among these were that Mr Beaumont's previous conviction had been put to the court by the prosecution without proper foundation.

The magistrate had also refrained from calling as witness a former colleague in Mr Beaumont's signals room.

Mr Beaumont had been convicted under section 3 (1) (c) of the Official Secrets Act for possessing extracts of a "secret" signals instruction used while he was a radio operator at a military camp at Gobabis, eastern Namibia, early in 1980.

Had his appeal failed he would have faced two suspended sentences, totalling a further three years, from a previous conviction under the same Act.



# Journalist wins appeal after conviction under Secrets Act

221 331 331 ROM 4/5/82

WINDHOEK. — The Windhoek Supreme Court yesterday set aside the conviction and sentence of a Johannesburg newspaper sub-editor, Mr Winston James Beaumont, 24, on charges under the Official Secrets Act and the Defence Act.

On August 28 last year, in the Windhoek Regional Court, Mr Beaumont was sentenced to three years' jail.

Counsel for the defence, Mr Bryan O'Linn, submitted in argument on appeal yesterday that the State had incriminated Mr Beaumont when it raised a previous conviction in court, before he had been found guilty.

The Regional Court had also failed to call a witness who could have given evidence material to the trial.

The Attorney-General of South West Africa, Mr Don Brunette, conceded the points raised by Mr O'Linn and the presiding judges — Mr Justice Chris Mouton and Mr Justice Ken Bethune — upheld the appeal.

The case arose from an incident on April 14, 1980, in which the State alleged certain written material had been found in Mr Beaumont's luggage after he had received military clearance to return home from a tour of duty at a camp in SWA. — Sapa.

241  
SP chief (331)  
Sta 6/6/82  
**Open court  
exploited**

Some political trials should not be held in open court because trials were exploited as political forums, the Security Police chief, Lieutenant-General Johan Coetzee, said last night.

He was speaking in an interview on SABC-TV following a talk to Rand Afrikaans University students.

He said some people believed the court system for political trials was being exploited and should be replaced by an alternative system.

● See Page 3.

# Three union leaders appear in court

Staff Reporters

Three executive members of the 70 000-strong South African Allied Workers' Union appeared briefly before a Johannesburg regional magistrate today in connection with a charge

under the Terrorism Act.

The president of the union, Mr Thozamile Richard Gqweta, the general secretary, Mr Sam Bekhuyise Kikine, and the national organiser, Mr Sisa James

Njikelana, were not asked to plead.

On May 4 the Attorney-General authorised the prosecution.

Their names were added to a charge sheet and they will appear with Miss Barbara

Anne Hogan (30) of Hunter Street, Yeoville, Mr Cedric Radcliffe Mayson (54) of St George's Street, Bellevue, and Mr Alan Morris Fine (26) of Sharpe Street, Bellevue.

In terms of a certifi-

cate handed to the magistrate, Mr J J van Eeden, their advocate, Miss Priscilla Jana, did not apply for bail. The men were remanded until May 28 for further investigation.

After more than five months in detention two leading trade unionists were released yesterday with no charges brought against them.

Mrs Emma Mashinini, general secretary of the Commercial, Catering and Allied

To Page 3, Col 8

## Unionists in court

from page 1

Workers' Union, and Mrs Rita Ndzanga, organising secretary of the General and Allied Workers' Union, were detained on November 27 last year and were held under section six of the Terrorism Act.

Mrs Mashinini was one of many trade unionists detained in the crackdown by Security Police last November.

"I don't know in the first place why I was held. I should have been charged if I had committed any crime," said Mrs Mashinini.

Her husband, Mr Tom Mashinini, said: "I'm really bitter that I was deprived of a wife for so long and yet no charges are brought against her."

Mrs Mashinini said the Security Police had warned her not to talk about her detention.

In Kimberley an Anglican priest, Father Ivor Shapiro, editor of the church's publication Seek, was detained yesterday.

A 31-year-old legal clerk, Mr Kwenzakhe Mlaba, was detained yesterday in Durban.



# ANC case

## men deny

### treason

Own Correspondent

Two alleged members of the banned African National Congress today pleaded not guilty in a Pretoria district court to charges of high treason relating to attacks in the city, and to 20 alternative charges of murder, attempted murder and terrorism.

Mr Thelle Simon Mogoerane (23) and Mr Jerry Semano Mosololi (25) appeared in shackles. The case was referred to the Supreme Court by the Attorney General for trial on June 1.

Mr J H F Pistor, who appeared for the State, argued that the men were chained for security reasons, but the magistrate, Mr B J O van Schalkwyk, ordered that they be unchained.

The charges involve attacks on two police stations in Soweto in 1979, on a power station in Pretoria and the Wonderboomport police station last December, and on the railway line between New Canada and Mzimhlope stations in May last year.



this morning to take a prisoner, Norman, who was in the cells at the time, was hit to wounds in his back and hands. (page 1.)

Land soccer players say finances are considered to be in good shape. \* \* \*

NDON. — A special squadron of Royal Navy helicopters is being scrambled to provide air support for the force. — Sapa-AP

Argus Bureau  
NDON. — The cost of Falklands expedition far could be R1800-000, experts say. But the highest estimates do not appear to concern the government's overall

Argus Bureau  
WASHINGTON. — President Reagan has voiced renewed US support for the British negotiating position. He told reporters that any ceasefire should be accompanied by Argentina's withdrawal from the islands.

Argus Correspondent  
MADRID. — A rift is opening between Spain and Britain as the Falklands conflict worsens. Spaniards side resolutely with the Argentine, their former colony.

# Alleged ANC men face treason charge

Argus Correspondent

PRETORIA. — Two alleged members of the banned African National Congress today pleaded not guilty in a magistrate's court here to charges of high treason relating to attacks in the city, and to 20 alternative charges of murder, attempted murder and terrorism.

Mr Theille Simon Mogoerane, 23, and Mr Jerry Semano Mososloli, 25, appeared shackled in court today. The case was referred to the Supreme Court by the Attorney-General for trial on June 1.

Mr R Mokgoatheng, for the accused, asked that his clients be unchained, because they had difficulty walking. According to South Africa's legal system they should not be chained during court proceedings.

## ORDER

Mr J H F Pistor, for the State, said the men were chained for security reasons.

But the magistrate, Mr B J O van Schalkwyk, ordered that they be unchained.

When the accused were asked to plead, Mr Mogoerane said in English that he disputed all the allegations. Mr van Schalkwyk ordered that he speak his own language so that later there would not be any confusion.

The charges involved alleged attacks on the Moroka and Orlando police stations in Soweto on May 31, 1979, the Capital Park power station in Pretoria on December 14, last year, the Wonderboomport police station on December 26, and the railway line between New Canada and Mzimhlope stations on May 24 last year.

They also denied that they had joined the ANC in 1976, had undergone military training in Angola, Tanzania and East Germany or had set up hiding places for arms, ammunition and other ANC members.

## Paper ban

JAKARTA (Indonesia). — The Muslim daily Pelita has been banned in connection with what government officials described as "negative" reporting on the May 4 general elections. The ban followed Pelita's full report on alleged fraud and double vote-counting which it said led to the overwhelming victory of the military-backed Golkar Organisation. — Sapa-AP.

## Hijack

(Continued from Page 1)

know how difficult it is going to be."

Mr Justice James replied that it was not the court's fault that some of the accused were no longer represented.

Mr Moneta said that it was not his fault that he was now unrepresented.

The Attorney-General, Mr Cecil Rees SC, asked the judge to "put the accused on terms so that when the case resumed on Wednesday they would be represented."

The judge agreed and stressed the urgency of resuming as quickly as possible.

"All good things and all bad things must come to an end," said Mr Justice James.

Granting Mr Hannon leave to withdraw, Mr Justice James said that difficulties had arisen out of the conflict of interests of various accused.

Mr Hannon said that he had consulted his Bar Council yesterday and it had advised him to withdraw on ethical grounds.

"However inconvenient it may be for the court and the accused, I grant you leave to withdraw and I thank you for your appearance," said the judge.

Mr Hannon told the Daily News he did not know if he would still defend the people charged in the Seychelles with trying to overthrow the State. He has been representing Colonel Mike Hoare and 32 others.

His recusal follows the withdrawal in April of Mr Eddie Stafford SC, who represented 10 of the accused with Mr Piet Oosthuizen SC.



**Alleged ANC men appear in court today**

331

*[Handwritten signature]*

*Sonneton 7/5/82*

# TERROR CHARGE

**TWO ALLEGED** members of the banned ANC will appear in the Pretoria Magistrate's Court today on a charge of high treason and 20 alternative charges which include five murders and possession of a large quantity of weapons.

They are Thelle Simon Mogoerane (23) and Jerry Semano Mosololi (25), who are alleged to have undergone military training with the intention to

**By WILLIE BOKALA**

overthrow the Government and undermine law and order.

They are also alleged to have attacked Moroka and Orlando Police Stations in Soweto where they killed three policemen. In another attack on Wonderboom Police Station in Pretoria last year, they allegedly killed two more policemen and injured others, and robbed a man of his car.

Other alternatives are:

- They underwent military training in Angola, Tanzania and other countries between 1976 and 1979.
- Attacked Moroka Police Station on the

evening of May 3 1979 with AK47 assault rifles and grenades, killing Constables Bongani and Brian Tembe and seriously injuring Constable Edward Moremi.

- In the same attack injured Constable Ernest Nkosi, Mr Godfrey Tshabalala and Ms Daphney Thandi Magagula.

- Attacked Orlando Police Station on the night of November 1 1979 with AK47 submachine guns and grenades, killing Constable Ntsieni, Jerry Musindane and Constable Christopher Zibi.

- In the same attack injured Constable Thami Goodenough Dyantjie and Mr Siphos Zungu.

- Deployed weapons at or near New Canada on or about May 24 1981.

- Were found to have explosives, three RDG handgrenades, one RG-42 grenade, five AKMS submachineguns, one RPG-7 rocket launcher, two RPG-7 rockets, two AK47 bayonets, and other arms and ammunition in the Wonderboom, Pretoria, area in December 1981.

They are also alleged to have robbed Mr Frans Thobela of his car in Pretoria and attempted to kill him.



(331) stay 7/5/82

## Brother of island prisoner in court

The brother of a Robben Island prisoner appeared in the Johannesburg Regional Court today in connection with a charge of possessing a hand grenade and causing an explosion.

Mr Samson Khumalo (22) of Mofolo South in Soweto, whose brother E Khumalo is serving 10 years on Robben Island, appeared in the docks

leaning on crutches and with his right leg in plaster. He was not asked to plead.

The case was postponed until June 17 when Mr Khumalo will be charged with possessing a hand grenade in Soweto on February 28 and causing an explosion which endangered the lives of Mr Dick Thebothe and Mr Patrick Swelankomo.

He was released on bail of R500.

## Trade unionists in court

THREE executive members of the South African Allied Workers' Union made an appearance in the Johannesburg Regional Court yesterday.

They are Mr Thozamile Gqweta, president, who was de-

tained for the seventh time on Wednesday afternoon in East London. Mr Samuel Kikine, general secretary and Mr Sisa Njikelana, national organiser.

During their appearance before Mr JJ van

Eeden, no charges were read against them. The prosecution said police are still continuing with investigations and indicated that the men are to face charges under the Terrorism Act.

They were re-

manded in custody to May 28, a provisional date for the State to furnish the defence with charge sheets.

Ms Priscilla Jana, their legal representative, told the court she had no objection to this arrangement.

Sametam

7/5/82

# KwaZulu diplomat refuses to testify

1982 (331)  
KWAZULU's diplomatic representative in Natal, Mr J T Zulu, yesterday refused to give evidence for the State when he appeared in the trial of Mr G Sithole and three others who are be-

ing charged under the Terrorism Act in the Durban Regional Court.

Mr Zulu refused to take the oath and his attorney, Mr C Albertyn, applied for the case to be

7/5/82  
adjourned so that evidence could be prepared showing that Mr Zulu had "just cause" for refusing to give State evidence. He also required time to appoint counsel.

The application was opposed by the prosecutor, Mr A Ackerman, and after hearing argument the Magistrate agreed to adjourn the case until Monday, May 17. — Sapa



# Unionists on terror charges

Own Correspondent

JOHANNESBURG. — Three leading trade unionists appeared briefly in the Johannesburg Magistrate's Court yesterday in connection with charges under the Terrorism Act.

Mr Thozamile Gqweta, president of the 25 000-strong South African Allied Workers' Union (Saawu), Mr Sisa Njikelana, Saawu vice-president, and Mr Sam Kikine, Saawu's Natal-based general-secretary, all appeared before M J van Eeden.

They were remanded to May 28.

According to the charge sheet, the trial of the three has been added to that of Miss Barbara Hogan, 30, of Hunter Street, Yeoville, Mr Cedric Mayson, 54, of St George St, Bellevue and Mr Allen Fine, of Sharp Street, Bellevue.

Miss Hogan and the others are appearing for alleged contravention of the Terrorism Act. Their hearing has also been set for May 28.

All three men were neatly dressed and looked well. Mr Gqweta greeted friends and fellow unionists sitting in the visitors' gallery with a clenched fist salute as he left the dock after the brief hearing.

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Officials: Secretary: A.Frazer

Area of Operation: Western Cape

Founded: 1939

Registration: Yes

THIS UNION

Year	Afr:
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1971	
1972	
1973	
1974	
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1976	
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White	Total
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294	322
305	331
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347	377
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Fosatu Ann  
Report  
1980/81

1974 affiliated to TUCSA and had disaffiliated by 1977/78 and with other unions formed FOSATU in 1979

**Pretoria Bureau**

He said the security in the court did not warrant the use of manacles. The magistrate

Mr. J H F Pistor appeared for the State.



# Police probe NIS charges against Mail

By CHRIS MARAIS

TWO senior Commercial Branch officers yesterday presented the Rand Daily Mail with a search warrant authorising them to seize documents relating to publication of reports about the activities of alleged members of the National Intelligence Service (NIS). Similar warrants were later served on the Sunday Times and Rapport.

Brigadier Theo Scherman, head of the South African Commercial Branch, said he was investigating charges under the Official Secrets Act against the three newspapers.

Asked who had lodged the complaints which led to the investigation, Brig Scherman said it was the Director-General of NIS (Dr Niels Barnard).

He said the charges he was investigating related to reports in the Mail editions of April 13 and 19, headlined "Dolincheck may be State witness" and "Bid to gag Dolincheck: two named".

The reports were written by Eugene Hugo, the Mail's Investigations Editor.

Brig Scherman read out the relevant clauses of the Official Secrets Act (sections 3(2)(a) and (3) of the Act, No 16 of 1956) which refer to "security matters".

He said he was investigating charges and the results of his investigations would be forwarded to the Transvaal Attorney-General, Mr J E Nothing, who would have to decide whether to prosecute.

According to the search warrant, the police were entitled to seize Mr Hugo's notes concerning the two stories, as well as a statement from Mr Dolincheck smuggled to the Mail from his Seychelles prison.

Mr Hugo covered the Seychelles affair for the South African Morning Group and the Sunday Times.

Brig Scherman, accompanied by Captain Peter Jordaan, arrived at the Mail offices in Main Street shortly after midday.

After discussion, it was arranged for Mr Hugo to supply them with the relevant material.

The police officers then went to the Sunday Times where a similar warrant was served in connection with a report on April 25.

The police officers went to the Rapport offices at about 2pm. They entered the office of Mr Eddie Botha, who had written Rapport's story, and seized two notebooks and a diary after presenting a search warrant.

Mr Botha is presently in Maritzburg covering the trial in which alleged mercenaries are facing charges under the Civil Aviation Act.

der Lingen and his alleged lover, Miss E C Myburgh, leaving the Supreme Court yesterday after the brief hearing in which his wife is damages of R4 000 from Miss Myburgh.

## All the July big race details

Mail Correspondent

DURBAN. — The Durban Turf Club handicapper Mr Colin Buckham has penalised Have A Fling 4,5kg in the weights for the R200 000 Rothmans July Handicap to be run over 2200m at Greyville on July 3 for his win in last Saturday's Holiday Inns.

In the Rand race he was allotted 48,5kg, but carried 0,5kg overweight.

The crack three-year-old filly Breyani seems well-treated on her best form. She has been weighted on the minimum mark with 48kg yet she beat Zamit easily in the

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FRANCE



# to survive

a and pilot more than 16 metres into the air. The seat separates from the pilot, and the parachute is released. However, given the low altitude and downward speed, pilots believe Captain Turner was extremely lucky to survive. He apparently landed in a soft clump of bushes, while the dead airman hit hard ground.

Ejection seats have the parachute attached, and the airman is strapped into the seat and parachute harness. The pilot can activate the ejection mechanism by pulling one of two handles, one between the legs and the other

above the head. The one between the legs is favoured, as it is closer. The pilot's helmet smashes the canopy on the way out, and the rockets in the seat push him to the required height before the parachute is deployed.

In the Port Elizabeth accident it was obvious that the process had been carried out at low level as the wreckage, seats and airman were within a 30-metre radius. The procedure requires split-second reactions. A pilot succinctly put it: "If I say bail and you ask, 'what?' you're talking to yourself."

# Shock police call for trials in secret

Mc ARGUS 8/5/82 331

**THE head of the Security Police, Lieutenant-General Johan Coetzee, has proposed the holding of secret political trials in South Africa.**

His shock proposal, made in an interview on SABC-TV this week, was described today as "horrendous" by the Opposition's chief spokesman on human rights, Mrs Helen Suzman.

"This would be a giant step closer to a totalitarian regime in South Africa. It should be opposed strenuously, not only by law societies and bar councils, but by ordinary citizens too," she said in an interview.

By Hugh Robertson

The suggestion follows the tabling in Parliament of the Protection of Information Bill, which would prohibit the Press or any other organisation or individual from disclosing the detention of any person under security laws.

In effect, the Bill would give the Government the right secretly to detain and interrogate any person and would even prohibit public disclosure of the death of a detainee.

## IN SECRET

If General Coetzee's proposal were translated into law, it would mean that the Government could detain, interrogate, prosecute, convict and even execute a person under the country's security laws entirely in secret.

General Coetzee told SABC-TV that some political trials should not take place in open court because they were exploited as political forums by the accused.

He said some people believed the court system for political trials should be replaced by an alternative closed system.



Mrs Helen Suzman

Legal experts said today there was no known instance of South African courts having been abused for political ends and said any presiding judge or magistrate already had the power to prevent such abuse.



Lieutenant-General Johan Coetzee

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Olympic

Van

Room 18

2014 331  
8/5/82  
**Soweto  
man gets  
R500 bail**

**Mail Reporter**

A YOUNG man was released on R500 bail yesterday after appearing briefly in the Johannesburg Regional Court on charges under the Explosives Act and the Handgrenades Act.

Mr Samson Khumalo, 22, of Mofolo, South Soweto, appeared before Mr I. J. Luther on crutches and his right foot in a plaster cast. He was ordered to report daily to Moroka Police Station and the case was postponed to June 17.

According to the charge sheet, he will be charged with illegally possessing a handgrenade near Soweto on February 28. He is also alleged to have caused an explosion on the same day, which endangered the lives of Mr Dick Thabethe and Mr Patrick Swelankomo.

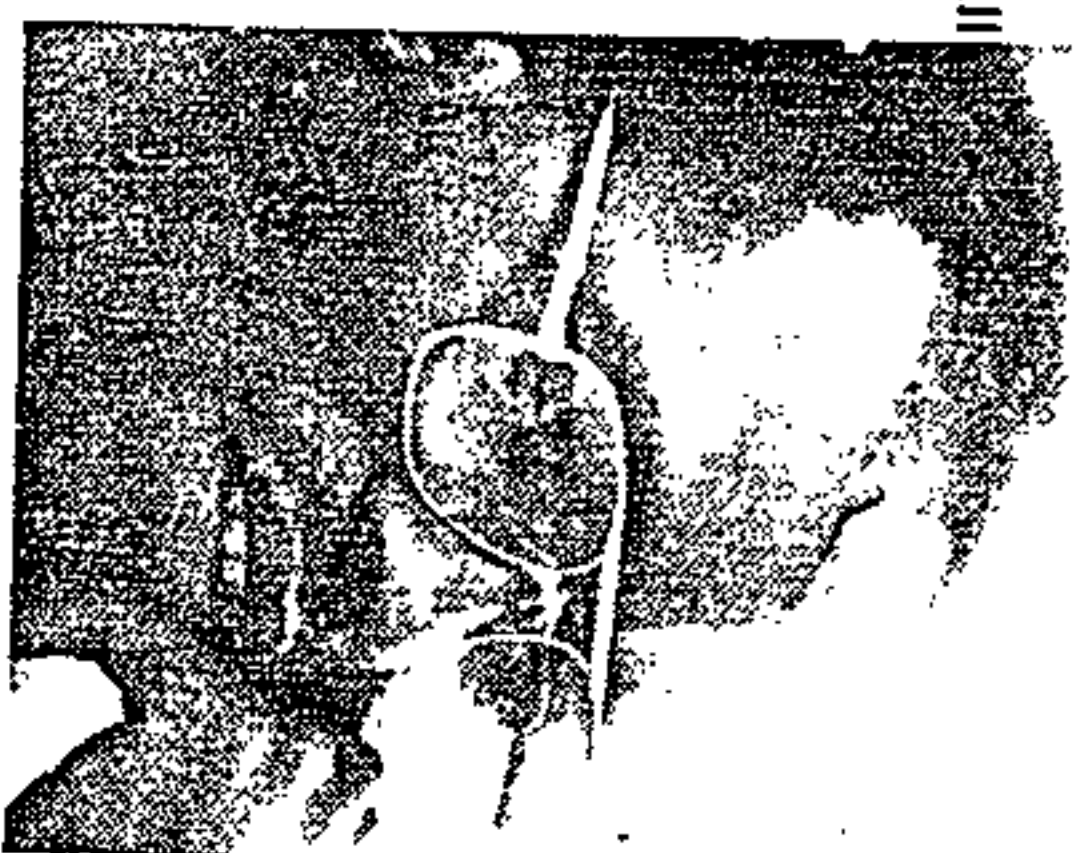


Three years' jail for nothing

● FLASHBACK — last week's Sunday Express headline telling of Monty Mzimyathi's acquittal

# Being free is a new experience for Monty

Report: CATHY KENTRIDGE  
Pictures: GREG ENGLISH



● Monty Mzimyathi ponders his new-found freedom...



...I am stunned to be free but am nervous and forgetful...



...Robben Island warders were more humane...



...I have nightmares about cars stopping to pick me up.

**MONTY MZIMYATHI** spent three years in jail for a crime he did not commit and now still cannot believe he is free. This week he told the Sunday Express in an exclusive interview.

"I am stunned to be free but I am very nervous and forgetful. I have nightmares, fears of large groups of people and cars stopping to take me away."

He feels he has a long road ahead in adjusting to ordinary life as he feels he has been psychologically damaged by his time in jail. Mr Mzimyathi was con-

victed under the Terrorism Act of going to Russia to receive training to be used to undermine the security of the State.

He was acquitted on appeal when the court found that there had been a miscarriage of justice when the magistrate refused to allow evidence to be taken on commission in Lesotho.

This evidence would have given Mr Mzimyathi a cast-iron alibi.

"I never expected to be free although I knew I was innocent. I knew the appeal was on but when I didn't hear anything at the due

date I feared the worst.

"Then at lunchtime one day a warder told me to take my personal property and come with him: I thought it was all about moving to a new job which I'd applied for in the kitchens on Robben Island."

"But instead of going to the kitchens we went to reception. When they told me I was leaving I did not know what was going on. I thought I was being transferred to another prison."

"Then a warder told me I was free and I went to the island's Post Office and saw a telegram from my lawyer

confirming the news."

During his three years in jail Mr Mzimyathi spent three months in detention at John Vorster Square, 15 months at the Johannesburg Fort as an awaiting trial prisoner and served 18 months of a seven-year sentence on Robben Island.

He said "the Robben Island warders were more humane than the warders at other jails."

He plans to look for outdoor work to give his mind time to recover from the ordeal he has been through. He said he had not been offered any compensation

for the three wasted years, nor any assistance in rehabilitation or finding a job.

Legal experts said yesterday that Mr Mzimyathi had no remedy against the police or the magistrate whose conviction of him was overturned.

While he was in jail Mr Mzimyathi's wife and two small children were supported by the South African Council of Churches and the International Red Cross.

When Mr Mzimyathi was detained his wife and five-week old baby were held for nine days before being released.



Cape Times 10/5/82

331

# Secret political trials plan 'horrendous'

Own Correspondent

JOHANNESBURG. — The Johannesburg Bar Council and Mrs Helen Suzman, MP, have reacted strongly to the suggestion that political trials be held in secret.

The head of the security police, Lieutenant-General Johan Coetzee, told SABC-TV last week that some political trials should not take place in open court because the accused exploited them as political forums. According to Sapa, he said some people believed the court system for political trials should be replaced by an alternative closed system.

Mrs Suzman, the Opposition's

chief spokesman on human rights, said the suggestion was "horrendous".

Approached for comment, the chairman of the Johannesburg Bar Council, Mr Arthur Chaskalson SC, said it was "appalling".

"Long experience has shown that the only fair way of establishing the guilt or innocence of an accused person is by means of a trial in open court before an impartial judicial officer," Mr Chaskalson said.

"Special tribunals meeting secretly to deal with the political opponents of a government are the hallmark of dictatorships.

"The proper functioning of

the legal system in South Africa has already been placed under severe strain by laws which permit the indefinite detention and interrogation in solitary confinement of accused persons and potential witnesses.

"The creation of special tribunals to deal in secret with political cases held following such detention and interrogation would totally undermine the administration of justice in our country and bring it into complete disrepute, both inside and outside South Africa," Mr Chaskalson said.

Mrs Suzman told Sapa: "This would be a giant step closer to a totalitarian regime in South Africa."

General Coetzee's suggestion follows the tabling in Parliament of the Protection of Information Bill, which would prohibit any organization or individual from disclosing the detention of any person under security laws. In effect, the bill would enable the government secretly to detain and interrogate any person and would even prohibit public disclosure of the death of a detainee.

Translated into law, the general's proposal would mean that the government could detain, interrogate, prosecute and even execute a person under the country's security laws, entirely in secret.

Officials: Secretary: D. Sibabi

4001

Durban

125 Gale Street

Address: 1 Central Court

Telephone: (031) 69215

Report Nov.  
1980/81  
Fosatu Annual

Year	Membership			Total
	African	Asian and Coloured	White	
1980				8 400
1979				..
1978				..
1977	7 000			7 000
1976	6 700			6 700
1975	3 900			3 900
1974	3 900			3 900
1973				
1972				
1971				
1970				

METAL AND ALLIED WORKERS UNION

**Leg-irons removed in court**

# TREASON TRIAL FOR 'ANC' MEN

**TWO ALLEGED members of the ANC facing charges of high treason, terrorism and murder were brought to court in leg-irons on Friday, prompting their lawyer to protest as "there is enough security in court."**

Mr Thele Simon Mogoerane (23) of Vosloorus, Boksburg and Mr Jerry Semano Mosololi (25) of Dube in Soweto, appeared in the Pretoria Magistrate's Court and pleaded not guilty to charges of high treason and 20 alternative charges, including three murders, 10 counts of attempted murder, five counts under the Terrorism Act and robbery with aggravating circumstances.

Mr Ratha Mokgoathheng protested against the leg-irons. The prosecutor, Mr J H F Pistor, argued that the leg-irons were used "for security reasons".

Mr Mokgoathheng said it was not legal practice in South Africa to have people appearing in court in leg-irons and that there was "enough security in court."

The magistrate, Mr B J O van Schalkwyk, agreed and the leg-irons were removed.

The two were sent for trial in the Supreme Court on June 1, with 135 witnesses to be called by the State.

The men are alleged to have:

- Undergone military training in Angola, Tanzania and other countries between 1976 and 1979 with the intention to overthrow the Government and undermine law and order.

- Attacked Moroka Police Station on May 3, 1979, with AK47 assault rifles and grenades, killing Constables Bongani and Brian Tembe, seriously injuring Constable Edward Moremi and also injuring Constable Ernest Nkosi. Ms Daphne Thandi Ma-

gugla and Mr Godfrey Tshabalala.

- Attacked Orlando Police Station on the night of November 11, 1979, with AK47 submachine guns and grenades, killing Constable Ntseini, Jerry Musidane and Constable Christopher Zibi. Constable Thami Goodenough Dyantjie and Mr Sipho Zungu were allegedly injured in the attack.

The men are also alleged to have attacked the Wonderboom Police Station near Pretoria last year, killing two policemen and injuring others. They are alleged to have robbed Mr Frans Thobela of his car in Pretoria and attempted to kill him.

Other charges are that they:

- Deployed weapons at or near New Canada on or about May 24 last year

- Were found to have explosives, three hand-grenades, one RG42 grenade, five AK47 sub-machine guns, one RPG7 rocket launcher, two AK47 bayonets and other arms and ammunition in Wonderboom in December last year.

Mr Moegoerane, who pleaded not guilty in English, was ordered by the magistrate to speak his own language so that there would be no confusion later.

**By MONK NKOMO**

Underground Officials Association of S.A. Technical Officials Association  
S.A. Engine Drivers, Firemen and Operators Association  
S.A. Electrical Workers Association  
S.A. Boilermakers, Iron and Steel Workers Union  
Mine Workers Union  
Mine Surface Officials Association of S.A.  
Mine Coloured Staff Association of S.A.  
Iron Moulders Society of S.A.  
Federated Mining Explosives and Chemical Black Mineworkers Union  
Black Allied Workers Union  
Amalgamated Society of Woodworkers of Amalgamated Union of Building Trade Workers of S.A.  
Amalgamated Engineering Union of S.A.

**MINING AND QUARRYING**

Trawler and Line Fishermen's Union  
Orange-Vaal General Workers Union  
National Certified Fishing Officers Association  
Food and Canning Workers Union  
Farmworkers Union  
Black Allied Workers Union

**AGRICULTURE, FORESTRY AND FISHING**

General and Allied Workers Union  
Orange-Vaal General Workers Union  
National Federation of general workers unions has not been established. The full ex-

UNIONS OPERATING IN 1981 GROUPED ACCORDING TO INDUSTRIAL CLASSIFICATION



# Political Correspondent

THE Minister of Justice, Mr Kobie Coetsee said today he was not aware of any official proposal to hold trials under security legislation in camera.

He was reacting to reports following an SABC-TV interview with the head of the security police, Lieutenant-General Johan Coetsee.

General Coetsee today denied he was in favour of holding secret political trials.

## INCORRECT

He said incorrect deductions had been made from what he had said.

He had stated some people maintained that so-called political trials could be exploited and turned into political forums.

These allegations could be looked into to see if other methods or techniques could be found to prevent such trials being misused in this way.

He had in mind a commission of inquiry or an investigation by the Department of Justice.

## NOT FAVOURED

He had not stated he was in favour of secret trials, and had never favoured such secrecy.

General Coetsee pointed out that the law provided for parts of a trial to be held in camera. Such a situation had arisen in the trial of alleged hijackers in Maritzburg.

He had great regard for people who did not want the administration of justice in South Africa besmirched.

He had emphasised in a

# 'No proposal to hold secret security trials'

talk to students that there were some special circumstances in South Africa, and some security measures should be regarded as being of a temporary nature.

Mr Coetsee pointed out that the Rabie Commission, which investigated security legislation, had dealt with the question of trials in camera.

Its report said there had been proposals to give the Attorney-General power to declare a trial should be heard in camera.

The commission did not say who had made the request.

It had decided against the proposal, and felt that sufficient provision was made in the Criminal

Procedure Act to protect the security of the State.

However, it felt that sometimes the prosecutor gave away information in applying in court for a matter to be heard in camera. This defeated the object of hearing the evidence in camera.

It proposed measures to allow such an application to be heard in camera.

Hansen  
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Fosatu Annual  
Report Nov.  
1980/81

Year	Membership		
	African	Asian and Coloured	White
1970			
1971			
1972			
1973			
1974	3 900		3 900
1975	3 900		3 900
1976	6 700		700
1977	7 000		
1978			
1979			
1980			
Total			

Address: 1 Central Court  
125 Gale Street  
Durban  
4001  
Officials: Secretary: D. Sibabi  
Area of Operation: Transvaal, Natal, Eastern Cap.  
Founded: 1973  
Telephone:



# Attorney faces Prisons charge

By MIKE LOUW

AN ATTORNEY appeared in the Johannesburg Magistrate's Court yesterday charged under the Prisons Act.

Mr Graham Derrick Dyson, 30, of Priscilla Jana and Associates, Abbey House, Commissioner Street, Johannesburg, appeared before Mr M P Prinsloo.

The State alleges he tried to smuggle messages written on tissue paper out of the Fort Prison on December 22 last year. He pleaded not guilty.

A wardress, Mrs Esther Mtsweni, told the court Mr Dyson visited Miss Elaine Mohamed, a student who was in custody.

She said she saw Miss Mohamed handing over pieces of tissue paper to Mr Dyson.

Lieutenant Susanna van Wyngaardt said Mr Dyson told her he did not receive anything from Miss Mohamed. She said she asked him for the tissue papers and he replied: "Yes, but it is only poetry".

She said Mr Dyson asked her if he could read what was written on the tissues, but she refused.

Lt Van Wyngaardt said Mr Dyson told her was sorry about the incident and that it would not happen again.

She agreed under cross-examination by Mr E M Wentzel that what was written on the tissues was poetry but could also have been a coded message.

A statement alleged to have been made by Mr Dyson said Miss Mohamed placed a number of tissues into his pocket and he had intended disposing of them.

He said he handed the tissues to a prison officer after he was asked to do so.

The statement added he was not aware that there was a written message on the tissues until he noticed it after handing it to the officer.

The trial continues on May 24. Mr Dyson is out on his own recognisances.

Commercial, Catering and East London Liquor & Catering

Catering and Accommodation

Transvaal Retail Meat

Pretoria Vakkond vir die

National Union of Distributors

National Union of Commercial

Kimberley Shop Assistants

Domestic Workers and Sales

Concession Stores and All

Commercial, Catering and

Black Allied Workers Union

Wholesale & Retail Trade

WHOLESALE & RETAIL TRADE

S.A. Electrical Workers As

Steel, Engineering and All

S.A. Woodworkers

S.A. Operative Masons' Soc

Port Elizabeth Operative,

National Union of Engineer

Metal and Allied Workers U

General Workers Union

Engineering Industrial Wor

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Electrical and Allied Work

Electrical and Allied Trade

Building Workers Union

Building, Construction and

Blankenburgerwerkersvakbond

Black Allied Workers Union

Amalgamated Union of Build

Amalgamated Engineering Un

Amalgamated Society of Woo

CONSTRUCTION

Johannesburg Municipal Water

General Workers Union

Escom Workers Association

Escom Salaried Staff Assoc

Escom (Cape Western Under

Cape Town Gas Workers Union

ELECTRICITY, GAS AND WATER

S.A. Diamond Workers Union

S.A. Association of Dental Mechanicians

Optical Workers Union

Jewellers and Goldsmiths Union

Diamond Cutters Union of South Africa

Other

# Terror trial to be heard in camera

(33) D. Dispatch 11/5/82

with 78

ZWELITSHA — An application for evidence in the Terrorism Act trial being held in the Supreme Court here to be heard in camera was granted by Chief Justice De Wet yesterday.

Mr Justice De Wet also ruled that the press be allowed to report on proceedings provided reporters produced proof of identity to the Attorney-General, Mr W. F. Jurgens, and did not divulge the names of state witnesses.

Appearing before Mr Justice De Wet and two assessors, Mr B. Pohl and Mr F. Nell, are four Mdantsane men charged with participating in terrorist activities, being members of the banned African National Congress and possession of banned literature.

Mr William Mabone Duna, 31, Mr Dumisani Bizette Maninjwa, 31, Mr Jeffrey Bayi Keye, 52, and Mr Luyanda Patrick Mayekiso, 23, have all pleaded not guilty to all charges.

The judge said he had taken the decision to have the trial heard in camera in the light of evidence that a letter written by one of the accused had been found in a sock. The letter's contents informed state witnesses they would be dealt with.

Other factors included evidence to given about organisations like the ANC, PAC, SACP and the South African Congress of Trade Unions (Sactu) by a Rand Afrikaans University political scientist, Mr I. de Vries, Lieutenant-Colonel L. Nhonhongo of the Ciskei Central Intelligence Services and others on how these organisations reacted to informers and state witnesses.

Mr Justice De Wet asked the Attorney-General, to give an indication of the type of evidence to be given by state witnesses before they came in to testify in order to assess whether relatives be allowed to come in and listen to proceedings.

At the resumption of the trial yesterday, the judge said he had been informed one of the defence advocates, Mr D. Delahunt, who represented Mr Duna and Mr Maninjwa, had withdrawn from the trial.

Mr M. T. Moerane, of Durban, said he would appear for all four men.

Mr Jurgens said there were 17 state witnesses. Before the first, a 31-year-old man from Mdantsane, gave evidence, he was warned by the judge as a accomplice.

The witness said he was occasionally given books, by Mr Maninjwa. These included Sechaba, Sands of Illusion, Organise and Starve, a copy of the Freedom Charter and No Easy Way to Freedom.

He said he read Sechaba and Sands of Illusion, and gave them back to a relative.

Under cross-examination, the witness said he never read the books fully and could not remember what they were all about. He had merely asked Mr Maninjwa for books to read.

He denied having been threatened, promised release or assaulted during detention since last August.

The hearing continues today. It is set to continue to Wednesday, May 19. — DDR.

433658 (1)

1980/81

Report Fosatu Annual

Membership	Year	1970			Total
		African	Asian and Coloured	White	
	1970				418
	1971				322
	1972				331
	1973				222
	1974				377
	1975				..
	1976				445
	1977				460
	1978				
	1979				
	1980				

JEWELLERS AND GOLDSMITHS UNION



COURTS

By Michael Tissong

The head of the women's section at the Fort prison in Hillbrow told a Johannesburg district magistrate yesterday that a blue tissue handed to an attorney by a security detainee had writing all over it. It could have been a secret message.

Lieutenant Suzanna Jacoba van Wyngaard said the attorney, Mr Graham Eric Dyson, at first told her that he did not get anything from the detainee, Miss Elaine Mohammed. "I then asked him

for the tissues," Lieutenant van Wyngaard said. "He handed them over and said, 'it is only poetry.' He also asked me whether he could read what was written on the tissues and I refused."

"He said he was sorry about the incident and it would not happen again."

Mr Dyson's advocate, Mr E M Wentzel, objected to Lieutenant van Wyngaard's evidence as

amounting to an oral confession. He accused the prosecutor, Mr F Strydom, of leading the evidence "to knock out the defence of mens rea (intent)."

The magistrate, Mr M P Prinsloo, decided that the evidence could be admitted because Lieutenant van Wyn-

gaard was a commissioned officer who could refer to statements given to her voluntarily.

Blue, white and yellow tissues were handed in to the court as an exhibit. The blue tissue had verses on one side. Earlier Mr Dyson,

who was charged under the Prisons Act, handed in a statement in which he said that on December 22 last year: "I placed a number of tissues into my pocket intending to dispose of them. At the request of a prison officer, I handed them to her."

Mr Dyson (30), of Priscilla Jana and Associates, Commissioner Street, pleaded not guilty.

ADJOURNED

A wardress, Mrs Esther Mtsweni, said she

Star 11/5/82

# Detainee's poetry is suspected secret message

watched over the visit and saw Miss Mohammed hand over a bunch of tissues to her attorney who crushed them and placed them out of sight behind his tache case.

"I hit the wall behind me to attract Lieutenant van Wyngaard. She came and I told her what happened. I later told Mr Dyson that the Lieutenant wanted to see him," she said.

At no time were the tissues opened by the prisoner or her attorney, she said. The case was adjourned to May 24.

JEWELLERS AND GOLD

Year	Asian and Coloured	
	African	
1970		
1971		
1972		
1973	98	
1974	28	
1975	26	
1976	21	
1977	30	
1978		
1979		
1980		

Address:

201/4 City Centre Corporation Street Cape Town 8001

Officials: Secretary: A. Frazer

Area of Operation: Western Cape

Founded: 1939

Registration: Yes

1974 affiliated to TUCSA and had dis other unions formed FOSATU in 1979



## Other

Diamond Cutters Union of South Africa

Jewellers and Goldsmiths Union

Optical Workers Union

S.A. Association of Dental Mechanicians

S.A. Diamond Workers Union

## ELECTRICITY, GAS AND WATER

Cape Town Gas Workers Union

Escam (Cape Western Undertaking) Salaried Staff Association

Escam Salaried Staff Association

Escam Workers Association

General Workers Union

Johannesburg Municipal Water Work Mechanics Union

## CONSTRUCTION

Amalgamated Society of Woodworkers

Amalgamated Engineering Union of South Africa

Amalgamated Union of Building Trade Workers

Black Allied Workers Union

Blankebouwerkersvakbond

Building, Construction and Allied Workers Union

Building Workers Union

Electrical and Allied Trades Union of South Africa

Electrical and Allied Workers Union of South Africa

Engineering and Allied

Engineering Industrial

General Workers Union

Metal and Allied Workers

National Union of Engine

Port Elizabeth Operative

S.A. Operative Masons' S

S.A. Woodworkers

Steel, Engineering and Al

S.A. Electrical Workers A

## WHOLESALE &amp; RETAIL TRADE

Wholesale &amp; Retail Trade

Black Allied Workers Union

Commercial, Catering and A

Concession Stores and All

Domestic Workers and Sales

Kimberley Shop Assistants,

National Union of Commerci

National Union of Distribu

Pretoriase Vakbond vir die

Transvaal Retail Meat Tr

Catering and Accommodatio

## Brixton

Tower trial  
11/5/82  
postponed

The trial in which two men were accused of plotting to blow up the Brixton Tower in Johannesburg, resumed in the Rand Supreme Court yesterday.

But the hearing was postponed for a week after the State Advocate told the court that he was ill.

Mr Robert Adam (26) of Yeoville and Mr Mandla Themba (25) of Soweto, have pleaded not guilty to charges under the Terrorism Act and the Internal Security Act.

Mr Justice Boshoff was on the bench. Mr G Bizos SC and Mr D Soggot, instructed by Mrs P Jana, appeared for the defence.

Lerks Association

s Union

ACCOMMODATION SERVICES

Allied Workers Association

in Africa

South Africa

South Africa

South Africa

South Africa

South Africa

South Africa

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South Africa

South Africa

South Africa

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South Africa

South Africa

South Africa

Commercial, Catering and Allied Workers Union

East London Liquor &amp; Catering Trades Employees Union

## UNIONS OPERATING IN 1981 GROUPED ACCORDING TO INDUSTRIAL CLASSIFICATION

Unions have been classified according to the Standard Industrial Classification of All Economic Activities. The full extent of the operation of the following general workers unions has not been established:

National Federation of Workers  
Orange-Vaal General Workers Union  
General and Allied Workers Union

## AGRICULTURE, FORESTRY AND FISHING

Black Allied Workers Union  
Farmworkers Union  
Food and Canning Workers Union  
National Certified Fishing Officers Association  
Orange-Vaal General Workers Union  
Trawler and Line Fishermen's Union

## MINING AND QUARRYING

Amalgamated Engineering Union of S.A.  
Amalgamated Union of Building Trade Workers  
Amalgamated Society of Woodworkers of S.A.  
Black Allied Workers Union  
Black Mineworkers Union  
Federated Mining Explosives and Chemical Employees Union  
Iron Moulders Society of S.A.  
Mine Coloured Staff Association of South Africa  
Mine Surface Officials Association of South Africa  
Mine Workers Union

S.A. Boilermakers, Iron and Steel Workers Shipbuilders and Welders Society  
S.A. Electrical Workers Association  
S.A. Engine Drivers, Firemen and Operators Association  
S.A. Technical Officials Association  
Underground Officials Association of S.A.

## MANUFACTURING

## Food &amp; Beverages

African Food and Canning Workers Union  
Amalgamated Engineering Union of South Africa

Bakery Employees Industrial U  
Black Allied Workers Union  
Boland Inmaakwerkersvereniging  
Brewery Employees Union (Cape  
Cadbury In-Company Union  
East London Meat Trade Union  
Food and Canning Workers Unio  
Food, Beverage & Allied Worker  
General Workers Union  
General Workers Union of South  
Natal Baking Industry Employees  
Natal Sugar Industry Employees  
National Milling Workers Indus  
National Union of Dairy Employe  
National Union of Operative B  
National Union of Sugar Manufa  
National Union of Wine, Spirit  
Operative Bakers, Confectioner  
Pretoriase Bakmywerheidsveren

331  
Bag held  
hand grenade

A Soweto man today pleaded not guilty in a Johannesburg Regional Court to a charge of possessing a hand grenade.

Mr. Harold Abel Mazala, no address given, is charged under the Terrorism Act, alternatively under the Explosives Act, with a second alternative under the Arms and Ammunition Act. It is alleged that on July 15 last year a bag containing a grenade was found hidden in the garden of his home.

Employees  
(Cape)



Jaap

331

Marais

pleads  
not guilty

Own Correspondent

The leader of the Herstigte Nasionale Party, Mr Jaap Marais, pleaded not guilty in a Pretoria Regional Court today to disclosing information during the general election last year relating to the Petroleum Products Act.

Mr Jacob Albertus Marais (59), address given at Rietondale, Pretoria, was charged with contravening the Petroleum Products Act on April 27 last year by distributing pamphlets which contained information relating to the source, manufacture, transportation, destination, storage, quantity or stock level of any petroleum products acquired or manufactured for or in South Africa, and for issuing comment on this.

ADMISSIONS

Mr Marais made certain admissions to the court.

He said he knew the document originated from South African Railways and that copies had been made of it and had been distributed to the public.

In his election speech Mr Marais referred to the petrol shortage in South Africa and how the Government was emphasising the shortage.

He said he had a document to prove that the Government had distributed 5 million litres of petroleum in five days to Zimbabwe—so there could not be that much of a shortage.

(Proceedings)

Sweet Workers Industrial Union (Natal)

Sweet Workers Union

Sugar Industry Employees Union

South African Allied Wo

S.A. Boilermakers, Iron

S.A. Electrical Workers

Western Province Sweet

Witwatersrand Baking &

Witwatersrand Brewing B

Tobacco

African Tobacco Workers

National Union of Cigare

Rustenburg Tabakwerkersv

Textiles, Clothing, Leat

African Garment Workers

African Leather Workers

African Trunk & Box Work

Black Allied Workers Unio

Garment Workers Industria

Garment Workers Union of

General Workers Union (We

General Workers Union of

National Union of Clothi

National Union of Leather

National Union of Textile

South African Allied Work

S.A. Canvas & Ropeworkers

S.A. Canvas & Ropeworkers

Tailoring Workers, Dress

Tanning, Footwear and All

Textile Workers Industria

Textile Workers Union (Tr

Transvaal Leather and All

Trunk & Box Workers Indust

Wood & Wood Products, Incl

National Union of Furnitur

Paper, Wood and Allied Wor

South African Allied Work

Paper & Paper Products, P

Amalgamated Engineering Un

Media Workers Association

Paper, Wood & Allied Work

S.A. Boilermakers, Iron &

S.A. Electrical Workers As

S.A. Society of Journalist

S.A. Typographical Union

South African Allied Work

Builders & Welders

S.A.

Union

Industrial Union

Industrial Union

Builders and Welders

XXXX

# SAP probe on Coetzee reports

11/5/82 331 Staw  
243 2/87

Action is being considered against newspapers which carried reports that the head of the Security Police, Lieutenant-General Johan Coetzee, is in favour of holding secret political trials.

This was confirmed by a police spokesman in Pretoria today who said a tape recording of the SABC-TV interview with General Coetzee at no stage disclosed a call for the holding of secret trials.

General Coetzee has denied he is in favour of secret political trials.

He said incorrect deductions had been made from what he had said.

He had stated there were people who maintained that so-called political trials could be exploited and turned into political forums.

These allegations could be examined to see if other methods or techniques could be found to prevent such trials being misused in this way.

He had not stated he was in favour of secret trials. He had never been in favour of such secrecy.



e. Harold ~~1978~~  
**Banned man in  
 court again** (731)

May 1982

MR JAMALUDIEN Hamdulay, a banned former student leader, appeared in court on Wednesday for the fourth time in connection with breaking his restriction order.

The case was part-heard at the Parow Regional Court before being postponed for the fourth time.

The state alleged that Mr Hamdulay broke his banning order in that he left the Wynberg Magisterial district to which he is restricted and that he entered a factory, which he is also restricted from doing.

Mr Hamdulay pleaded not guilty.

He admitted that a banning order was served on him, that he may not leave the Wynberg Magisterial district and that he entered the Epping Sheet-metal Works, a factory in Epping which falls in the Goodwood magisterial district.

However, Mr Hamdulay contended that he had misunderstood his banning order and that he had had no intention of breaking it.

The case was postponed to June 3.

Membership: 1981 = 24 300

- 1) Ter
- 2) Pre
- 3) Aut
- 4) Her
- 5) Her
- 6) Kr
- 7) WJ
- 8) Soc

Recognition:

Registration: See note on

Founded: 1973

Area of Operation: Transvaal

Officials: Secretary: D. Sij

4001

Durban

Address: 1 Central Court  
 125 Gale Street

- 9) McKennon Chairs
- 10) Alusat
- 11) Vosa
- 12) Craft Engineering
- 3) Selchain
- 4) Stone Street & Hansen
- 5) Barlows

p. 11

(031) 69215

Report Nov.  
 1980/81  
 Fosatu Annual

Year	Membership		
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1970			
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1974	3 900		3 900
1975	3 900		3 900
1976	6 700		6 700
1977	7 000		7 000
1978			..
1979			..
1980			8 400
Total			

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+

METAL AND ALLIED WORKERS UNION

**Don't miss - RIDING****OVER THE LONG WEEKEND****29th to 31st MAY 1982**

Children's Riding Camp at R36 per child (GST incl)



Telephone 902-1712 or 71-3020  
**RODEO RIDING CENTRE**

## Professor Thomas for UWC post

THE Department of Internal Affairs has confirmed that deported academic Professor Wolfgang Thomas will be allowed to accept a post with the University of the Western Cape.

The rector of UWC, Professor Richard van der Ross, said he had received the approval of Professor Thomas's appointment from the department yesterday.

He said he was surprised to see newspaper reports of the appointment yesterday because the university council had not yet received a reply to its application of a year ago.

"However, I later received a letter from the department approving the appointment."

Professor van der Ross could not say definitely when Professor Thomas would take over the

He came to South Africa when he was 10 after fleeing from East Germany with his parents. He studied and lectured at the University of Stellenbosch and also lectured at the University of Cape Town.

Formerly director of the Institute of Social Development at UWC, Professor Thomas was deported from South Africa in 1977 to West Germany in 1977 without being given any reasons.

His deportation order was signed by the then Minister of the Interior, Dr Connie Mulder. Professor Thomas, 38, Africa on a four day visa.



Professor Wolfgang Thomas

## Tortoise prank at Dr T's meeting

**Boland Bureau**  
**STELLENBOSCH.**— Conservative Party leader Dr Andries Treurnicht last night faced a largely hostile audience of more than 1 000 people who packed the Stellenbosch Town Hall.

Although the chairman of the meeting claimed that a motion in support of the Conservative Party was approved by a majority, this did not seem to be the case to reporters present at the meeting.

The motion was put at shelf.

a time when many members of the audience — apparently students — had already left.

The lively meeting was marked by a number of student pranks, including the placing of a tortoise on the stage by two rustic-looking characters.

The tortoise walked for a few metres before finally going to sleep with his head inside his shell.

The start of the meeting was disrupted by a masked person made up as a caricature of Dr Treurnicht. He went on stage and shook hands with everybody there.

Dr Treurnicht said he would not be rattled. He said his newly formed party did not stand for verkramptheid but, on the other hand, even "healthy power sharing" would lead to

integration. His party was totally opposed to integration.

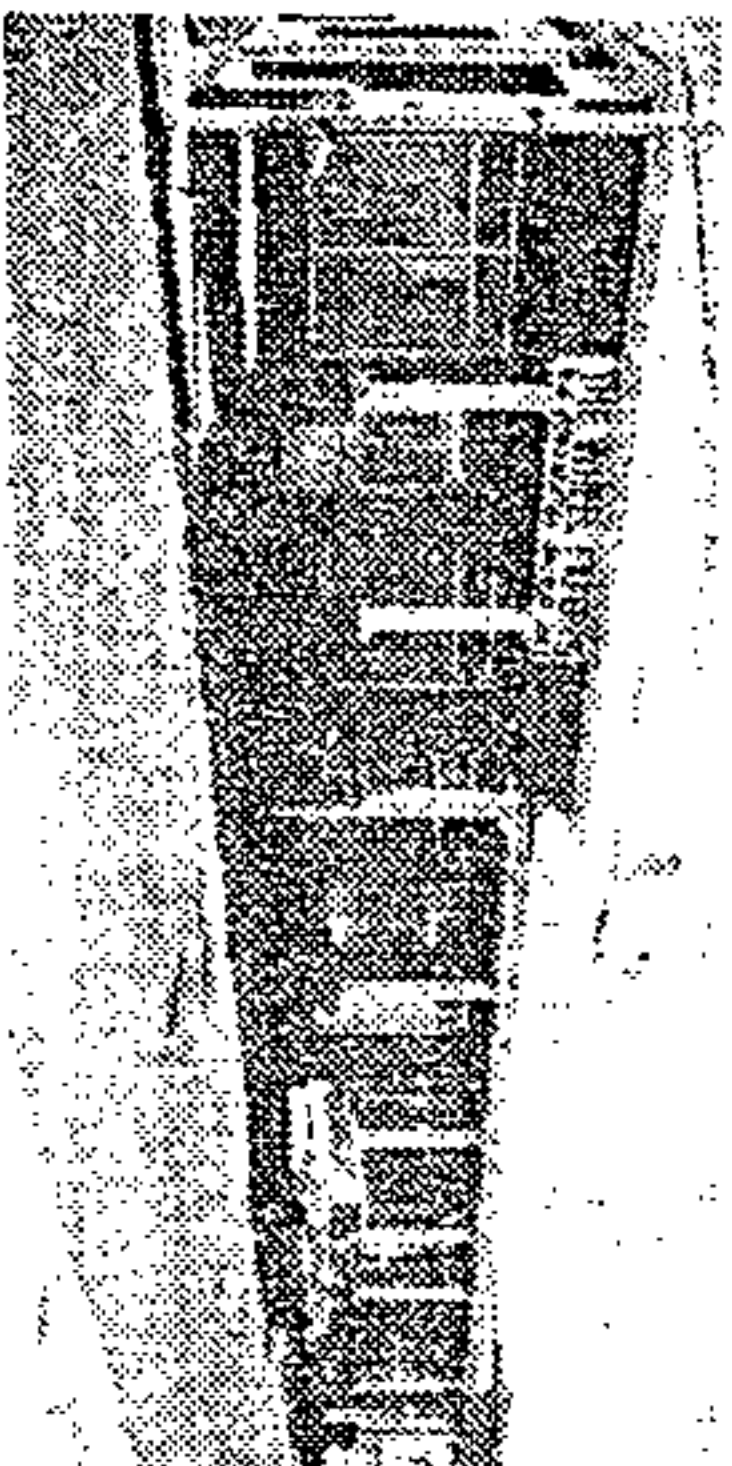
He asked the meeting whether it was in favour of power sharing. The resounding answer was "yes". He then told the audience: "You are in a minority."

He said his party was not a fifth column in South Africa and that it differed from the Herengstigste Nasionale Party

As far as he was concerned English and Afrikaans should have equal status. The HNP wanted to lower English to a second position.

A few dozen people signed up as members of the party at the end of the meeting. They also subscribed to the party's planned newspaper the Patriot.

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 CLAREMONT

MEETINGS MAY 10

## Legal dispute delays sale of yacht

THE 18.9 m luxury aluminium yacht advertised for sale at R450 000 this week was the subject of a dispute and would not be sold until after a Supreme Court hearing in June, Mr Fritz Paltke, managing director of Cennmarine, said today.

Mr Paltke said that

"The yacht, which was designed by Angelo Lavi, is the second of a series — the first having been built, launched and exported last year. Both were built for export through a company called International Yachts, owned by an American."

Mr Stephen "Skip" Dashow, Mr Paltke said

banker and winner of the Whitbread Round the World Race, Mr Cornelius "Connie" van Rietschoten, who was in Cape Town last week, visited the Cennmarine yard and was very impressed indeed with the quality.

Having the yacht of

BOATYARD



# Grenade found at Soweto home, SP tells court

By MIKE LOUW

A LIVE handgrenade was found in the garden of a Soweto home, a Johannesburg Regional Court Terrorism Act trial heard yesterday.

Mr Harold Abel Mazala, 33, of Orlando East, pleaded not guilty before Mr W Aucamp to a charge under the Terrorism Act and two alternative charges, under the Explosives Act and the Arms and Ammunition Act.

In a statement, Mr Mazala denied he was found in possession of a grenade or that he intended to commit an offence by using it.

Warrant Officer Johan P Steyn of the Security Police in Soweto told the court he and colleagues went to a house in Zola 3, Soweto, and took Mr Mazala and other people in the house to the Protea Police Station for questioning.

He and other policemen

returned to the house about an hour later.

He said he searched in the garden and found a grenade in a bag among tall grass next to a fence.

Questioned by Mr M Basslian, for Mr Mazala, W/O Steyn said Mr Mazala appeared to be frightened when police arrived.

This led him to believe that Mr Mazala was a terrorist, mainly because the Security Police information was that there was a terrorist in the Zola house.

A former policeman, Mr J H Olivier, told the court he was present when Mr Mazala was arrested.

He said the grenade found on the premises was of a type used in communist countries.

If thrown among a group of people, it could cause deaths or serious injuries, and could cause considerable damage if used in a built-up area.

He said he detonated it harmlessly.

The trial continues today.

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Black Allied Workers Union

Amalgamated Union of Building Trade Workers

Amalgamated Engineering Union of South Africa

Amalgamated Society of Woodworkers

CONSTRUCTION

Johannesburg Municipal Water Work Mechanics Union

General Workers Union

Escom Workers Association

Escom Salaried Staff Association

Escom (Cape Western Undertaking) Salaried Staff Association

Cape Town Gas Workers Union

ELECTRICITY, GAS AND WATER

S.A. Diamond Workers Union

S.A. Association of Dental Mechanicians

Optical Workers Union

Jewellers and Goldsmiths Union

Diamond Cutters Union of South Africa

Other

METAL AND ALLIED WORKERS

Membersh

Year	Membersh	
	Asian and Coloured	African
1970		
1971		
1972		
1973		
1974	3 900	
1975	3 900	
1976	6 700	
1977	7 000	
1978		
1979		
1980		

Address: 1 Central Court  
125 Gale Street  
Durban  
4001

Officials: Secretary: D. Sibabi

Area of Operation: Transvaal, Natal, East

Founded: 1973

Registration: See note on FOSATU register

Recognition:

- 1) Tensile Rubber
- 2) Precision Tools
- 3) Automatic Plating
- 4) Hendrick Trailors
- 5) Hendler
- 6) Kraft Engineering
- 7) William Bros.
- 8) Scottish Cables

Membership: 1981 = 24 300

COURTS

A Soweto man who allegedly told a stranger that he was going to destroy a police station yesterday charged under the Terrorism Act with possession of a hand grenade.

Mr Harold Abel Mazala (33) of Orlando East, pleaded not guilty in the Johannesburg Regional Court to possession of a grenade under the Terrorism Act, alternatively under the Explosives Act

or under the Arms and Ammunition Act. Warrant Officer J P C Steyn of the Security Police said that on July 15 last year, he and about six other policemen went to a house in Zola 3, after receiving information about a "terrorist."

There were about five people in the house, but Mr Mazala looked very frightened when the police arrived, which aroused his suspicions. Warrant Officer Steyn said. He conceded that many people looked frightened when confronted by a group of policemen.

Mr Mazala was searched and arrested. Warrant Officer Steyn said that in the backyard he found a canvas carrier bag containing a handgrenade of Russian origin. The bag was in long grass and

appeared to have been hidden. Mr S Chitja, told the court he was sitting outside his house in May 1980, when Mr Mazala — a stranger to him — marched up and asked if he remembered him from Botswana.

The case continues today.

Mr W Aucamp presided, with Mr A van Wyk appearing for the State and Mr M Bassilian, assisted by Mrs Priscilla J ana, representing the accused.

Mr Mazala visited him on a second occasion, when he showed him three banned books and a grenade which he said he was going to use to destroy a police station.

Grenade for attack on police

331 Star 12/5/82



South African Allied Workers Union (SAAWU),  
S.A. Typographical Union  
S.A.  
S.A.  
S.A.  
S.A.  
Paper  
Media  
Amalgamated

and grenade (331)  
13/5/82  
— witness Star  
the kitchen, he

beer in the kitchen, he came into the dining room with a bag.

to, by security police men who had received "certain information about a terrorist." Mr Tshitsha was also arrested in June last year, but was released after 20 days in detention.

"He then took a handgrenade out of the bag, which he said he had stolen, and said he was going to shatter police stations.

Mr. Mazala, of Orlando East, was later arrested in Zola 3, Soweto.

The case continues today.

African Garment Workers Union (Natal)  
African Leather Workers Union (Transvaal)  
African Trunk & Box Workers Union  
Black Allied Workers Union  
Garment Workers Industrial Union (Natal)  
Garment Workers Union of South Africa  
Garment Workers Union (Western Province)  
General Workers Union  
General Workers Union of South Africa  
National Union of Clothing Workers  
National Union of Leather Workers  
National Union of Textile Workers  
South African Allied Workers Union (SAAWU)  
S.A. Canvas & Ropeworkers Union  
S.A. Canvas & Ropeworkers Union (Cape)  
Tailoring Workers, Dressmaking & Furriers Industrial Union  
Tanning, Footwear and Allied Workers Union

Textiles, Clothing, Leather and Footwear

African Tobacco Workers Union  
National Union of Cigarette & Tobacco Workers  
Rustenburg Tabakwerkersvereniging

**Tobacco**

Sweet Workers Industrial Union (Natal)  
Sweet Workers Union  
Sugar Industry Employees Union  
South African Allied Workers Union (SAAWU)  
S.A. Boilermakers, Iron & Steelworkers, Shipbuilders and Welders  
S.A. Electrical Workers Association  
Western Province Sweet Workers Union  
Witwatersrand Baking & Confectionery Industrial Union  
Witwatersrand Brewing Employees Union

# Terror trial witness held for 15 months

By BRIAN POTTINGER  
Political Correspondent

CAPE TOWN — The Government has confirmed that a Transvaal man has been in detention for 15 months as a witness in a security laws trial.

The startling plight of Mr Richard Makinana came to light in Parliament this week when Mr Louis le Grange, Minister of Police, answered questions posed by Mr Pat Rogers, NRP MP for King William's Town.

Inquiries into Mr Makinana's position were sparked by claims from Amnesty International that numerous efforts to establish the whereabouts of Mr Makinana had failed.

Mr Le Grange confirmed that Mr Makinana was first detained on February 9 last year for two weeks under Section 22 of the General Laws Amendment Act.

From February 23 until March 31 he was detained in terms of Section 6 of the Terrorism Act and since April 1 he has been detained in terms of Section 12b of the Internal Security Act.

He was being detained as a witness in the case against a Mr Motlhabakwe

and others facing charges under the Terrorism Act.

Mr Le Grange said the trial had begun on April 2 last year with the accused represented by advocate Poswa from Durban.

The trial had been postponed 15 times at the request of the defence for various periods of time varying from one day to almost a month.

A trial within a trial initiated by Mr Poswa concerning the admissibility of a confession by one of the accused alone had lasted for more than five months.

The State had closed its case on May 6 this year and, at the request of Mr Poswa, it had been postponed until this Monday to allow him to consult witnesses no longer required by the State.

Mr Le Grange said Mr Makinana had testified for the State and would be released as soon as the case ended.

Concern about Mr Makinana has led to a series of inquiries by the Chicago branch of Amnesty International, who claim they wrote to a number of Cabinet Ministers, the Prime Minister and the head of the security police without success.

Amalgamated Engineers  
Media Workers Associate  
Paper, Wood & Allied  
S.A. Boilermakers, In  
S.A. Electrical Worker  
S.A. Society of Jourm  
S.A. Typographical Un  
South African Allied

Wood & Wood Products  
National Union of Fu  
Paper, Wood and All  
South African Allied

Textiles, Clothing,  
African Garment Work  
African Leather Work  
African Trunk & Box  
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Textile Workers Unio  
Transvaal Leather an  
Trunk & Box Workers

Tobacco

Sweet Workers Industrial Union (Natal)  
Sweet Workers Union  
Sugar Industry Employees Union  
South African Allied Workers Union (SAWU)  
S.A. Boilermakers, Iron & Steelworkers, Shipbuilders and Welders  
S.A. Electrical Workers Association  
Western Province Sweet Workers Union  
Witwatersrand Baking & Confectionery Industrial Union  
Witwatersrand Brewing Employees Union

African Tobacco Workers Union  
National Union of Cigarette & Tobacco Workers  
Rustenburg Tabakwerkersvereniging



An attorney told a Johannesburg district magistrate yesterday that after consulting a security detainee at the Fort prison, he took crumpled tissues which he thought were abandoned, and put them in his pocket.

The attorney, Mr Graham Eric Dyson, is accused of contravening the Prisons Act.

Mr Dyson said he intended disposing of the tissues in a dirt bin outside the prison. He said that on December 22 last year, he was consulting the detainee, Miss Elaine Mohammed. A wardress, Mrs Esther Mtsweni, watched over the visit.

Mr Dyson said he was smoking and used an ashtray made of paper from his writing pad.

The consultation was interrupted when

# Tissues taken from prison 'for disposal'

Mrs Priscilla Jana arrived and asked me to go to the men's section where Miss Mohammed's three co-accused were," he said.

"I crumpled the ashtray and put it into my right-hand pocket. I looked around to see if I had left any mess.

"On the chair near me, I saw crumpled but clearly unused tissue paper. I put it in my left pocket. I was going to dispose of the tissues and the ashtray in a

dirt bin just outside the prison."

Mr Dyson said he was summoned to Lieutenant Suzanna van Wyngaard's office, "where she confronted me immediately and said, 'Can I have the tissues in your pocket.' I handed them over. She opened the tissues and I leaned over to see what the problem was.

"There was writing on one of the tissues. The format made it

clear that it was not a letter and I said it was only poetry. She refused to let me read it and said she was going to give it to the Security Police."

A few weeks after the incident Mr Dyson received a letter telling him that he had contravened the Prisons Act.

Mr Dyson's advocate, Mr E M Wentzel, did not call Miss Mohammed to give evidence because it would put her in jeopardy by getting her to admit a possible offence.

The magistrate, Mr M P Prinsloo, adjourned the case to June 10 for judgment.

**E MUST** enter in r of each question er in which it has re columns (2) and

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Date 31/10/1979

Degree/Diploma/Certificate for which you are registered (e.g. B.A., B.Sc.) B.BUS. SCI.

Subject ECONOMICS II  
(to be copied from the heading on the Examination Paper)

Paper No 1  
(to be copied from the heading on the Examination Paper)

Examiners' Initials		

## NOTE CAREFULLY

1. 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.
2. 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.
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.

## WARNING

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**

# Man claims (1070) diplomatic (331) immunity at 18/5/82 terrorism trial

## Court Reporter

THE assistant urban representative for KwaZulu in the Durban area, Mr Joshua Thembinkosi Zulu, has claimed diplomatic immunity from giving evidence at a terrorism trial being held in a Durban Regional Court.

Appearing at the trial before Mr H S van der Walt are Mr Fana George Sithole, Mr Jaculani Wilfred Ngcobo and Mr Titi Mtenyane who are charged on two counts under the Terrorism Act. They have pleaded not guilty.

Mr Zulu has refused to be sworn in or give evidence, claiming he has diplomatic immunity from the Court.

Presenting his case yesterday, Mr C A Pammenter said that in terms of the Diplomatic Privileges Act, the Court did not have jurisdiction over Mr Zulu and that he was not obliged to give evidence.

## Statement

Mr Pammenter said Mr Zulu was a representative of a self-governing territory and handed in a letter from the Chief Minister of KwaZulu, Chief Gatsha Buthelezi, stating that Mr Zulu was a representative of the KwaZulu Government.

He said that before Mr Zulu could have been appointed there would have had to be consultation with the Minister of Co-operation and Development.

He said that Mr Zulu, if he had to give evidence, would tell the Court he had been approached by accused number one, Mr Sithole, in his position as a diplomatic representative. It would be intolerable for him to disclose what had been discussed.

He said Mr Zulu had made a statement to a security branch policeman on the grounds he would not be called as a witness in the trial.

Replying, Mr A Ackerman, for the State, said Mr Zulu had no diplomatic immunity. He said a register of all persons holding this position was kept.

The latest list of people holding diplomatic immunity had been published in the Government Gazette of April 8, 1982.

Mr Zulu's name was not on this list.

He said that no one of the KwaZulu Government had diplomatic immunity as KwaZulu was not an independent State.

Mr van der Walt reserved his decision on the matter until today.



# KwaZulu rep refuses to testify

18/5/82  
(331) Sowetan  
AN urban representative of the KwaZulu Government has claimed diplomatic immunity from being forced to give evidence in the Durban Regional Court against three alleged African National Congress members charged under the Terrorism Act.

Mr Joshua Thembinkosi Zulu refused to take the oath or to give evidence before Mr H S Van Der Walt at the trial of Mr Fana George Sithole, Mr Jabulani Wolfred Ngcobo and Mr Titi Alocia Mtenyane.

Mr C J Pammenter (for Mr Zulu) said that, in terms of the Diplomatic Privileges Act, the court had no jurisdiction over Mr Zulu and he was not obliged to give evidence if he did not wish to do so.

In order to enjoy diplomatic immunity Mr Zulu had to be a representative of a government and to be accredited as a diplomatic representative.

KwaZulu had its "own government" and therefore

fell under the Diplomatic Privileges Act. Mr Pammenter submitted that Mr Zulu, as a representative of the KwaZulu Government, which was a "self-governing body", fell under the Diplomatic Privileges Act and was immune from being called to give evidence.

The court should respect the wishes of the KwaZulu Executive on whose instructions Mr Zulu refused to give evidence.

If Mr Zulu were to give evidence he would say he made a statement to the police on the express understanding that he would not be called to give evidence, Mr Pammenter said.

Mr A Ackerman (for the State) submitted that Mr Zulu had no diplomatic immunity.

KwaZulu was not an independent state, and no member of the KwaZulu Government had diplomatic immunity.

Mr Van Der Walt reserved his decision. — Own Correspondent.

# Zulu claims immunity

ROM 18/5/82

331

## Mail Correspondent

DURBAN. — The assistant urban representative for KwaZulu in the Durban area, Mr Joshua Thembinkosi Zulu, has claimed diplomatic immunity from giving evidence in a Terrorism Act trial.

Mr Zulu has refused to be sworn in or give evidence claiming he has diplomatic immunity from the court.

Appearing before Mr H S van der Walt in the Durban Regional Court are Mr Fana George Sithole, Mr Jabulani Wilfred Ngcobo and Mr Titi Mtenyane who are charged on two counts under the Terrorism Act. They have pleaded not guilty.

Mr C A Pammenter told the court yesterday that in

terms of the Diplomatic Privileges Act the court did not have jurisdiction over Mr Zulu and that he was not obliged to give evidence.

Mr Pammenter said Mr Zulu was a representative of a self-governing territory and handed in a letter from the Chief Minister of KwaZulu, Chief Gatsha Buthelezi, stating that Mr Zulu was a representative of the KwaZulu government.

He said that before Mr Zulu could have been appointed there would have had to be consultation with the Minister of Co-operation and Development.

If he had to give evidence, Mr Zulu would tell the court he had been approached by one of the accused, Mr Sith-

ole, in his position as a diplomatic representative. It would be intolerable for him to disclose what had been discussed.

He said Mr Zulu had made a statement to the Security Police on the grounds he would not be called as a witness in the trial.

Mr A Ackerman, for the State, said Mr Zulu had no diplomatic immunity. He said a register of all people holding this position was kept.

The latest list of people holding diplomatic immunity had been published in the Government Gazette of April 8, 1982. Mr Zulu's name was not on it.

Mr Van der Walt reserved his decision on the matter until today.



# No immunity, KwaZulu diplomat told



MR ZULU yesterday.

## Court Reporter

THE assistant urban representative for KwaZulu in the Durban area, Mr Joshua Thembinkosi Zulu, was sentenced to 30 days' imprisonment by Mr H S van der Walt in the Durban Regional Court yesterday for refusing to give evidence in a terrorism trial.

Mr Zulu had claimed he held diplomatic immunity from giving evidence in the hearing.

Mr van der Walt stated he did not have diplomatic immunity and called upon him to give evidence. Mr Zulu again refused and was accordingly sentenced.

An appeal against the sentence was immediately noted by Mr Zulu's counsel, Mr C A Pammenter,

and Mr Zulu was granted bail of R50.

The hearing at which three men, Mr Fana Geroge Sithole, Mr Jabulani Ingobo and Mr Titi Mtenyane are appearing on two counts under the Terrorism Act has been adjourned until June 2. They have pleaded not guilty.

Yesterday Mr van der Walt said that while Mr Zulu might be a diplomat he was not an accredited one. His appointment may

have been approved by the Department of Co-operation and Development but he had not been accredited by the Department of Foreign Affairs.

He ordered that Mr Zulu be brought before the Court again on June 2 to be asked again whether he was prepared to give evidence in the trial.

Mr Pammenter told the Court at Monday's hearing that if Mr Zulu gave evidence he would tell the Court he had been

approached by Mr Sithole in his position as a diplomatic representative.

It would, he said, be intolerable for him to disclose what had been discussed.

He said Mr Zulu had made a statement to a security branch policeman on the ground that he would not be called as a witness.

Mr A Ackerman appears for the State and Mr A Wilson, SC, for the three accused.

331  
Mentemmy  
19/5/82

# No immunity for kwaZulu's agent

## Own Correspondent

DURBAN — A kwaZulu Government representative was sentenced in the Durban Regional Court yesterday to 30 days' imprisonment after being declared a recalcitrant witness for refusing to take the oath and give evidence.

The magistrate Mr H S van der Walt, rejected a claim by Joshua Thembinkosi Zulu that as a kwaZulu representative he had diplomatic immunity.

Zulu was called to give evidence at the trial of Mr Fana George Sithole, Mr Jabulani Wilfred Ngcobo and Mr Titi Alucia Mtenyane who have pleaded not guilty to

two charges under the Terrorism Act.

Mr Sithole also pleaded not guilty to 15 counts of contravening the Internal Security Act by breaking the terms of his banning order.

The court found that although Zulu's appointment might have been approved by the Department of Co-operation and Development, he was not accredited as a diplomatic representative by the Department of Foreign Affairs.

Mr van der Walt said Zulu had not shown just cause why he should not be obliged to give evidence.

His refusal did not

necessarily show that he sympathised with the three accused. Zulu had not shown insubordination or arrogance.

A factor was that his refusal to give evidence was on the kwaZulu Government's instructions.

The court could not allow anyone to dictate who should or should not give evidence.

Mr van der Walt said Zulu would be brought before him when the trial resumes on June 2.

His punishment could be suspended if he decided to give evidence or due to other factors.

Zulu was granted bail of R50 pending an appeal.



# Ulundi official refuses oath

**DURBAN** — An urban representative of the KwaZulu Government has been sentenced in the Durban Regional Court to 30 days' imprisonment after being declared a recalcitrant witness for refusing to take the oath and give evidence.

The magistrate, Mr H S van der Walt, rejected a claim by Joshua Thembinkosi Zulu that as a representative of the KwaZulu Government, he had diplomatic immunity from being obliged to give evidence.

Zulu was called to give evidence at the trial of Mr Fana George Sithole, Mr Jabulani Wilfred Ngcobo and Mr Titi Alucia Mtenyane, who have pleaded not guilty to two charges of contravening the Terrorism Act.

Mr Sithole has also pleaded not guilty to 15 counts of contravening the Internal Security Act by breaking the terms of his banning order.

The magistrate found that although Zulu's appointment to the KwaZulu government may have been approved by the Department of Co-operation and Development, he was not accredited as a diplomatic representative by the Department of Foreign Affairs.

Sentencing him to 30 days' imprisonment, Mr Van der Walt said Zulu had not shown just cause why he should not be obliged to give evidence.

His refusal to give evidence did not necessarily show that Zulu was in sympathy with the three accused. He had not shown insubordination or arrogance.

A factor was that his refusal was on the instructions of the KwaZulu Government.

The court could not allow anyone to dictate who should or should not give evidence.

Mr Van der Walt said Zulu would be brought before him when the trial resumed on June 2.

His punishment could be suspended if he changed his mind and decided to give evidence, or due to other factors.

Zulu was granted bail of R50 pending an appeal. — Sapa

# Govt silent on terror appeal

## Political Staff

WHEN PFP MP Mrs Helen Suzman yesterday mentioned in Parliament the Appeal Court ruling setting aside a Bophuthatswana Supreme Court conviction, the Minister of Law and Order, Mr Louis le Grange interjected: "That is their baby, not ours."

The historic decision of the Appeal Court sets aside the conviction of Mr Wilfred Marwane, who was found guilty under the Terrorism Act in 1979 and sentenced to 15-year's jail by Bophuthatswana's Supreme Court.

Bophuthatswana has since repealed South Africa's Terrorism Act, and its security legislation is contained in its Internal Security Act of 1979.

The Appeal Court found that the Terrorism Act — whose powers are transferred to the Internal Security Bill now before Parliament — is inconsistent with the declaration of fundamental rights in the Bophuthatswana constitution.

Yesterday the Minister of Justice, Mr Kobie Coetsee, declined to comment on the Appeal Court ruling on the grounds that the bill referred to in the report was "at present the subject of debate in Parliament."

Mr Coetsee added: "It is not customary for the executive to comment on the execution of the judicial function of a court of law."

## Bill of rights

But Mrs Suzman, (PFP Houghton) said yesterday that the Appeal Court decision underscored the real need for a bill of rights in South Africa.

"It is ironic that in today's debate in Parliament one of the examples given by the Minister of Law and Order, Mr Louis le Grange, of other countries with security legislation comparable with



Mr Justice Rabie



Mr Kobie Coetsee

South Africa's, was Bophuthatswana," she said.

"But the point is that the Bophuthatswana constitution overrides the Terrorism Act in that its bill of rights contains vital protection for the individual based on the rule of law," Mrs Suzman said.

During the committee stage debate on the Internal Security Bill Mr Le Grange rebuked Mrs Suz-

man for the way she had referred to Mr Justice Rabie, who was one of four dissenting Appeal Court judges in the decision.

Mrs Suzman was explaining that Mr Justice Rabie was not the only dissenting judge as she had claimed earlier.

Mr Le Grange: "That does not matter. What matters was the way in which you referred to Judge Rabie."

Mrs Suzman: "That is too bad. He will hang me one day, no doubt."

## Four dissent

Later in the debate Mr Harry Pitman, MP for Pinetown, said that out of the 11 Appeal Court judges seven had concurred with the decision and four had dissented.

The seven concurring judges were: Mr Justice Miller, Mr Justice Jameson, Mr Justice Muller, Mr Justice Diemont, Mr Justice Viljoen, Mr Acting Justice Galgut, and Mr Acting Justice Van Heerden.

The dissenting judges were the Chief Justice, Mr Justice Rumpff, the Chief Justice-Designate, Mr Justice Rabie, Mr Justice Cilliers and Mr Justice Joubert.

"The position was that all 11 judges agreed that there was a conflict between the Terrorism Act and the Bophuthatswana Constitution," Mr Pitman said.

"That was common cause among all 11 judges. They all agreed that the constitution of Bophuthatswana would overrule the Terrorism Act."

"The only issue," Mr Pitman went on to say, "was whether that applied only to future legislation in Bophuthatswana or whether it also applied to earlier legislation, such as the Terrorism Act."

● More parliamentary news, page 4

Time: 3 hours.

to record meteorological recognised synoptic symbols: ng stations on the synoptic ation reported (see table of South Africa.

Dew Point temp.	Cloudiness	Wear
20	Overcast	hair
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# DON'T HANG ANC PLEA BY REAGAN

22/5/82  
a/s 11/11/82  
331  
337

WASHINGTON. — The Reagan Administration has made it clear that it backs the international campaign urging South Africa to commute the death sentences on three African National Congress terrorists.

A spokesman for the State Department would not comment on "private diplomatic exchanges which may or may not have taken place" — but he added that the South African Government was aware of the American Government's views.

## WEEKEND ARGUS BUREAU

He confirmed that the Secretary of State, Mr Alexander Haig, had cabled the United Nations Secretary-General, Mr Javier Perez de Cuellar, reaffirming United States support for United Nations Security Council resolution 503.

Passed unanimously by the Security Council on April 9, the resolution called on South Africa to commute the death sentences on Neimithi Lubisi, Petrus Mashigo and Naphali Mamanana, who attacked a police station in Lebowa with automatic weapons and grenades on January 4 1980.

On the same day the United States' alternate representative to the United Nations, Mr Charles Lichenstein, issued a statement saying the United States was "deeply concerned" with the preservation and the extension of human rights in South Africa — and throughout the world.

The State Department spokesman said that if the men were executed, it would be the first time in modern South African history that anyone had been executed for participation in a crime in



## MUGABE TO END DUAL CITIZENSHIP

Argus Africa News Service HARARE. — Mr Robert Mugabe's Government intends removing the constitutional right of Zimbabweans to hold dual citizenship.

The move will be strongly resisted by Mr Ian Smith's Republican Front party, according to party chairman Mr Geoff Kluckow, and could spark off an emotional white response here. A draft Bill published here yesterday proposes

## Uranium for SA deal legal—Swiss

Weekend Argus Correspondent

BERN. — The Swiss Government has rejected a charge in Parliament that the Kaiseraugst Ltd nuclear energy facility violated international law by selling enriched uranium which eventually found its way to South Africa.

The charge was made by Mrs Monique Bauer, a Liberal Party Deputy from Geneva, in a written question to the Government.

She said that Kaiseraugst Ltd by making the enriched uranium available to an American concern, made it possible for South Africa to circumvent an international embargo.

### SWISS SOIL

In a written reply, the Government said the uranium in question had

THREE oil-soaked penguins were rescued at a beach just off Dyer Island east of Caernsbaal this week. They were brought to the SANCCOB station at Phillippi where they were cleaned and treated. A spokesman for SANCCOB said that there were other oiled penguins on Dyer Island itself, but that heavy seas were hampering rescue operations. The picture shows one of the cleaned penguins and another still

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# ANC ACCUSED REFUSED BAIL

TWO MAMELODI men accused of furthering the aims of the banned African National Congress had their applications for bail refused in the Pretoria regional courts last week — although a co-accused is already out on bail.

By MONK NKOMO

Mr Strike Ishmael Bila (28), of 11347 Mamelodi East, and Mr Bernard Mokgonyana (19), of 14089 Mamelodi East, are charged with possessing during April this year prohibited publications and with putting up illegal posters, signs or marks at the Mamelodi High School, the Rethabile Post Office, Isako Thabo High School, the Mamelodi East Sports Grounds, Mamelodi Shops and Bakery, the Ga-Rankuwa Kgaogelo School, Zone 2 School, and Zone 1 Western Grounds.

They are also alleged to have promoted the interests of the banned ANC by acting as ANC messengers, visiting people in Botswana connected with the ANC, distributing publications

which explained the aims of the ANC, and recruiting members for the ANC.

Mr John Ootso (35), also of Mamelodi, faces the same charges, but is out on bail of R100.

All have pleaded not guilty.

Mr Lazarus Mokgonyana, eldest brother of Bernard, a matric student, testified he would exercise control over him and make sure he attends the trial.

The prosecutor, Mr F J Roets, stood up and said: "Have you ever heard of Braam Fischer? He made the same promise and jumped bail."

"But I'm not Braam Fischer. I am somebody else," was the quick re-

ply from Mr Lazarus Mokgonyana.

Opposing the bail application, Mr Roets argued that neither accused had fixed assets, both might interfere with State witnesses, and that they might skip the country into neighbouring states, from where it would be difficult to extradite them.

Mr Brian Doctor argued that both had previously left the country with valid documents and he did not believe they would leave if these were surrendered to the police. Both were not hardened criminals, he said, adding that a third accused had been granted bail on the same charges.

So far as the general increase in the white population is concerned, it has already been said that an increase of 50 per cent would appear to be realistic. Another factor that might have an effect on student numbers is any change in the requirements for matriculation exemption. As is known, certain concessions were made in this regard in 1971 and the Director of Education of the Cape Province stated, for example -

- The Commission consequently finds that the increase in the number of students during the next two decades will be influenced primarily by the following:
- (1) The general increase in the population;
  - (11) changes in the structure of new programmes of study.
- Sociological and economic factors are very important in the prediction of student numbers, but the Commission could find no reason to doubt that under normal conditions the present economic progress will continue and that the standard of living during the next two decades will at least remain at the present level.



## UNIONS OPERATING IN 1981 GROUPED ACCORDING TO INDUSTRIAL CLASSIFICATION

Unions have been classified according to the Standard Industrial Classification of All Economic Activities. The full extent of the operation of the following general workers unions has not been established:

National Federation of Workers  
Orange-Vaal General Workers Union  
General and Allied Workers Union

### AGRICULTURE, FORESTRY AND FISHING

Black Allied Workers Union  
Farmworkers Union  
Food and Canning Workers Union  
National Certified Fishing Officers Association  
Orange-Vaal General Workers Union  
Trawler and Line Fishermen's Union

### MINING AND QUARRYING

Amalgamated Engineering Union of S.A.  
Amalgamated Union of Building Trade Workers  
Amalgamated Society of Woodworkers of S.A.  
Black Allied Workers Union  
Black Mineworkers Union  
Federated Mining Explosives and Chemical Employees Union  
Iron Moulders Society of S.A.  
Mine Coloured Staff Association of South Africa  
Mine Surface Officials Association of South Africa  
Mine Workers Union  
S.A. Boilermakers, Iron and Steel Workers Shipbuilders  
S.A. Electrical Workers Association  
S.A. Engine Drivers, Firemens and Operators Association  
S.A. Technical Officials Association  
Underground Officials Association of S.A.

### MANUFACTURING

#### Food & Beverages

African Food and Canning Workers Union  
Amalgamated Engineering Union of South Africa  
Bakery Employees Industrial Union  
Black Allied Workers Union  
Boland Inmaakwerkersvereniging (Paarl)  
Brewery Employees Union (Cape Peninsula)  
Cadbury In-Company Union  
East London Meat Trade Union  
Food and Cannning Workers Union  
Food, Beverage & Allied Workers Union  
General Workers Union  
General Workers Union of South Africa  
Natal Baking Industry Employees Union  
Natal Sugar Industry Employees Union  
National Milling Workers Industrial Union  
National Union of Dairy Employees  
National Union of Operative Biscuit Makers & Packers  
National Union of Sugar Manufacturing and Refining Em  
National Union of Wine, Spirits and Allied Workers  
Operative Bakers, Confectioners & Conductors Union (C  
Pretoriase Baknywerheidsvereniging

# Koornhof's niece freed from jail

*Cape Times 24/5/82 331*

**Own Correspondent**  
**JOHANNESBURG.** — Ms Hanneke Koornhof, niece of Dr Piet Koornhof, Minister of Co-operation and Development, was released at the weekend after eight months in prison.

Seven months were spent as a Terrorism Act detainee and one as a convicted prisoner under the Internal Security Act.

Ms Koornhof, 27, relaxed at her parents' Blackheath home yesterday. "euphoric" at being free. She plans to move to her sister-in-law's Benoni home today to be reunited with her seven-year-old son Justin.

She was detained in October last year. On April 23 this year, she was fined R500 and jailed for a month after being found guilty in terms of the Internal Security Act and of possessing banned literature.

Her parents, Professor Hendrik and Mrs Joan Koornhof, fetched her from the Klerksdorp prison on Saturday morning where she was being held.

Yesterday was her mother's 51st birthday and Hanneke spent the day quietly with her family.

"Having Hanneke back with us is the best birthday present I could have ever received," said Mrs Koornhof.

Piles of presents, cards and flowers awaited Hanneke at her parents' home.

"My parents had a new engine fitted to my car and had tied a huge yellow ribbon around it. And friends and relatives have been phoning constantly since I came home," said Hanneke.

She said she had "the greatest admiration" for the Detainees Parents' Support Committee. Her father has been one of its most active members.

"People outside were so strong and supportive; that filtered through and helped me to cope with my detention," she said.

● Picture, page 2

# Durban blasts: 3 face trial

PIETERMARITZBURG — A former Transkeian living in Mdantsane is among three men who will face charges here of high treason.

The Supreme Court here confirmed that the trial of Mr Seth Mpumelelo Gaba, of Mdantsane, Mr Patrick Ntobeko Maqubela and Mr Mboniswa de Villiers Richard Maqhutyana, both of Durban, would start on August 2.

Mr Gaba is alleged to have committed some of the offences "at or near Mdantsane" between June and November last year.

Together with his two co-accused, he is linked to three bomb blasts in the centre of Durban last year.

According to the 32-page indictment, the men also face charges under the Terrorism Act, and of sabotage, malicious injury to property and attempted murder. The alternative to these charges is listed as "wilfully causing an explosion".

The men are accused of being involved in a conspiracy with ANC

members based in Swaziland to overthrow the South African Government by means of violence.

The annexure to the indictment dealing with Mr Gaba states: He joined the conspiracy and became a member or supporter of the ANC; he incited, instigated, advised, encouraged or procured Mpilo Ichabod Taho to undergo military training in Mozambique; he underwent military training conducted by the ANC in Swaziland; he returned to SA to reconnoitre places in Durban and Mdantsane for possible targets for sabotage or subversion; he concealed or knew of the existence of caches of arms or explosives at or near Mdantsane and Durban; and he acted alone or in concert with his co-accused in causing the blasts in Durban.

Mr Gaba is also accused of possessing arms and explosives including a Makarov pistol, eight cartridges with a calibre of 9 mm without being in lawful possession of an arm capable of firing such ammunition and two F1 handgrenades.

nades.

Mr Maqubela is linked to the ANC, according to the indictment, as follows:

He directed their operations in Durban and was in contact with the ANC members in Swaziland; he arranged the hire of vehicles in Durban for ANC men to convey explosives, couriers and information to and from Swaziland; and he stored or knew of the existence of caches in the Durban area.

Mr Maqubela is also accused of possessing explosives comprising 20 kg plastics explosive and 22 blocks of 400 g TNT; grenades comprising six RG hand grenades (offensive) of Russian origin and 10 F1 handgrenades (defensive) of Russian origin; and one AK47 rifle with 120 cartridges.

Mr Maqhutyana is also accused of having joined or supported the ANC in the conspiracy, concealed or knew of the existence of caches and possessed the following: two F1 handgrenades of Russian origin, a Makarov pistol, TNT and military detonators. — DDR.

Chemical & Chemical Products, Coal, Rubber & Plastic Products

Black Allied Workers Union

Cape Explosives Industrial Workers Union

Chemical and Allied Workers Union

Chemical Workers Industrial Union

Chemical Workers Union

Durban Rubber Industrial Union

Engineering and Allied Workers Union

Engineering Industrial Workers Union of S.A.

Federated Mining, Explosives and Chemical Employees Union

Industrial Salaried Staff Association

General Workers Union

Metal and Allied Workers Union

National Union of Engineering, Industrial & Allied Workers

National Union of Motor Assembly & Rubber Workers of South Africa

S.A. Chemical Workers Union

South African Allied Workers Union (SAAWU)

Steel, Engineering and Allied Workers Union

Unbought Industrial Workers Union

Weskapse Plofstof & Chemiese Operateursvakbond

Non-Metallurg

Building, Glass & Allied

Glass & Allied

Glass Workers

National Central

National Union

Transport &

Base Metal

Machinery &

Amalgamated

Black Allied

Electrical

Electrical

Engineering

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United African Motor and Allied Workers Union



DOM 28/5/82  
331  
**Another  
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for raids**

Year	Aff
1970	
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1978	
1979	
1980	

A THIRD man has been charged with high treason, murder, attempted murder and terrorism, relating to the attacks on the Capital Park Power Station in Pretoria, three police stations and a railway line.

Mr Marcus Thabo Motaung, 27, appeared in the Pretoria Magistrate's Court yesterday on the same charges as Mr Thelle Simon Mogoerane and Mr Jerry Semano Mosololi, who pleaded not guilty earlier this month. The case was postponed to June 1 to the Supreme Court.

The charges involve attacks on the Moraka and Orlando police stations on May 31, 1979, the Capital Park Power Station on December 14 last year, the Wonderboompoort Police Station on December 26 last year, and the New Canada railway line on May 24 last year. He is also alleged to have undergone military training in Angola, Tanzania and East Germany. — Sapa.

ITHS UNION

Membership

	White	Total
	320	418
	294	322
	305	331
	201	222
	347	377
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		445
		460

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✕  
✕  
✕  
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Fosatu Annual  
Report  
1980/81

Address: 201/4 City Centre  
Corporation Street  
Cape Town  
8001

Telephone: (021) 433658

Officials: Secretary: A.Frazer

Area of Operation: Western Cape

Founded: 1939

Registration: Yes

1974 affiliated to TUCSA and had disaffiliated by 1977/78 and with other unions formed FOSATU in 1979

Other

Diamond Cutters Union of  
Jewellers and Goldsmiths  
Optical Workers Union  
S.A. Association of Dent  
S.A. Diamond Workers Uni

ELECTRICITY, GAS AND WA

Cape Town Gas Workers U  
Escom (Cape Western Und  
Escom Salaried Staff As  
Escom Workers Associati  
General Workers Union  
Johannesburg Municipal

CONSTRUCTION

Amalgamated Society of  
Amalgamated Engineering  
Amalgamated Union of B  
Black Allied Workers U  
Blankebouwerkersvakbor  
Building, Construction  
Building Workers Union  
Electrical and Allied  
Electrical and Allied  
Engineering and Allied  
Engineering Industrial  
General Workers Union  
Metal and Allied Work  
National Union of Engi  
Port Elizabeth Operati  
S.A. Operative Masons'  
S.A. Woodworkers  
Steel, Engineering and Allied Workers Union  
S.A. Electrical Workers Association

**Union** <sup>AK645</sup>  
<sup>28/5/82</sup>  
**officials**  
**on terror** <sup>(331)</sup>  
**charge**

Argus Correspondent

JOHANNESBURG.

Three executive members of the South African Allied Workers' Union, SAAWU, appeared in the regional court here on a charge under the Terrorism Act.

The president of the union, Mr Thomazile Richard Gqweta, the general secretary, Mr Sam Bekhuwise Kikine, and the national organiser Mr Sisa James Njikelana, were represented by Mrs Priscilla Jana.

The unionists appeared with Miss Barbara Anne Hogan, 30, of Hunter Street, Yeoville. Mr Cedric Radcliffe Mayson, 54, of St Georges Street, Bellevue, and Mr Alan Morris Fine, 26, of Sharp Street, Bellevue, who were represented by Miss Kathy Satchwell.

They were not asked to plead and the magistrate, Mr E Dry, remanded the six people until June 14 for further investigation.

Miss Hogan, Mr Mayson, Mr Fine, Mr Kikine and Mr Njikelana have been in detention since last year. Mr Gqweta was detained earlier this month.

ff Association

Union

Union

Africa

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th Africa

nd Allied Workers

s Association

WHOLESALE & RETAIL TRADE AND CATERING AND ACCOMMODATION SERVICES

Wholesale & Retail Trade

Black Allied Workers Union  
Commercial, Catering and Allied Workers Union  
Concession Stores and Allied Trades Assistants Union  
Domestic Workers and Salesladies Association  
Kimberley Shop Assistants, Warehousemen and Clerks Association  
National Union of Commercial, Catering and Allied Workers  
National Union of Distributive Workers  
Pretoriase Vakbond vir die Kleinhandel Vleisbedryf  
Transvaal Retail Meat Trade Employees Union

Catering and Accommodation

Commercial, Catering and Allied Workers Union  
East London Liquor & Catering Trades Employees Union



Capk Times  
28/5/82

# Witness jailed for perjury

331

Staff Reporter

A NYANGA East man who was State witness in a Supreme Court terrorism trial was yesterday jailed for 15 months by a Parow regional magistrate on charges of perjury.

Shadrack Ponomo Ncapyi, 21, was sentenced for committing perjury in the trial of Mr Oscar Mpetha and 18 others. He pleaded not guilty to two charges of perjury at a previous hearing.

The court found that in a sworn statement made to Captain Leonard Knipe in Bishop Lavis on September 2, 1980, Ncapyi said:

"Vusumzi and a group of people had gone to Crossroads to murder white people in revenge for the killing of a black man at the Nyanga station by two members of the South African Police."

## Stoned to death

The statement also said that one white man had been stoned to death and another severely burnt after his car had been set alight and that Vusumzi was present at both happenings.

In the Supreme Court on October 27 last year Ncapyi said that Vusumzi had not told him where he (Vusumzi) was when the man had been killed at Crossroads, and that Vusumzi had not told him the reason for the killing of the man.

In another statement made on September 30, 1980, Ncapyi told Captain Knipe that on June 16 and 17, 1980, he had attended meetings addressed by a Mr Stuurman and Mr Mpetha.

Ncapyi said that the meetings were held to discuss red meat and bus boycotts and that Mr Mpetha had encouraged people to support strikers in the meat industry.

In the Supreme Court on November 3 last year, Ncapyi told Mr Justice Williamson under oath, that he had no knowledge of a meat and bus boycott and that he had never attended a meeting with Mr Mpetha.

Mr J G van Eeden presided. Mr J van Vuuren prosecuted. Ncapyi was defended by Mr A Abercrombie.

**Court Reporter**

Three executive members of the 70 000-strong South African Allied Workers' Union (Saawu) appeared in a Johannesburg Regional Court today in connection with a charge under the Terrorism Act.

The union's president, Mr Thozamile Richard Gqweta, the general secretary, Mr

# Magistrate remands 6 in Terror Act case

331  
stow  
28/5/82

Sam Bekhuwisa Kikine, and the national organiser, Mr Sisa James Njikelana, were represented by Mrs Priscilla Jana.

The unionists appeared with Miss Barbara Anne Hogan (30) of Hunter Street, Yeoville, Mr Cedric Radcliffe Mayson (54) of St

George's Street, Bellevue, and Mr Alan Morris Fine (26) of Sharp Street, Bellevue, who were represented

by Miss Kathy Satchwell.

They were not asked to plead to any charge and the magistrate, Mr B E Dry, remanded the six until June 14 for further investigation.

Miss Hogan, Mr Mayson, Mr Fine, Mr Kikine and Mr Njikelana have been in detention since last year.

Mr Gqweta was detained this month.



Report  
Fosatu Annual  
1980/81

Year	Membership			
	African	Asian and Coloured	White	Total
1980				460
1979				445
1978				..
1977		30	347	377
1976		21	201	222
1975		26	305	331
1974		28	294	322
1973		98	320	418
1972				
1971				
1970				

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Telephone: (021) 433658

Address: 201/4 C  
Corpora  
Cape To  
8001

Officials: Secre

Area of Operation

Founded: 1939

Registration:

1974 affiliated  
other unions fo

**CAPE TIMES**  
**Mpetha in**  
**hospital** 29/5/82  
331  
Staff Reporter

MR OSCAR MPETHA, the 72-year-old trade unionist and community leader on trial on charges of terrorism and murder, was admitted to a Peninsula hospital on May 14.

This was confirmed in Cape Town yesterday by a police spokesman who said Mr Mpetha was being treated for diabetes. He could not say when Mr Mpetha would be charged.

Mr Mpetha is standing trial in the Cape Town Supreme Court with 18 other men.

He had an operation in Groote Schuur Hospital in February. At the time he told his son, Mr Eric Mpetha, that he expected to have another operation to have his kidneys "cleaned out".

One of the Mpetha family said last night that the family was told of his latest illness only when they visited him at Pollsmoor Prison about two weeks ago.

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in court

The six were not asked to plead. They were remanded to June 14.

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- 262 -



# Brixton plot: ANC duo guilty

By Joe Openshaw,  
Court Reporter

Robert Martin Adam, a maths teacher, and Mandla Themba, a photo journalist — both ANC members — were convicted in the Rand Supreme Court today of plotting to blow up the Brixton Tower in Johannesburg.

They were found guilty by Mr Justice Boshoff on two charges

of endangering the maintenance of law and order and one of being members of the banned ANC.

He found they had conspired with the ANC and its members to blow up the Brixton Tower and destroy transmitters with limpet mines.

Adam (26) and Themba (25), who pleaded not guilty to five counts

under the Internal Security Act, were acquitted on two.

It was found that they visited the tower last July to obtain information and photograph transmitters and submitted a report on destroying the transmitters to the ANC high command.

The report claimed that in a couple of minutes they could eliminate

transmitters TV1, TV2, and TV3.

"They claimed that 1.5 million viewers would be without reception for 12 to 18 months, the time it would take to repair the transmitters," said Mr Justice Boshoff.

He also found that Adam had submitted two reports to the ANC.

Sentence will be passed today.

WEDNESDAY, 2 JUNE 1982

†Indicates translated version.

*For oral reply:**Prime Minister:***Cabinet proceedings: information in Press**

\*1. Mr. H. D. K. VAN DER MERWE asked the Prime Minister:†

- (1) Whether any information on Cabinet proceedings in February 1982 was published in the Press; if so, in what publication did the information appear;
- (2) Whether he ordered an inquiry into this matter; if not, why not; if so,
- (3) whether such inquiry has been completed; if so, what was the finding as a result of the inquiry;
- (4) whether he will make a statement on the matter?

†The PRIME MINISTER:

(1) I have no knowledge that information on Cabinet proceedings was published in the press during February 1982 or at any other time. However, the purport of specific Cabinet decisions is from time to time made known by Ministers in the normal execution of their responsibilities and in the normal course of their management task.

(2), (3) and (4) fall away.

*Ministers:**Howard Q. 61.951-952*

\*1. Dr. M. S. BARNARD asked the Minister of Law and Order:

(1) Whether Geiniszwe Kondile was detained by the South African Police

during the latest specified period of two years for which figures are available; if so, (a) when and (b) in terms of what statutory provision;

- (2) whether he has since been released; if so, (a) when and (b) where;
- (3) whether he was visited by a (a) magistrate and (b) district surgeon during the period of his detention; if so, (i) on what dates was he visited, (ii) by whom and (iii) what was the purpose of the visits;
- (4) whether he has been reported missing since his release; if so,
- (5) whether any attempt is being made to find him?

†The MINISTER OF LAW AND ORDER:

- (1) Yes.
- (a) From 26 June 1981 till 10 August 1981.
- (b) In terms of section 50 (1) of Act 51 of 1977, thereafter in terms of section 22 (1) of Act 62 of 1966 and from 10 July 1981 in terms of section 6 (1) of Act 83 of 1967.
- (2) Yes.
- (a) On 10 August 1981.
- (b) Port Elizabeth.
- (3) (a) and (b) No. He was, however on 3 August 1981 visited by an inspector of detainees.
- (i), (ii) and (iii) Fall away.
- (4) Yes.
- (5) Yes.

\*2. Mr. P. R. C. ROGERS asked the Minister of Justice:

Whether any State witnesses in terrorism trials (a) died and (b) were injured as a result of attacks on them during the latest specified period of twelve months for which figures are available; if so, how many in each case?

†The MINISTER OF JUSTICE:

The reply to both (a) and (b) in respect of the period of 12 months which ended on 28 May 1982, is "no". Before this period, however, various State witnesses have been murdered, assaulted and intimidated. It is further known that it is one of the declared aims of a certain terrorist organization to eliminate certain designated State Witnesses.

\*3. Dr. A. L. BORAINÉ asked the Minister of Education and Training:

- (1) Whether any Black teachers have experienced delays in receiving their salaries in 1982; if so, (a) in which areas have the delays occurred, (b) how many teachers have been affected and (c) what was the (i) average duration of and (ii) reason for the delays;
- (2) whether steps are being taken to prevent a recurrence of such delays; if not, why not; if so, what steps;
- (3) whether he will make a statement on the matter?

†The MINISTER OF EDUCATION AND TRAINING:

- (1) Yes.
- (a) In all Regions.
- (b) Tally of number of cases is not kept.
- (c) (i) The duration of delays varies according to the nature of each case and may take up to three months.
- (ii) Delays are almost without

exception due to failure by principals and managers of schools to forward duly completed documents of appointment and/or transfer.

- (2) Yes. Principals are trained in administration and the Department has embarked upon a decentralization scheme according to which certain staff matters are assigned to regional offices in an effort to shorten the channels of communication and so to expedite the disposal of such matters.
- (3) No.

\*4. Mr. H. H. SCHWARZ asked the Minister of Defence:

- (1) Whether any arrangements have been made by (a) the South African Defence Force, (b) (i) the South African Defence Force Fund or (ii) any other body connected with such Fund, (c) the Army Trust and (d) any other body connected with the South African Defence Force in regard to the endorsement of products; if so,
- (2) (a) what is the nature of the arrangements made, (b) with whom have such arrangements been made, (c) what return is to accrue to the (i) Defence Force and (ii) body or persons marketing such products for the Defence Force and (d) how many products (i) have been endorsed and (ii) is it intended to endorse;
- (3) whether consultation took place with commerce and industry prior to these arrangements being made; if so, what was the nature of such consultation;
- (4) whether representations have been made by commerce and industry in this regard; if so, what was the nature of such representations;
- (5) whether he will make a statement on the matter?



# Two ANC members jailed for tower plot

331 Star 2/6/82

By Joe Openshaw

Two ANC men, Robert Martin Adam, a mathematics teacher, and Mandela Themba, a photo-journalist, were sentenced in the Rand Supreme Court yesterday to jail terms for plotting to blow up the Brixton Tower in Johannesburg.

Adam was sentenced to 10 years and Themba to five years.

Sentences of two years for Adam and one year for Themba for being members of the banned ANC were also imposed.

The sentences will run concurrently.

Themba was allowed to make an application for leave to appeal.

Adam (26), of Yeoville, and Themba (25), of Soweto, had both pleaded not guilty to five counts under the

Terrorism and Internal Security Acts.

Mr Justice Boshoff found that they had conspired with the ANC and with members of the ANC to blow up the Brixton Tower in Auckland Park and destroy radio and television transmitters with limpet mines.

It was found that the two men visited the tower on July 14 last year to obtain information and take photographs which were embodied in a report submitted to the high command of the ANC.

Themba took the photographs of transmitters and Adam compiled the report.

It was claimed in the report that it was possible, in the space of a couple of minutes, to eliminate TV transmitters one, two and three

and so prevent them transmitting to all parts of South Africa.

The report also claimed that the radio and television transmitters were very easy targets.

The judge said that the men had conspired to endanger law and order in South Africa.

"They also conspired to obtain information which could have been used by the ANC to further its objective of overthrowing lawful authority by violence," Mr Justice Boshoff said.

Adam's father, Mr James Adam, gave evidence in mitigation of sentence and said he hoped the judge would view what his son had done against the background of "his unquenchable desire for social justice."

(331) Star 2/6/82

# Police station attacks: 3 on treason counts

By Jim Freeman,  
Pretoria Bureau  
Three alleged African National Congress terrorists appeared briefly in the Pretoria Supreme Court yesterday, facing charges of high treason.

The men, Mr Thelle Simon Mogoerane (23), Mr Jerry Semano Mosololi (25) and Mr Marcus Thabo Motaung (27), are charged with carrying out attacks last year on the Orlando, Moroka and Wondeboompoort police stations, as well as committing other acts of sabotage.

Mr Mogoerane and Mr Mosololi pleaded not guilty to the charges in the Pretoria magistrate's court in April.

There are also five alternative charges under Section 2 of the Terrorism Act, four of murder, 10 of attempted murder and one of robbery with aggravating circumstances.

The State alleges that the three are members of the banned ANC, and received military training between 1976 and 1979.

Mr Motaung, who appeared in court for the first time last week, was not asked to plead and the case was postponed to August 2.

## Brothers shot at dance, court hears

Two brothers were gunned down at a dance by members of the East Guns gang, the Rand Supreme Court heard yesterday.

Mr Claude Joseph (24) of Eldorado Park and Mr Billy Jacobs (23), of Western Coloured Townships, appeared before Mr Justice O'Donovan.

Mr Joseph pleaded not guilty to three charges of murder, one of attempted murder and three of unlawful possession of firearms and ammunition.

Mr Jacobs pleaded not guilty to a charge of murder and attempted murder. They were both members of the gang, the judge heard.

The hearing continues today.

## Self-defence plea

East Rand Bureau

A Brakpan petrol pump attendant had acted in self-defence when he sprayed a customer with petrol, a Brakpan magistrate was told yesterday.

Mr John Motsweni (32), an employee of Empire Motors, Brakpan, pleaded not guilty to an attempted murder charge.

He admitted to spraying Mr Nick Roets of Victoria Avenue, Brakpan, with petrol, but denied setting him alight.

Mr Niel Dippenaar, defending, said Mr Motsweni had acted in self-defence.

The magistrate, Mr J N Fourie, postponed the case until June 23, pending the Attorney-General's decision.

Mr Motsweni's bail of R1 000 was extended.

Mr Roets is still in hospital with 25 percent second-degree burns.



# Alleged ANC men on 21 charges

# Treason trial postponed

THREE alleged members of the ANC facing charges of high treason terrorism and murder yesterday had their case postponed in the Pretoria Supreme Court to August 2.

By MONK NKOMO

Mr Thele Simon Mogoerane (23) of Vosloorus, Boksburg, Mr Jerry Simano Mosoloni (25) of Dube, Soweto and Mr Marcus Thabo Motaung of Diepkloof, Soweto, appeared before Justice Van Dyke charged with high treason and twenty alternative charges which included three murders, ten counts of attempted murder, five counts under the Terrorism Act and robbery with aggravating circumstances.

Both Mr Mogoerane and Mr Mosololi had earlier pleaded not guilty. Mr Motaung refused to plead before a local magistrate last Friday. He was not asked to plead yesterday.

Mr Jack Unterhalter, SC for the defence, said the defence had requested further particulars of charges against the third accused who

was only recently arrested. Mr Unterhalter claimed he had not been given the official period of notice to study the charges. The trial date, he told the court, could be earlier than August 2, subject to arrangements with the Judge President.

The three men are alleged to have: (1) undergone military training in Angola, Tanzania and other countries between 1976 and 1979 with the intention to overthrow the Government and undermine law and order; (2) attacked Moroka police station on May 31, 1979, with AK47 assault rifles and grenades, killing Constable Bongani and Brian Tembe, seriously injuring Constable Edward Moremi and also injuring Constable Ernest Nkosi. Mrs Daphney Thandi Magagula and Mr Godfrey Tshabalala; (3) attacked Orlando police station on the night of November 11, 1979, with AK47

assault rifles and grenades, killing Constable Ntseini, Jerry Mosidane and Constable Christopher Zibi. Constable Thami Goodenough Gyantjie and Mr Sipho Zungu were allegedly injured in the attack.

They are also alleged to have attacked the Wonderboom police station near Pretoria last year, killing two policemen and injuring others. They are alleged to have robbed Mr Frans Thobela of his car in Pretoria with the intention to kill him.

Other charges are that they (1) deployed weapons at or near New Canada on or about May 24 last year; (2) were found to have explosives, (3) handgrenades, (4) one RG 42 grenade, (5) AK47 sub-machine guns, one RPG7 rocket launcher, two AK47 bayonets and other arms and ammunition at Wonderboom in December last year.

Year	Membership			
	African	Asian and Coloured	White	Total
1970				
1971				
1972				
1973		320	418	
1974		294	322	
1975		305	331	
1976			222	
1977			77	
1978				
1979			45	
1980			60	

JEWELLERS AND GOLDSMITHS UNION

# Church man sentenced

AN EVANGELICAL Lutheran Church minister was yesterday sentenced to two years' imprisonment, conditionally suspended, under the Internal Security Act.

Another minister was found not guilty after the two men had appeared in the Venda Supreme Court on charges of murder and attempted murder and on

counts under the Terrorism and Internal Security Acts.

Pastor M P Posiwa was sentenced to two years' imprisonment, suspended for five years on condition that he did not take part in any subversive activities designed to promote the aims of communism. He had pleaded guilty.

Pastor N P Phaswana

was found not guilty and discharged.

The case arose from a grenade attack on the Sibasa Police Station in October last year.

Posiwa was found guilty under Section 11E of the Internal Security Act for offering accommodation in April, 1981, to people who later promoted terrorism. — Sapa.



## UNIONS OPERATING IN 1981 GROUPED ACCORDING TO INDUSTRIAL CLASSIFICATION

Unions have been classified according to the Standard Industrial Classification of All Economic Activities. The full extent of the operation of the following general workers unions has not been established:

National Federation of Workers  
Orange-Vaal General Workers Union  
General and Allied Workers Union

## AGRICULTURE, FORESTRY AND FISHING

Black Allied Workers Union  
Farmworkers Union  
Food and Canning Workers Union  
National Certified Fishing Officers Association  
Orange-Vaal General Workers Union  
Trawler and Line Fishermen's Union

## MINING AND QUARRYING

Amalgamated Engineering Union of S.A.  
Amalgamated Union of Building Trade Workers  
Amalgamated Society of Woodworkers of S.A.  
Black Allied Workers Union  
Black Mineworkers Union  
Federated Mining Explosives and Chemical Employees Union  
Iron Moulders Society of S.A.  
Mine Coloured Staff Association of South Africa  
Mine Surface Officials Association of South Africa  
Mine Workers Union

S.A. Boilermakers, Iron and Steel Workers Shipbuilders and Welders Society  
S.A. Electrical Workers Association  
S.A. Engine Drivers, Firemen and Operators Association  
S.A. Technical Officials Association  
Underground Officials Association of S.A.

## MANUFACTURING

## Food &amp; Beverages

African Food and Canning Workers Union  
Amalgamated Engineering Union of South Africa

Bakery Employees Ir  
Black Allied Worker  
Boland Inmaakwerker  
Brewery Employees  
Cadbury In-Company  
East London Meat Th  
Food and Canning  
Food, Beverage & A  
General Workers Un  
General Workers Un  
Natal Baking Indust  
Natal Sugar Indust  
National Milling W  
National Union of  
National Union of  
National Union of  
National Union of  
Operative Bakers,  
Pretoriase Bakmywe

# Venda security trial: Churchman is jailed

THOHOYANDOU. — An Evangelical Lutheran Church minister was yesterday sentenced in Venda to two years' imprisonment, conditionally suspended, under the Internal Security Act.

Another minister was found not guilty after the two men had appeared in the Venda Supreme Court on charges of murder and attempted murder and on counts under the Terrorism and Internal Security Acts.

Pastor M P Posiwa was sentenced to two years' imprisonment, suspended for five years on condition that he does not take part in any subversive activities designed to promote the aims of communism. He had pleaded guilty.

Pastor N P Phaswana was found not guilty and discharged.

The trial arose from a grenade attack on the Sibasa police station last October.

Posiwa was found guilty under Section 11E of the Internal Security Act for offering accommodation in April, 1981, to people who later promoted terrorism. — Sapa

CASE TAKES 2/6/82  
8/6/82 331

Cape Times 2/6/82

331

# 2 jailed for TV tower threat

Own Correspondent

JOHANNESBURG. — Spectators in the Rand Supreme Court broke into song yesterday when two ANC office-bearers were jailed for a total of 15 years for trying to destroy the SATV Brixton Tower.

Robert Martin Adam, 26, and Mandla Themba, 25, joined in the singing of the black national anthem Nkosi Sikelel'i Afrika as they were led down to the cells after being sentenced.

Adam, of Felicity Court, Yeo Street, Yeoville, was jailed for 10 years and Themba, of Jabulane, Soweto, for five years after being convicted under the Internal Security Act and Terrorism Act of conspiring to des-

troy the tower to overthrow law and order in South Africa.

They were also convicted of conspiring to obtain information to achieve the objectives of the banned African National Congress, to receive and distribute its pamphlets, and to further its aims in South Africa.

Adams was sentenced to another two years and Themba to one year for being ANC office-bearers from November 1980 to September last year. These sentences will run concurrently with the others.

The court had been told Adam and Themba visited the Brixton Tower on a reconnaissance mission last July. Adam wrote a report on the vulnerability of the

tower, entitled "Reconnaissance of the SABC/TV Transmission System in Auckland Park".

Themba took photographs of the TV transmitters and other installations.

According to the evidence, Adam described the TV transmitters as easy targets. He also suggested what explosives to use and where to place them.

The court heard that if there had been an attack, more than 1.5-million TV viewers in the Witwatersrand would have been affected. Television services would have been disrupted for more than 18 months.

Mr Justice Boshoff said in judgment that such an attack could have caused and encour-

aged insurrection, violence and financial loss and could have endangered law and order in South Africa.

Mr James Adam, Robert Adam's father, said in mitigation that his son had shown exceptional intelligence and awareness as a child.

He had become aware of the evils of the compound system while the family lived on a mine in SWA/Namibia.

Although he had held himself aloof from politics at university, Adam had become involved with the ANC while working in Britain in 1979.

Mr Adam said his son's strong sense of concern and compassion had led him to his ANC commitment.

1975	3 900		3 900	×
1976	6 700		6 700	×
1977	7 000		7 000	×
1978			..	
1979			..	
1980			8 400	

Fosatu Annual Report Nov. 1980/81

Address: 1 Central Court  
125 Gale Street  
Durban  
4001

Telephone: (031) 69215

Officials: Secretary: D. Sibabi

Area of Operation: Transvaal, Natal, Eastern Cape

Founded: 1973

Registration: See note on FOSATU registration, p.11

Recognition:

1) Tensile Rubber	9) McKennon Chairs
2) Precision Tools	10) Alusaf
3) Automatic Plating	11) Vosa
4) Hendrick Trailors	12) Craft Engineering
5) Hendler	13) Selchain
6) Kraft Engineering	14) Stone Street & Hansen
7) William Bros.	15) Barlows
8) Scottish Cables	

Membership: 1981 = 24 300



# US hails move on ANC trio

Argus Bureau  
WASHINGTON — The Reagan Administration has welcomed the South African Government's decision to commute the death sentences on three members of the African National Congress (ANC).

A spokesman for the State Department said yesterday: "We are pleased the executive committee of the South African Government decided to spare the lives of the three convicted men, Nkimbithi Lubisi, Petrus Mashigo and Naphtali Manana."

He stressed that the United States had supported a United Nations Security Council resolution calling on all member-states to make urgent efforts to save the lives of the three men.

## EXCHANGE

The resolution was supported on humanitarian grounds.

Last month a State Department spokesman declined to comment on any diplomatic exchanges which might have taken

place between the United States and South African governments.

However, he confirmed that the South African Government was aware of the Reagan Administration's views on the death sentences.

At the time the State Department spokesman said that if the three men were hanged it would be the first time in modern South African history that anyone had been executed for participation in an incident in which no lives were lost.

## PRECEDENT

Many of the organisations and individuals who asked the South African Government to commute the sentences — or who asked the American Administration to intervene — said they feared execution of the men would create a precedent for future convictions.

● The three men were sentenced to death for an attack with automatic weapons and hand grenades on a Lebowa police station on January 4 1980.

— continuation on

## Soweto man found with hand grenade — allegation

Mail Reporter

331  
9/6/82  
A SOWETO resident appeared before Mr W Aucamp in the Johannesburg Regional Court yesterday on a charge under the Terrorism Act.

Mr Harold Abel Mazala, 33, of Orlando East, was also charged under the Explosives Act and the Arms and Ammunition Act.

He had pleaded not guilty to all charges at a previous hearing.

The State alleges he was

found in possession of a hand grenade at a house in Soweto.

It was alleged he possessed the hand grenade without a permit under circumstances indicating he wanted to use it to injure or kill people.

The offences were alleged to have been committed between May and July last year.

No evidence was led yesterday and Mr Mazala was remanded.

He will appear again on June 14.



CAP 7.4/82  
11/6/82  
Prisons  
Act  
Lawyer  
fined

JOHANNESBURG. — A Johannesburg attorney, Graham Dyson, was found guilty yesterday of contravening the Prisons Act by trying to take crumpled tissues with verses of poetry on one of them out of the Fort Prison after visiting a security detainee.

Dyson had pleaded not guilty to the charge.

The Johannesburg District Magistrate, Mr M P Prinsloo, sentenced Dyson to a fine of R200 or three months' imprisonment.

Mr Prinsloo said Dyson could expect further action to be taken against him.

Dyson, 30, who has been practising as an attorney since 1980, consulted his client, Miss Elaine Mohammed, at the Fort Prison on December 22 last year to discuss matters in mitigation of sentence.

#### Wardress

During the consultation, which was watched over by a wardress, Mrs Esther Mtsweni, Miss Mohammed had tissues in her hand.

According to Mrs Mtsweni, Miss Mohammed stealthily handed over a bunch of tissues to Dyson, who crushed them and placed them out of sight behind his attache case. Dyson told the court that after the consultation he had "crumpled an ashtray I had made out of paper and which I was using during the consultation and put it into my right-hand pocket. I looked around to see if she had left any mess".

"On the chair near me, I saw crumpled but clearly unused tissue paper. I put it into my lefthand pocket. I was going to dispose of the tissues and the ashtray in a dirtbin just outside the prison.

"I was unaware that there was writing on the tissues until I saw this when the tissues were handed over," he said. — Sapa

# Prisons Act: lawyer fined

(331)  
R204

11/6/82

## Mall Reporter

A JOHANNESBURG magistrate yesterday told a lawyer, after sentencing him to a R200 fine or three months' jail on a charge under the Prisons Act: "Your career is at stake".

Graham Eric Dyson, 30, of Priscilla Jana and Associates, of Abbey House, Commissioner Street, Johannesburg, pleaded not guilty. He was convicted by Mr M P Prinsloo on a charge of contravening the Prisons Act at the Fort Prison on December 22 last year.

The magistrate said that Dyson attempted to take three tissues from the prison after receiving them from his client, Miss Elaine Mohamed, a prisoner under the Internal Security Act.

He said on one of the tissues was a written message in the form of a poem which could have been a secret

message.

The magistrate said Dyson's career was at stake because the Law Society would probably take action against him.

The prosecutor Mr G Boshoff told the court the law regarded the contravening of the Prisons Act as serious and Dyson should have known better.

Mr E Wentzel, for the defence, told the court in mitigation that his client had recently qualified as a lawyer, was married and the couple were expecting their first child.

State evidence led was that Dyson was seen by a wardress receiving tissues from his client at the prison.

Dyson told the court he picked up the tissues from the floor and intended disposing of them. He was not aware there was a written message on one of the tissues, he said.



331 Star 11/6/82 Own Correspondent

**Judgment reserved in Tutu passport hearing**

Mr Justice G Gordon yesterday reserved judgment in the Pretoria Supreme Court, on whether or not to return Bishop Desmond Tutu's passport to him.

Bishop Tutu, who is the secretary-general of the South African Council of Churches, had his passport confiscated last year when he returned from a tour abroad.

No reasons were given by the Minister of Internal Affairs, Mr Heunis, except that it was "in the public interest."

It was suggested he was advocating economic

sanctions against South Africa.

Mr Louis Harms SC, appearing for the Minister, said: "The Minister has the right to refuse to issue a passport and there is no recourse to a court of law.

"It is his unfettered discretion to withdraw at his pleasure a passport granted."

Earlier, Professor Dugard of Wits University, had argued that the conditions of issue at the back of passports had no force in law. The conditions state that the passport "may be amended, withdrawn or cancelled at any time at the pleasure of the Minister of the Interior."

# ROBBEN ISLAND MAN JUMPS R1 000 BAIL



WAITING: Mrs M Mashaba and son.

By JOSHUA RABO-

ROKO

Sowetan

331

11/6/82

THE mystery surrounding the disappearance from home of a Sebokeng former policeman convicted of furthering the aims of the ANC and who is out on R1 000 bail has deepened, with police saying he had not been reporting to them.

The chief of the Vereeniging Security Police, Col J Steyn, said that Mashaba was expected to report to the Sebokeng police station twice daily, but that he had not been doing so for some time now.

Col Steyn declined to comment further on the matter.

Mashaba, who was sentenced to five years' imprisonment after he was convicted on charges under the Internal Security Act, disappeared from his home in Sebokeng two weeks ago.

He served four months on Robben Island before he was granted bail by the Rand

Supreme Court, pending an appeal to the Supreme Court.

A condition of bail for Mashaba was that he report to the Sebokeng police station. He was also restricted to the Vereeniging district.

Mrs Mirriam Mashaba told **The SOWETAN** that her husband "went missing" two weeks ago after he had taken her and their son to the Vereeniging railway station.

She has been to the police and is appealing to the public to help trace her husband.

"Since he disappeared I have myself been taken ill and have had to receive medical treatment at the Sebokeng Hospital," said Mrs Mashaba with tears in her eyes.

A spokesman for the Priscilla Jana and Associates firm of lawyers, who acted on behalf of Mashaba during his recent trial, confirmed that Mashaba's family had reported the disappearance.



# Star 14/6/82 After 8 months in detention 2 face high treason trial (331)

By Michael Tissong

Two detainees, Miss Barbara Anne Hogan and Mr Cedric Radcliffe Mayson, were today referred to the Supreme Court for trial to face charges of high treason after being in detention for more than eight months.

Mr Alan Morris Fine, who appeared with them in the Johannesburg Regional Court, will be charged under the Terrorism Act.

They were remanded by the magistrate, Mr M P Prinsloo, to reappear on June 21 for provisional trial dates.

Miss Hogan (30) of

Hunter Street, Yeoville, Mr Mayson (54) of St George's Street, Bellevue and Mr Fine (26) of Sharp Street, Bellevue, were not asked to plead.

They appeared with three executive members of the South African Allied Workers' Union, Mr Thozamile Richard Gqweta, the president, Mr Sam Bhekuyise Kikine, the general secretary and Mr Sisa James Njikelana, the vice-president.

The three men appeared in connection with allegations under the Terrorism Act. They were remanded

until June 28 for the Attorney-General's decision on whether or not to prosecute them.

According to the charge sheet, between 1977 and 1981 Mr Fine allegedly conspired with members of the South African Congress of Trade Unions to further its aims and objectives — and therefore the aims and objectives of the African National Congress because these two organisations were closely linked.

The alternative charge was that he unlawfully took part in the activities of the ANC.







331 204  
15/6/82  
Court told  
of grenade  
in Soweto

Mail Reporter

A SOWETO resident went for military training outside the Republic, a Johannesburg Regional Court magistrate heard yesterday.

Mr Harold Abel Mazala, 33, of Orlando East in Soweto, appeared before Mr W Aucamp on charges of contravening the Terrorism Act, Explosives Act and the Arms and Ammunition Act.

He pleaded not guilty to all charges at a previous hearing. The State alleges he was found in possession of a hand grenade at a Soweto house, allegedly without a permit.

The offence was alleged to have been committed between May and July last year. A State witness, Mr Raymond Dlamini told the court — in reply to Mr M Basslian for the defence — Mr Mazala had told him (Dlamini) he had gone for military training in Tanzania. Mr Mazala was remanded, and the trial will continue on June 22.

331 RDM 15/6/82

# Ex-detainees face treason charge

By LIZ MCGREGOR

TWO former detainees, Miss Barbara Hogan, 30, and Mr Cedric Mayson, 53, who appeared yesterday in the Johannesburg Regional Court, are to be tried for high treason in the Rand Supreme Court.

They will also face alternative charges under the Terrorism Act.

A third ex-detainee, Mr Alan Fine, 26, who appeared with them, will be tried separately in the regional court under the Terrorism Act.

When they appeared yesterday, Miss Hogan, of Hunter Street, Yeoville, Mr Mayson, of St George's Street, Yeoville, and Mr Fine of Sharp Street, Bellevue, were not asked to plead and were remanded until June 21 for provisional trial dates.

Appearing with the three were trade unionists Mr Thozamile Gqweta, Mr Sam Kikine and Mr Sisa Njikelana who were remanded until

June 28. Counsel for the State, Mr W J Hanekom, told the court that the Attorney-General had not yet decided what charges would be brought.

They appeared in connection with allegations under the Terrorism Act.

Some of the charges against Miss Hogan are that she:

- Joined the ANC in Swaziland in 1977.
- Agreed to work in the field of labour to further the aims of the ANC.
- Established a communications system with the ANC, using dead letter boxes, post boxes and couriers.
- Visited an ANC official, Mr Marius Schoon, several times in Botswana and conveyed information to him and the ANC and received instructions from him regarding her ANC work.
- Compiled documents which she handed to Mr Robert Adam in Johannesburg to have transmitted to the ANC

High Command in London via Botswana.

Charges facing Mr Mayson are that he:

- Became a member of the ANC during 1977 and 1981.
- Had talks with ANC official Mr Marius Schoon and South African Congress of Trade Unions (Sactu) official Mrs Jeanette Schoon in Gaborone, Botswana, during October 1981 regarding the ANC attitude towards military service in the South African Defence Force.
- Received tape recordings of speeches by ANC president Mr Oliver Tambo and ANC and Swapo freedom songs from "active ANC supporter" Mr Jakes Selibe and made copies and gave some of them to Mr Aurret van Heerden, the Rev C F Beyers Naude and Mr Selibe.
- Received a large quantity of literature from the ANC between 1977 and November 1981 through Cecilia Hurgland of the Swedish Embassy in Pretoria and distributed it.
- Had extensive talks with

the commander of Umkhonto we Sizwe, Mr Thabo Mbeki, in London in July 1981.

Mr Mayson allegedly agreed to investigate the possibility of involving youth and students in ANC activities; to propagate the boycott of Government-created institutions; to advise people to refuse to undergo military training; to determine targets for reconnaissance and sabotage and to examine the possibility of storing weapons in churches.

Charges against Mr Fine are that he:

- Conspired with Sactu to further the aims of Sactu and therefore the ANC, alternatively that he took part in ANC activities.
- Visited Mrs Schoon in Botswana during 1977 and agreed to obtain information regarding labour and trade unions and to forward it to Sactu via Mrs Schoon.
- Sent or conveyed information to Sactu via Mrs Schoon during 1977 and September 1981 on various trade unions.



# 2 ex-detainees to be tried for treason

Cape Times 15/6/82  
135/129 331

Own Correspondent

JOHANNESBURG. — Two former detainees are to be tried in the Rand Supreme Court for high treason. They are Miss Barbara Hogan, 30, and Mr Cedric Mayson, 53.

They face alternative charges under the Terrorism Act.

A third ex-detainee, Mr Alan Fine, 26, will be tried under the Terrorism Act.

Miss Hogan, of Hunter Street, Yeoville, Mr Mayson, of St George's Street, Yeoville, and Mr Fine, of Sharp Street, Bellevue, were not asked to plead.

Appearing with the three in the Johannesburg Regional Court yesterday were trade unionists Mr Thozamile Gqweta, Mr Sam Kikine and Mr Sisa Njikelana.

The magistrate, Mr M P Prinsloo, ruled that Miss Hogan and Mr Mayson were to be tried separately in the Supreme Court on dates still to be determined. Mr Fine will be tried in the Regional Court. They were remanded to June 21 for provisional trial dates.

Detailed charge sheets were handed to the three yesterday.

Mr Gqweta, Mr Kikine and Mr Njikelana were remanded to June 28. They appeared in connection with allegations under the Terrorism Act. Counsel for the State, Mr W J Hanekom, told the court the Attorney-General had not yet decided what charges would be brought against them.

## Charges against the accused

Some of the charges against Miss Hogan are that she:

Joined the ANC in Swaziland in 1977; agreed to work in the field of labour to further the aims of the ANC; established a communications system with the ANC, using dead letter boxes, post boxes and couriers; learnt a secret ANC code; visited an ANC official, Mr Marius Schoon, in Botswana on several occasions and conveyed information to him and the ANC and received instructions from him regarding her ANC work.

It is also alleged that she compiled documents which she handed to Mr Robert Adam in Johannesburg to have transmitted to the ANC High Command in London via Botswana.

Charges facing Mr Mayson are that he:

Became a member of the ANC during 1977 and 1981; had talks with ANC officials Captain Zungu and Mr Solly Smith in London in 1978 regarding the dependency of the ANC on London and ANC attitudes to violence and to Inkatha; had talks with ANC official Mr Marius Schoon and South African Congress of Trade Unions (Sactu) official Mrs Jeanette Schoon in Gaborone, Botswana, during October 1981 regarding the ANC attitude towards doing military service in the South African Defence Force.

It is also alleged that he received tape recordings of speeches by ANC president Mr Oliver Tambo and ANC and Swapo freedom songs from "active ANC supporter" Mr Jakes Selibe, made copies and gave some of them to Mr Aurret van Heerden, the Rev C F Beyers Naude and Mr Selibe; received a large quantity of literature from the ANC between 1977 and November 1981 through Cecilia Hurgland of the Swedish Embassy in Pretoria and distributed it; assisted several people, including Mr Kleinschmidt and Mr and Mrs Schoon, to leave the Republic illegally.

It is also alleged that he had extensive talks with the commander of Umkhonto we Sizwe, Mr Thabo Mbeki, in London in July 1981. Mr Mayson allegedly agreed to investigate the possibility of involving youth and students in ANC activities; to propagate the boycott of government-created institutions; to advise people to refuse to undergo military training; to determine targets for reconnaissance and sabotage and to examine the possibility of storing weapons in churches; discussed the formation of ANC area political committees with Mr Jabu Ngwenya, Mr Frank Chikane, Mr Aurret van Heerden, the Rev Beyers Naude and someone named only as Norman.

Charges against Mr Fine are that he:

Conspired with Sactu to further the aims of Sactu and therefore the ANC, alternatively that he took part in ANC activities; that he visited Mrs Schoon in Botswana during 1977 and agreed to obtain information regarding labour and trade unions and to forward it to Sactu via Mrs Schoon.

It is also alleged that he learnt a secret code to communicate with Sactu; sent or conveyed information to Sactu via Mrs Schoon during 1977 and September 1981 on various trade unions including the Trade Union Council of South Africa (Tucsa), the Federation of South African Trade Unions (Fosatu), South African Allied Workers' Union (Saawu), the Food and Canning Workers' Union and the Western Province General Workers' Union; the Fattis and Monis, red meat and Wilson Rowntree boycott campaigns and General and Allied Workers' Union official Mrs Mary Ntseke.

## Date set (331) for treason hearing RDM 18/6/82

Pretoria Bureau

THE trial date of three alleged members of the banned African National Congress who face a charge of high treason, has been brought forward from August 2 to July 5 in the Pretoria Supreme Court.

The charges against Mr Thello Simon Mogoerane, 23; Mr Jerry Sernano Mosololi, 25; and Mr Marcus Thabo Motaung, 27 relate to the attacks on police stations at Orlando, Moroka and Wonderboom Poort in which four policemen died.

Mr Justice H P Van Dyk postponed the case to allow Mr Motaung, who was arrested shortly before the hearing on June 1, to prepare his defence.

At an earlier hearing Mr Moggoerane and Mr Mosololi pleaded not guilty to the main charge of treason and to the alternative charges.

Alternative to the treason charge, the men face:

- Four murder charges;
- 10 charges of attempted murder;
- Five Terrorism Act charges, and;
- One charge of robbery with aggravating circumstances.

Mr Jack Unterhalter, SC, assisted by Mr N Tuchten, is appearing for the three accused and Mr P B Jacobs appears for the State.



Star 18/6/82 (331) (251) (252)  
**General Coetzee: correction**

On May 10 1982 The Star carried an editorial headed "A chilling suggestion" which criticised Lieutenant-General Johan Coetzee, Head of the Security Police, for remarks he was believed to have made about holding political trials in closed courts.

The Star is happy to accept General Coet-

zee's assurance that this understanding was erroneous and that the editorial was therefore based on a mistaken premise. We accept that no direct reference was made to "closed" or "secret" trials, nor did he expressly say that he personally favoured them.

What General Coetzee

had in fact said in an interview with SABC-TV was that he "wondered whether the time had not arrived when alternative mechanisms for security trials should be considered".

The Star's comment was published in good faith and we regret any embarrassment caused to General Coetzee.

PRECUS 21/6/82

## Detainee on terror charge

Argus Correspondent

JOHANNESBURG. — A detainee who allegedly took part in the activities of the banned African National Congress was today remanded by a Johannesburg Regional Court magistrate to reappear for trial on August 2.

Mr Alan Morris Fine of Sharp Street, Bellevue, Johannesburg, who has been in detention since last year, appeared in connection with an allegation under the Terrorism Act. He was not asked to plead.

According to an annexure to the charge sheet, Mr Fine allegedly conspired with members of the South African Congress of Trade Unions (Sactu) to further the aims and objectives of the trade union and therefore the aims and objectives of the ANC.

### SECRET CODE

He was allegedly an active supporter of Sactu and with intent to endanger law and order between 1977 and 1981 he allegedly agreed to obtain information regarding labour and trade unions.

He allegedly arranged to communicate with a Sactu official, Mrs Jeanette Schoon, by means of dead-letter boxes and learnt a secret code to be used for communications.

The alternative charge is that he allegedly took part in activities in the direct or indirect interest of the ANC.

## Four W Cape yachts for Lipton Cup

FOUR of the eight yachts limit, and is made of kevlar-sandwich, which is very strong and very light," he said.

Four of the eight yachts limit, and is made of kevlar-sandwich, which is very strong and very light," he said.

Kevlar is the "space age" material used in the construction of Rampant 11, winner of the South Atlantic race in February. The sails for Royal Flush will also be of an ultra-modern material — mylar, which was used extensively in the America's Cup challenge.

### FOUR DAYS

The Lipton Cup will be contested over four days from July 12, but could go on one day longer if there is a draw after the stipulated four days of racing.

The course differs from the Olympic, being four races, sailed one each day, as follows:

- (1) An equilateral triangle of minimum four miles a leg — one round;
- (2) A beat and a run, with each leg a minimum of six miles;
- (3) A square or a rectangle, minimum three miles a leg; and
- (4) Same as the first race.

At the end of the four races the boat with the highest aggregate — closest to 400 points — will win the Lipton Cup.

If there is a draw, a sudden death sail-off will take place.

### SYNDICATE

"The yacht is being financed by a syndicate of 25," Mr Raas said, "but we are looking for four or five more to spread the load."

"We built the hull in about nine weeks — the same time taken for the Point Yacht Club entry Fuel Free, designed by Frenchman, Jacques Fauroux, which we delivered last week."

"The hull is quite radical, with some very sharp radii and a flattening distortion aft. She is a long quarter-tonner, stretched to the rating

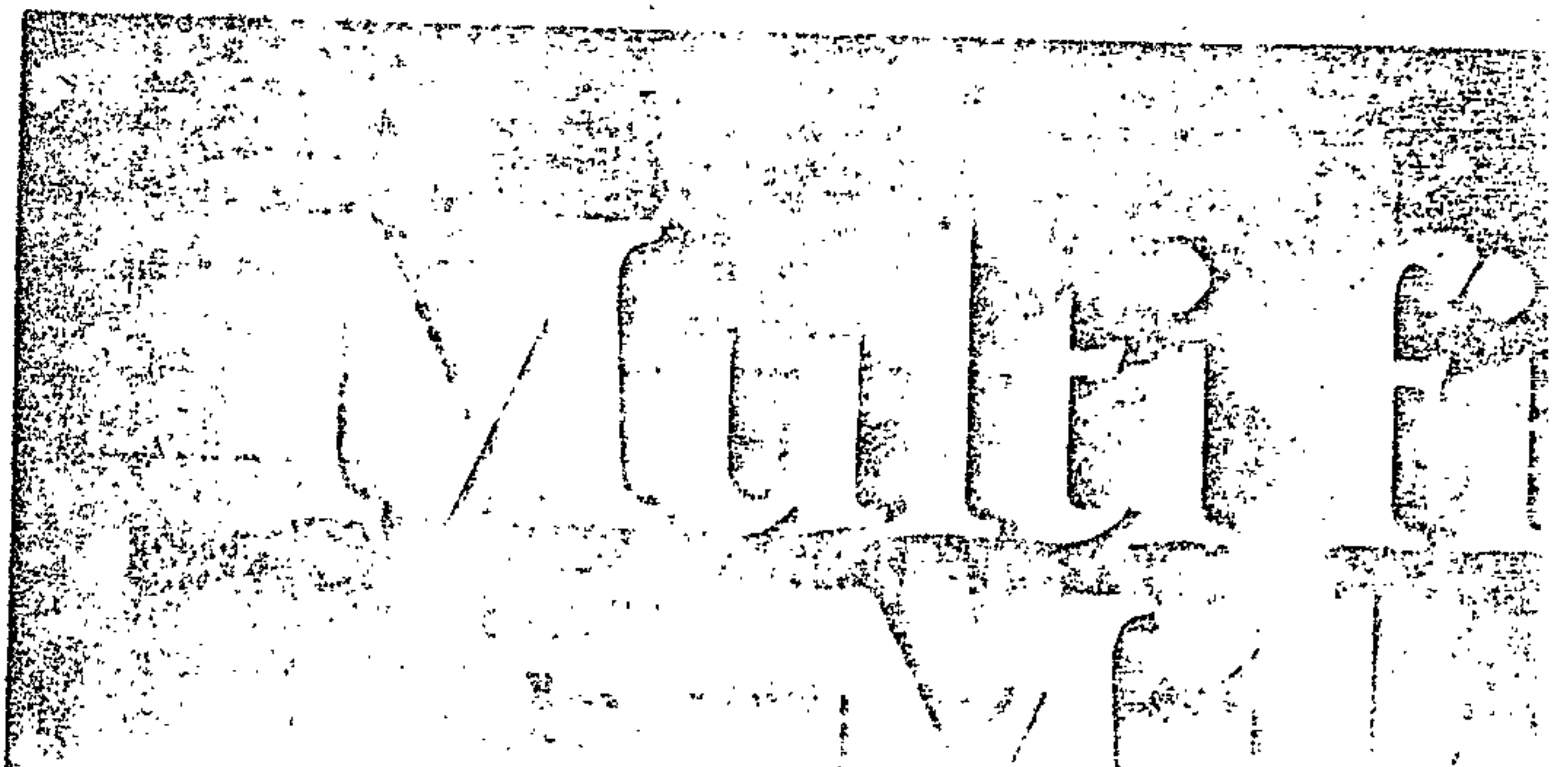
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(731) 0091 22/6/82

# Terror detainee has trial date set

**Mall Reporter**

A DETAINEE charged under the Terrorism Act had his trial date set for August 2 when he appeared before Mr M P Prinsloo in the Johannesburg Regional Court yesterday.

Mr Alan Fine, 26, of Sharp Street, Bellevue, Johannesburg, is charged with allegedly furthering the aims of two banned organisations — the African National Congress (ANC) and the South African Congress of Trade Unions (Sactu).

Both, it is alleged, conspired to organise workers to play a militant role in a revolution to bring about changes in South Africa's economic, social and political system by means of crippling or preju-

dicing industries or undertakings generally.

Alternatively, Mr Fine is charged with allegedly unlawfully taking part in the activities of banned organisations — both in the Republic and Botswana — between 1977 and last year. He was not asked to plead and was remanded.

Mr Fine has been in detention for nine months.

He appeared previously with Miss Barbara Hogan, 30, of Hunter Street, Yeoville, and Mr Cedric Mayson, 53, of Saint George's Street, Yeoville, who are in custody waiting for a trial date in the Rand Supreme Court on charges of high treason and alternative Terrorism Act charges.

331 22/6/82  
Mendy

## Court hears argument

### Court Reporter

LEGAL argument was put forward by the State in the Durban Regional Court yesterday in the trial at which three men are appearing before Mr H S van der Walt charged with contravening the Terrorism Act.

Before Mr van der Walt were Mr Fana George Sithole, Mr Jabulani Ngcobo, and Mr Titi Mtenyane.

At the previous hearing Mr Ngcobo was acquitted on one of the charges at the close of the State case. The defence case was then closed without evidence being led.

Yesterday Mr A Ackerman presented argument for the State. Mr A Wilson, SC, for the three accused will address the Court tomorrow.



# 5 pamphlets in parcel, court told

*D. Dipatch*  
12/6/82

MDANTSANE — Mr Boyboy Mpulampula, 27, pleaded not guilty to being in possession of prohibited literature when he appeared before Mr J. Dracatos in the Regional Court here yesterday.

Before the commencement of yesterday's proceedings, Mr Dracatos dismissed a defence application that the charge be declared ultra vires because the matter could not be heard in a Ciskei court as the relevant charges were committed before independence.

Mr Dracatos said that although the offence was committed before Ciskei became independent it applied to Ciskeians as they were part of South Africa when the relevant Act was enacted. Further the Act had not been repealed in Ciskei and would still apply like many others that still applied in Ciskei.

Giving evidence Lieutenant W. M. Mbejeni, of the Ciskei Central Intelligence Services said that they were patrolling Qumza Highway, here on the night of September 2, 1981.

At 11 pm they saw a man and stopped him. He had a parcel in his hand and on taking it they found it contained a bottle of medicine, a book on the Industrial and Commercial Workers' Union (ICU) and five pamphlets three of which were produced in court as exhibits. These included women of South Africa and Umkhonto — Lerumo, mouthpiece of the ANC.

Mr Mbejeni said that after arresting Mr Mpulampula they took him to his home where they

searched his room and found no other documents. They then took him to the police station where they left him with an officer.

Another CCIS member, Constable C. Damoyi said they had been attracted by the parcel Mr Mpulampula was carrying. He said that when they asked him where he got the book, he said he had obtained it in a newspaper he picked up in a bus. He said Mr Mpulampula later told them he had got it from a friend in NU 3.

Mr Mpulampula denied knowledge of the leaflets before court. He said that on his arrest the men found the ICU booklet and during his detention this was what he was questioned on.

He alleged that when the men arrested him they had assaulted him and alleged he was a Saawu member.

The first time he heard about the documents was when they were produced in court.

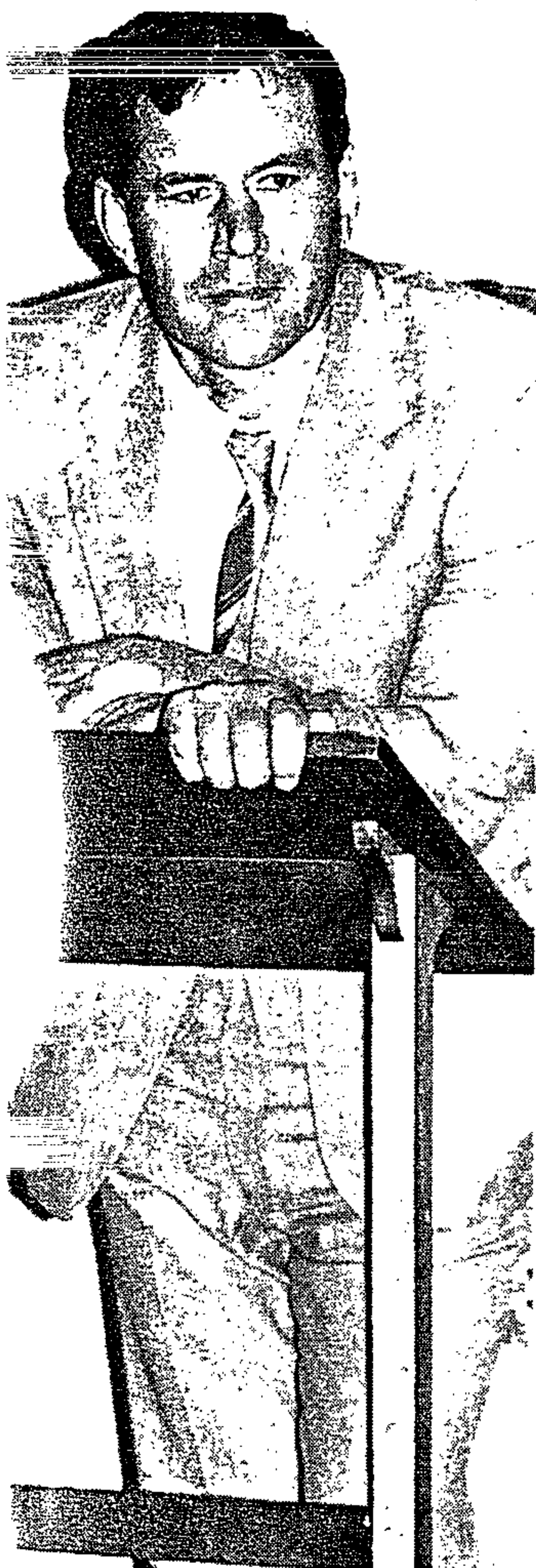
He denied saying he had got the book from a bus. When the men took him away after searching his home his mother had asked Lt Mbejeni where he was being taken and had been told he was being arrested for being in possession of banned literatures.

He was detained in Dimbaza for 76 days before being taken to court to face the charge.

The hearing continues today when the prosecutor, Mr J. Kristafor will cross-examine Mr Mpulampula. — DDR.

*Handwritten signature and date: 12/6/82*





Mr. Boyboy Mpulampula addressing a meeting in East London yesterday.

# Mpulampula trial postponed to July

MDANTSANE — The trial in which Mr Boyboy Mpulampula, 27, of Zone Two here, is appearing on a charge of possessing prohibited publications was yesterday postponed to July 26 at the request of the prosecutor, Mr J. Kristafor.

Mr Kristafor asked for the postponement after the defence attorney had pointed out a "strange coincidence" regarding a number on one of the leaflets allegedly found by Ciskei Central Intelligence Services men when they arrested Mr Mpulampula on September 2, 1981.

Mr Mpulampula claimed in evidence and under cross-examination that the leaflets were not found on him and that he was being framed by the police.

The matter Mr Kristafor wants investigated is that a number (48) appears on the second of three leaflets allegedly found on Mr Mpulampula. This document is similar, it was said yesterday, to one mentioned in a Supreme

Court trial and listed as the 48th of the documents in the case.

Yesterday, an attorney from the instructing company, Mr M. Klaas, said he went to the Registrar of the Ciskei Supreme Court yesterday and found that a similar document was among others alleged to have been found during investigations for a trial in which Mr Mabone William Duna and three others have appeared in the Supreme Court.

Mr Klaas gave the presiding magistrate, Mr J. Dracatos, a copy of a list of pamphlets in that trial, which is to continue next month.

He said that the document — Umkhonto — Lerumo, Mouthpiece of the African National Congress of South Africa — was listed as the 48th of the documents for the Supreme Court trial.

Mr Klaas said "all he wanted to do was to bring this "strange coincidence" to the notice of the court to make its finding.

Under cross-examina-

tion yesterday Mr Mpulampula said the only book found on him was a booklet on the ICU (Industrial and Commercial Workers' Union).

He said he had bought the booklet from the offices of the South African Allied Workers' Union (Saawu) in East London two days before his arrest.

Asked by the magistrate whether he had told the visiting magistrate when he was detained in Dimbaza that he had been assaulted, Mr Mpulampula said that when he told the magistrate he had been assaulted on his arrest and had been arrested for possessing a trade union book, the magistrate had told him all he wanted him to tell him about were the conditions under which he was detained.

Mr Mpulampula said the only time he had given an explanation about the book found on him was when he wrote out a statement he gave to a Captain Potwana, of the CCIS. — DDR

## De Villiers in Umtata

UMTATA — South Africa's Minister of Commerce, Industries and Tourism, Dr Dawie de Villiers, arrives here today on a two-day visit to Transkei.

Dr De Villiers will hold talks with his Transkeian counterpart, Mr Ramsey Madikizela, this morning and will

pay a courtesy call on the Prime Minister, Chief George Matanzima, and the President, Paramount Chief Kaiser Matanzima, in the afternoon.

Tomorrow Dr De Villiers will be shown some projects in Transkei by the Transkei Development Corporation.

He will attend a meeting at the United Timber Development Corporation in the morning and then fly over the Wild Coast from Umngazi to Seagulls, by helicopter.

He will stop for tea at Mazeppa Bay before flying on to Butterworth. — DDR.

# WE GET THE INTEREST



# **Court** (331) **acquits** **Soweto** **man**

By ALINAH  
DUBE

A SOWETO man, who was sentenced to five years' imprisonment for refusing to testify in the Khotso Seatlholo case early this year, was this week acquitted by the Johannesburg Supreme Court.

Mr Job Molahloe (no age given), represented by Priscilla Jana and Associates, appealed against a sentence imposed on him by a Vanderbijlpark Regional Magistrate on January 27 this year.

This is the sequel to a case in which Mr Khotso Sydney Seatlholo, former president of the SSRC, and Ms Mary Masabata Loate, were appearing on two counts under the Terrorism Act.

According to a notice by Mr Molahloe's representatives, he had been detained on June 22 last year under Section Six of the Terrorism Act.

The notice states that Molahloe did not have the opportunity of consulting a legal adviser before he was brought before the magistrate in terms of Section 205 of the Criminal Procedure Act.

# Judgment in July

(33) *Mercury* Court Reporter 24/6/82

JUDGMENT was reserved by Mr H S van der Walt in the Durban Regional Court yesterday at the trial in which three men are appearing charged under the Terrorism Act.

The men are Mr Fana George Sithole, Mr Jabulani Ngcobo and Mr Titi Ntenyane. They have pleaded not guilty.

Mr Sithole has been found not guilty on one of the counts.

Yesterday, after hearing legal argument by the State and the defence, Mr van der Walt reserved judgment until July 5.

Mr A Ackerman appears for the State and Mr A Wilson, SC, for the three accused.



# States' moves for closer trade links

Mail Correspondent

LUSAKA — The first meeting of the inter-government commission of experts has worked out a R1 530 000 budget for the Preferential Trade Area (PTA) for next year.

According to the commission's final draft report prepared during their meeting from June 14 to 19 in Lusaka, each member country of the PTA will be required to contribute a certain amount of money to the PTA secretariat.

Only the 12 PTA member countries who have ratified the treaty are expected to send in 50% of their contributions to its headquarters in Lusaka by December.

The report, submitted to the Council of Ministers of the PTA who have been meeting in Lusaka since Tuesday, was expected to be adopted by yesterday.

Contributions would depend on the coun-

try's Gross Domestic Product (GDP) and its per capita income.

According to the report, the Comoros will contribute R34 400, Djibouti R55 800, Ethiopia R115 200, Kenya R346 500, Lesotho R40 500, Malawi R113 400, and Mauritius R91 800.

Others are Somalia R59 400, Swaziland R142 200, Uganda R155 700, Zambia R120 500 and Zimbabwe R286 200.

The report also includes job descriptions for the PTA staff starting with the secretary-general, who should take up his post next January.

There will also be a director of trade, monetary and customs division, a senior trade expert, a statistician, a financial expert and a director of transport and communications division.

The PTA will, among other things, monitor and provide support services for member countries on trade, monetary co-operation and customs co-operation.

## US defends nuclear exports to Republic

WASHINGTON — The US administration has defended its decision to approve non-sensitive, nuclear-related exports to South Africa as necessary to induce the Republic to be "more forthcoming" on nuclear non-proliferation issues.

"It would be a mistake to limit our negotiating ability through further restraints on international commercial relations," said Mr Carlton Stoiber, director of the State Department's Nuclear Export and Import Control Office, on Thursday.

Mr Stoiber assured the House international security and scientific affairs subcommittee the approved export licences are for nuclear materials to be used for civilian health and safety programmes which have no military applications.

Mr Stoiber and Mr Archelus Turrentine, an official of the US Arms Control and Disarmament Agency, also assured the subcommittee the sales did not violate US nuclear non-proliferation policies.

On the contrary, Mr Stoiber said, "In the view of the State Department, the recent selected exports of nuclear-related items to South Africa have made a positive contribution to US non-proliferation objectives."

This is so, he explained, because "willingness to consider favourably a small number of non-sensitive transfers to South Africa's nuclear programme can serve as an inducement to the South Africans to be more forthcoming on non-proliferation issues."

He said the approval of the exports had helped the US continue talks with SA on nu-

## Crop loan rates are to be raised again

By GERALD REILLY

LAND Bank crop and production loan interest rates are to be raised, according to a senior bank official in Pretoria.

The rocketing cost of money for production loans will hit farmers hard. It is the ninth rise in interest rates for farmers since the beginning of last year.

Interest on loans is a major factor in farming production costs.

During the current financial year the bank would borrow R3 000-million to channel to agricultural co-operatives. The official said much of it would be at the new rate of 17¼%. At the beginning of last year the rate was 9%.

The co-operatives in turn

will make short-term loans to farmers at a rate expected to go to 19% or higher.

The South African Agricultural Union economist, Mr Johan Willemse, said the higher interest rates would have a dramatic effect on farmers costs and therefore on their profits.

He said a 1% increase in the borrowing rate meant an additional R330 per ton cost in wheat production.

"And there appears little likelihood that farmers under current conditions will be able to recover their additional costs from higher prices."

The vice-president of the SA Reserve Bank, Dr A S Jacobs, said it was regretted that farmer's production credit had to be raised.

## Rabie facing violence trial

THE Transvaal leader of the Labour Party, Mr Jac Rabie, is among 25 people due to appear for trial in the Johannesburg Magistrate's Court on Monday, charged with public violence.

According to the charge sheet, the State alleges that Mr Rabie, 45, of Reiger Park, near Boksburg, and 24 others committed the offence in Reiger Park between May 2 and May 9 last year.

It is also alleged that they threw stones, tins and bottles at Indians and damaged their properties.

All 25 accused were freed on warning at a previous hearing in the Johannesburg Magistrate's Court.

## Incitement charges

Pretoria Bureau

AN ORGANISER of the General Workers' Union of South Africa, Mr Donsie Khumalo, appeared in the Pretoria Regional Court yesterday charged with inciting laundry workers in Queenswood, Pretoria, to strike.

Mr Khumalo, 30, of Block U, Mamelodi, is alleged to have incited workers of De

## Breathalyzers are put on trial

By MAURITZ MOOLMAN

BREATHALYSERS could eventually become acceptable as court evidence in drunken driving cases if tests by the Council for Scientific and Industrial Research (CSIR) prove successful.

However, they are unlikely to be considered in place of blood tests until the public can be assured they are accurate enough to provide police with reasonable grounds for arrest.

Mr T J Botha, a legal adviser to the

alysers do not meet the strict requirements laid down by law.

A committee is carrying out further inquiries, he says, and will perform more intensive investigations on both the equipment and procedures to meet requirements for the use of breathalyzers as evidence.

Breathalyzers are used at present only to screen drivers suspected of being under the influence of alcohol.

● The South African Bureau of Standards has warned motorists that it is dangerous to tamper with safety belts by fitting devices



A charity "Gold Rush" will be held at Balfour Park tomorrow with music by Spectrum, which went on a practice dig yesterday. Two Spectrum members — Bev van Zyl and Lauren Egnos — put in a bit of spadework to show gold-diggers how it's done. Diggers may not find gold but they could unearth a gold rush disc and win a TV set or even a car.

Picture: DAVID SANDISON



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Macyusa man  
in the dock 26/6/82

Labour Correspondent

THE Pretoria chief of the Motor Assembly and Components Workers Union of SA, Mr Donsie Khumalo, appeared briefly in the Pretoria Magistrate's Court yesterday charged with incitement to strike.

He pleaded not guilty and the case was adjourned. The prosecution follows a work stoppage at a Pretoria dry-cleaners recently.



(231) 1004  
**3 appear on  
ANC charge**

29/6/82 Pretoria Bureau

THREE Mamelodi men charged with furthering the aims of the African National Congress and possession of prohibited literature are to appear in the Pretoria Regional Court today.

Mr Strike Ishmael Bila, 28, Mr Bernard Mokgonyane, 19, and Mr John Gotso, 35, all from Mamelodi East, appeared briefly before Mr W J van der Bergh yesterday. They were not asked to plead.

Current Total:

R12 657,37

## Union men go for trial

THREE executive members of the South African Allied Workers Union (Saawu) appeared in the Johannesburg Regional Court yesterday in connection with an allegation of a contravention of the Terrorism Act.

They were the president of Saawu, Mr Thozamile Gqweta; the vice-president, Mr Sirsa Njikelana; and the general secretary, Mr Sam Kikine.

Mr Gqweta and Mr Njikelana will be transferred to stand trial in Grahamstown and Mr Kikine will be tried in Durban.



30/6/82  
331 ~~USA~~ D. Dispatch

## Saawu men to be tried soon

EAST LONDON — The Grahamstown trial of two executive members of the South African Allied Workers' Union should start "any day now", the Attorney-General of the Eastern Cape, Mr E. C. Heller, said yesterday.

ler said, when a remand date would be set.

The president of SAAWU, Mr Thozamile Gqweta, and his vice-president Mr Sisa Njikelana, would make a brief appearance "within the next few days", Mr Hel-

The two union leaders appeared on charges under the Terrorism Act in the Johannesburg regional court earlier this week and were told their case was being transferred to Grahamstown magistrate's court.

The general secretary of the union, Mr Sam Kikine, had his case transferred to Durban magistrate's court. — DDR

Reiger Park *(initials)*  
 331  
 unrest: order *Star*  
 was given to *35/6/82*  
 shoot at legs

after being hit on the right hip with a stone. He said he found more than 10 people inside the house which was being stoned. The police took the people to Boksburg police station for safety.

A businessman, Mr Abie Gungadin, also known as Mr L Pursad, said he had suffered more than K200 000 damage in the unrest at Reiger Park. He owned the driving school and had shares in a service station and a taxi company called Yankies.

He told the court there was a long-standing feud between some Indians and coloured people in the residential area. "I was being accused of monopolising the businesses in the area in competition with coloured businessmen."

Mr Gungadin said that on May 2 1981 the feud erupted.

There were pamphlets and posters at bus stops, on lamp posts and in the streets. The pamphlets severely criticised Mr Gungadin and blamed him for only 52 houses being provided in Reiger Park.

"I heard a loud noise in front of the shop in which I was working. I went outside and saw about 50 people. They carried placards saying, 'Away with Gungadin's' and 'We want more houses.'"

"The crowd grew bigger. The people were swearing and shouting that they wanted more houses."

Then the crowd stoned the shop. Mr. Freddy Schubert threatened to kill one of the three electricians in the shop. We ran out through the back door and tried to escape in a van.

The accused are: Mr. Attie Clements, Mr. Everette Clements, Mr. Everette Thomas, Mr. Alan de Jager, Mrs. Ellen Lambert, Mr. Aubrey Foster, Mr. Andries Botha, Mrs. Shirley Lipschitz, Mr. Freddy Schubert, Mrs. Lettie Januarie, Mr. Sydney Minnie, Mr. Dennis Phillips, Mr. Tyrone Foster, Mr. Jacobus Rabie, Mr. Reuben Selunda, Mr. Billy Klou, Mr. George Martin, Mr. Harry Rickhardt, Mr. Manny Daniels, Mr. Detrick Tree, Mrs. Susan Vinrod, Mr. Winston Lambert, Mr. Reginald Martin, Mr. Trevor Foster, and Mr. Jan Redcliffe.

The hearing continues.

	Internal	External
(1)	(2)	(3)
3	64%	
Examiners' initials		

- of the block on this cover the number of the question you are answering.
- 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.
- Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
- Do not write in the left hand margin.

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**



# Court told of the ANC

331  
Somerset  
30/6/82

By MONK NKOMO

ONE OF THE main objectives of the banned African National Congress was to destroy State and administration buildings, railway lines and the elimination of State witnesses, a Pretoria regional court was told yesterday.

Colonel H Stadler, a senior police officer and expert on ANC activities in South Africa, said the ANC were also distributing pamphlets and posters to gain support from the public and to create a climate of instability and to urge people to act against the Government.

He was giving evidence in the trial of three Mamelodi men alleged to have furthered the aims of the ANC.

The men, all from Mamelodi East, are Mr Strike Ishmael Bila (28), Mr Bernard Mokgonyana (19) and Mr John Qotso (35). They are alleged to have, during April this year, been in possession of prohibited publications, and to have put up illegal posters, signs or marks at the Mamelodi High School, Rethabile Post Office, Tsako-Thabo High School, Mamelodi East Sports Ground, Bakers Stores shopping complex, Kgauhelo School in GaRankuwa and Motsepe Street in Attaridgeville.

Proceeding.