

Date of sentence: 31 January 1967
Place of trial: Cape Town Criminal Sessions
Names of accused: Mr. Albert Sheweni
Mr. Mountain Jim Ngantweni
Mr. Donker Ntsabo
Mr. Zibongile Serious Dodo
Mr. Enoch Mncedisi Papapu
Mr. Linda Leslie Nyoxa

Laws under which charged:

Particulars of charges: The accused were charged to have actively participated in a Pogo-inspired riot in Langa (African township of Cape Town) on 16 March 1962, in which Police Sgt. Michael Moyi was killed and five African policemen injured.

Sentences: The first four accused were sentenced to death. The other two were found not guilty and discharged.

Remarks: There was no evidence that the accused had been directly responsible for the death of the policeman. Evidence was led, mainly by some of the accused who became State witnesses, that Mr. Ntsabo had addressed a meeting of the banned Pogo and that the four given death sentences had given weapons to the men who had attacked the police. Hundreds of Africans had participated in the attack.

Source: Rand Daily Mail, Johannesburg, 1 February 1967;
Cape Times, 1 February 1967

Date of sentence: February 1967
Place of trial: Durban
Names of accused: Mr. Theodore Johannes Kloppenberg

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contravening provisions of banning order by compiling or contributing articles (for a United States pacifist newspaper, The Peacemaker).

Sentences: Six months' imprisonment, to run concurrently with a ten month suspended sentence imposed in August 1964 on a similar charge

Remarks: An appeal was lodged.

Source: Daily News, Durban, 29 February 1967;
quoted in Spotlight on South Africa, Dar es Salaam,
17 March 1967

Date of sentence: 23 March 1967

Place of trial: Pretoria

Names of accused: Mr. Hendrik Segonvane Bahula
Mr. Sam Malgas
Mr. Timothy Gumede
Mr. Gallat Mbatha
Mr. George Matseko

Mr. Themba Manga
Mr. Dennis Maluka
Mr. Solomon Sesenye
Mr. Lefu Molefe
Mr. Bennett Molete
Mr. Alfred Banny
Mr. Michael Daniso
Mr. Stanley Mbetha
Mr. Elliot Dube
Mr. Lenox Mngoma (or Mngoma)

Laws under which charged:

Particulars of charges: Membership in the banned Pan Africanist Congress. It was alleged that the accused, who had been serving sentences in Baviaanspoort prison on previous convictions, had planned to kill the warders, arm themselves and attack Pretoria.

Sentences: The first six accused were sentenced to three years' imprisonment and the other nine to two years' imprisonment.

Remarks: Evidence was led that Mr. Hendrik Bahula and Mr. Elliot Dube were leaders of the PAC cells in prison.

Source: The Star, Johannesburg, 23 March 1967

Date of judgement: 22 March 1967
Place of trial: Appeal Court Bloemfontein
Names of appellant: Mr. Benjamin Pogrund

Laws under which charged:

Particulars of appeal: Appeal against the order of the Rand Supreme Court on 12 September 1966 in a defamation action in which Mr. Pogrund's claim against Dr. Percy Yutar, Deputy Attorney-General of the Transvaal was dismissed with costs.

Judgement: The Court upheld Mr. Pogrund's appeal with costs and allowed him R500 damages.

Remarks: Dr. Yutar's defamatory remarks were made on 17 August 1965 in his address to the Johannesburg Regional Court in aggravation of sentence in the trial of Mr. G. J. van Schalkwyk who was sentenced to three years for making false statements on the alleged treatment of prisoners in the Cinderella Prison, Boksburg. Mr. Pogrund, a journalist employed by the Rand Daily Mail, used some of those statements in a report on prison conditions in the Rand Daily Mail on 30 July 1965.

Source: Rand Daily Mail, Johannesburg, 23 March 1967

Date of sentence: 4 April 1967
Place of trial: Cape Town
Names of accused: Mrs. Sarah Carneson

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contravening a banning order by being near a teenage braai (barbecue) party attended by her daughter.

Sentences: Two months' imprisonment, suspended for one year.

Remarks: An appeal was later dismissed.

Source: The Star, Johannesburg, 4 April 1967

Date of sentence: 19 April 1967
Place of trial: Cape Town Criminal Sessions
Names of accused: Mr. Nkosencinci Rosebury Maseti

Laws under which charged:

Particulars of charges: Participation as member of the underground Pogo in the murder of Mr. Klaas Hoza, a Paarl municipal policeman, on 27 January 1962.

Sentences: Death

Remarks: Mr. Hoza had been attacked by six men who had hacked and clubbed him to death.

Mr. Maseti had confessed that he had become a member of Pogo in Paarl. But the press report (The World, Johannesburg, 20 April 1967) on the sentence does not indicate his participation in the attack on the policeman.

Two other men had been sentenced to death in 1963 for Mr. Hoza's murder.

Source: The World, Johannesburg, 20 April 1967

Date of sentence: 21 April 1967
Place of trial: Grahamstown Supreme Court
Names of accused: Mr. Lindela Silence Byokana
Mr. Teke Lucas Tabane

Laws under which charged:

Particulars of charges: Leaving the Republic and going to Lesotho without valid passports; undergoing training for the underground Pogo while in Lesotho; and being office-bearers or member of Pogo.

Sentence: Seven years' imprisonment each.

Remarks:

Source: The World, Johannesburg, 24 April 1967

Date of sentence: May 1967
Place of trial: Rand Criminal Sessions
Names of accused: Mr. Everitt Tsolo Kalake
Mr. Keketso Bernard Moalosi

Laws under which charged: "Sabotage Act"

Particulars of charges: Incitement to commit sabotage.

Sentences: Mr. Kalake was sentenced to seven years' imprisonment and Mr. Moalosi to five years.

Remarks: Both the accused are members of the Basutoland Congress Party, the main opposition party in Lesotho.

The judge rejected the defence submission that the two men were victims of a diabolical conspiracy and the State witnesses had given false evidence against them. He said, however, that the criticism of the police during the trial was no doubt justified to some extent. (Torture of State witnesses held as 180-day detainees was alleged during the trial).

Source: The Star, Johannesburg, 9 May 1967;
The World, Johannesburg, 16 May 1967.

Date of sentence: 6 June 1967
Place of trial: Grahamstown Supreme Court
Names of accused: Mr. John Nyati Fokela
Laws under which charged: "Sabotage Act" and Suppression of Communism Act.

Particulars of charges: Recruiting people to train for the purpose of committing violence in the Republic and in the art of warfare to overthrow the Government of the Republic; attempting on 8 April 1963 to kill members of the White population of East London and to damage and destroy property; and attempting on 8 April 1963 to kill members of police at King William Town.

Sentences: Thirteen years' imprisonment for sabotage. Seven years' imprisonment on a second charge of the Suppression of Communism Act, to run concurrently with the other sentence.

Remarks: Mr. Fokela, a leader of the Pan Africanist Congress, claimed that he had been tricked across the Lesotho border to South Africa by a police agent. The Government said he had been lawfully arrested on South African soil. The court ruled that the matter was not an issue as Mr. Fokela was properly before the court.

Mr. Fokela had not been charged with direct participation in the actual attack on King William's Town Police Station nor in the contemplated attack on East London, but only of planning the attacks as exile leader in Basutoland.

Source: The World, Johannesburg, 7 June 1967

Date of sentence: 7 June 1967

Place of trial: Klerksdorp

Names of accused: Mr. Klaas Marawa

Laws under which charged: Suppression of Communism Act

Particulars of charges: Membership in the South African Communist Party.

Sentences: Two years' imprisonment.

Remarks:

Source: Rand Daily Mail, Johannesburg, 8 June 1967

Date of sentence: 23 June 1967
Place of trial: Cape Town
Names of accused: Mrs. Winnie Mandela

Laws under which charged:

Particulars of charges: Two charges of disobeying orders served by the Minister of Justice when she visited her husband in July 1966.

Sentences: A total of 13 months' imprisonment all but four days of which were conditionally suspended.

Remarks: Notice of appeal was lodged.

Source: The Star, Johannesburg, 23 June 1967

Date of sentence: 26 June 1967
Place of trial: Johannesburg
Names of accused: Mrs. Winnie Mandela

Laws under which charged:

Particulars of charges: Resisting arrest on 7 April 1967.

Sentences: Found not guilty and acquitted.

Remarks: A few days earlier Mrs. Mandela had been found guilty of disobeying Justice Department orders in Cape Town.

Source: Cape Town, 27 June 1967

Date of judgement: 29 August 1967
Place of trial: Cape Town Supreme Court
Names of appellant: Mrs. Sarah Carneson
Laws under which charged: Suppression of Communism Act

Particulars of appeal: Appeal on sentence in April 1967 to two months' imprisonment, suspended for twelve months, on the charge of contravening a banning order.

Judgement: Appeal rejected.

Remarks:

Date of sentence: 30 August 1967

Place of trial: Wynberg

Names of accused: Mr. Wilfred Brutus

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contravening banning order by receiving a visitor at home.

Sentences: Three years' imprisonment.

Remarks: Mr. Wilfred Brutus subsequently escaped from South Africa.

Source: Cape Times, 30 August 1967

Date of sentence: 8 September 1967
Place of trial: Criminal Sessions, Cape Town
Names of accused: Mr. Hans Helmut Humpelstetter

Laws under which charged: Official Secrets Act

Particulars of charges: Making sketches and notes of the Simonstown Naval Base likely to be directly or indirectly useful to an enemy of South Africa.

Sentences: Twelve months' imprisonment conditionally suspended for a year.

Remarks: Mr. Humpelstetter had been in gaol for 75 days. The installations he had photographed were "completely visible" from the public highway, said the Judge, but he was an immigrant who was "opposed" to State policy.

Source: Cape Times, 9 September 1967

Date of sentence: October 1967
Place of trial: Johannesburg Regional Court
Names of accused: Mr. Merements Lekoto

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contravening Government Notice prohibiting former members of the banned African National Congress from becoming members of the South African Congress of Trade Unions.

Sentences: Four months' imprisonment, suspended for three years.

Remarks: Mr. Merementsi Keloto was born around 1927.

Source: Evening Post, Port Elizabeth, 24 October 1967;
quoted in Spotlight on South Africa, Dar es Salaam,
17 November 1967

Date of sentence: 7 November 1967

Place of trial: Cape Town Regional Court

Names of accused: Mr. Lucas Bota Lukulela

Laws under which charged: Suppression of Communism Act

Particulars of charges: Failing to notify the police of a change of address,
as required of listed Communists.

Sentences: Twelve months' imprisonment, all of which,
except four days, was suspended conditionally
for two years.

Remarks: Mr. Lukulela was born around 1910.
Source: Cape Times, 8 November 1967

Date of sentence: 23 November 1967
Place of trial: Cape Town Criminal Sessions
Names of accused: Mr. Mannert Malungisa Siyothula
Laws under which charged: "Sabotage Act" and Suppression of Communism Act

Particulars of charges: Conspiring in 1962 to attack Chief Kaiser Matanzima and the White inhabitants of Cofimvaba (Transkei); to attack a group of policemen near Cofimvaba; and to set free certain prisoners held for murder at Cofimvaba.

Sentences: Eighteen years' imprisonment.

Remarks: The court found that Mr. Siyothula had held meetings at Langa and Paarl where he incited Africans to commit unlawful acts.

Subsequently, in December 1962, there was a clash between about 32 Africans and a group of policemen on Ntlonze mountain near Cofimvaba, in which seven Africans were killed and a police captain seriously injured.

The trial which began on 7 November 1967 was held in camera. Mr. Siyothula was alleged to have been a member of the Pogo regional committee.

Source: The World, Johannesburg, 24 November 1967

Date of judgement: November 1967
Place of trial: Supreme Court Pretoria
Names of appellant: Mr. Johannes Andrias Theron

Laws under which charged: Prisons Act and Commission
of Oaths Act

Particulars of appeal: Appeal against nine of the ten counts on which sentences totalling four years and four months' imprisonment and a R200 fine were imposed on 21 March 1967. (He had been convicted of swearing false affidavits and causing false information on prison conditions to be published in the Rand Daily Mail and Sunday Times.)

Judgement: The appeal on four counts was upheld but was dismissed on the remaining four. His sentences were reduced to 16 months' actual imprisonment and R50 fine.

Remarks: Notice was given of further appeal to the Appellate Division on the four counts that had been dismissed.

Source: Southern Africa, London, 27 November 1967.