

Date of sentence:

1966

Place of trial:

Eastern Cape

Names of accused:

Mr. Dizon Funyani

Laws under which charged:

Particulars of charges:

Charges relating to African National Congress membership and activities.

Sentences:

Total of seven years' imprisonment.

Remarks:

Source: A Survey of Race Relations in South Africa 1965,
p. 89

Date of sentence: 1966
Place of trial: Eastern Cape
Names of accused: Mr. Washington Mbongo

Laws under which charged:

Particulars of charges: Charges relating to African National Congress membership and activities.

Sentences: Total of 4 years and six months' imprisonment.

Remarks:

Source: A Survey of Race Relations in South Africa 1966,
p. 89

Date of judgement: January 1966
Place of trial:
Names of appellants: Mrs. Pixie Benjamin

Laws under which charged:

Particulars of appeal: Appeal against conviction and six month sentence for possessing some old copies of the banned journal, Fighting Talk.

Judgement: Appeal upheld.

Remarks:

Source: Sunday Times, Johannesburg, 16 January 1966

Date of sentence: January 1966

Place of trial: Umtata

Names of accused: Mr. Ezra Mvuyisi Sigwela

Laws under which charged: Suppression of Communism Act

Particulars of charges: Carrying or displaying posters reading "South Africa on Trial", "Brute Force" and "Chapters in the March for Freedom". (The State alleged that these indicated that he was, or had been, connected with the banned African National Congress).

Sentences: Found not guilty and acquitted.

Remarks: Mr. Sigwela was then serving a sentence of fourteen months' imprisonment, imposed on him on 26 November 1965, for being in possession of copies of banned journals, New Age and Fighting Talk.

Date of sentence: 27 January 1966
Place of trial: Durban
Names of accused: Mr. Robert Harold Lurie Strachan

Laws under which charged: Prisons Act

Particulars of charges: Publishing false information concerning prison conditions.

Sentences: Two and a half years' imprisonment.

Remarks: Sentence was reduced to eighteen months, on appeal, by the Pietermaritzburg Supreme Court on 15 June 1966.

Source: Southern Africa, London, 31 January 1966

Date of sentence: 28 January 1966
Place of trial: Johannesburg Regional Court
Names of accused: Mrs. Leslie Erica Scherabrucker

Laws under which charged:

Particulars of charges: Refusing to give evidence for the State at the trial of Mr. Abram Fischer on 27 January 1966.

Sentences: 300 days' imprisonment.

Remarks:

Source: A Survey of Race Relations in South Africa 1966.
p. 77

Date of sentence: 3 February 1966
Place of trial: Cape Town
Names of accused: Dr. Geoffrey Dean

Laws under which charged: Prisons Act

Particulars of charges: Publishing false information on South African prison conditions.

Sentences: Charges withdrawn on 3 February 1966.

Remarks:

Source: Cape Times, 4 February 1966

Date of sentence: 4 February 1966

Place of trial: Cape Town

Names of accused: Mr. Kwedi Mkhaliipi
Mr. Jack Jaza
Mr. Wilson Mketshane
Mr. Sokongo Muleka

Laws under which charged:

Particulars of charges: Conspiring to send people beyond the borders of South Africa for training in guerilla warfare and sabotage.

Sentences: Mr. Mkhaliipi was sentenced to twenty years' imprisonment; Mr. Jaza to seventeen years; and Mr. Mketshane to eleven years; Mr. Muleka was found not guilty and discharged.

Remarks:

Source: Cape Times, 5 February 1966

Date of sentence: 7 February 1966

Place of trial: Humansdorp

Names of accused: Mr. Dickson Fumani of Kwazakele

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contributing funds to the banned African National Congress, furthering its aims and making his house available for ANC activities between 1960 and 1963.

Sentences: A total of seven years' imprisonment - three years on each of the first two counts and one year on the third.

Remarks: Mr. Fumani was jailed for two years in January 1964 for belonging to the ANC.

He was reported to be the first of 162 people to be tried on further charges under the Suppression of Communism Act.

Source: The Post, Johannesburg, 13 February 1966

Date of sentence: 14 February 1966

Place of trial: Krugersdorp

Names of accused: Mr. Frederick Neill

Laws under which charged: Suppression of Communism Act

Particulars of charges: Failing to report change of address to the police as required of listed Communists.

Sentences: Twelve months' imprisonment, all but one day of which was suspended.

Remarks:

Source: Rand Daily Mail, Johannesburg, 12 February 1966

Date of sentence: 23 February 1966
Place of trial: Welkom Regional Court
Names of accused: Mr. Henry Monyameng
Mr. Ernest Tengeni
Mr. Petrus Taca
Mr. Michael Molefane
Mr. Johan Monyameng
Mr. Elias Molefane
Mr. Simon Moreki

Laws under which charged: Suppression of Communism Act

Particulars of charges: Membership in the banned Pan Africanist Congress.
Furthering the aims of the PAC.

Sentences: Mr. Henry Monyameng was sentenced to six years' imprisonment; Mr. Ernest Tengeni and Mr. Petrus Taca to four years each; and Mr. Michael Molefane to one year. Mr. Johan Monyameng, Mr. Elias Molefane and Mr. Simon Moreki were found not guilty and discharged.

Remarks:

Source: The Star, Johannesburg, 23 February 1966

Date of sentence: March 1966
Place of trial: Regional Court, Humansdorp
Names of accused: Mr. Ellison Maseko

Laws under which charged: Suppression of Communism Act

Particulars of charges: Being a member of the Pan Africanist Congress or Pogo, being active in the organization and paying subscriptions to it.

Sentences: A total of six years' imprisonment on the three counts.

Remarks: Mr. Maseko was a policeman at Steynsburg. In his defence he said the charges against him had been framed as a result of differences with his station commander in Steynsburg.

Source: The Post, Johannesburg, 27 March 1966

Date of sentence: March 1966
Place of trial: Regional Court, Humansdorp
Names of accused: Mr. Mawonga Lennox Sigidi, 27

Laws under which charged: Being a member of the Pan Africanist Congress or Fogo, taking an active part in the organization and paying subscriptions to it.

Sentences: Guilty of all three counts and sentenced to a total of seven years' imprisonment.

Remarks: Mr. Sigidi was a policeman. The court accepted his statement that he had helped to discover and arrest a Fogo member. Mr. Sigidi argued that, as a policeman who had provided information leading to a Fogo arrest and had taken part in three raids on the organization while stationed at Steynsburg, he could never have been accepted as a member.

Source: The Post, Johannesburg, 27 March 1966

Date of sentence: 8 March 1966

Place of trial: Grahamstown Magistrate's Court

Names of accused: Miss Gillian Gane

Laws under which charged:

Particulars of charges: Leaving South Africa without a passport.

Sentences: Three months' imprisonment, all of which except four days was suspended.

Remarks: Miss Gane, a former Rhodes University student, had been living in Swaziland as a political refugee.

Source: The Star, Johannesburg, 9 March 1966

Date of judgement: 21 March 1966
Place of trial: Cape Town
Names of appellant: Miss Gladys Emma Lee

Laws under which charged:

Particulars of appeal: Appeal against a suspended fine of four Rand (or twenty days), imposed by lower court, for obstructing traffic.

Judgement: Appeal dismissed.

Remarks: Miss Lee, then 69, had displayed placards, one of which had a sign reading "Verwoerd copies Hitler, Smith copies Verwoerd."

Source: Cape Times, 22 March 1966

Date of sentence: 22 March 1966

Place of trial: Kroonstad

Names of accused: Mr. Alexander Leeu, 33
Mr. Richard Makoena, 21
Mr. Alfred Ndlovu, 29
Mr. George Masiba, 22

Laws under which charged:

Particulars of charges: Promoting the aims of the Pan Africanist Congress.

Sentences: The first three of the accused were each sentenced to three years' imprisonment and Mr. Masiba to two years.

Remarks:

Source: The World, Johannesburg, 23 March 1966

Date of sentence: 23 March 1966

Place of trial: Regional Court, Port Elizabeth

Names of accused: Mr. Stephen James Tobias, 44

Laws under which charged: Suppression of Communism Act

Particulars of charges: Attending a social gathering in contravention of a banning order served in 1963.

Sentences: Six months' imprisonment.

Remarks:

Source: The World, Johannesburg, 24 March 1966

Date of sentence: 26 March 1966
Place of trial: Humansdorp Regional Court
Names of accused: Mr. Sipo Mguqulwa, 37
Mr. Silas Bani, 25
Mr. Henri Bobi, 47
Mr. Ernest Konfile, 28
Mr. Mpiyake Ntongana, 20
Mr. Solomon Fundi, 25
Mr. John Lekoma, 28

Laws under which charged: Suppression of Communism Act

Particulars of charges: 1. Membership in the banned Pan Africanist Congress
2. Taking part in the activities of the PAC

Sentences: Three years' imprisonment each on the first count and one year each, suspended, on the second count.

Remarks: The men were all from New Brighton, Port Elizabeth.
Defence counsel told the court that, of the four State witnesses, two were Dagga (marijuana) smokers and were psychopathic liars who would say anything to save their own skin. The witnesses were always on the defensive and their stories were filled with improbability.

Source: The World, Johannesburg, 25 March 1966;
Rand Daily Mail, Johannesburg, 28 March 1966

Date of sentence:

28 March 1966

Place of trial:

Regional Court, Pretoria

Names of accused:

Mr. Bethuel Kuzwayo
Mr. Robert Gumede
Mr. Albert Mabaso
Mr. Johannes Molebatsi
Mr. Gideon Nunwane
Mr. Philemon Moeketse
Mr. Stanley Mbatha

Mr. Duncan Mhlongo
Mr. George Mbonambi
Mr. Ephrain Mabuso
Mr. Raymond Motloung
Mr. Melvin Sesheba
Mr. Mathews Dimba

Laws under which charged:

Particulars of charges:

Belong to the Pan Africanist Congress and furthering its aims in Baviaanspoort prison, where they were already serving sentences.

Sentences:

Each of the 13 was sentenced to three years' imprisonment.

Remarks:

The appeal of all but the first four listed above was dismissed 31 October, but the sentences of the first four (Messrs. Kuzwayo, Gumede, Mabaso, Molebatsi) were reduced to eighteen months each.

Source: Southern Africa, London, 11 April 1966;
The World, Johannesburg, 1 November 1966

Date of judgement: 28 March 1966
Place of trial: Supreme Court, Grahamstown
Names of appellant: Dr. Masilamoney Pather

Laws under which charged: Suppression of Communism Act

Particulars of appeal: Appeal against conviction on three counts having just served a sentence on an almost identical charge.

Judgement: Appeal dismissed.

Remarks: The Regional Magistrate had convicted Dr. Pather of using his home for a meeting of the banned African National Congress, for collecting ANC funds and contributing funds to the ANC.

Dr. Pather had just completed a three-year sentence of which nine months had been suspended, for holding an ANC meeting in his home in April 1961. Defence counsel held it was "refined cruelty" for a man to be charged, convicted, punished, released and then immediately charged, convicted and punished for virtually the same offence. (The meeting for which Dr. Pather was convicted was held one month before the meeting referred to in his second trial.)

Leave to appeal to the Appellate Division was refused in June 1966.

Source: The Post, Johannesburg, 12 June 1966

Date of sentence: 29 March 1966
Place of trial: Cape Town Regional Court
Names of accused: Mr. Benjamin Joseph January
Laws under which charged: Suppression of Communism Act

Particulars of charges: Illegal membership in an organization.

Sentences: Six months' imprisonment, conditionally suspended for three years.

Remarks: Mr. January was listed as a communist in 1955. In 1962, listed communists were prohibited from membership in various organizations. Mr. January told the Court that he had been secretary of the National Union of Laundry Workers since 1941. When, at the beginning of 1966, he was told of the illegality of the position, he had resigned immediately and had since applied for his name to be struck from the list of communists. He was no longer interested in communism, he said.

Source: Cape Times, 30 March 1966

Date of judgement: 31 March 1966
Place of trial: Grahamstown Supreme Court
Names of appellant: Miss Sylvia Neame
Laws under which charged: Suppression of Communism Act

Particulars of appeal: Appeal against sentence of four years' imprisonment, imposed by lower court in Humansdorp on 22 July 1965, under the Suppression of Communism Act.

Judgement: Sentence set aside.

Remarks: Miss Neame was still serving a two-year sentence imposed on her in a previous trial on 13 April 1965 in Johannesburg, also on charges under the Suppression of Communism Act.

Source: Cape Times, 1 April 1966

Date of sentence: April 1966

Place of trial: Fort Elizabeth Regional Court

Names of accused: Mr. Capetown Dlepu
Mr. Paulus Lusa
and three others

Laws under which charged:

Particulars of charges: Incitement to commit public violence at a public meeting at the Ntolweni Location, Fort Beaufort, on 2 November 1965.

Sentences: Found not guilty and discharged.

Remarks: Mr. Lusa, aged 78, was brought from his hospital bed, for the final hearing of the case.

The Magistrate found that the State witnesses had contradicted each other to the extent that no reasonably sane man could fairly convict on their evidence.

Date of judgement: 4 April 1966
Place of trial: Free State Supreme Court, Bloemfontein
Names of appellants: Mr. Amos Ndoni
Mr. Reginald Mbonya
Mr. Desmond Ncmame
Mr. Discipline Nkonyami
Mr. Vulindlela Manakosa

Laws under which charged: Suppression of Communism Act

Particulars of appeal: Appeal against sentences of seven years' imprisonment each, imposed by a lower court, on charges of membership in the underground Fogo; contributing funds to Fogo; and furthering the aims of Fogo.

Judgement: Acquitted.

Remarks: Mr. Justice Klopffer said: "It seems to me that the State assumes that when accused are indicted as Fogos they must be guilty. All that remains is for evidence to be led and the court must do the rest."

Source: Rand Daily Mail, Johannesburg, 4 April 1966

Date of sentence: 4 April 1966
Place of trial: Pretoria
Names of accused: Mr. Joseph Tansangua Tsele

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contravening the provisions of a "house arrest" order.

Sentences: Acquitted.

Remarks:

Source: Rand Daily Mail, Johannesburg, 5 April 1966

Date of sentence: May 1966

Place of trial: Supreme Court, Grahamstown

Names of accused: Mr. Zolile Pityane, 31, of Port Elizabeth
Mr. Ernest Tshazibani, 35, of Port Elizabeth
Mr. Jubulani Patrick Mkuzo, 23, of East London
Mr. Solu Vellile Soyizwapi, 27, of Umtata

Laws under which charged: Suppression of Communism Act

Particulars of charges: Being members or office-bearers of the Pan Africanist Congress, leaving the Republic without documents and training or taking steps to undergo training that could have been used in furthering the objects of PAC.

Sentences: Five years' imprisonment each.

Remarks: The Judge pointed out that the death penalty could have been imposed on the third count, but the accused had not carried out acts of violence.

Source: The World, Johannesburg, 25 May 1966

Date of sentence: 3 May 1966
Place of trial: Umtata Supreme Court
Names of accused: Mr. Zantsi Kweqyir Mzimxa

Laws under which charged:

Particulars of charges: Possession of copies of banned publications,
Fighting Talk and New Age.

Sentences: Twelve months' imprisonment, of which nine months
were conditionally suspended.

Remarks: Mr. Mzimxa was an articled clerk.

He had been in custody for five months before
being released on bail.

Source: Daily Dispatch, East London, 4 May 1966;
quoted in Spotlight on South Africa, Dar es Salaam,
20 May 1966

Date of sentence: 5 May 1966
Place of trial: Cape Town Criminal Sessions
Names of accused: Thirty Africans (all prisoners at Gankaspoort)
Laws under which charged: "Sabotage Act" and Suppression of Communism Act

Particulars of charges: Taking part in the activities of the banned Pan Africanist Congress or Pogo.

Sentences: Fourteen of the accused were discharged on the ground that there was insufficient evidence against them.

Remarks: Those acquitted were:

Mr. Mziwandile Booi
Mr. Miti Mahanga
Mr. Koko Kula
Mr. Vuyadi Mbakombe
Mr. Mpengwana Hagile
Mr. Tumata Matross
Mr. Jacob Lusekile
Mr. William Ngcenge
Mr. John Biyana
Mr. Mbeki Duma
Mr. Dambile Tokota
Mr. Buyana Gwebu
Mr. Bafana Nzimande
Mr. John Gayi

Source: Cape Times, 6 May 1966

Date of sentence: 6 May 1966
Place of trial: Pretoria Supreme Court
Names of accused: Mr. Michael Dingake
Mr. Isaac Heymann

Laws under which charged:

Particulars of charges: 1. Membership in the banned Communist Party
2. Procuring people for training and obtaining information for the Communist Party, the African National Congress and Umkonto We Sizwe.

Sentences: Mr. Dingake was sentenced to fifteen years imprisonment on all the charges.
Mr. Heymann was sentenced to five years' imprisonment for membership in the Communist Party.

Remarks: Mr. Dingake, a former leader of the African National Congress, had been arrested in Southern Rhodesia and handed over to South Africa. He refused to plead or take part in the proceedings. since he was a Bechuanaland national.
Mr. Heymann was already serving a sentence for refusing to give evidence for the State in a political trial.

Source: Cape Times, 7 May 1966

Date of sentence: 9 May 1966

Place of trial: Pretoria Supreme Court

Names of accused: Mr. Abram Fischer, Q.C.

Laws under which charged: "Sabotage Act"; Suppression of Communism Act; Aliens Act.

Particulars of charges: Sabotage; six counts under the Suppression of Communism Act; two counts of forgery; and contravening the Aliens Act.

Sentences: Life imprisonment on the charge of sabotage; twenty-four years' imprisonment on three counts under the Suppression of Communism Act; three months' imprisonment on two counts of forgery; and fine of 120 Rand(or six months' imprisonment) for contravening the Aliens Act.

Remarks: The defence conceded that he was guilty on three counts under the Suppression of Communism Act and not guilty on another three counts relating to various documents. It submitted that he was not guilty on the main charge of conspiring to commit sabotage.

Source: Southern Africa, London, 16 May 1966

Date of sentence: 11 May 1966
Place of trial: Humansdorp Regional Court
Names of accused: Mr. Gerald Peter Nguna
Mr. Cecil Nagqabi
Mr. Alfred Mcosa
Mr. Baba Bolo
Mr. July Tungu

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contributing to, or soliciting funds for, the banned African National Congress and allowing their homes to be used for ANC meetings.

Sentences: Four years' imprisonment each.

Remarks: The men were already serving sentences of two and a half to five and a half years' imprisonment for political offences.

Source: Cape Times, 12 May 1966

Date of sentence: 18 May 1966
Place of trial: Pretoria Supreme Court
Names of accused: Mrs. Violet Weinberg

Laws under which charged:

Particulars of charges: Refusing to give evidence for the State in the trial of Mr. Michael Dingake and Mr. Isaac Heymann (who were convicted on 6 May 1966).

Sentences: Three months' imprisonment.

Remarks: Mrs. Weinberg had been detained under the "180-day clause" since 8 November 1965. She alleged in court that the police had extracted a statement from her by improper methods (prolonged, uninterrupted periods of interrogation and other forms of ill-treatment). In mitigation, the judge said he would assume the truth of these allegations and would subtract the six months of her detention from the sentence he had intended. He then sentenced her to three months imprisonment and refused her leave to appeal. She was, however, granted bail pending the result of a petition to the Chief Justice for leave to appeal, which was granted.

Source: New York Times, 19 May 1966;
A Survey of Race Relations In South Africa 1966, p.81

Date of sentence: 23 May 1966
Place of trial: Cape Town Magistrate's Court
Names of accused: Mrs. Jean Caroline Champion de Crespigny

Laws under which charged: Suppression of Communism Act

Particulars of charges: Membership in a banned organization.

Sentences: Charges withdrawn on 23 May 1966.

Remarks: Mrs. de Crespigny had been detained under the "180-day clause." She left South Africa, on a British passport, the day after the charges were withdrawn.

Source: Cape Times, 24 May 1966

Date of sentence: 25 May 1966
Place of trial: Criminal Sessions Cape Town
Names of accused: Mr. Fred Carneson

Laws under which charged: Suppression of Communism Act

Particulars of charges:

1. Membership in the banned Communist Party.
2. Taking part in the activities of the Communist Party.
3. Possession of banned literature.

Sentences: Eighteen months' imprisonment on the first charge, four years on the second and three months on the third--or a total of five years and nine months.

Remarks: Mr. Carneson pleaded guilty to the charges of membership in the banned Communist Party and possession of banned literature.

He was found not guilty of charges of sabotage, of membership in the Central Committee of the Communist Party, of planning the activities of Umkonto We Sizwe and of planning acts of violence in the Transkei.

Source: Southern Africa, London, 6 June 1966

Date of judgement: 28 May 1966
Place of trial: Grahamstown Supreme Court
Names of appellants: Mr. Nelson Pindani
Mr. Samuel Majoni
Mr. Meglory Magwayi
Laws under which charged: Suppression of Communism Act.

Particulars of appeal: Appeal against sentences of imprisonment, imposed by lower court in Humansdorp, on charges of membership in the banned African National Congress, contributing to and soliciting funds for the ANC, and allowing their homes to be used for ANC meetings.

Judgement: The sentence on Mr. Nelson Pindani was reduced from four years to three years. The sentence on Mr. Samuel Majoni was reduced from four and a half years to two and a half years. The two-year sentence on Mr. Meglory Magwayi was upheld.

Source: Evening Post, Port Elizabeth, 28 May 1966;
quoted in Spotlight on South Africa, Dar es Salaam,
17 May 1966

Date of sentence: 3 June 1966

Place of trial: Cape Town Criminal Sessions

Names of accused: Mr. Duismond Mpondo
Mr. Freddie Malvern
Mr. Anton Ciliza
Mr. Jack Zinga
Mr. Petrus Majala
Mr. Stanley Balasana
Mr. George Nxali and nine others

Laws under which charged: Suppression of Communism Act and "Sabotage Act"

Particulars of charges: Taking part in the activities of the banned Pan Africanist Congress or Pogo.
Attending meetings of Pogo.
Conspiring to attack and murder four other prisoners and their warders and escape from prison.

Sentences: The seven named above were acquitted. Judgement on the nine others was postponed.

Remarks: The accused were all prisoners. Some 30 men were originally charged when the summary trial began on 18 April. Fourteen were discharged on 4 May and the remainder were sentenced on 16 June.

Source: Cape Times, 4 June 1966

Date of sentence: 10 June 1966
Place of trial: Grahamstown Supreme Court
Names of accused: Mr. Jackson Nkosiyane
Mr. Nicodemus Nogcantsi

Laws under which charged:

Particulars of charges: Plotting to kill Chief Kaizer Matzima, Chief Minister of the Transkei.

Sentences: Seven years' imprisonment each.

Remarks: Both the accused were members of the opposition Democratic Party in the Transkei and members of the Transkei Legislative Assembly.

An application for leave to appeal was granted but bail was refused.

Source: Reuters, 10 June 1966

Date of judgement: 15 June 1966
Place of trial: Pietermaritzburg Supreme Court
Names of appellant: Mr. Robert Harold Lundie Strachan

Laws under which charged: Prisons Act

Particulars of appeal: Appeal against sentence of two and a half years' imprisonment imposed by lower court on 27 January 1966 on charges of publishing false information concerning prison conditions.

Judgement: Sentence reduced to eighteen months.

Remarks:

Source: Cape Times, 16 June 1966

Date of sentence: 16 June 1966
Place of trial: Cape Town Criminal Sessions
Names of accused: Mr. Alfred Bell
Mr. Xavier Matu
Mr. Douglas Zakumba
Mr. Nosiko Charlie
Mr. George Mrwentyana
Mr. Joseph Jamani

Laws under which charged:

Particulars of charges: Taking part in and attending meetings of the underground Fogo.
Conspiring to attack and murder four other prisoners and the warders and to escape.

Sentences: Mr. Bell was sentenced to twelve years' imprisonment; Mr. Matu to eight years; Mr. Zakumba to ten years; and Mr. Charlie to four years. Mr. Mrwentyana and Mr. Jamani were acquitted. Parts of the sentences are to run concurrently with sentences they were already serving.

Remarks: All the accused were prisoners. They had originally been charged with several others. On 3 June 1966, seven of the accused were acquitted; 14 others had been discharged on 4 May. Another of the accused took ill on 9 May and went to hospital.

Source: Cape Times, 16 June 1966

Date of sentence: 22 June 1966
Place of trial: Durban
Names of accused: Mr. Mthandazo Aaron Masango

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contravening the terms of banning order served on him by failing to report to the police on New Year's Day.

Sentences: One year's imprisonment, of which all but four days was suspended conditionally.

Remarks: Source: Rand Daily Mail, Johannesburg, 23 June 1966

Date of sentence: 24 June 1966

Place of trial: Grahamstown

Names of accused: three men

Laws under which charged:

Particulars of charges: Being office bearers of Pogo (which the State later equated with the Pan Africanist Congress) and of conspiring to blow up State and municipal installations in the Middelburg area.

Sentences: Eleven years' imprisonment, one year of the sentence to run concurrently with the rest.

Remarks:

Source: Evening Post, Port Elizabeth; quoted in A Survey of Race Relations in South Africa 1966, p.87

Date of sentence: 24 June 1966
Place of trial: Goodwood Regional Court

Names of accused: Mr. Martin Masilo
Mr. Justice Malusi
Mr. Simon Kandi
Mr. Mlandeli Tshosane
Mr. Douglas Dladla
Mr. Wilson Jena
Mr. Robert Mbohazi
Mr. Kleinbooi Mwali
Mr. Dick Faro Kumalo and 22 others

Laws under which charged: Suppression of Communism Act

Particulars of charges: 1. Membership in the underground Fogo.
2. Furthering the aims of Fogo.

Sentences: Mr. Masilo was sentenced to six years' imprisonment; Mr. Malusi, Mr. Kandi and Mr. Tshosane were sentenced to three years on each of the two counts, the sentences to run concurrently; Mr. Dladla, Mr. Jena, Mr. Mbohazi, Mr. Mwali, Mr. Kumalo and eight others were sentenced to three years each. Fourteen others were found not guilty and discharged.

Remarks: In some cases of the 13 who were sentenced to three years' imprisonment, one year of the sentences was conditionally suspended.

Source: Cape Times, 26 June 1966

Date of sentence: July 1966
Place of trial: Magistrate's Court, Krugersdorp
Names of accused: Thirty-four Africans

Laws under which charged:

Particulars of charges: Striking in protest against the summary discharge of two fellow employees for taking more than 10 minutes for a tea break on 7 December 1965.

Sentences: Each was fined R40 or 50 days, suspended for three years.

Remarks:

Source: The Star, Johannesburg, 7 July 1966;
quoted in Spotlight on South Africa, Dar es Salaam,
29 July 1966

Date of sentence: July 1966

Place of trial: Roodepoort Magistrate's Court

Names of accused: Mr. Vinod Patel
Mr. Iqubal Ansary
Mr. Saleem Karodia
Mr. Cassim Karodia
and two schoolboys

Laws under which charged: Suppression of Communism Act

Particulars of charges: Holding an illegal meeting at the Roodepoort Asiatic School between 9 and 10 May 1966

Sentences: Charges withdrawn in July 1966.

Remarks: Mr. Vinod Patel was a student.
Mr. Iqubal Ansary and Mr. Saleem Karodia were teachers.
No reason was given for withdrawal of charges.
Source: Rand Daily Mail, Johannesburg, 30 July 1966
quoted in Spotlight on South Africa, Dar es Salaam,
19 August 1966

Date of sentence: July 1966
Place of trial: Humansdorp
Names of accused: Mr. Archibald Skefile
Mr. Sikumbuzo Mleve
Mr. Enoch Bombisa
Mr. Joseph Mpongoshe

Laws under which charged: Suppression of Communism Act

Particulars of charges: 1. Subscribing to the banned African National Congress.
2. Holding ANC meetings in their homes.

Sentences: Mr. Skefile, Mr. Mleve, and Mr. Bombisa were sentenced to four and a half years' imprisonment each. Mr. Mpongoshe was sentenced to three years on the first count.

Remarks: The accused had been brought to trial from Robben Island where they were serving three-year sentences imposed in 1964 for belonging to the ANC.

Source: Evening Post, Port Elizabeth, 28 July 1966

Date of sentence: 5 July 1966
Place of trial: Goodwood Regional Court
Names of accused: Mr. Mlotlane Yangaphi
Mr. Felinyaniso Njamela
Mr. Dwashu Nqikela
Mr. Zwelibagile John Caciso
Mr. Ntlokwebovu Ngcwangushe
Mr. Bernard Huma

Laws under which charged: Suppression of Communism Act

Particulars of charges: Membership in the banned African National Congress or, alternatively, of furthering the aims of communism.

Sentences: Acquitted.

Remarks: The magistrate, Mr. J. J. Slabbert, agreed that the defence had no prima facie case to answer.

Source: Cape Times, 6 July 1966, 9 July 1966

Date of sentence: 5 July 1966
Place of trial: Regional Court, Goodwood
Names of accused: Mr. Zollie Malindi
Laws under which charged: Suppression of Communism Act

Particulars of charges: Membership in the African National Congress or
furthering the aims of communism.

Sentences: Acquitted.

Remarks: The magistrate agreed with the defence that there
was no prima facie case to answer.
Mr. Malindi had been in custody for over two years
without conviction.
Source: Cape Times, 9 July 1966

Date of sentence: August 1966
Place of trial: Regional Court, Durban
Names of accused: Mr. Dumansi Alfred Zondi

Laws under which charged: Suppression of Communism Act.

Particulars of charges: Being a member of the Pan Africanist Congress and taking part in its activities by leaving South Africa in 1962 for military training.

Sentences: Twenty-four months of which 22 months were suspended for three years.

Remarks: Defence said Mr. Zondi was only 17 years old when he had been recruited, had lost interest in politics on his return to South Africa and resumed his studies at Adams College.

The prosecution was agreeable to a light sentence because Mr. Zondi was "only small fry".

Source: The Post, Johannesburg, 4 September 1966

Date of judgement: 4 August 1966
Place of trial: Cape Town Regional Court
Names of appellants: Mr. Dennis Wessels
Mr. Ahmed Osman

Laws under which charged:

Particulars of appeal: Appeal against conviction and sentences of six months' imprisonment each, imposed by lower court, for refusing to give evidence for the State in the trial of Mr. W. J. Bock on charges under the Suppression of Communism Act.

Judgement: Appeal upheld.

Remarks: The legal representatives of Mr. Wessels and Mr. Osman had told the lower court that their clients were unwilling to testify against Mr. Bock and asked leave to appear when the objections to giving evidence were heard. The public prosecutor objected to the appearance of counsel at the hearing of the objections on the ground that the Criminal Code made no provision for a witness to be represented.

Giving judgement on appeal in the Regional Court, Mr. Justice van Zyl said:

"Failure to allow audience through a legal practitioner to a person who objects to giving evidence in a criminal trial is a gross irregularity."

Source: Cape Times, 5 August 1966

Date of sentence: August 1966
Place of trial: Johannesburg Regional Court
Names of accused: Mrs. Violet Weinberg
Mrs. Lesley Erica Schernbrucker

Laws under which charged: Suppression of Communism Act

Particulars of charges: Taking part in the activities of the banned Communist Party.

Sentences: Two years' imprisonment each.

Remarks: Both Mrs. Weinberg and Mrs. Schernbrucker were already serving sentences for refusing to give evidence for the State in political trials. Their husbands were also serving sentences on political charges.

Source: Standard, Dar es Salaam, 17 August 1966
quoted in Spotlight on South Africa, Dar es Salaam,
19 August 1966

Date of sentence: August 1966
Place of trial: Durban Regional Court
Names of accused: Dr. Gangathura Mohambry Naicker

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contravening the provisions of banning orders served on him:
(a) contravening prohibition on attending social gatherings, by inviting Mr. and Mrs. Alan Paton to dinner at his home; and
(b) failing to notify the police of a change of address.

Sentences: Two months' imprisonment on the first count.
One year's imprisonment on the second count, all but four days of which was conditionally suspended.

Remarks: Bail was fixed at 100 Rand pending appeal.
Dr. Naicker is a medical practitioner and leader of the South African Indian Congress.

Source: Standard, Dar es Salaam, 12 August 1966; quoted in Spotlight on South Africa, Dar es Salaam, 12 August 1966

Date of judgement: August 1966
Place of trial: Grahamstown Supreme Court
Names of appellants: Mr. Eric Zuma
Mr. Llewelyn Yawa
Mr. Daniel Magongo
Mr. Milton Baleni
Mr. Alfred Zambetha
Mr. Matthew Mpolongwana
Mr. Amos Zambetha
Mr. Richard Klass
Mr. Arnold Nhanhans
Mr. Welcome Duru

Laws under which charged:

Particulars of appeal: Appeal against sentence of four and a half years' imprisonment each, imposed by lower court in Port Elizabeth in September 1965, for having participated in the bus strike in 1960, and for membership in the African National Congress.

Judgement: The sentences were reduced to one year's imprisonment.

Remarks:

Source: Evening Post, Port Elizabeth 13 August 1966; quoted in Spotlight on South Africa, Dar es Salaam, 2 September 1966

Date of sentence: August 1966

Place of trial: Humansdorp

Names of accused: Mr. Jackson Busake
Mr. Morris Maku
Mr. Aaron Mahantsa
Mr. Joel Hoyi

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contributing to, or soliciting funds for, the
banned African National Congress.
Allowing their homes to be used for meetings of
ANC.

Sentences: Four and a half years' imprisonment each.

Remarks: The accused were already serving sentences of
imprisonment on Robben Island on similar charges. The
earlier sentence had been imposed in Graaff-Reinet in
December 1964.
Source: Sunday Express, Johannesburg, 21 August 1966;
quoted in Spotlight on South Africa, Bar es Salaam,
2 September 1966

Date of sentence: August 1966
Place of trial: Humansdorp
Names of accused: Mr. Washington Mabongo

Laws under which charged: Suppression of Communism Act

Particulars of charges:

1. Contributing to, and soliciting funds for, the banned African National Congress.
2. Allowing his home to be used for meetings of ANC.
3. Promoting the activities of an unlawful organization.

Sentences: A total six years' imprisonment on the three counts.

Remarks: He was already serving a sentence of imprisonment on Robben Island on similar charges.

Source: Sunday Express, Johannesburg, 21 August 1966;
quoted in Spotlight on South Africa, Dar es Salaam,
2 September 1966

Date of sentence: 31 August 1966
Place of trial: Regional Court, Durban
Names of accused: Mr. Nimrod Dlamini

Laws under which charged:

Particulars of charges: Incitement to public violence and to join the Pogo branch of Pan Africanist Congress

Sentences: Two and a half years' imprisonment on the first charge, one year on the second, the two sentences to run concurrently.

Remarks:

Source: The Star, Johannesburg, 31 August 1966

Date of sentence: September 1966
Place of trial: Humansdorp
Names of accused: Mr. Kolisile Willem

Laws under which charged: Suppression of Communism Act

Particulars of charges: Soliciting funds for and contributing funds to the African National Congress, allowing his home to be used for ANC meetings and promoting the activities of a banned organization.

Sentences: Total of five years' imprisonment.

Remarks: Mr. Willem had been jailed for 27 months in April 1964 with 17 others on almost identical charges.

Source: The Post, Johannesburg, 11 September 1966

Date of sentence: September 1966
Place of trial: Humansdorp
Names of accused: Mr. James Ngqondela

Laws under which charged:

Particulars of charges: Contributing funds to the African National Congress, allowing ANC meetings in his home and promoting the activities of the ANC.

Sentences: Five years' imprisonment.

Remarks: In April 1964 Mr. Ngqondela had been jailed for two years for membership in the ANC.

Source: Southern Africa News Features, London, 2 October 1966; quoted in Spotlight on South Africa, Dar es Salaam, 28 October 1966

Date of judgement: September 1966
Place of trial: Bloemfontein
Names of appellants: Mr. Jackson Nkosiyané
Mr. Nocodemus Nogcantsi

Laws under which charged:

Particulars of appeal: Appeal against a conviction of attempted incitement of persons to murder Chief Minister Kaiser Matanzima of the Transkei.

Judgement: Appeal dismissed:

Remarks:

Source: The World, Johannesburg, 21 September 1966

Date of sentence: 9 September 1966
Place of trial: Bloemfontein
Names of accused: Mr. Majesane Malefetsane Geelbooi

Laws under which charged:

Particulars of charges: 1. Inciting farm labourers to destroy pass books.
2. Burning pass books of three persons.

Sentences: Fine of 50 Rand (\$70) on the first count.
Imprisonment of 18 months, of which 12 months were conditionally suspended, on the second count.

Remarks:

Source: The Star, Johannesburg, 9 September 1966

Date of sentence: 15 September 1966
Place of trial: Humansdorp
Names of accused: Mr. Philimon Sulumba

Laws under which charged:

Particulars of charges: Activities in the African National Congress.

Sentences: Four years' imprisonment.

Remarks: In July 1964 Mr. Sulumba had been jailed for membership in the African National Congress.

Source: Southern Africa News Features, London, 2 October 1966; quoted in Spotlight on South Africa, Dar es Salaam, 28 October 1966

Date of sentence: 28 September 1966

Place of trial: Johannesburg

Names of accused: Mr. Albert Dhlomo

Laws under which charged:

Particulars of charges: Refusing to take the oath and give evidence in the trial of Messrs. Arenstein, Ernst and Finkelstein.

Sentences: Six months' imprisonment.

Remarks: Mr. Dhlomo, who had been detained under the "180-day law" alleged maltreatment by the Security Police during detention.

He said he would be a traitor to his people if he gave evidence for the State.

Source: The Standard, Dar es Salaam, 28 September 1966; quoted in Spotlight on South Africa, Dar es Salaam, 30 September 1966

Date of judgement: 30 September 1966
Place of trial: Appeal Court, Bloemfontein
Names of appellants: Mr. Isaac Heyman
Mr. Philly Sello

Laws under which charged:

Particulars of appeal: Appeal against 12 month sentence for refusing to give evidence.

Judgement: Mr. Heyman's appeal was upheld.
Mr. Sello's appeal was dismissed.

Remarks:

Source: Rand Daily Mail, Johannesburg, 1 October 1966

Date of sentence: October 1966
Place of trial: Graaff-Reinet
Names of accused: Mr. Fanile Khapa
Mr. William Nzamile
Mr. Julius Ntalana
Laws under which charged: Suppression of Communism Act.

Particulars of charges: Two counts under the Act.

Sentences: Mr. Khapa and Mr. Nzamile were sentenced to four years' imprisonment each and Mr. Ntalana to three years.

Remarks:

Date of sentence: October 1966
Place of trial: Untata
Names of accused: Mr. Mtati Welindawo

Laws under which charged:

Particulars of charges: Failing to comply with one of the terms of his banning order.

Sentences: Three months imprisonment.

Remarks: Mr. Welindawo pleaded guilty and admitted a previous conviction for membership in the Pan Africanist Congress.

Source: The World, Johannesburg, 11 October 1966

Date of sentence: 14 October 1966
Place of trial: Johannesburg
Names of accused: Mrs. Diana Mary Schoon

Laws under which charged: Suppression of Communism Act

Particulars of charges: Two counts of failing to notify police of changes in place of employment in terms of banning orders served on her.

Sentences: Twelve months' imprisonment on each of two counts, suspended except for ten days' imprisonment.

Remarks: Three other similar charges were withdrawn by the State.

Source: A Survey of Race Relations in South Africa 1966, p.70

Date of sentence: 20 October 1966
Place of trial: Cape Town
Names of accused: Mr. Merriman Tivani

Laws under which charged:

Particulars of charges: Participation in the murder of Mr. Armando Della Torre, a Cape Town clothing salesman, on 8 May 1963.

Sentences: Death

Remarks: The State charged that Mr. Tivani had accompanied Mr. Amos Phokolo, leader of Pogo task force. Mr. Phokolo was arrested but hanged himself in the police cells before he could be brought to trial.

Source: Cape Times, 21 October 1966

Date of sentence: 21 October 1966
Place of trial: Rand Criminal Sessions
Names of accused: Mr. Rowley Arenstein
Mr. David Ernst
Mr. Joseph Victor Finkelstein

Laws under which charged: Suppression of Communism Act

Particulars of charges: Furthering the aims of communism.

Sentences: Mr. Arenstein was sentenced to four years' imprisonment; Mr. Ernst to two and a half years; and Mr. Finkelstein to eighteen months, of which fifteen were suspended.

Remarks: All three were found not guilty of being members of the South African Communist Party and of taking part in its activities.

Mr. Arenstein was given leave to appeal.

Source: A Survey of Race Relations in South Africa 1966, p.82

Date of sentence: 25 October 1966
Place of trial: Cape Town
Names of accused: A State witness (identity withheld)

Laws under which charged: Criminal Procedure Act

Particulars of charges: Refusing to give evidence in the trial of Mr. M. Baleni and M. Mangqangwana on charges of Pogo activities and sabotage.

Sentences: Three months' imprisonment.

Remarks: The witness stated he had been a member of Pogo in 1965, then fainted. When he had recovered he refused to testify further saying he had already made a statement to the police.

Source: Cape Times, 26 November 1966

Date of judgement: 31 October 1966

Place of trial: Supreme Court, Pretoria

Names of appellants: Mr. Bethuel Kuzwayo
Mr. Robert Gumede
Mr. Albert Mabaso
Mr. Johannes Molebatsi
and nine other Baviaanspoort prisoners.

Laws under which charged:

Particulars of appeal: Appeal against conviction and sentences of three years each imposed by the Pretoria Regional Court in April on charges of belonging to and furthering the aims of the Pan Africanist Congress in Baviaanspoort prison, where they had all been serving prior sentences.

Judgement: The four men named above had their sentences reduced to 18 months.

The appeals of the other nine were dismissed.

Remarks:

Source: The World, Johannesburg, 1 November 1966

Date of sentence:

9 November 1966

Place of trial:

Humansdorp

Names of accused:

Mrs. Simon Beto
Mr. Nelson Mahlabhlaba
Mr. Gilbert Nyalasa
Mr. Samuel Mini

Laws under which charged:

Suppression of Communism Act, read with
Unlawful Organizations Act

Particulars of charges:

Contributing and soliciting funds for the
banned African National Congress; allowing the use of
their homes for ANC meetings; and taking part in the
activities of the ANC.

Sentences:

Five years' imprisonment each.

Remarks:

The accused were already serving sentences of
two and a half to three years' imprisonment each
imposed in March 1964 for membership in the ANC.

Date of sentence: 18 November 1966

Place of trial: Humansdorp

Names of accused: Mr. Alan Matinkinca
Mr. Albert Dibela
Mr. Richard Tokwe

Laws under which charged: Suppression of Communism Act

Particulars of charges:

Sentences: Four years' imprisonment each.

Remarks: The accused were already serving sentences of two and a half to five years' imprisonment each, imposed in 1964, on similar charges.

Date of sentence: 23 November 1966
Place of trial: Humansdorp
Names of accused: Mr. Victor Ngamona

Laws under which charged: Suppression of Communism Act

Particulars of charges: Two counts under the Act.

Sentences: Five years' imprisonment.

Remarks:

Date of judgement: 24 November 1966
Place of trial: Cape Town Regional Court
Names of appellants: Mr. Fred Carneson
Laws under which charged: Suppression of Communism Act

Particulars of appeal: Three counts of meeting another banned person, Mr. Zollie Malindi, on three occasions in contravention of a banning order.

Sentences: Acquittal.

Remarks: The magistrate noted that Mr. Carneson had already pleaded guilty in the Supreme Court to certain charges and held that the charges before the Regional Court amounted to the splitting of charges.

Mr. Carneson had been sentenced in May to five years and nine months.

Source: A Survey of Race Relations in South Africa 1966, p.79

Date of sentence: 24 November 1966
Place of trial: Regional Court, Cape Town
Names of accused: Mr. Zollie Malindi
Laws under which charged: Suppression of Communism Act

Particulars of charges: Meeting with another banned person, Mr. Fred Carneson, on three occasions in contravention of a banning order.

Sentences: Three months' imprisonment.

Remarks:

Source: A Survey of Race Relations in South Africa 1966, p.79

Date of sentence: 1 December 1966
Place of trial: Humansdorp
Names of accused: Mr. James Kati

Laws under which charged: Suppression of Communism Act

Particulars of charges: Two counts under the Act

Sentences: Five years' imprisonment.

Remarks:

Date of sentence: 2 December 1966
Place of trial: Pietermaritzburg Supreme Court
Names of accused: Mr. Moorogiah Danabethy Naidoo

Laws under which charged: Suppression of Communism Act

Particulars of charges: Membership in the Communist Party; furthering the aims of the Party; hiding people to help them leave the country while they were on bail; and possession of an objectionable book entitled Guerilla Warfare.

Sentences: Five years' imprisonment and a fine of 20 Rand or a further two months.

Remarks: Mr. Naidoo was found not guilty of the main charge of sabotage and two counts of defeating the ends of justice.

Application was made for leave to appeal.

Source: A Survey of Race Relations in South Africa 1966, p.83

Date of sentence: 2 December 1966

Place of trial: Humansdorp

Names of accused: Mr. Allison Maxiza
Mr. William Kane
Mr. Daniel Mooi

Laws under which charged: Suppression of Communism Act, read with Unlawful Organizations Act

Particulars of charges: Allowing their homes to be used for meetings of the banned African National Congress.

Sentences: Fifteen months' imprisonment each.

Remarks: The accused were already serving sentences of imprisonment imposed in September 1964 on similar charges.

Date of sentence: 5 December 1966
Place of trial: Humansdorp
Names of accused: Mr. Anderson Devu
Laws under which charged: Suppression of Communism Act

Particulars of charges: Two counts under the Act

Sentences: Four years' imprisonment.

Remarks: Mr. Devu was already serving a sentence of three and a half years' imprisonment imposed in September 1965.

Date of sentence: 6 December 1966

Place of trial: Cape Town

Names of accused: Mr. Moses Sipayili

Laws under which charged: Suppression of Communism Act

Particulars of charges: Membership in the banned Pogo group which had killed a pro-apartheid headman in the Transkei in 1963.

Sentences: Acquittal.

Remarks: The judge found that the two main State witnesses were both unsatisfactory.

Source: The World, Johannesburg, 7 December 1966

Date of sentence: 6 December 1966

Place of trial: Durban

Names of accused: Mr. John Aitchison

Laws under which charged: Suppression of Communism Act

Particulars of charges: Failing to report weekly to the police station
in terms of banning orders.

Sentences: One year's imprisonment, all but four days
conditionally suspended.

Remarks:

Date of sentence: 14 December 1966

Place of trial: Pietermaritzburg Supreme Court

Names of accused: Gangathura M. Naicker

Laws under which charged: Suppression of Communism Act

Particulars of charges: Appeal against conviction on two charges of violating banning orders.

Sentences: Appeal dismissed.

Remarks: The first charge arose from having Mr. and Mrs. Alan Paton at his home for dinner. The court held it was attendance at a "gathering" in contravention of the banning order.

The second charge was failure to notify change of address to the police: Mr. Naicker had been forced by a Government order to move from his home.

Date of sentence: 15 December 1966

Place of trial: Cape Town

Names of accused: Mr. Mpolose Mangqangwana
Mr. Moshekile Beleni

Laws under which charged: "Sabotage Act"; Suppression of Communism Act, read with Unlawful Organization Act

Particulars of charges: Participation in activities of underground Pogo. The State alleged that the two accused conspired with 107 others to overthrow the Government by force.

Sentences: Mr. Mangqangqana was sentenced to eighteen years' imprisonment for sabotage and to five years for taking part in the activities of Pogo and being an officer in it. The two sentences are to run concurrently.
Mr. Beleni was found not guilty of sabotage and sentenced to five years' imprisonment.

Remarks:

Source: Cape Times, 16 December 1966

Date of sentence: 16 December 1966

Place of trial: Cape Town Criminal Sessions

Names of accused: Mr. Baden Koboka
Mr. Jonas Jabavu Mzondi
Mr. Nicholas Gqibile Hans
Mr. MacDonald Mgweba
Mr. Maquiza Magushe
Mr. Edward Sikhundla
Mr. Goduka Gelen
Mr. Livingstone Fatyela
Mr. Wellington Thyobeka
Mr. Phumelele Sontshaka
Mr. Jacob Mandindi

Laws under which charged:

Particulars of charges: Murder of a shopkeeper in Wellington in September 1962.

Sentences: The first nine were sentenced to death. Mr. Sontshaka and Mr. Mandindi were acquitted.

Remarks: In a letter dated 2 June 1967 addressed to the Chairman of the Special Committee on Apartheid, the Chief Representative of the Pan Africanist Congress in Dar es Salaam stated that the shopkeeper had acted as an informer for South African police, and that the last accused (Mr. Wellington Thyobeka) had been kidnapped from Lesotho in 1966.

All the eleven accused were already serving sentences of imprisonment in connection with the riots in Paarl in 1962.

The condemned men were executed on 30 May 1967.

Source: Cape Times, 31 May 1967