

MCH 01-6a-4-1

J. 424.

Telegramadres: „LANDDROS.”
Telegraphic Address: "MAGISTRATE."



Geliewe in u antwoord te verwys na
In reply please quote

No. 5/5/2/7

REPUBLIEK VAN SUID-AFRIKA.—REPUBLIC OF SOUTH AFRICA.

LANDDROSKANTOOR,
MAGISTRATE'S OFFICE,

8 muk 7/11

CAPE TOWN,

27th August, 1963.

Messrs. Frank, Bernadt
and Joffe,
Attorneys-at-Law,
P.O. Box 252,
CAPE TOWN.

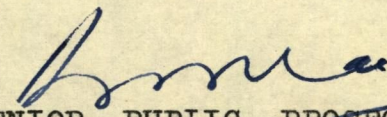
Gentlemen,

re: THE STATE VERSUS P. NGQNZI
AND J. DANDILE.

With reference to your letter JTG/LM of the
---26th instant, I enclose herewith a copy of the charge
sheet.

The accused made no written statements. Accused
No. 1 admitted, verbally, that the pangas belonged to
him. Accused No. 1 also told the policeman that "that
is my leader" when he removed the photo of Sobukwe from
the wall.

Yours faithfully,


SENIOR PUBLIC PROSECUTOR.

Encl.:

JS/SO

A N N E X U R E "B"

C H A R G E S H E E T

THE STATE VERSUS:

1. *Pulanda Mgwazi*
2. *James Jantile*

(hereinafter referred to as the accused) is/are guilty of the offence of contravening Section 3(1)(a)(i) read with Section 11 of Act 44 of 1950, as amended, and further read with Sections 2 and 1(3)(c) of Act 34 of 1960, as amended, Proclamation 119 of 1960 and Proclamation 91 of 1963, in that -

WHEREAS the Pan Africanist Congress is an unlawful organisation in terms of Proclamation 119 of the 8th April, 1960,

AND WHEREAS in terms of Proclamation 91 of 1963, promulgated on the 10th May, 1963, the organisation known as Poqo is and was at all times subsequent to the 8th April, 1960, in fact the Pan Africanist Congress,

AND WHEREAS the accused was/were during the period 8th April, 1960, to the ^{1st July} ~~10th May~~, 1963, a member/members of the said organisation Poqo and is/are, therefore, in terms of Section 1(3)(c) of Act 34 of 1960, as inserted by Section 14 of Act 37 of 1963 and read with Proclamation 91 of 1963, deemed to have become a member/members of the said Pan Africanist Congress on the 9th April, 1960,

THEREFORE the accused is/are guilty of the abovementioned offence,

IN THAT the accused did on the 9th April, 1960, and at or near ... *hanga* in the district of *Wynberg* within the area of jurisdiction of the Regional Court for the Cape Peninsula, wrongfully and unlawfully become a member/members of the said Pan Africanist Congress.

ANNEXURE

CHARGE SHEET

THE STATE VERSUS:

Alternatively

(hereinafter called the accused)

THAT the accused is/are guilty of the offence of contravening Section 3(1)(a)(iv) read with Sections 11 and 12 of Act No. 44 of 1950, as amended, and further read with Sections 1 and 2 of Act 34 of 1960, as amended, Proclamation 119 of 1960 and Proclamation 91 of 1963.

IN THAT -

WHEREAS the Pan Africanist Congress is an unlawful organisation in terms of Proclamation 119 of the 8th April, 1960;

AND WHEREAS in terms of Proclamation 91 of 1963, promulgated on the 10th May, 1963, the organisation known as Poqo is and was at all times subsequent to the 8th April, 1960, in fact the Pan Africanist Congress;

IN THAT, upon or about or during the period ^{8th} April 1960 to ^{1st July} 10th May 1963 and at or near hangga in the district of Wynberg and within the Regional Division of the Cape Peninsula, the said accused did wrongfully and unlawfully take part in an activity or activities of an unlawful organisation, to wit the Pan Africanist Congress, and/or carry on in the direct or indirect interest of the said unlawful organisation, an activity or activities in which the said unlawful organisation was or could have been engaged up to the date upon which it became an unlawful organisation, to wit

by remaining members and/or
having documents in their possession in the interests
carrying on its activities
of the organisation, and/or having weapons in their
possession (for the purposes) of the organisation, and/or



In reply please quote:
Geliewe in u antwoord te verwys na

No. 5/5/2/7

REPUBLIC OF SOUTH AFRICA
UNION OF SOUTH AFRICA - UNIE VAN SUID-AFRIKA.

MAGISTRATE'S OFFICE,
MAGISTRAATSKANTOOR,

CAPE TOWN,

4th September, 1963.

Messrs. Frank, Bernadt &
Joffe,
P.O. Box 252,
CAPE TOWN.

Gentlemen,

re: THE STATE VERSUS PINELANDS
NGUZI AND JAMES DANDILE

In reply to your request for further particulars I have to reply as follows:

1. Ad the Main and first Alternative charge:

At approximately 9.45 p.m. on the 1st of July, 1963, in Room 507 at Zone 16, Langa, which is occupied jointly by the accused, the Police found two pangas, a photo of Sobukwe and a document which the State maintain is a copy of the constitution of the P.A.C.

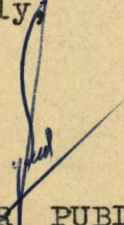
Accused No. 1 claimed ownership in these articles.

2. Ad second alternative:

It is alleged that both accused had possession of the pangas by virtue of the fact that they kept them in their room and more particularly as regards accused No. 1 through his claims.

3. The accused are charged jointly by virtue of the fact above and/or Section 12(6)(a) of Act 44 of 1950.

Yours faithfully,


SENIOR PUBLIC PROSECUTOR.

Alternatively by

THE STATE VERSUS:

(hereinafter referred to as the accused)

THAT the accused is guilty of the offence of contravening Section 10(1) read with Sections 10(3)(d)(i) and 10(4) of Act 54 of 1949.

IN THAT upon (or about) the 18th day of July 1963, and at or near Langa, in the district of Wynberg, and within the Regional Division of the Cape Peninsula, the said accused was wrongfully and unlawfully in possession of a dangerous weapon as defined by the said Section 10(3)(d)(i) to wit:

two pangas, ~~on~~ knives
with blades exceeding
3 1/2 inches in length
commonly known
as pangas.