

Date of sentence:

1965

Place of trial:

Port Elizabeth

Names of accused:

Mr. Eric Zuma
Mr. Llewelyn Yava
Mr. Richard Klass
Mr. Alfred Zambetha

Mr. Matthew Mpolongwana
Mr. Amos Zambetha
Mr. Milton Baleni
Mr. Welcome Duru

Laws under which charged:

Particulars of charges:

Participation in the bus strike in 1960 and membership in the banned African National Congress.

Sentences:

Four and a half years' imprisonment each.

Remarks:

The sentences were reduced to one year's imprisonment each, on appeal, by the Grahamstown Supreme Court in August 1966.

Date of sentence: 6 January 1965
Place of trial: Regional Court, Cape Town
Names of accused: Mr. Arthur McDillon

Laws under which charged:

Particulars of charges: Conspiring with Mr. F. T. Bardien, Mrs. Fatima Abduragman and others to help five alleged saboteurs-- Messrs. Abrahams, Cassiem, Daniels, Isaacs and Marsh-- to escape from Pollscoor prison in October 1964.

Sentence: Three years in prison.

Remarks: Mr. McDillon was a warder at Pollscoor prison.

Source: Cape Times, 7 January 1965

Date of sentence:

11 January 1965

Place of trial:

Cape Town

Names of accused:

Mr. Moegamat Toufie Bardiën
Mrs. Fatima Abduragman

Laws under which charged:

Particulars of charges:

Conspiring to help five political prisoners -
Messrs. Daniels, Cassiem, Abrahams, Marsh
and Isaacs - to escape from Follsmoor Prison.

Sentence:

Acquittal

Remarks:

Source: Cape Times, 12 January 1965

Date of sentence:

18 January 1965

Place of trial:

Durban Regional Court

Names of accused:

Mr. Subramoney "Jack" Govender
Mr. Ganesan "Coetzee" Naicker
Mr. Basil Weaich

Laws under which charged:

Particulars of charges:

Refusing to give evidence in the trial of
Mr. Kesval Moonsamy on charges under the
Suppression of Communism Act.

Sentences:

One year's imprisonment each.

Remarks:

Mr. Govender, Mr. Naicker and Mr. Weaich were brought to court as State witnesses. Mr. Govender refused to take the oath: he said he did not intend to give evidence against his friend and that his evidence might conflict with the statement he had made to the police while under detention and make him liable to the charge of perjury. Mr. Naicker and Mr. Weaich took the oath but refused to answer questions relating to communism.

Appeals to the Supreme Court were dismissed in April 1965 (See).

Source: Cape Times, 19 January 1965
Golden City Post, 18 April 1965 quoted in
Spotlight on South Africa, Dar es Salaam,
7 May 1965

Date of sentence: January 1965
Place of trial: Klerksdorp
Names of accused: Mr. Abdul Haffejee

Laws under which charged:

Particulars of charges: Smuggling a letter to his brother, who was being detained under 90-day clause, in a packet of biscuits.

Sentences: Fine of 100 Rand (\$140) or 100 days' imprisonment.

Remarks: Mr. Abdul Haffejee's letter sought to dissuade his brother from threatened suicide.

Source: South African News Features, 22 January 1965

Date of sentence: 8 February 1965

Place of trial: Cape Town

Names of accused: Mr. Ebrahim Saterdien

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contravening the provisions of a banning order and house arrest order by absenting himself from home.

Sentences: Thirty days' imprisonment.

Remarks: Mr. Saterdien pleaded guilty and said that he had gone to a bar for forty-five minutes to have a drink as he had been worried about financial problems. The banning order confined Mr. Saterdien to his home on weekends.

Source: Cape Times, 9 February 1965

Date of sentence:

12 February 1965

Place of trial:

Port Elizabeth

Names of accused:

Mr. Stanley Marwanga
Mr. Templeton Thonjeni
Mr. Clifford Hollo
Mr. Gullford Patsha
Mr. Canzibe Ngixiki

Laws under which charged:

Particulars of charges:

Five counts of arson and one of contravening the Suppression of Communism Act arising from the Port Elizabeth bus boycott of January 1961.

Sentences:

Found guilty on three counts and sentenced to four years and six months' imprisonment each.

Remarks:

The accused had been in custody from May 1964. In November 1964, seven were charged on five counts of arson and one of contravening the Suppression of Communism Act. Two were apparently acquitted.

Source: Cape Argus, 13 February 1965 quoted in Spotlight on South Africa, 26 February 1965

Date of sentence: 23 February 1965
Place of trial: Graaff-Reinet
Names of accused: Mr. Samuel Jonas
Mr. Molate Petse
Mr. Daniel Ngondeni

Laws under which charged:

Particulars of charges: Participation in the murder of Mr. Sipo Mange,
a State witness, on 12 January 1963.

Sentences: Death

Remarks: Pleading in mitigation, the defence counsel said that the accused had been ordered by the regional committee of Umkonto We Sizwe to kill Mr. Mange and that these committee members had already been executed for planning the killing.

Source: The Star, Johannesburg, 23 February 1965

Date of sentence: 24 February 1965
Place of trial: Cape Town
Names of accused: Mrs. Francina Mamfanya
Laws under which charged: Suppression of Communism Act

Particulars of charges: Contravening provisions of a banning order served on her in April 1961 by attending a funeral at which African National Congress songs were alleged to have been sung.

Sentences: Acquitted

Remarks: The judge said that there had been discrepancy in the evidence of the two African Special Branch men who were at the funeral.

Source: Cape Times, 25 February 1965

Date of judgement: 1 March 1965
Place of trial: Appeal Court, Bloemfontein
Names of appellants: Mr. Frederick John Harris

Laws under which charged:

Particulars of appeal: Appeal against death sentence imposed by lower court on 6 November 1964 in connection with a bomb explosion in the Johannesburg station in July 1964.

Judgement: Appeal dismissed.

Remarks: Mr. Harris was executed on 1 April 1965.

Source: Cape Times, 2 March 1965

Date of sentence:

9 March 1965

Place of trial:

Johannesburg

Names of accused:

Mr. Petros Motswane
Mr. Hector Kula
Mr. Hereniah Maekisane
Mr. Gideon Mzimba
Mr. Basi Motloug
Mr. Aaron Sakude
Mr. Kain Moraladi
Mr. Kitha Ngobese
Mr. Philemon Mcoco

Laws under which charged:

Suppression of Communism Act

Particulars of charges:

Membership in the banned Pan Africanist Congress.
Furthering the aims of the Pan Africanist Congress.

Sentences:

Mr. Motswane, Mr. Kula, Mr. Maekisane and Mr. Mzimba were sentenced to six years' imprisonment each on the two counts.

Mr. Motloug, Mr. Sakude, Mr. Moraladi, Mr. Ngobese and Mr. Mcoco were sentenced to three years' imprisonment each on the first count.

Remarks:

It was alleged that the accused, all prisoners in the Leeuwkop prison, had contemplated an escape from prison and a flight from South Africa to train in guerilla warfare.

Source: The Star, Johannesburg, 5 March 1965,
Rand Daily Mail, Johannesburg, 10 March 1965

Date of sentence: March 1965

Place of trial: Humansdorp

Names of accused: Twelve Africans

Laws under which charged: Suppression of Communism Act

Particulars of charges: Membership in the banned African National Congress, furthering its aims, collecting funds for the organization and allowing their premises to be used for illegal meetings of the organization.

Sentences: Acquitted.

Remarks:

Source: Golden City Post, Johannesburg, 14 March 1965, quoted in Spotlight on South Africa, Dar es Salaam, 26 March 1965

Date of judgement:

16 March 1965

Place of trial:

Supreme Court Cape Town

Names of appellants:

Mr. Lucas Bala	Mr. Melford Stuurman
Mr. Lizo Mtoto	Mr. Howard Marawu
Mr. Douglas Manqina	Mr. Joseph Sono
Mr. Moffat Putego	Mrs. Mildred Lesia
Mr. Mountain Qumbela	Mr. Basil Mpololo
Mr. Elijah Loza	Mr. George Mqunge
Mr. Joseph Ndabezitha	Mr. Dwashu Mqikela
Mr. Christmas Tinto	Mr. Simon Kamlashe
Mr. Bernard Huna	Mr. Albert Koko
Mr. Jackson Tayo	

Laws under which charged:

Suppression of Communism Act

Particulars of appeal:

Appeal on sentences imposed by lower court in August 1964 for terms of imprisonment ranging from three to six years for membership in the banned African National Congress and for taking part in its activities. They had been found to be members of the African Youth League, alleged to be a front for A.N.C.

Judgement:

The sentences on seventeen persons were set aside. The sentence on one of the others was reduced and the appeal of one was dismissed. Details are as follows: the seventeen whose sentences were set aside were Lucas Bala, Melford Stuurman, Lizo Mtoto, Howard Marawu, Douglas Manqina, Joseph Sono, Moffat Putego, Mrs. Mildred Lesia, Mountain Qumbela, Basil Mpololo, Elijah Loza, George Mqunge, Joseph Ndabezitha, Dwashu Mqikela, Christmas Tinto, Simon Kamlashe and Bernard Huna. The sentence of six years on Mr. Jackson Tayo was confirmed on the ground that "he was a member of the militant wing of the ANC and in fact received instructions in bomb-making."

The Supreme Court held that the State had failed to establish beyond a reasonable doubt that the Youth League was the same organization as the ANC or a branch or limb of the ANC.

Most of the prisoners had been arrested in 1963 and had been in jail since then. Mrs. Mildred Lesia and five others were on bail. Mr. Huna and ten others, who were in jail on Robben Island, were released on 23 March.

Mr. Elijah Loza was the first person to be held for a third term under the "90-day" clause of the General Law Amendment Act of 1963. He was charged only after the Leader of the Opposition had urged in Parliament that the Minister of Justice give attention to Mr. Loza's case.

Source: Cape Times, 17 23 and 24 March 1965;
A Survey of Race Relations in South Africa, 1963, p. 49

Date of sentence: 17 March 1965
Place of trial: Durban
Names of accused: Mr. Gangen Ponnen

Laws under which charged:

Particulars of charges: Refusing on 10 March 1965 to answer questions relating to activities of the South African Communist Party in the trial of Mr. Magashu Leonard Mdingi on charges under the Suppression of Communism Act.

Sentences: Twelve months' imprisonment.

Remarks: Mr. Ponnen had been a 90-day detainee. Bail of R50 was allowed pending an appeal.

Source: Cape Times, 18 March 1965

Date of sentence: 18 March 1965
Place of trial: Pretoria
Names of accused: Mr. Brian Sidney Bowers

Laws under which charged:

Particulars of charges:

1. Leaving South Africa without a permit
2. Giving a false name and address to a police officer

Sentences: Two years' imprisonment on the first count and fine of 60 Rand (or ninety days' imprisonment) on the second count.

Remarks: Mr. Bowers pleaded guilty on both counts. He had stated that he had left South Africa in October 1964 in order to go to the United Kingdom. He had not applied for a passport, feeling that an application was useless because of his past activities. He had been betrayed to the police in Zambia and sent back to South Africa as a prohibited immigrant.

Source: Cape Times, 19 March 1965

Date of sentence: March 1965

Place of trial: Grahamstown

Names of accused: Mr. Mbuyiselo Vikilahle
Mr. Elliott Stadi
Mr. Charlie Mbekela
Mr. Veli Ngwena
Mr. Joseph Booï
Mr. Edward Ngoyi
Mr. Henry Fazzi

Laws under which charged:

Particulars of charges: Burning down four schools in Kwazakele Location, Fort Elizabeth, on 31 March 1960.

Sentences: Mr. Vikilahle, Mr. Stadi, Mr. Mbekela, Mr. Ngwena and Mr. Booï, were sentenced to six years' imprisonment each, four years of each sentence to run concurrently with the sentences they were already serving. Sentences on Mr. Ngoyi and Mr. Fazzi (who was serving a twenty-year sentence on Robben Island) were postponed until a record of their previous convictions was available.

Remarks: The accused were all members of the African National Congress and were alleged to have decided to burn down the schools as a protest against the Bantu Education Act, the legislation requiring African women to carry passes and the declaration of the State of Emergency in 1960.

Source: Evening Post, Port Elizabeth, 20 March 1965, quoted in Spotlight on South Africa, 9 April 1965.

Date of sentence: March 1965

Place of trial: Pietermaritzburg

Names of accused: Mr. Jerry Kumalo

Laws under which charged: Suppression of Communism Act

Particulars of charges: Taking part in the sabotage activities of an unlawful organization, Umkonto We Sizwe, in the Durban area.

Sentences: Acquitted.

Remarks:

The Star, Johannesburg, 22 March 1965

Date of judgement:

22 March 1965

Place of trial:

Pretoria

Names of appellants:

Mr. Alphonse Jacquesson

Laws under which charged:

Suppression of Communism Act

Particulars of appeal:

Appeal against sentence of three months' imprisonment, two months of which was suspended for three years, imposed by lower court for contravening provisions of a banning order. (The order prohibited attendance at gatherings. Mr. Jacquesson was alleged to have played bridge with three friends on November 1964.)

Judgement:

Appeal dismissed.

Remarks:

Source: The Star, Johannesburg, 23 March 1965

Date of sentence: 22 March 1965

Place of trial: Grahamstown

Names of accused: Mr. Lungile Robert Hodi

Laws under which charged: Suppression of Communism Act

Particulars of charges: Sabotage and membership in a banned organization, Pogo.

The State alleged that he had conspired to commit armed insurrection, sedition, public violence and murder of Whites and members of the police forces in East London.

Sentences: Five years' imprisonment on the charge of sabotage and one year for membership in Pogo, the two sentences to run concurrently.

Remarks:

Source: The Star, Johannesburg, 23 March 1965

Date of sentence: 25 March 1965

Place of trial: Pretoria

Names of accused: Mr. Patrick Bephela

Laws under which charged: Suppression of Communism Act

Particulars of charges: Training abroad in guerilla warfare and sabotage in order to further the aims of the banned African National Congress.

Sentences: Ten years' imprisonment.

Remarks:

Source: The Star, Johannesburg, 25 March 1965

Date of judgement: 25 March 1965

Place of trial: Appeal Court, Bloemfontein

Names of appellants: Dr. Neville Alexander
and ten others

Laws under which charged: Suppression of Communism Act

Particulars of appeal: Appeal against conviction by lower court to
terms of imprisonment ranging from five to ten
years on the charge of sabotage.

Judgement: Appeal dismissed.

Remarks:

Source: Cape Times, 26 March 1965

Date of sentence: 29 March 1965

Place of trial: Johannesburg

Names of accused: Mr. Dayah Gopal

Laws under which charged: Suppression of Communism Act

Particulars of charges: Being in possession of three copies of New Age, a weekly that had been banned.

Sentences: One month's imprisonment, suspended conditionally for three years.

Remarks:

Source: Cape Times, 30 March 1965

Date of judgement:

April 1965

Place of trial:

Pietermaritzburg Supreme Court

Names of appellants:

Mr. Subramoney "Jack" Govender
Mr. Basil Weach
Mr. Ganesan "Coetsee" Naicker
Mr. Eric Singh

Laws under which charged:

Particulars of appeal:

Appeal against sentence of one year's imprisonment each imposed by Regional Court, Durban, for refusing to give evidence in the trial of Mr. Kesval Moonsamy in January 1965.

Judgement:

Appeal dismissed.

Remarks:

Source: Golden City Post, Johannesburg, 18 April 1965
quoted in Spotlight on South Africa, Dar es Salaam,
7 May 1965

Date of judgement:

1 April 1965

Place of trial:

Appeal Court, Bloemfontein

Names of appellants:

Mr. Louis Marious Schoon
Mr. Michael Ngubeni
Mr. Raymond James Thoms

Laws under which charged:

"Sabotage Act"

Particulars of appeal:

Appeal against sentences of twelve years' imprisonment each, imposed by lower court, on the charge of attempted sabotage.

Judgement:

Appeal dismissed.

Remarks:

Source: Cape Times, 2 April 1965

Date of judgement: 5 April 1965
Place of trial: Appeal Court, Bloemfontein
Name of appellant: Mr. Jakob Lebone

Laws under which charged: "Sabotage Act"

Particulars of appeal: Sentence of five years' imprisonment imposed by the Rand Supreme Court on the charge of throwing a petrol bomb at a municipal bottle store in Naledi, Johannesburg, on 30 July 1963.

Judgement: Appeal dismissed.

Remarks: The Rand Supreme Court found that Mr. Lebone, an uneducated African, had been a pawn who had been drawn into the act by others and had imposed the minimum sentence under the "Sabotage Act".

Source: The Star, Johannesburg, 5 April 1965

Date of sentence:

13 April 1965

Place of trial:

Johannesburg

Names of accused:

Mr. Abram Fischer
Mr. Ivan Frederick Scherbrucker
Mr. Eli Weinberg
Mr. Esther Barsel
Mr. Norman Levy
Mr. Lewis Baker
Miss Jean Middleton
Miss Anne Nicholson
Mr. Paul Henry Trehela
Miss Sylvia Neame
Miss Florence Duncan
Mrs. Molly Irene Doyle
Dr. Constantinos Gazidis
Mr. Hymie Barsel

Laws under which charged:

Suppression of Communism Act

Particulars of charges:

Membership in the Communist Party

Sentences:

Mr. Scherbrucker and Mr. Weinberg were sentenced to five years imprisonment each; Mrs. Barsel, Mr. Levy, Mr. Baker and Miss Middleton to three years each; Miss Nicholson, Mr. Trehela, Miss Neame, Miss Duncan and Mrs. Doyle to two years each; and Dr. Gazidis to one year. Mr. Barsel was acquitted.

The principal accused, Mr. Abram Fischer, had gone underground.

Remarks:

Six of those convicted -- Mr. Scherbrucker, Mr. Weinberg, Mr. Levy, Mr. Baker, Mrs. Barsel and Mrs. Doyle -- noted appeals. Their appeals were dismissed by the Pretoria Supreme Court on 31 August 1965.

Source: Cape Times, 14 April 1965

Date of sentence: 14 April 1965
Place of trial: Pretoria
Names of accused: Mr. Victor Mahlangu
Mr. Isak Masigo
Mr. Cylion Makaso
Mr. Corry Tyini
Mr. Joel Leballo
Mr. Phineas Mtotywa
Mr. Clement Mthemba

Laws under which charged:

Particulars of charges: Murdering in Baviaanspoort Prison a fellow convict whom they believed to be an informer who had given secrets of their group, the Pan Africanist Congress, to prison authorities.

Sentences: Mr. Mthemba was found not guilty and discharged. The six other accused were sentenced to death.

Remarks: The judge said the accused joined the group because they thought that, by turning themselves into political prisoners they could get to Robben Island where, according to the founder of the group, conditions were like heaven compared with Baviaanspoort Prison.

On 2 August 1965 the Appellate Division of the Pretoria Supreme Court rejected the applications of the six men for leave to appeal. They were executed on 19 November 1965.

Source: Cape Times, 15 April 1965; The Star, Johannesburg, 24 April 1965

Date of sentence: 23 April 1965
Place of trial: Cape Criminal Sessions
Names of accused: Mr. Sammy Petersen

Laws under which charged: "Sabotage Act"

Particulars of charges: Placing an electric-light bulb filled with inflammable fluid in a telephone booth at the Cape Town Post Office and setting it alight.

Sentences: On 23 April 1965, Mr. Acting Justice Tebbut and two assessors found Mr. Petersen to be mentally disordered and unfit to stand trial. they committed him to prison pending the State President's decision.

Source: Cape Times, 24 April 1965

Date of sentence: 28 April 1965

Place of trial: Cape Town

Names of accused: Mr. Leo Sihlali
Mr. Louis Mtshizana

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contravening the terms of banning orders served on them and attempting to leave South Africa without valid travel documents

Sentences: Mr. Sihlali was sentenced to two and a half years' imprisonment and Mr. Mtshizana to four and a half years.

Remarks: Mr. Sihlali was former President of the Non-European Unity Movement and Mr. Mtshizana an attorney.

Date of sentence:

May 1965

Place of trial:

Port Elizabeth

Names of accused:

Mr. M. Magxaki
Mr. Douglas Mtalana

Laws under which charged:

Suppression of Communism Act

Particulars of charges:

Five counts under the Act

Sentences:

Mr. Magxaki was sentenced to ten years' imprisonment and Mr. Mtalana to nine years.

Remarks:

Date of sentence:

May 1965

Place of trial:

Grahamstown Supreme Court

Names of accused:

Mr. Harry Mathebe
and twenty-two others

Laws under which charged:

Suppression of Communism Act

Particulars of charges:

Taking part in the activities of the banned
Pan Africanist Congress.

Plotting violence

Sentences:

Ten of the accused were acquitted.

Thirteen of the accused were sentenced to
terms of imprisonment ranging from five to
fifteen years.

Mr. Mathebe, described as the leader of the
movement, was sentenced to fifteen years.

Remarks:

Date of sentence: May 1965
Place of trial: Zeerust
Names of accused: Mr. Theo Moatse

Laws under which charged:

Particulars of charges: Possession of a banned publication --
South Africa Yesterday and Tomorrow by
Bishop Ambrose Reeves.

Sentences: Cautioned and discharged.

Remarks: Mr. Moatse pleaded guilty.

Date of sentence: May 1965

Place of trial: Addo

Names of accused: Mr. Gladman Bekwayo

Laws under which charged: Suppression of Communism Act.

Particulars of charges:

Sentences: Five years' imprisonment

Remarks: Mr. Bekwayo had been detained since July 1963.
Source: Cape Times, 17 June 1965

Date of sentence: May 1965

Place of trial: Pietermaritzburg Supreme Court

Names of accused: Fourteen Africans

Laws under which charged: Suppression of Communism Act

Particulars of charges: Leaving the country for the purposes of military training.

Sentences: Eleven of the accused were sentenced to eight years' imprisonment each and two to seven years each. Another accused was acquitted.

Remarks: The accused had completed sentences of two years' imprisonment each for having left South Africa without passports. They were charged again under the General Law Amendment Act which is retroactive and provides for sentences of five years' imprisonment to death penalty for leaving the country for military training.

Source: Sunday News, Dar es Salaam, 23 May 1965
quoted in Spotlight on South Africa, Dar es Salaam,
28 May 1965

Date of sentence: May 1965
Place of trial: Durban
Names of accused: Mr. Stephen Dhlamini
Laws under which charged: Suppression of Communism Act

Particulars of charges: Membership in the illegal Communist Party.

Sentences: Two years' imprisonment.

Remarks: Mr. Dhlamini was then serving a sentence of four years' imprisonment on the charge of membership in the banned African National Congress. He was the President of the South African Congress of Trade Unions.

Source: South African News Features, London, 21 May 1965 quoted in Spotlight on South Africa, Dar es Salaam, 28 May 1965

Date of sentence: 4 May 1965

Date of trial: Cape Town

Names of accused: Mr. Elijah Loza

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contravening a "house arrest" order served on him.

Sentences: One month's imprisonment, suspended for a year.

Remarks: Mr. Loza, an African trade union leader, told the Court that he had misunderstood the order and had left the house on a Sunday to report to the police.

Source: Cape Times, 5 May 1965

Date of sentence:

4 May 1965

Place of trial:

Grahamstown

Names of accused:

Mr. Terence Beard

Laws under which charged:

Suppression of Communism Act

Particulars of charges:

Contravention of banning order forbidding attendance at gatherings

Sentences:

One year's imprisonment, suspended for three years.

Remarks:

Mr. Beard, a leader of the Liberal Party, had been in the kitchen of a house where a party was being held and the guests came to see him one at a time.

Source: Evening Post, Port Elizabeth, 4 May 1965, quoted in Spotlight on South Africa, Dar es Salaam, 21 May 1965

Date of sentence: 7 May 1965
Place of trial: Humansdorp
Names of accused: Mr. Tommy Charlieman

Laws under which charged: Suppression of Communism Act

Particulars of charges: Several counts in connexion with membership in the banned African National Congress

Sentences: Total of eight years' imprisonment.

Remarks:

Source: Evening Post, Port Elizabeth, 7 May 1965
quoted in Spotlight on South Africa, Dar es
Salaam, 28 May 1965

Date of sentence: 17 May 1965

Place of trial: Cape Town

Names of accused: Miss Ethel Anne Tobias

Laws under which charged: Suppression of Communism Act

Particulars of charges: Contravening banning order served on her by attending a braaivleis (barbecue) with two friends.

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

Remarks: Miss Tobias, a social worker, was former editor of the Liberal newspaper Contact.
The judge held that the braaivleis constituted a gathering.
An appeal was dismissed in September 1965

Source: The Star, Johannesburg, 17 May 1965

Date of sentence: 18 May 1965
Place of trial: Cape Town
Names of accused: Mr. Samuel Malkison

Laws under which charged: Suppression of Communism Act

Particulars of charges: Possession of back copies of two journals, New Age and Fighting Talk, as well as a map from New Age, which had been banned subsequently.

Sentences: Thirty days' imprisonment, suspended for two years.

Remarks: Mr. Malkison (born around 1896) a bookkeeper, said that he had kept copies of these journals before they had been banned and had destroyed them after the bans, but had overlooked some copies because of the confusion of the literature in his room.

Source: Cape Times, 19 May 1965

Date of sentence: 21 May 1965

Place of trial: Pietermaritzburg

Names of accused: Mr. Robert Harold Strachan

Laws under which charged: Suppression of Communism Act

Particulars of charges: Acts of sabotage

Sentences: Found not guilty and acquitted

Remarks: Mr. Strachan served an earlier sentence of three years' imprisonment, and had been brought to trial shortly before his release.

Source: Cape Times, 22 May 1965

Date of sentence:

24 May 1965

Place of trial:

Port Elizabeth

Names of accused:

Canon James Calata

Laws under which charged:

Suppression of Communism Act

Particulars of charges:

Contravening the banning order served on him by failing to report to the police.

Sentences:

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

Remarks:

Canon Calata of St. James Mission, born around 1885, was a former secretary-general of the African National Congress. He had been charged in the Treason Trial of 1956 and acquitted.

Date of judgement:

2 June 1965

Place of trial:

Appeal Court, Bloemfontein

Names of appellants:

Mr. Sedick Isaacs
Mr. Achmed Cassein
Mr. Abdurrahman Abrahams

Laws under which charged:

"Sabotage Act"

Particulars of appeal:

Appeal against sentences from 12 years to 5 years of imprisonment imposed by the Cape Town Supreme Court on 2 December 1964 on charges of sabotage and possession of explosives.

Judgement:

Appeal dismissed.

Remarks:

Source: Cape Times, 3 June 1965

Date of sentence:

15 June 1965

Place of trial:

Magistrate's Court Cape Town

Names of accused:

Mr. Isak Vallie
Mr. Abdurrahman Jattien
Mr. Suleiman Ismail Vallie

Laws under which charged:

"Sabotage Act"

Particulars of charges:

Acts of sabotage

Sentences:

On 15 June 1965, the charges against Mr. Isak Vallie and Mr. Jattien were withdrawn.

The charges against Mr. Suleiman Ismail Vallie were altered to unlawful possession of explosives and attempting to defeat the ends of justice. He pleaded not guilty and was remanded. On 15 August he was sentenced to one year imprisonment on the first charge of possessing explosives and found not guilty on the second.

Remarks:

Source: Cape Times, 16 June 1965; 11 August 1965

Date of sentence:

28 June 1965

Place of trial:

Rand Criminal Sessions

Names of accused:

Mr. Henry Gordon Makgothi, 37
Mr. Samson Fadana, 41
Mr. Michael Mahlangu, 21

Laws under which charged:

Suppression of Communism Act

Particulars of charges:

Encouraging men on behalf of the African National Congress to go to the United Republic of Tanzania to train as freedom fighters.

Sentences:

Mr. Makgothi and Mr. Fadana were sentenced to six years' imprisonment and Mr. Mahlangu to five years.

Remarks:

The three accused had already served two years' imprisonment each as punishment for leaving the country. They were members of a group of 37 people, all associated with the ANC which had left the Republic at the end of February 1963.

Leave to appeal was refused on 29 June 1965.

Source: The World, Johannesburg, 29 June 1965,
30 June 1965

Date of sentence: 29 June 1965
Place of trial: Cape Town
Names of accused: Mr. Mountain Qumbella
Laws under which charged: Suppression of Communism Act
Particulars of charges: Contravening a banning order served on him in 1963
Sentences: Six months' imprisonment, suspended for three years.

Remarks:

The State claimed that he had taken work at a factory though the banning order had prohibited him from working in any factory. The defence stated that Mr. Qumbella had been detained under the 90-day clause in June 1963 soon after the banning order had been served on him, and had been kept under detention until December 1964. The banning order had been taken away from him before detention and had not been returned to him after release. He had requested in writing a copy of the banning order in January 1965 and had been informed that the matter was receiving attention. Meanwhile, since he could not remember all the prohibitions contained in his banning order, he had taken up employment in a timber factory.

Source: Cape Times, 25 June 1965, 30 June 1965