



CPDH COMISION PERMANENTE DE DERECHOS HUMANOS DE NICARAGUA

Region V Events and Aristides Sánchez Case Nicaragua, November, 1990

BRIEF BACKGROUND

One of the greatest accomplishments of the new Nicaraguan Government, presided over by Mrs. Violeta Barrios de Chamorro, was to obtain peace in really short period.

Nicaraguan Resistance (contras), that during more than nine years had fought militarily against the Sandinist Front government, put aside their weapons before the authorities of the new government, in July, 1990. The new Government had previously made a series of commitments to obtain the disarming and the demobilization of the same. Amongst these commitments the ones that were emphasized were: land grants, technical assistance and financing for the demobilized, establishing of "Development Settlements" wherein those demobilized would be placed, social programs and economic assistance for war widows and orphans on Nicaraguan Resistance side; social and economical assistance for war crippled, employment in the Ministries related to these programs for the Nicaraguan Resistance former members and the establishment of a Rural Police force that would work in the "Development Settlements" and in some of the demobilization places.

The demobilization and disarming was performed by Multi-national UN Forces (ONUCA).

On the South west side of Nicaragua, approximately three hundred kilometers from Managua, two demobilization centers work, one of them in the rural community (Agricultural Colony) called Yolaina, ten kilometers from the Nueva Guinea Town, in the Independent Region of the South Atlantic, and the other, in the same area, in the El Almendro Town, Río San Juan territory, which was established as one of the Development Settlements.

Both in Yolaina and in the El Almendro, Rural Police bodies were formed, integrated by former members of the Nicaraguan Resistance. In Yolaina, the Rural Police Force consisted of fifty (50) members under the orders of Erwin Barberena aka: Commanding Officer "Oscar". In El Almendro the Rural Police force consisted of fifty members, under the orders of former member of the Nicaraguan Resistance, now with the rank of Captain, Francisco Lagos. Both police forces are

subordinated to the (Ministerio de Gobernación before Ministerio del Interior) Department of the Interior, whose Secretary is Carlos Hurtado, Engineer.

The V Region of Nicaragua consists of the Boaco and Chontales Departments, and administratively, also covers the Nueva Guinea, the El Rama and the El Almendro areas. The Department of the Interior has Mr. Joaquín Lovo, as Civil Representative. The V Region's Capital is Juigalpa. Excepting Yolaina and El Almendro, which have a Rural Police Force, on the remaining region there's a National Police Force, which was the same Sandinist Police, that keeps its structures untouched.

The Nicaraguan Resistance demobilized twenty-one thousand members. In the V Region six thousand five hundred (6.500) Nicaraguan Resistance members were demobilized and handed in their weapons. They initially remained in the demobilization places, but afterwards began to return to their place of origin.

The demobilized people were being helped by the Organization of American States Support and Verification International Committee (CIAV-OEA) that administers the International Development Agency (IDA) funds for the same.

In the place known as El Oyate, 170 kilometers from Managua, were placed around four hundred (400) war crippled from the Nicaraguan Resistance, who are living in tents.

Since August, 1990, the demobilized people complained that the government had them abandoned, since no social program had been implemented in their behalf, in accordance with the commitments made and they pointed out that some land had been given to them, only, and no technical assistance and that in said lands, there were usually people who had precarious possession of them or settlers who were linked to Sandinist Cooperatives.

YOLAINA'S EVENTS

On the Twenty-fourth day of October, Nineteen Ninety, the Secretary of the Department of the Interior ordered that Yolaina's Rural Police Force was disarmed. The one res-

possible for such police force, Ervin Barberena "Commanding Officer Oscar" was summoned to the Department of the Interior offices, in the City of Juigalpa, Capital of the Chontales District, where he was the Sandinist Popular Army turned up in the Yolaina Town where they proceeded to disarm all the locality's Rural Police Force.

The Department of the Interior argued that the Yolaina's Rural Police Force members were committing irregularities, such as "cattle theft", not giving many explanations.

During the disarming of the Rural Police Force members, several warehouses in Yolaina, where there was food, working tools, clothes and shoes, which were parts of CIAV-OEA's aid for the demobilized people, were burnt.

Commanding Officer Oscar had a wide support amongst Yolaina's country people, for which reason the people of the place decided to request that he was restored to his office and they turned down every possibility that the National Police troops (Sandinist) would come again to take charge of the order in the locality.

On the Twenty-ninth (29) day of October, 1990, some three hundred people from Yolaina decided to go to New Guinea to demand the restoration of Commanding Officer Oscar to his office, but at the town's outskirts they were intercepted by the military forces combined with the National Police, the El Almendro Rural Police and the Army which blocked the way and dispersed the demonstrator "shooting to the ground". As a product of this shooting, six countrymen were wounded and Isidro Orozco Molinares, a countryman who was going in the demonstration, was killed.

These events stir up both Yolaina's people and other neighboring agricultural colonies' people who decided to take their protests to New Guinea, which is the main town of the area.

NEW GUINEA EVENTS

Starting on the Fifth day of November, 1990, hundreds of persons coming from the agricultural colonies, next to New Guinea and also from the same locality, began to meet at night, in said town's central park to demand that Ervin Barberena "Oscar" was restored to his office as Chief of Yolaina's Rural Police Force and also the compliance by the Government of the commitments made before the demobilization of the Nicaraguan Resistance members was began to be requested.

Commanding Officer "Oscar", together with other demobilized people from the Nicaraguan Resistance, on his side, entered the Catholic Church premises, located across the street from the New Guinea park, where he went in a hunger strike.

Protests began to be more arrogant on the November 6 and 7. Every night were organized public demonstrations that went through the streets of the town shouting watchwords against

the government, also small barricades started to be built, that's to say, obstacles on the four corners of the park.

On the night of November 8, around two thousand (2.000) individuals had gathered at the New Guinea park, to take part in the protests and went through the town in different directions, approximately around ten p.m., groups of civilians Sandinist sympathizers, also had gathered and organized and came to the park's surroundings to throw some stones, which also were answered by the protesting people. A little while after, the park was surrounded by the National Police Force (Sandinist) and people of the Army pertaining to the Pedro Altamirano battalion (The Pedrones) who attacked the demonstrators with tear gas bombs and afterward, with musket shots and even with bayonets, causing numerous killed and wounded.

The first official reports from the Department of the Interior pointed out that the Police troops had been attacked with grenades and had to defend themselves and that several armed civilians had taken refuge in the Catholic Church.

The investigations carried out by the CPDH indicate that the demonstrators were disarmed and that were brutally attacked by the Police and the Army, that some of the wounded individuals were given the final stroke, and that at dawn, on November 9, military vehicles collected the corpses that had remained on the park or its surroundings. Even though that the CPDH was able to establish the death of six individuals, it's feared that the number of dead is higher, since there are numerous persons that have disappeared, after the events.

The CPDH investigations indicate that, the individuals that were in the Church and other that took refuge in the same were disarmed, which was verified by the CIAV-OEA's member who searched the place when it was occupied and after the same. The CPDH was informed that only a small pistol without magazine was found.

Amongst the killed there are the following individuals: **José Henríquez Suazo, Apolinar González Sevilla (died decapitated), Rafael Miranda, Victorino Galeano Mena, José Suazo Rodríguez and Jamilette Rojas Urbina.**

Amongst the wounded, there are the following individuals: **Santos Jirón, Agustín Jaime, Cecilio Urbina Bello, Julio Cruz Ramírez, José Angel González, Felipe Oporta Centeno, Danilo Alvarez Saballos, Feliciano Gutiérrez, Rubén Miranda Sánchez, Andrés García Gaitán, Oniz Hernández Velásquez, Francisco Suárez Flores, Gregorio Cano Osorio, Julio González Robleto, Modesto Palacios Sánchez, Edilio Miranda García, Narciso Méndez, Ojeda, Julio Rivas, María Angélica García, Oscar Ortiz González, Lorenzo Pérez Meza, Freddy Saavedra, Silverio Mendoza Palacios, Noel Martínez Sáenz, Silverio Orozco, Juan Sánchez Dávila, Florencia Alemán, Luis López, Agustín Miranda Sánchez, Santiago Amando.**

Amongst the individuals disappeared are: **Ventura Flores, Evelio Suazo Martínez, Margarito Suazo, Noel Izaguirre, Nicasio Ulía Rivera, Hilario Orozco, Leopoldo Valle Arauz, Ismael Morales Talavera.**

Furthermore, the CPDH was able to verify that at least one woman was sexually violated by the Army troops that captured her, and before violating her, she was brutally beaten and after being violated she was thrown to a precipice. Later she was placed as in-patient in an center of medical attention under CIAV-OEA's care.

On November 10, the Nicaraguan Ex-Resistance leaders, who were in the Catholic Church of New Guinea, surrendered themselves to the Police authorities, in the presence of the CIAV-OEA's Representatives, Ervin Barberena (Oscar), José Castello López (Ramakay) and another individual known with the pseudonymous of "El Cateado", only were captured, all of them were taken to City of Juigalpa jails, in the Chontales District.

Parallel to New Guinea's events, occupations or captures of sections of the road to the City-Port of El Rama began.

These "captures" of the road consisted in blocking the asphalted line, at the entrance of several towns, using stones, trees, scarp metal from vehicles, etc.

Apparently, these blockades arouse spontaneously, and in charge of the same, there were demobilized people from the Nicaraguan Resistance who obviously had the support of the local settlers who were in charge of feeding them.

Between November 6 and 10, the road between the Las Palmas Community (153 Km.) up to El Rama (300 Km.) was blocked, setting up obstacles in the main towns alongside the road. The initial complaints were the compliance of the promises made to the Nicaraguan Resistance to attain its disarmament.

The Majors of the majority of the municipalities, of the V Region, wherein the Sandinist Party was demolished in the elections, gave their support to the requests of the Nicaraguan Resistance members, and it was integrated a movement called "Lets Save Democracy", wherein beside the compliance of the Agreements for the demobilization, it was requested the disarming of the Sandinist civilians from the region, the demilitarization of the area and the resignation of several government officers, amongst others, the removal from office of the Commanding Officer, Humberto Ortega Saavedra as Chief of the Army, the resignation of the Cabinet Minister, Carlos Hurtado and the resigantion of the Assistant Secretary of the Department of the Interior in the Region, Mr. Joaquín Lovo.

A Committee, of the Majors had an interview with the President, Violeta Barrios de Chamorro, on November 10, in the City of Managua to invite her to take part in a meeting in the Muelle de los Bueyes Town located two hundred and fifty (250) kilometers from Managua on the Rama Road. Initially, the President accepted the invitation, but later on, through an "Official Announcement" expressed that she would only go if the obstacles were taken off the road. Furthermore, it was offered that on November 21, she would be present with her Cabinet in Juigalpa.

On Sunday, the Eleventh day of November, the entrance and outskirts of the City of Juigalpa and from the Tecolostote Municipality was obstructed.

A CPDH Committee that was visiting the area, on the Eleventh day of November, was able to verify that in some "barricades" such as "El Puente de Lóvago" and in the entry of Santo Tomás Municipality, thousands of persons assembled together with the Resistance members to wait for the arrival of the President. Besides the complaints of the compliance of the commitments, support messages in behalf of Mrs. Violeta Barrios Chamorro could be observed.

It's evident, that with the setting up of these barricades and when not allowing the traffic of vehicles the right to circulate and to work of the population's sectors who were't taking part in the protests, where being violated.

INCIDENTS IN EMPALME OF BOACO

On the Twelfth day of November, a group of approximately two hundred individuals tried to block the Empalme of Boaco, which is the entrance on the main road to this District. The Empalme of Boaco named is located eighty (80) kilometers of Managua on the road to Juigalpa. these individuals were attacked by antimilitary troops who moved by land and also from two Sandinist Popular Army helicopters, from which they threw tear gas bombs, the young man, Francisco Rodríguez Brizuela was wounded receiving a shot near the right shoulder. Many individuals were arrested and beaten; but were freed some minutes later.

OTHER ACTIONS

While this was taking place, in the V Region, in other Regions of the country, movements supporting the demobilized requests, were appearing.

In the La Concepción Municipality (La Concha), Masaya District, other demobilized had blocked the entry to the Town and had some soldiers from the Police and some civilians settlers, who were freed shortly afterwards, as hostages.

In the City of Bluefield, in the Atlantic Sector of the country, the Major's Office and the "Zinica Radio" Radios Station facilities "were taken".

In the Cities of Masaya and Managua different Catholic Churches places were "taken" and the occupants went in a "hunger strike".

In the Northern Jinotega District the entries to different Municipalities were blocked.

In all the cases, besides supporting the Nicaraguan Resistance complaints, those who took part in the protests included their own additional complaints.

BOACO'S EVENTS

On the Fourteenth day of November, 1990, a group of demobilized from the Nicaragua Resistance tried to block the entry to the City of Sébaco, in the Matagalpa District, located one hundred kilometers North from the City of Managua, on the Pan American Road.

Approximately thirty-five (35) persons had placed themselves on the bridge, which is located at the entry of the City and that it has an extension of approximately fifty (50) meters. The bridge was blocked in the South side with a line of police members and on the North side with three lines of antimutiny policemen armed with shields, tear gas bombs and muskets.

The antimutiny policemen began to throw tear gas bombs to those who were on the bridge and, suddenly, two fragmentation grenades exploded at the same time, between the second and third line of the policemen, causing the death of four of them and wounded other sixteen policemen.

The policemen, killed due to the grenades' explosion are: **Livio Figueroa Torres, Norman Aguilar Méndez, Carlos Allan Har, and José Adán Medrano Aguilar.**

That same night were arrested the following former members of the Nicaraguan Resistance: **Rufo Zeledón Castilblanco (Rolando), José Francisco Vargas Masis (Jullto), Pedro José Romero (Mediano), Tomás Reynerio Gutiérrez (Menianón) and Abel Villega Amador** all of whom were transferred to the jails of the former State Security o Managua, known as El Chipote.

THE CASE OF ARISTIDES SANCHEZ HERDOCIA

On Thursday November 15, of this year, Doctor Aristides Sánchez Herdocia, former member of the Body of Nicaraguan Resistance Directors and Adviser of the organization called "Nicaraguan Resistance Civic Organization", which is the political-civic organization where the Resistance demobilized people has agglutinated, was arrested by elements of the National Police Force.

This Commission received accusations that indicated that, at the time of Mr. Sánchez Herdocia arrest, those who arrested him placed on his home two fragmentation grenades and took a picture of them to have them as "evidence".

Mr. Aristides Sánchez was taken to the El Chipote jails, now called "National Police Instruction."

Doctor Aristides Sánchez wife, Mrs. Cecilia Sánchez (nee: Rodríguez) had a meeting, on Friday, Sixteenth of November, 1990, with the Secretary of the Department of the Interior, Carlos Hurtado and after said meeting she proclaimed, before several communication means that the Secretary had made a proposal to free her husband and in exchange he should remain out of Nicaragua during the six years of the new Government Administration.

This same day, Friday Sixteenth of November, Doctor Aristides Sánchez was visited in jail by his wife and by José Angel Montiel, M.D., who reported that the prisoner had cardiac ailment, according to electrocardiogram made, that he suffered from hypertension, and that furthermore, he suffered from a hiatal hernia on the esophagus for which reason he recommended that Doctor Sánchez was taken to a Center of Medical Attention to be medically attended.

On Saturday the Seventeenth day of November, in the morning, Mr. Sánchez Herdocia was taken to a Managuan Military Hospital named "Alejandro Dávila Bolaños" where his wife visited with him at noon, being able to get him something to eat.

Approximately at six p.m., of the same Saturday, a niece of Mr.

Aristides Sánchez saw him when they were taking him out of the Hospital to take him to El Chipote jails again.

Mrs. María Cecilia Sánchez (nee: Rodríguez) got to see him again that Saturday, approximately at seven thirty p.m. (7:30 p.m.) and as she reported it, she found him "as if he was drugged, since he didn't recognized her and she had to tell him, whispering, whom she was, "Your wife", that he told her that he had been handed over to the Sandinists, that they were torturing him, that they took him out of a cell and they put him in other. During this visit, obtained at the las minute, Mrs. Sánchez arrived at El Chipote with a member of the "Cardinal Obando Verification Commission", but he wasn't allowed to see Mr. Sánchez.

From that time on, Mrs, Sánchez was obsessed about obtaining his freedom, even if she had to take him out of the country. For that purpose, she requested the intervention of the CIAV-OEA's members, but after they communicated with the Secretary, Carlos Hurtado, they waited for an answer.

On Sunday the Eighteenth (18) day of November, Mrs. Cecilia Sánchez (nee: Rodríguez) asked different persons to intercede in behalf of Aristides' freedom.

Said Sunday the Eighteenth (18) day of November, an official announcement from the Presidency of the Republic Information and Press Secretary's Office, made it known that a big plan to subvert the nation's order had been discovered and that who headed said plan was Mr. Aristides Sánchez. That the plan had already been aborted and those implied would be prosecuted, without giving many details on said plan.

On the night of said Sunday, Mrs. Cecilia Sánchez received a phone call from a person, who was her friend who told her that she had talked with Violeta Barrios and that Mrs. Barrios had agreed to free Doctor Sánchez Herdocia, if his wife would request it in written, pointing out that he would receive medical care abroad.

CPDH officers had requested, since Friday Sixteenth of November, to be allowed to visit with the prisoner. High officers from the Department of the Interior had stated that

the visit would be allowed, but the visit was never concretized.

On Monday Nineteen (19) of November, in the afternoon, Mr. Aristides Sánchez left the El Chipote jail to head for the Managua's International Airport, where he would take an airplane to take him to Miami City, in the United States of America.

On the night of the same Monday Nineteen (19) of November, the government offered a press conference in which, officers from Presidency of the Republic Information and Press Secretary's Office and civilian and military officers from the Department of the Interior military officers from the Department of the Interior were present. In said conference, it was asserted that Doctor Aristides Sánchez had not been compelled to leave for exile, but that the government had agreed to a request from him and another from his wife to get medical care out of the country.

On his side, the military officer read the "declaration" given by Mr. Sánchez in the El Chipote jails wherein he accepted that he was part of a plot against the government and involved in said plot well-known political leaders, the Vice President of the Republic Virgilio Godoy, the President of the National Trust Democratic Party (Partido Democrático de Confianza Nacional) (PDC), Agustín Jarquín Anaya, and the Congresswoman for the same Party, Azucena Ferrey, amongst others.

High officers of the Department of the Interior have asserted subsequently, that the cause against Doctor Aristides Sánchez Herdocia continues open and that the investigations record will be delivered to the Criminal District Attorney's Office, for its due processing in the Court of Justice.

On November Twenty-five (25), 1990, a military convoy, powerfully armed was displaced towards the V Region road, to "clean" said road from obstacles, which they attained without finding much resistance.

On Wednesday, November 21, 1990, the President of Nicaragua, together with her full cabinet went to the City of Juigalpa in Chontales District where, in the presence of the Majors of the V Region, committed herself, amongst other things to: eliminate fifty per cent (50%) of the military units existing in the Region, 18 units will be eliminated, to reduce in one forty per cent (40%) the number of officers from the Department of the Interior and from the Army, in the region. To carry out the disarmament of the Sandinist civilians and to hand thirty-five thousand (35.000) city blocks of land to the Resistance members, additional to the lands already handed in and to free all the Nicaraguan Resistance demobilized people who had been arrested due to the reported events.

Simultaneously, all the conflict sources, on different areas of the nation, were solved.

The Nicaraguan CPDH has issued the attached pronouncement, concerning these events.

Managua, November 20, 1990.

NICARAGUAN PERMANENT COMMISSION ON HUMAN RIGHTS

PRONOUNCEMENT

The Nicaraguan Permanent Commission on Human Rights, in presence of the so called "Region V Events" and in, the presence of Doctor Aristides Sánchez Herdocia case, states the following"

That, according to investigations carried out by this Commission, on November 9, of this year, the National Police Forces and the Sandinist Popular Army forces brutally repressed a public demonstration in the New Guinea Town, provoking six death and tens of wounded and arrested people, besides the leaders of the Ex Nicaraguan Resistance: Ervin Barberena (Oscar), José Castellón López (Ramakay) whom, todate, continue to be arrested without concrete charges having been brought upon them, in open violation of their rights as citizens.

That, on Wednesday November 14 of this year, on the bridge located at the entry of the City of Sébaco, in the Matagalpa District, a deplorable event took place where four Police members lost their lives and another seventeen were wounded, as product of the explosion of two fragmentation grenades that exploded amongst the Police troop when said police troop was throwing tear gas bombs against civil persons that were interrupting the vehicle traffic in support of the petitions of the Nicaraguan Resistance former members. This Commission continues investigating this event, since there are different versions on who made said grenades explode.

As a product of these events, the following Nicaraguan Ex-Resistance leaders were arrested" Rufo Zeledón Castilblanco (Rolando), José Francisco Vargas Masís (Julito), Pedro José Romero (Mediano), Tomás Reynerio Gutiérrez Calderón (Medianón), Abel Villega Amador, all of whom remain arrested without having brought concrete charges against them.

That on Thursday November 15 of this year, was pompously captured, by Police elements, Doctor Aristides Sánchez Herdocia, Political Adviser for the Nicaraguan Resistance Civic Organization.

That according to declaration of relatives of the same, the elements that participated in his capture placed fragmentation grenades, on different places of the home where he was in, which were photographed by the same policemen. This Commission regrets greatly the way it has been treated the case of Doctor Aristides Sánchez, who was arrested without bringing charges against him, and that according to his wife public declarations was subjected to ill-treatment and psychological torture, compelling him to leave the country, in a badly disguised plot, in open violation of the International Convene on human rights matter, particularly the violation of Article 22 of the American Declaration On Human Rights, or

San José Treaty, that forbids, expressly, that the citizens are banished from their countries.

On Monday November 19, of this year, a National Police Officer read a declaration, supposedly made by Mr. Aristides Sánchez, wherein he is involved with well-known civic leaders from the country in actions against the government.

Under this circumstances, this Commission resolves:

1. To request from the Government of the Republic the immediate freedom of all the persons arrested due to these events.

2. To reject the accusations made against civic leaders from different political parties since there are based upon a declaration made by a prisoner under the well-known methods of pressing and repression from the Sandinist Government State Security, the structure of which continues untouched under the new Government.

3. To condemn the New Guinea actions and ask for a severe and impartial investigation of the same, in order to determine the responsibilities and the penalties for these crimes.

4. In the face of the serious situation of human rights in our country, that are revealed by this actions and the other actions that have taken place before, without the authorities having done any justice, these responsible for them remaining unpunished and the Government having accepted the Inter-American Court of Human Rights jurisdiction, by Decree Number 3-90 of April 25, 1990, published in the Official Newspaper Number 99 of May 17, of the same year, we

request from the Government that it proceeds immediately to formalize this acceptance by filing the respective note with the Secretary to the American States Organization, so that the Nicaraguan Citizens have the opportunity of resort to an impartial organization in defense of their Human Rights.

Managua, November 21, 1990.

All the cases presented in this report are true to the best of our knowledge and understanding and are supported by statements and testimonies that are duly signed by the victims of the violations or by their relatives.

The CPDH is a civic, non governmental, non profit organization, that has been working since 1977 to promote the defense of the human rights of the nicaraguan people.

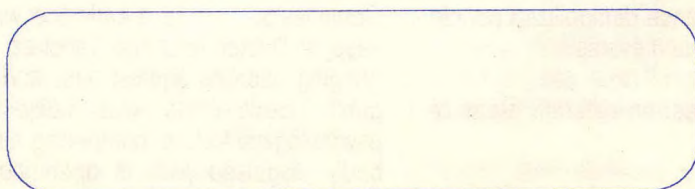
The following nicaraguans citizens serve on the board of the CPDH: Eduardo Rivas Gasteazoro, Oscar Herdocia Lacayo, José Castillo Osejo, Norman Caldera Lacayo, Lino Hernández Trigueros, Nicolás Bolaños Geyer, Digna Zamora de Corea, Carlos Huembes Trejos, César Vivas Rojas, Julio Ycaza Tigerino, Xavier Zavala Cuadra, Oswaldo Mondragón y Andrés Zúñiga Mercado.

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