

IN THE SUPREME COURT OF SOUTH AFRICA  
(CAPE OF GOOD HOPE PROVINCIAL DIVISION)

In the Matter of the Petition between:

SAM KAHN.

Applicant.

and:

J. DE VILLIERS LOUW

First Respondent.

and:

CHARLES ROBERTS SWART,  
in his capacity as Minister  
of Justice in the Govern-  
ment of the Union of South  
Africa.

Second Respondent.

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AFFIDAVIT.

I, ADAM MATIE, do hereby make oath and state:

1. I was the Chairman of the Port Elizabeth District of the Communist Party of South Africa at the time of the dissolution of the Communist Party.
2. The resolution for the dissolution of the Communist party of South Africa was endorsed, approved of and assented to by a duly convened General Meeting of the members of the Port Elizabeth District of the Communist Party of South Africa on the 7th June 1950. This meeting was attended by Mr. Moses Kotane, General Secretary of the Communist Party of South Africa.
3. In pursuance of the resolution of the Central Committee of the 7th May 1950 and the affirmation and endorsement by the Central General Meeting of the members of the District Committees which agreed thereto, the Port Elizabeth District and every group and branch thereof forthwith and prior to the passing of the Suppression of Communism Bill by Parliament, lawfully disposed and divested itself of all its funds and

property including all rights and documents. All employees were paid off and their contracts of employment forthwith lawfully terminated, all telephones were cancelled, all records were destroyed and all liabilities of whatsoever nature lawfully discharged.

4. The above decisions were unanimously accepted and approved, and no former members have ever protested against, objected or dissented from the above decisions or the execution of the decisions.

.....  
A. NATIE.

SWORN TO AT PORT ELIZABETH this 16th day of September 1950,  
BEFORE ME by the Deponent who acknowledges that he knows  
and understands the contents of this Affidavit and has sworn  
to its truth in my presence.

.....  
COMMISSIONER FOR OATHS  
ATTORNEY, PORT ELIZABETH.

IN THE SUPREME COURT OF SOUTH AFRICA  
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In the matter of the Petition of:

SAM KAHN

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and:

J. DE VILLIERS LOUW.

First Respondent.

and

CHARLES ROBERTS SWART,  
in his capacity as Minister  
of Justice in the Govern-  
ment of the Union of South  
Africa.

Second Respondent.

---

AFFIDAVIT.

I, REGINALD KENNETH SEPTEMBER, do hereby make oath  
and state:

1. I was the Secretary of the Port Elizabeth District of the Communist Party of South Africa at the time of the dissolution of the Communist Party.
2. The resolution for the dissolution of the Communist Party of South Africa was endorsed, approved of and assented to by a duly convened General Meeting of the members of the Port Elizabeth District of the Communist Party of South Africa on the 7th June 1950. This meeting was attended by Mr. Moses Kotane, General Secretary for the Communist Party of South Africa.
3. In pursuance of the resolution of the Central Committee of the 7th May 1950 and the affirmation and endorsement by the General Meeting of the members of the District Committees which agreed thereto, the Port Elizabeth District and every group and branch thereof forthwith and prior to the passing of the Suppression of Communism Bill by Parliament, lawfully

disposed and divested itself of all its funds and property including all rights and documents. All employees were paid off and their contracts of employment forthwith lawfully terminated, all telephones cancelled, all records were destroyed and all liabilities of whatsoever nature lawfully discharged.

4. The above decisions were unanimously accepted and approved, and no former members have protested against, objected to or dissented from the above decisions or the execution of the decisions.

.....  
H.K. SEPTEMBER.

SWORN TO AT PORT ELIZABETH this 15th day of September 1950,  
BEFORE ME by the Deponent who acknowledges that he knows  
and understands the contents of this Affidavit and has  
sworn to its truth in my presence.

.....  
COMMISSIONER FOR OATHS,  
ATTORNEY, PORT ELIZABETH.

IN THE SUPREME COURT OF SOUTH AFRICA  
(CAPE OF GOOD HOPE PROVINCIAL DIVISION)

In the matter of the Petition of

SAM KAHN

Applicant

and:

J. DE VILLIERS LOUW

First Respondent

and:

CHARLES ROBERTS SWART, in  
his capacity as Minister of  
Justice in the Government of  
the Union of South Africa.

Second Respondent.

---

AFFIDAVIT

I, ARTHUR SHUMI DAMANE, do hereby make oath and  
state:-

1.

I was the Chairman of the East Rand District of the  
Communist Party of South Africa at the time of the Dissolu-  
tion of the Communist Party.

2.

I was not present at the meeting of the Central  
Committee of the said Party on the 6th and 7th May, 1950,  
when it was resolved that the Party would dissolve on the  
day of the third reading of the Suppression of Communism  
Bill in the House of Assembly, which third reading took  
place on the 20th June, 1950. I was informed of the  
resolutions adopted by the Central Committee on the 7th  
May, 1950, and agreed to and approved of and endorsed the  
resolutions prior to the 20th June, 1950.

2/....

3.

The resolution for the dissolution of the  
Communist Party of South Africa was unanimously endorsed,  
approved of and assented to by a duly convened General

Meeting/....

Meeting of the members of the East Rand District of the Communist Party of South Africa on the 20th June, 1950. This meeting was attended by Mr. Moses Kotane, General Secretary of the Communist Party of South Africa.

4.

In pursuance of the resolution of the Central Committee of the 7th May, 1950, and the affirmation and endorsement by the General Meeting of the members of the District Committees which agreed thereto, the East Rand District and every group and branch thereof forthwith and prior to the passing of the Suppression of Communism Bill by Parliament, lawfully disposed and divested itself of all its funds and property including all rights and documents. All employees were paid off and their contracts of employment forthwith lawfully terminated, leases and tenancies of all properties and premises were lawfully terminated, all telephones were cancelled, all records destroyed and all liabilities of whatsoever nature lawfully discharged. All activities ceased.

5.

The above decisions were unanimously accepted, and approved, and no former members have ever protested against, objected to or dissented from the above decisions or the execution of the decisions.

SWORN TO AT JOHANNESBURG on this the 16th day of SEPTEMBER, 1950, by the Deponent who acknowledges that he knows and understands the contents of this Affidavit.

BEFORE ME

(SGD.) A.S. DAMANE

(SGD.) M. COHEN  
COMMISSIONER OF OATHS/  
ATTORNEY - TRANSVAAL.

IN THE SUPREME COURT OF SOUTH AFRICA  
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SAM KAHN

Applicant

and:

J. DE VILLIERS LOUW

First Respondent

and:

CHARLES ROBERTS SWART, in  
his capacity as Minister of  
Justice in the Government of  
the Union of South Africa.

Second Respondent.

---

A F F I D A V I T

I, LEWIS BAKER, do hereby make oath and say:-

1. I was Secretary of the East Rand District of the Communist Party of South Africa at the time of the Dissolution of that Party.
2. That I have read the Affidavit made herein by ARTHUR SHUMI DANANE, that the matters to which he testifies are all within my knowledge and the contents of his Affidavit are true and correct.

SWORN TO AT JOHANNESBURG on this the  
16th day of SEPTEMBER, 1950, by the  
Deponent who acknowledges that he knows  
and understands the contents of this  
Affidavit.

(SGD) L. BAKER

BEFORE ME,

(SGD) M. COHEN  
COMMISSIONER OF OATHS/  
ATTORNEY - TRANSVAAL.

IN THE SUPREME COURT OF SOUTH AFRICA  
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SAM KAHN

Applicant

and:

J. DE VILLIERS LOUW

First Respondent

and:

CHARLES ROBERTS SWART, in his  
capacity as Minister of Justice  
in the Government of the Union  
of South Africa.

Second Respondent.

---

A F F I D A V I T

I, APPASAMY SIGAMONEY, do hereby make oath and  
state:

1. I was the Secretary of the Pretoria District of the  
Communist Party of South Africa at the time of the  
dissolution of that Party.
2. That I have read the Affidavit made herein by  
NABOTE NYADICE MOKGATLE that the matters to which  
he testifies are all within my knowledge, and the  
contents of his Affidavit are true and correct.

SWORN TO AT JOHANNESBURG on this the  
16th day of SEPTEMBER 1950, by the  
Deponent who acknowledges that he knows  
and understands the contents of this  
Affidavit.

(SIGNED) A. SIGAMONEY

BEFORE ME

(SIGNED).

---

COMMISSIONER OF OATHS/  
ATTORNEY - TRANSVAAL.



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In the Matter of the Petition of

SAM KAHN

Applicant

and:

J. DE VILLIERS LOUW

First Respondent

and:

CHARLES ROBBERTS SWART, in his  
capacity as Minister of Justice in  
the Government of the Union of South  
Africa.

Second Respondent.

---

A F F I D A V I T

I, NABOTH NYADIOE MOKGATLE, do hereby make oath  
and state:-

1.

I was the Chairman of the Pretoria District of the  
Communist Party of South Africa at the time of the  
Dissolution of the Communist Party.

2.

I was not present at the meeting of the Central  
Committee of the said Party on the 6th and 7th May 1950  
when it was resolved that the Party would dissolve on  
the day of the third reading of the Suppression of Communism  
Bill in the House of Assembly, which third reading took place  
on the 20th June 1950. I was informed of the resolutions  
adopted by the Central Committee on the 7th May 1950 and  
agreed to and approved of and endorsed the resolutions prior  
to the 20th June 1950.

3.

The resolution for the dissolution of the Communist  
Party of South Africa was unanimously endorsed, approved of  
and assented to by a duly convened General Meeting of the  
members of the Pretoria District of the Communist Party of  
South Africa on the 22nd June 1950. *brief to the said* This meeting was a meeting  
*of the Pretoria District Committee was held and*  
attended by Mr. Moses Kotane, General Secretary of the

Communist/.....

Communist Party of South Africa, at which the aforesaid resolution was unanimously approved and accepted.  
4.

In pursuance of the resolution of the Central Committee of the 7th May 1950 and the affirmation and endorsement by the General Meeting of the members of the District Committees which agreed thereto, the Pretoria District and every group thereof forthwith and prior to the passing of the Suppression of Communism Bill by Parliament, lawfully disposed and divested itself of all its funds and property including all rights and documents. All records were destroyed and all liabilities of whatsoever nature lawfully discharged. All activities ceased and the Pretoria District of the Communist Party of South Africa was dissolved.

5.

The above decisions were unanimously accepted and approved, and no former members have ever protested against, objected to or dissented from the above decisions or the execution of the the decisions.

SWORN TO AT JOHANNESBURG on this the 16th day of SEPTEMBER 1950 by the Deponent who acknowledges that he knows and understands the contents of this Affidavit.

(Sgd.) N.N. MOKGATLE

Before me,

(Sgd.) M.A. JENSEN

COMMISSIONER OF OATHS/  
ATTORNEY - TRANSVAAL.

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